



# LAWS11030 Foundations of Business Law

## Term 2 - 2020

Profile information current as at 07/05/2024 01:08 am

All details in this unit profile for LAWS11030 have been officially approved by CQU University and represent a learning partnership between the University and you (our student). The information will not be changed unless absolutely necessary and any change will be clearly indicated by an approved correction included in the profile.

## General Information

### Overview

This unit will introduce you to the legal system and business law in Australia. On completion of this unit you will gain knowledge of the fundamentals of business law and develop your ability to analyse legal issues in a business context and apply your legal knowledge for informed business decisions. The unit is designed to develop your critical thinking, problem solving and communication skills expected of graduates. Topics include Australian legal system, contract law, consumer law, tort law and business structures.

### Details

Career Level: *Undergraduate*

Unit Level: *Level 1*

Credit Points: 6

Student Contribution Band: 10

Fraction of Full-Time Student Load: 0.125

### Pre-requisites or Co-requisites

There are no requisites for this unit.

Important note: Students enrolled in a subsequent unit who failed their pre-requisite unit, should drop the subsequent unit before the census date or within 10 working days of Fail grade notification. Students who do not drop the unit in this timeframe cannot later drop the unit without academic and financial liability. See details in the [Assessment Policy and Procedure \(Higher Education Coursework\)](#).

### Offerings For Term 2 - 2020

- Brisbane
- Bundaberg
- Cairns
- Gladstone
- Mackay
- Melbourne
- Online
- Perth
- Rockhampton
- Sydney
- Townsville

### Attendance Requirements

All on-campus students are expected to attend scheduled classes – in some units, these classes are identified as a mandatory (pass/fail) component and attendance is compulsory. International students, on a student visa, must maintain a full time study load and meet both attendance and academic progress requirements in each study period (satisfactory attendance for International students is defined as maintaining at least an 80% attendance record).

### Website

[This unit has a website, within the Moodle system, which is available two weeks before the start of term. It is important that you visit your Moodle site throughout the term. Please visit Moodle for more information.](#)

## Class and Assessment Overview

### Recommended Student Time Commitment

Each 6-credit Undergraduate unit at CQUniversity requires an overall time commitment of an average of 12.5 hours of study per week, making a total of 150 hours for the unit.

### Class Timetable

#### [Regional Campuses](#)

Bundaberg, Cairns, Emerald, Gladstone, Mackay, Rockhampton, Townsville

#### [Metropolitan Campuses](#)

Adelaide, Brisbane, Melbourne, Perth, Sydney

### Assessment Overview

#### 1. **Written Assessment**

Weighting: 40%

#### 2. **Take Home Exam**

Weighting: 60%

### Assessment Grading

This is a graded unit: your overall grade will be calculated from the marks or grades for each assessment task, based on the relative weightings shown in the table above. You must obtain an overall mark for the unit of at least 50%, or an overall grade of 'pass' in order to pass the unit. If any 'pass/fail' tasks are shown in the table above they must also be completed successfully ('pass' grade). You must also meet any minimum mark requirements specified for a particular assessment task, as detailed in the 'assessment task' section (note that in some instances, the minimum mark for a task may be greater than 50%). Consult the [University's Grades and Results Policy](#) for more details of interim results and final grades.

## CQUniversity Policies

**All University policies are available on the [CQUniversity Policy site](#).**

You may wish to view these policies:

- Grades and Results Policy
- Assessment Policy and Procedure (Higher Education Coursework)
- Review of Grade Procedure
- Student Academic Integrity Policy and Procedure
- Monitoring Academic Progress (MAP) Policy and Procedure – Domestic Students
- Monitoring Academic Progress (MAP) Policy and Procedure – International Students
- Student Refund and Credit Balance Policy and Procedure
- Student Feedback – Compliments and Complaints Policy and Procedure
- Information and Communications Technology Acceptable Use Policy and Procedure

This list is not an exhaustive list of all University policies. The full list of University policies are available on the [CQUniversity Policy site](#).

## Previous Student Feedback

### Feedback, Recommendations and Responses

Every unit is reviewed for enhancement each year. At the most recent review, the following staff and student feedback items were identified and recommendations were made.

