Description: Advanced Business Law

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<th>Subject</th>
<th>Cat-Nbr</th>
<th>Class</th>
<th>Term</th>
<th>Mode</th>
<th>Units</th>
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<td>LAW</td>
<td>8102</td>
<td>21243</td>
<td>1, 2003</td>
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Academic Group: FOBUS
Academic Org: FOB010
HECS Band: 3
ASCED Code: 090901

STAFFING
Examiner: Mark Byrne
Moderator: Anthony Gray

RATIONALE
Business law impacts considerably on the disciplines of accounting, banking and finance - both in theory and in practice. This impact is heightened in recent times by the increasing volume of legislation and regulation of business. This course examines some of the recent trends and issues in business law and likely future developments.

SYNOPSIS
This course identifies developments in civil liability and focuses on business forms which are in increasing use today including franchising, licensing and joint ventures. Recent developments in the area of professional liability are examined and the means by which liability can be managed.

OBJECTIVES
On completion of this course students will be able to:

- understand the significance of recent developments in civil liability law and be able to apply the new law to particular factual situations;
- define the nature and scope of franchising, limited partnerships trusts joint ventures and the law that impact on these business structures;
- understand current developments in the area of professional liability and apply relevant principals to specific occupations;
- develop strategies to manage the expanding scope of civil liability.
TOPICS

Description Weighting (%)
1. Recent developments in civil liability 25.00
2. Professional liability 40.00
3. Business structures: franchising, limited partnerships, joint ventures 30.00
4. Managing civil liability 5.00

REFERENCE MATERIALS

Reference materials are materials that, if accessed by students, may improve their knowledge and understanding of the material in the course and enrich their learning experience.

There is no set text book. However, students are encouraged to acquire, or obtain the use of, a basic business law text. Any of the following would be adequate.

Latimer, P Australian business law, CCH Australia, North Ryde, New South Wales.
Turner, C Australian commercial law, LBC Information Services, Sydney.
Vermeesch, R & Lindgren, K Business law in Australia, Butterworths, Sydney.

STUDENT WORKLOAD REQUIREMENTS

ACTIVITY HOURS
Assessment 40
Directed Study 50
Private Study 75

ASSESSMENT DETAILS

<table>
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<tr>
<th>Description</th>
<th>Marks Out of</th>
<th>Wtg(%)</th>
<th>Required</th>
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<tr>
<td>ASSIGNMENT 1</td>
<td>30.00</td>
<td>30.00</td>
<td>Y</td>
<td>15 Apr 2003</td>
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<td>ASSIGNMENT 2</td>
<td>20.00</td>
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<td>EXAMINATION 3 HOURS</td>
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NOTES:

. The examination is scheduled to be held in the end-of-semester examination period. Students will be advised of the official examination date after the timetable has been finalised.
IMPORTANT ASSESSMENT INFORMATION

1 Attendance requirements:
   If you are an International student in Australia it is a requirement of your student visa that you attend all classes at your campus. For all other students, there are no attendance requirements for this course. However, it is the students' responsibility to study all material provided to them or required to be accessed by them to maximise their chance of meeting the objectives of the course and to be informed of course-related activities and administration.

2 Requirements for students to complete each assessment item satisfactorily:
   Students must submit assignments that represent a reasonable attempt as determined by the Examiner. Students must obtain at least 50% of the marks available for the examination.

3 Penalties for late submission of required work:
   If students submit assignments after the due date without prior approval then a penalty of 20% of the total marks available for the assignment will apply for each working day late.

4 Requirements for student to be awarded a passing grade in the course:
   To be assured of receiving a passing grade a student must attempt all of the summative assessment items, achieve at least 50% in the examination and achieve an aggregated mark of at least 50% of the available weighted marks for the summative assessment items.

5 Method used to combine assessment results to attain final grade:
   The final grades for students will be assigned on the basis of the weighted aggregate of the marks (or grades) obtained for each of the summative assessment items in the course.

6 Examination information:
   This will be an open examination. Candidates may have access to any material during the examination except the following: electronic communication devices (eg mobile phones, pagers), bulky materials, devices requiring mains power and material likely to disturb other students.

7 Examination period when Deferred/Supplementary examinations will be held:
   Any Deferred or Supplementary examinations for this course will be held during the next examination period.

8 University Regulations:
   Students should read USQ Regulations 5.1 Definitions, 5.6 Assessment, and 5.10 Academic Misconduct for further information and to avoid actions which might contravene University Regulations. These regulations can be found at the URL: http://www.usq.edu.au/SECARIAT/calendar/Part5/ or in the printed version of the current USQ Handbook. Students should also read The Guide to Policies and Procedures of the Faculty which can be found at the URL: http://www.usq.edu.au/handbook/2003/business/polproc/index.htm or in the printed version of the current USQ Handbook.
ASSESSMENT NOTES

1 Assignments: (i) The due date for an assignment is the date by which a student must despatch the assignment to the USQ. The onus is on the student to provide proof of the despatch date, if requested by the Examiner. (ii) Students must retain a copy of each item submitted for assessment. This must be produced within five days if required by the Examiner. (iii) The Examiner may grant an extension of the due date of an assignment in extenuating circumstances. If students submit assignments after the due date and wish to claim extenuating circumstances then they shall provide validated documentary evidence with the assignment, explaining the circumstances. The Examiner shall consider the statement accompanying a late assignment and decide on the outcome. (iv) Assignments are to be submitted in the appropriate assignment folders. (v) The Examiner will normally only accept assessments that have been written, typed or printed on paper-based media. (vi) The Examiner will not accept submission of assignments by facsimile. (vii) Students who do not have regular access to postal services or who are otherwise disadvantaged by these regulations may be given special consideration. They should contact the Examiner to negotiate such special arrangements. (viii) In the event that a due date for an assignment falls on a local public holiday in their area, such as a Show holiday, the due date for the assignment will be the next day. Students are to note on the assignment cover the date of the public holiday for the Examiner's convenience.

2 Course Weightings: Course weightings of topics should not be interpreted as applying to the number of marks allocated to questions testing those topics in an examination paper. The examination may test material already tested in assignments.

3 Dishonest Actions: (i) Any student who is alleged to have performed a dishonest action relating to any assessment in the course will have a course of action taken against him/her as outlined in the Academic Regulations. (ii) Pieces of assessment should be the work of individual students. Joint pieces of assessment are not permitted unless written approval has been obtained from the Examiner. (iii) Dishonest action in relation to assessment includes: copying or attempting to copy the work of others; use of or attempting to use information prohibited from use in that form of assessment; submitting the work of another as your own; consciously committing acts of plagiarism, ie taking and using another's thoughts or writings as one's own with intent to deceive, which occurs when paragraphs, sentences, a single sentence or significant parts of a sentence which are copied directly, are not enclosed in quotation marks and appropriately footnoted or referenced in the text; direct quotations are not used, but text is paraphrased or summarised, and the source of the material is not acknowledged by footnoting or other reference in the text.

4 Deferred Work: Students who, for medical, family/personal, or employment-related reasons, are unable to complete an assignment or to sit for an examination at the scheduled time may apply to defer an assessment in a course. Such a request must be accompanied by appropriate supporting documentation. One of the following temporary grades may be awarded: IDS (Incomplete - Deferred Examination); IDM (Incomplete Deferred Make-up); IDB (Incomplete - Both Deferred Examination and Deferred Make-up).