Description: Business Law Honours A

<table>
<thead>
<tr>
<th>Subject</th>
<th>Cat-nbr</th>
<th>Class</th>
<th>Term</th>
<th>Mode</th>
<th>Units</th>
<th>Campus</th>
</tr>
</thead>
<tbody>
<tr>
<td>LAW</td>
<td>4102</td>
<td>30196</td>
<td>1, 2004</td>
<td>OTC</td>
<td>1.00</td>
<td>TWMBA</td>
</tr>
</tbody>
</table>

Academic group: FOBUS
Academic org: FOB010
Student contribution band: 3
ASCED code: 090901

STAFFING
Examiner: Mark Byrne
Moderator: Anthony Gray

REQUISITES
Pre-requisite: LAW2104 and LAW2106 or LAW3108

RATIONALE
This course concentrates on the study of one or more aspects of business law which is or are of contemporary interest and importance. It is justified by the fact that many areas of business law significantly impact on the accounting and banking and finance fields. There is a need to be able to advise clients of the legal ramifications of conducting businesses.

SYNOPSIS
This course seeks to provide students with an appreciation of the current trends and issues in one or more selected fields of business law such as negligence, corporations law, trade practices law. Attention is given to recent case law and statutory developments. The effect of developments in the law are examined to see how they impact on the carrying on of businesses.

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

- identify recent trends in civil liability particularly as it applies to those involved in business;
- apply the general concept of civil liability (contract tort restitution and statutory liability) to the fields of: director's duties, professional negligence generally, auditors liability, trade practices and to solve problems arising in those fields;
- evaluate the policy considerations relevant to the law in each of the areas identified in paragraph 2 above;
- predict the likely future trends in each of the substantive areas of law studied.

**TOPICS**

<table>
<thead>
<tr>
<th>Description</th>
<th>Weighting (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Recent developments in civil liability</td>
<td>15.00</td>
</tr>
<tr>
<td>2. Corporate Governance</td>
<td>20.00</td>
</tr>
<tr>
<td>3. Professional negligence</td>
<td>35.00</td>
</tr>
<tr>
<td>4. Trade practices - both consumer actions and developments in restrictive trade practices</td>
<td>20.00</td>
</tr>
<tr>
<td>5. Summary, overlap and trends</td>
<td>10.00</td>
</tr>
</tbody>
</table>

**TEXT and MATERIALS required to be PURCHASED or ACCESSED:**

ALL textbooks and materials are available for purchase from USQ BOOKSHOP (unless otherwise stated). Orders may be placed via secure internet, free fax 1800642453, phone 07 46312742 (within Australia), or mail. Overseas students should fax +61 7 46311743, or phone +61 7 46312742. For costs, further details, and internet ordering, use the 'Textbook Search' facility at [http://bookshop.usq.edu.au](http://bookshop.usq.edu.au) click 'Semester', then enter your 'Course Code' (no spaces).

**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.

To be advised.

**ASSESSMENT DETAILS**

<table>
<thead>
<tr>
<th>Description</th>
<th>Marks out of</th>
<th>Wtg(%)</th>
<th>Due date</th>
</tr>
</thead>
<tbody>
<tr>
<td>ASSIGNMENT 1</td>
<td>20.00</td>
<td>20.00</td>
<td>30 Mar 2004</td>
</tr>
<tr>
<td>SEMINAR PRESENTATION</td>
<td>10.00</td>
<td>10.00</td>
<td>26 Apr 2004</td>
</tr>
<tr>
<td>ASSIGNMENT 2</td>
<td>40.00</td>
<td>40.00</td>
<td>31 May 2004</td>
</tr>
<tr>
<td>3 HOUR EXAMINATION</td>
<td>30.00</td>
<td>30.00</td>
<td>END S1 (see note 1)</td>
</tr>
</tbody>
</table>
NOTES:

1. 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:
   It is the students’ responsibility to attend and participate appropriately in all activities (such as lectures, tutorials, laboratories and practical work) scheduled for them, and 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. If you are an international student in Australia you are advised to attend all classes at your campus. Failure to attend may infringe the conditions of your student visa.

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 is 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/corporateservices/calendar/part5.htm. Students should also
read the Faculty of Business Guide to Policies and Procedures of the Faculty which can be found at the URL http://www.usq.edu.au/handbook/2004/bus.html.

ASSESSMENT NOTES

1 Assignments: (i) Students must retain a copy of each item submitted for assessment. This must be produced within 24 days if required by the Examiner. (ii) 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. (iii) Assignments are to be submitted with the appropriate assignment cover. (iv) The Examiner will normally only accept assessments that have been written, typed or printed on paper-based media.

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 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).

OTHER REQUIREMENTS

1 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.