Course Outline 2018

COMLAW 101: LAW IN A BUSINESS ENVIRONMENT
(15 points)

Second Semester (1185)

Course Prescription

Decision makers in commerce and industry require an understanding of legal structures, concepts and obligations. This course provides an introduction to the New Zealand legal system and the legal environment in which businesses operate, and also introduces legal concepts of property and the law of obligations, including detailed study of various forms of legal liability relevant to business.

Course Advice

Restriction: COMLAW 191.
This means that you cannot enrol in this course if you have previously taken and passed COMLAW191.

Goals of the Course

An introduction to the legal framework of business and government in New Zealand, including the making and interpretation of legislation, the case law system and judicial reasoning. The course also introduces students to legal concepts of property, ownership and the law of obligations, and includes detailed study of various forms of legal liability relevant to business. As well as providing a knowledge base, the course is taught with the aims of developing the skills of critical thinking and problem solving, and enhancing communication skills. This will provide a sound framework in the concepts and techniques required for any further Commercial Law courses studied.
### Learning Outcomes

By the end of the course it is expected that the student will:

<table>
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<tr>
<th>Course Learning outcome</th>
<th>Related Graduate Profile Capability</th>
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| 1. Have a sound understanding of the nature of law and its application in New Zealand’s constitutional framework including the functioning of government and the Treaty of Waitangi. | 1. KNOWLEDGE AND PRACTICE  
6. SOCIAL RESPONSIBILITY |
| 2. Be able to give advice on the likely outcome of legal scenarios by applying the principles of statutory interpretation to legislation and the principles of judicial reasoning to case law. | 1. KNOWLEDGE AND PRACTICE  
2. CRITICAL THINKING |
| 3. Explain and apply some of the more significant statutes that directly affect businesses. | 1. KNOWLEDGE AND PRACTICE  
2. SOLUTION SEEKING |
| 4. Describe and explain in specific business contexts how the law protects commercial interests through the creation of contracts, and the imposition of liability through duties of care and fiduciary obligations. | 1. KNOWLEDGE AND PRACTICE  
2. CRITICAL THINKING  
3. SOLUTION SEEKING  
4. COMMUNICATION AND ENGAGEMENT |
| 5. Have a general understanding of the various different legal concepts of property and ownership, trusts intellectual property and business structures and be able to evaluate their significance in commercial situations. |  

The course begins with an introduction to the New Zealand constitutional framework and how laws are made (weeks 1 to 4). The first Aropa (peer review) assignment provides an opportunity to apply these principles to a fictional scenario. The terms test examines the understanding of these topics. The balance of the course covers a variety of laws likely to be experienced as both an individual in society and in the operation of a business in a commercial setting. The final exam assesses the latter part of the course.
Learning and teaching

The course is designed to introduce students to how law is made and applied, in particular in relation to commercial situations. Specific areas of the law with the most direct impact on both individuals and businesses such as contract law, the Consumer Guarantees Act and the Fair Trading Act are studied. The analysis of legal concepts such as property and ownership which underpin business are also discussed. The course also provides instruction on legal analysis and problem solving skills required for further study of commercial law.

This course is taught in one hour lecture blocks three times per week. A weekly Workshop where the law being studied is applied in a practical context through the use of case studies and the solving of legal problem scenarios will also be held.

Students are expected to prepare for, attend and participate in a number of one-hour tutorials which focus on using legal problem-solving skills in a small group situation. There are pre-advised tutorial questions. The tutorial programme is a vital component of the learning. There will be 5 tutorials throughout the semester – on average one every second week.

Online testing is also provided to assist students with their learning. Regular office hours and/or drop in clinics on particular days are offered as further assistance in an individual and informal group setting, respectively.

It is expected that you will spend about 10 hours per week on this course. This includes four hours attending the lectures and tutorials and the balance in individual study eg consolidating notes, preparing for tutorials and tests etc.

Teaching staff

Course Coordinator:

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Course Director:

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Other teaching staff:

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Learning resources


Eagles, Longdin (et al), *Law in Business and Government in New Zealand*, 4th edition, Palatine Press, Auckland, 2006. This book was previously used as a set text for this course and students may find it a useful supplement to the material in Watson (et al), *Law for Business*.