#### Feedback from Student feedback.

##### Feedback

Students commended the recorded master classes and accompanying resources each week.

##### Recommendation

Unit Coordinator to increase additional resources to support recordings to assist students who wish to attain higher levels of critical analysis in the assessment items and to add further contemporary law in action items.

#### Feedback from Student feedback.

##### Feedback

The assignment and take home advice video sessions were commended.

##### Recommendation

Unit Coordinator to improve these practices with the assessment items by way of additional relevant resources such as the provision of an appropriate website of a federal regulator and legal guidelines for businesses.

## Unit Learning Outcomes

### On successful completion of this unit, you will be able to:

1. Describe the Australian legal system including the formal structures, its historical evolution from reception of British Law to Federation, the role of the doctrine of precedent and statutory interpretation
2. Explain and apply basic principles of contract, consumer and tort law in a business context
3. Identify and explain different business structures and liability to business owners and other stakeholders
4. Communicate business advice/solutions and business risk management in legal issues commonly encountered within business situations, with justification from case law and legislation.

## Alignment of Learning Outcomes, Assessment and Graduate Attributes



### Alignment of Assessment Tasks to Learning Outcomes

Assessment Tasks	Learning Outcomes			
	1	2	3	4
<b>1 - Written Assessment - 40%</b>	•	•	•	•
<b>2 - Take Home Exam - 60%</b>	•	•	•	•

### Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes			
	1	2	3	4
1 - Communication	•	•	•	•
2 - Problem Solving		•	•	
3 - Critical Thinking		•	•	•
4 - Information Literacy	•	•	•	•
5 - Team Work	•		•	
6 - Information Technology Competence				•
7 - Cross Cultural Competence				•
8 - Ethical practice				•
9 - Social Innovation				
10 - Aboriginal and Torres Strait Islander Cultures				

### Alignment of Assessment Tasks to Graduate Attributes

Assessment Tasks	Graduate Attributes									
	1	2	3	4	5	6	7	8	9	10
1 - Written Assessment - 40%	•	•	•	•	•	•	•	•		
2 - Take Home Exam - 60%	•	•	•	•						

## Textbooks and Resources

### Textbooks

LAWS11030

#### Prescribed

##### Business Law

Edition: 5th (2020)

Authors: Nick James

Wiley

Milton , Queensland , Australia

ISBN: 9780730369271

Binding: Paperback

#### Additional Textbook Information

If you prefer to study with a paper copy, they are available at the CQUni Bookshop here: <http://bookshop.cqu.edu.au> (search on the Unit code). eBooks are available at the publisher's website.

[View textbooks at the CQUniversity Bookshop](#)

### IT Resources

**You will need access to the following IT resources:**

- CQUniversity Student Email
- Internet
- Unit Website (Moodle)

## Referencing Style

**All submissions for this unit must use the referencing styles below:**

- [Australian Guide to Legal Citation, 4th ed](#)
- [American Psychological Association 7th Edition \(APA 7th edition\)](#)

For further information, see the Assessment Tasks.

## Teaching Contacts

**Matt Nichol** Unit Coordinator

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**Ronald Farran** Unit Coordinator

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## Schedule

### Week 1 - 13 Jul 2020

Module/Topic	Chapter	Events and Submissions/Topic
Foundations: Business and the Law	1	

### Week 2 - 20 Jul 2020

Module/Topic	Chapter	Events and Submissions/Topic
Foundations: The Australian legal and court systems and ADR	2 & 3	

### Week 3 - 27 Jul 2020

Module/Topic	Chapter	Events and Submissions/Topic
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Foundations: How to find, understand and use the law 4

#### **Week 4 - 03 Aug 2020**

<b>Module/Topic</b>	<b>Chapter</b>	<b>Events and Submissions/Topic</b>
Contract Law: Formation of business contracts	7 and 9	

#### **Week 5 - 10 Aug 2020**

<b>Module/Topic</b>	<b>Chapter</b>	<b>Events and Submissions/Topic</b>
Contract Law: Terms of business contracts	8	

#### **Vacation Week - 17 Aug 2020**

<b>Module/Topic</b>	<b>Chapter</b>	<b>Events and Submissions/Topic</b>
Revision and assignment preparation.		

