Course Outline 2019

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

First Semester (1193)

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.

Programme and Course Advice

Restriction: COMLAW 191.

This means that you cannot enroll 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>
<thead>
<tr>
<th>#</th>
<th>Learning outcome</th>
<th>Graduate profile capability</th>
</tr>
</thead>
</table>
| 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. Disciplinary knowledge and practice  
6a. Social responsibilities  
Choose an item.  
Choose an item. |
| 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. Disciplinary knowledge and practice  
2. Critical thinking  
Choose an item.  
Choose an item. |
| 3 | Explain and apply some of the more significant statutes that directly affect businesses. | 1. Disciplinary knowledge and practice  
3. Solution seeking  
Choose an item.  
Choose an item. |
| 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. Disciplinary knowledge and practice  
2. Critical thinking  
3. Solution seeking  
4b. Communication (Written) |
| 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 | 1. Disciplinary knowledge and practice  
2. Critical thinking  
3. Solution seeking  
4b. Communication (Written) |
<table>
<thead>
<tr>
<th>Module Week</th>
<th>Topic</th>
<th>Relevant learning resources/activities</th>
<th>Assessment due this week/module</th>
</tr>
</thead>
</table>
| 1           | **Topic 1**  
NZ Law, Legal System and Constitution | *Law for Business* chapters 1-2        | Online Quiz                      |
| 2           | **Topic 2**  
The Treaty of Waitangi and the NZ Structure of Government | *Law for Business* chapter 2          | Online Quiz                      |
| 3           | **Topic 3**  
Legislation | *Law for Business* chapter 3          | Online Quiz                      |
| 4           | **Topic 4**  
Case law   | *Law for Business* chapter 4          | Online Quiz  
Assessment due this week/module | Aropa #1 Assignment |
| 5           | **Topic 5**  
Contract Law | *Law for Business* chapter 12        | Online Quiz                      |
| 6           | **Topic 6**  
Consumer and Marketing Law | *Law for Business* chapter 13        | Online Quiz  
Assessment due this week/module | Aropa #1 Marking  
Mid-Semester Test |
| 7           | **Topic 7**  
Negligence | *Law for Business* chapter 15        | Online Quiz                      |
| 8           | **Topic 8**  
Property Law | *Law for Business* chapter 11        | Online Quiz                      |
| 9           | **Topic 9**  
Trusts and Fiduciary Obligations | *Law for Business* chapter 15        | Online Quiz  
Assessment due this week/module | Aropa #2 Assignment |
| 10          | **Topic 10**  
Protecting Information | *Law for Business* chapter 8         | Online Quiz                      |
| 11          | **Topic 11**  
Intellectual property | *Law for Business* chapter 8         | Online Quiz  
Assessment due this week/module | Aropa #2 Marking |
| 12          | **Topic 12**  
Business Structures | *Law for Business* chapter 7         | Online Quiz                      |
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 or four times per week. Some lecture time will be spent in Workshops where the law being studied is applied in a practical context through the use of case studies and the solving of legal problem scenarios.

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.

Weekly online quizzes are 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 20 hours per week on this course. This includes 4-5 hours attending the lectures and tutorials and the balance in individual study e.g. consolidating notes, preparing for tutorials and tests etc.

Teaching staff

Course Coordinator:

Dr Mark McConnell  
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Course Director:

Assoc Prof Gehan Gunasekara  
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Other teaching staff:

Philip Cook  
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Telephone 373.7599 (ext 85253)  
Email: p.cook@auckland.ac.nz
Learning resources

Recommended textbook:


Other helpful textbooks:

- 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.

Also:

- **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 / individual</th>
<th>Submission</th>
</tr>
</thead>
<tbody>
<tr>
<td>Online quizzes (Best 10 out of 12)</td>
<td>10%</td>
<td>Individual</td>
<td>Through Canvas</td>
</tr>
<tr>
<td>Peer Review Assignments</td>
<td>5%</td>
<td>Individual</td>
<td>Through Aropa</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>55%</td>
<td>Individual</td>
<td>Exam venue</td>
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Pass requirements

**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

<table>
<thead>
<tr>
<th>Assessment task</th>
<th>Learning outcome to be assessed</th>
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<tbody>
<tr>
<td><strong>Online quizzes:</strong> There are a total of 12 online quizzes throughout the semester. Each quiz is worth 1%. You will be scored on your 10 best scores.</td>
<td>LO1 – LO5 inclusive</td>
</tr>
<tr>
<td><strong>Peer review assignments:</strong> There will be two peer review assignments. Each is worth 2.5% and the mark is given for participation in the process.</td>
<td>LO1 – LO2</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>Mid-semester test:</strong> this will require answers in multi-choice 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 multi-choice 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 course’s Coordinator/Director/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; the posting of materials on Canvas; and the format of the coursebook. 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 representatives at the Staff Student meetings. In addition formal course evaluations are carried out online during towards the end of the course.

Lectures will follow the order of topics in the Course Outline.

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 online 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

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>
<thead>
<tr>
<th>Graduate Profile for the Bachelor of Commerce</th>
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<tbody>
<tr>
<td>1. Disciplinary knowledge and practice</td>
</tr>
<tr>
<td>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>2. Critical thinking</td>
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<tr>
<td>Graduates will be able to analyse and critique theory and practice within and across their disciplines.</td>
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<tr>
<td>3. Solution seeking</td>
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<tr>
<td>Graduates will be able to recognise and frame a problem and use research skills, creativity and persistence to identify innovative solutions.</td>
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<tr>
<td>4. Communication and engagement</td>
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<tr>
<td>Graduates will be able to collaborate with others, demonstrate effective written and oral communication, use communication technologies and communicate across cultures.</td>
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<td>5. Independence and integrity</td>
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<tr>
<td>Graduates will be able to respond professionally and ethically in complex and ambiguous business situations.</td>
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<td>6. Social and environmental responsibility</td>
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<tr>
<td>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 should also engage with the Graduate Profile for your other degree programme.