All three of these texts are available through the University library system.

- **Course Book**: Comprehensive course materials sold at cost through the Business School Bookshop.
- **Canvas**: Various resources and information uploaded onto Canvas for online access.
- **Exams**: Copies of previous exam papers for this course are available on the University library website.

Assessment information

<table>
<thead>
<tr>
<th>Assessment task</th>
<th>Weight %</th>
<th>Group and/or individual</th>
<th>Submission</th>
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</thead>
<tbody>
<tr>
<td>On line quizzes (five)</td>
<td>5%</td>
<td>Individual</td>
<td>Within Canvas</td>
</tr>
<tr>
<td>Peer review assignments (two)</td>
<td>5%</td>
<td>Individual</td>
<td>Online Aropa website</td>
</tr>
<tr>
<td>Tutorial participation</td>
<td>5%</td>
<td>Individual</td>
<td>During tutorials</td>
</tr>
<tr>
<td>Mid semester test</td>
<td>25%</td>
<td>Individual</td>
<td>Test venue</td>
</tr>
<tr>
<td>Final Exam</td>
<td>60%</td>
<td>Individual</td>
<td>Exam venue</td>
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Pass requirements

A plussage system operates in this course. Plussage is a double chance system and allows your coursework mark either to be taken into account or to be not taken into account in calculating your final grade, whichever is to your advantage.

However, in order for you to get the advantage of plussage, there are some conditions attached, relating to your performance during the semester. "Plussage" may be available to you provided that you have worked during the semester to a sufficient level to attain plussage, as advised on pages 17-19 of the Course Book. See below for details as to plussage this semester.

In order to get plussage, you must have:

a) Attended and participated in no less than 3 (out of the 5) tutorials;
   AND
b) Completed all 5 Canvas Quizzes;
   AND
c) Sat the Test and obtained no less than 40% for the Test (i.e. 12 out of 30).

The plussage system used in this course is designed to encourage you to participate in coursework (and thereby maximise your opportunity of achieving your potential in the paper) yet to not penalise you with your coursework mark if, in fact, your performance in the final examination is comparatively superior.
It is important to remember that you may not be eligible for plussage if you have not achieved to the specified level in your coursework during the semester. (In other words, plussage is a privilege, not a right.)

Hence, the final grade calculation for students in this course may be the better of the following two options:

i. your final examination marked out of a total of 60, plus a mark for your coursework out of 40 (25 marks for the test; and 15 marks for tutorials, assignments and online quizzes): or

ii. your final grade being taken solely from your final examination score (ie, your final examination marked out of 100).

Please note that the final examination is closed book.

NOTE:
In order to pass this course you **MUST** obtain no less than 27/60 marks (45%) in the final exam **AND** at least 50/100 (50%) of the total marks awarded for the course.

**Description of assessment tasks**

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<tr>
<th>Assessment task</th>
<th>Learning outcome to be assessed</th>
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<tr>
<td><strong>On line quizzes</strong>: There are a total of 5 on line quizzes throughout the semester. Each quiz is worth 1%.</td>
<td>LO1 – LO5 inclusive. The quizzes are scheduled so that they are available during the teaching of each topic.</td>
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<tr>
<td><strong>Peer review assignments</strong>: There will be 2 peer review assignments each worth 2.5% (1% for submission of the assignment, 1.5% for completing the marking process)</td>
<td>Ass’t 1 : LO1 – LO2; Ass’t 2 : LO3 - LO4</td>
</tr>
<tr>
<td><strong>Tutorial participation</strong>: There will be 5 tutorials worth 1% for each tutorial. In order to obtain credit there are two general requirements: preparation and contribution.</td>
<td>LO1 to LO5 inclusive</td>
</tr>
<tr>
<td><strong>Midsemester test</strong>: this will require answers in multichoice and in essay and problem formats. This reinforces the attention the course gives to analysis, problem solving and communication skills.</td>
<td>LO1 and LO2</td>
</tr>
<tr>
<td><strong>Final exam</strong>: this will require answers in multichoice and in essay and problem formats. This exam format tests both knowledge and analytical skills in the application of legal principles to fact scenarios.</td>
<td>LO3 to LO5 inclusive</td>
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**Inclusive learning**