#### **Week 6 - 24 Aug 2020**

<b>Module/Topic</b>	<b>Chapter</b>	<b>Events and Submissions/Topic</b>
Contract Law: Enforcement of business contracts	9	

#### **Week 7 - 31 Aug 2020**

<b>Module/Topic</b>	<b>Chapter</b>	<b>Events and Submissions/Topic</b>
Contract Law: Dealing with consumers and the Australian Consumer Law	11	

#### **Week 8 - 07 Sep 2020**

<b>Module/Topic</b>	<b>Chapter</b>	<b>Events and Submissions/Topic</b>
Contract Law: Analysing business contracts and review of contracts	See Moodle	<b>Written Assessment</b> Due: Week 8 Wednesday (9 Sept 2020) 11:45 pm AEST

#### **Week 9 - 14 Sep 2020**

<b>Module/Topic</b>	<b>Chapter</b>	<b>Events and Submissions/Topic</b>
Tort law: Deliberately causing harm and negligently/carelessly causing harm	5 & 6	

#### **Week 10 - 21 Sep 2020**

<b>Module/Topic</b>	<b>Chapter</b>	<b>Events and Submissions/Topic</b>
Managing a business: Business start-up	14	

#### **Week 11 - 28 Sep 2020**

<b>Module/Topic</b>	<b>Chapter</b>	<b>Events and Submissions/Topic</b>
Managing a business: Business ownership structures and an introduction to companies	15 and 16.1	

#### **Week 12 - 05 Oct 2020**

<b>Module/Topic</b>	<b>Chapter</b>	<b>Events and Submissions/Topic</b>
Managing a business: Insurance, taxes and employing workers	18 & 19	

#### **Review/Exam Week - 12 Oct 2020**

<b>Module/Topic</b>	<b>Chapter</b>	<b>Events and Submissions/Topic</b>
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#### **Exam Week - 19 Oct 2020**

<b>Module/Topic</b>	<b>Chapter</b>	<b>Events and Submissions/Topic</b>
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# Assessment Tasks

## 1 Written Assessment

### Assessment Type

Written Assessment

### Task Description

Part A: Case Analysis

You will be required to read a case and answer a number of questions relating to this case. The case can be accessed at the Australian Legal Information Institute ([www.austlii.edu.au](http://www.austlii.edu.au)). Most of the answers can be taken from the case but you may also do further research or refer to lecture materials in your assessment. Many of the questions will require you to apply the knowledge gained from the given case.

Part B: Legal problem questions

You will be required to identify the legal issue(s), demonstrate your understanding of introductory contract and consumer law concepts, and support your arguments with legal principles, statutes and cases.

### Assessment Due Date

Week 8 Wednesday (9 Sept 2020) 11:45 pm AEST

Written assessments that are not submitted on time may attract a late penalty of 2 marks per day unless an extension request has been granted. All extension applications should be applied for online via Moodle and you are to provide documents to support an application.

### Return Date to Students

Week 10 Wednesday (23 Sept 2020)

### Weighting

40%

### Assessment Criteria

The objective of Part A Case Analysis is to present an authentic case for you to analyse, understand the legal issues and arguments from both parties and using the legal knowledge gained formulate risk mitigation strategies. You will be assessed against the following criteria for Part A:

- Accuracy of understanding of facts
- Relevance of responses to questions asked
- Application of legal knowledge gained from the case
- Critical thinking applied to arrive at risk mitigation strategies in contractual situations

The objective of Part B Legal Problem Questions is to develop your ability to apply contractual and consumer law principles to hypothetical situations to make an informed analysis and to resolve legal issues with the support from cases and statutes. You will be assessed against the following criteria for Part B:

- Identification of the legal issues
- Identification of legal rules and support from case and statutes
- Identification of material relevant facts
- Cogency of arguments from both parties
- Demonstration of a reasoned conclusion
- Citing of cases and compliance with the word limit

### Referencing Style

- [Australian Guide to Legal Citation, 4th ed](#)
- [American Psychological Association 7th Edition \(APA 7th edition\)](#)

### Submission

Online

### Learning Outcomes Assessed

- Describe the Australian legal system including the formal structures, its historical evolution from reception of British Law to Federation, the role of the doctrine of precedent and statutory interpretation
- Explain and apply basic principles of contract, consumer and tort law in a business context
- Identify and explain different business structures and liability to business owners and other stakeholders
- Communicate business advice/solutions and business risk management in legal issues commonly encountered within business situations, with justification from case law and legislation.