Students are urged to discuss privately any impairment-related requirements face-to-face and/or in written form with the courses convenor/lecturer and/or tutor.
**Academic integrity**

The University of Auckland will not tolerate cheating, or assisting others to cheat, and views cheating in coursework as a serious academic offence. The work that a student submits for grading must be the student’s own work, reflecting his or her learning. Where work from other sources is used, it must be properly acknowledged and referenced. This requirement also applies to sources on the worldwide web. A student’s assessed work may be reviewed against electronic source material using computerised detection to provide an electronic version of their work for computerised review.

**Student feedback**

This course has undergone a number of changes as a result of student feedback such as the recording of lectures and the posting of materials on Canvas. Feedback on the content of the course and its delivery is sought during the course by the teaching staff through the medium of informal feedback relayed through the student course representatives at the Staff Student meetings. In addition formal course evaluations are carried out on line at the end of the course.

Some changes have been made at the layout of the course book as a result.

Lectures will follow the order of topics in the Table of Contents. In the past this was not possible due to lecturers having commitments in other courses. However this should not be a problem this semester.

The peer review assessments has been used in previous semesters and feedback and comments on this method of assessment were sought. Generally, the process was felt to be useful in that it gave practice in answering legal questions and encouraged awareness of students’ own work. Of the students answering the surveys 73% agreed or strongly agreed that the peer reviewing experience was useful. The results of the surveys were discussed in class and some minor technical changes to the process have been introduced. Your feedback will again be sought this semester.

Your feedback, both during the course and at its completion, is sought and encouraged. You can contact your class representatives to pass on your feedback to ensure your anonymity or you can contact the teaching or administrative staff direct.

In addition, the Piazza on line platform provides a forum for feedback and questions on course material.

Class representatives will be chosen from the class in the first week of lectures and their contact details posted on Canvas.

**In the event of an unexpected disruption**

We undertake to maintain the continuity and standard of teaching and learning in all your courses throughout the year. If there are unexpected disruptions, the University has contingency plans to ensure that access to your course continues and your assessment is fair, and not compromised. Some adjustments may need to be made in emergencies. In the event of a disruption, the University and your course coordinators will make every effort to provide you with up to date information via Canvas and the University website.
The Graduate Profile for the Bachelor of Commerce

The following six themes represent the capabilities that the Business School seeks to foster in all of its Bachelor of Commerce graduates. (Note that the Bachelor of Property has its own Graduate Profile which is very similar.) The development of these capabilities does not come all at once, but rather is expected to build from year to year. Each course is not expected to contribute to all capabilities, but each course will have its own goals and learning outcomes that relate to the overall development of this Graduate Profile.

<table>
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<tr>
<th>Graduate Profile for the Bachelor of Commerce</th>
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<tbody>
<tr>
<td>KNOWLEDGE AND PRACTICE: Graduates will be able to demonstrate global awareness and specialist knowledge in one or more fields within the discipline of Business and Economics.</td>
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<tr>
<td>CRITICAL THINKING: Graduates will be able to analyse and critique theory and practice within and across their disciplines.</td>
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<tr>
<td>SOLUTION SEEKING: Graduates will be able to recognise and frame a problem and use research skills, creativity and persistence to identify innovative solutions.</td>
</tr>
<tr>
<td>COMMUNICATION AND ENGAGEMENT: Graduates will be able to collaborate with others, demonstrate effective written and oral communication, use communication technologies and communicate across cultures.</td>
</tr>
<tr>
<td>INDEPENDENCE AND INTEGRITY: Graduates will be able to respond professionally and ethically in complex and ambiguous business situations.</td>
</tr>
<tr>
<td>SOCIAL AND ENVIRONMENTAL RESPONSIBILITY: Graduates will embrace ethical obligations towards sustainability, whilst displaying constructive approaches to diversity and recognising the significance of the Treaty of Waitangi.</td>
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Note that if you are enrolled in a Conjoint degree, you may also want to check out and engage with the Graduate Profile for your other degree programme.