## Graduate Attributes

- Communication
- Problem Solving
- Critical Thinking
- Information Literacy
- Team Work
- Information Technology Competence
- Cross Cultural Competence
- Ethical practice

## 2 Take Home Exam

### Assessment Type

Take Home Exam

### Task Description

The take-home examination will be released on Moodle. The assessment task must be completed by and submitted within 24 hours in one Word document via the take home exam assessment upload link on Moodle.

This task will required you to identify the legal issues, identify legislation and case law and link the law to the facts to support your argument.

The take-home examinations comprises two parts - Part A and Part B. Part A is worth 20 marks. Part B is worth 40 marks.

### Assessment Due Date

### Return Date to Students

### Weighting

60%

### Assessment Criteria

No Assessment Criteria

### Referencing Style

- [Australian Guide to Legal Citation, 4th ed](#)
- [American Psychological Association 7th Edition \(APA 7th edition\)](#)

### Submission

Online

### Learning Outcomes Assessed

- Describe the Australian legal system including the formal structures, its historical evolution from reception of British Law to Federation, the role of the doctrine of precedent and statutory interpretation
- Explain and apply basic principles of contract, consumer and tort law in a business context
- Identify and explain different business structures and liability to business owners and other stakeholders
- Communicate business advice/solutions and business risk management in legal issues commonly encountered within business situations, with justification from case law and legislation.

## Graduate Attributes

- Communication
- Problem Solving
- Critical Thinking
- Information Literacy



## Academic Integrity Statement

As a CQUniversity student you are expected to act honestly in all aspects of your academic work.

Any assessable work undertaken or submitted for review or assessment must be your own work. Assessable work is any type of work you do to meet the assessment requirements in the unit, including draft work submitted for review and feedback and final work to be assessed.

When you use the ideas, words or data of others in your assessment, you must thoroughly and clearly acknowledge the source of this information by using the correct referencing style for your unit. Using others' work without proper acknowledgement may be considered a form of intellectual dishonesty.

Participating honestly, respectfully, responsibly, and fairly in your university study ensures the CQUniversity qualification you earn will be valued as a true indication of your individual academic achievement and will continue to receive the respect and recognition it deserves.

As a student, you are responsible for reading and following CQUniversity's policies, including the [Student Academic Integrity Policy and Procedure](#). This policy sets out CQUniversity's expectations of you to act with integrity, examples of academic integrity breaches to avoid, the processes used to address alleged breaches of academic integrity, and potential penalties.

### What is a breach of academic integrity?

A breach of academic integrity includes but is not limited to plagiarism, self-plagiarism, collusion, cheating, contract cheating, and academic misconduct. The Student Academic Integrity Policy and Procedure defines what these terms mean and gives examples.

### Why is academic integrity important?

A breach of academic integrity may result in one or more penalties, including suspension or even expulsion from the University. It can also have negative implications for student visas and future enrolment at CQUniversity or elsewhere. Students who engage in contract cheating also risk being blackmailed by contract cheating services.

### Where can I get assistance?

For academic advice and guidance, the [Academic Learning Centre \(ALC\)](#) can support you in becoming confident in completing assessments with integrity and of high standard.

### What can you do to act with integrity?



#### Be Honest

If your assessment task is done by someone else, it would be dishonest of you to claim it as your own



#### Seek Help

If you are not sure about how to cite or reference in essays, reports etc, then seek help from your lecturer, the library or the Academic Learning Centre (ALC)



#### Produce Original Work

Originality comes from your ability to read widely, think critically, and apply your gained knowledge to address a question or problem