



# **LAWS11030 Foundations of Business Law**

## **Term 3 - 2021**

Profile information current as at 05/05/2024 12:33 am

All details in this unit profile for LAWS11030 have been officially approved by CQUniversity 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 3 - 2021

- Online

### 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 Self reflection, consultation among unit coordinators and feedback from management.

#### **Feedback**

Review of the outcome of previous enhancements has led to the conclusion that there are now too many links on the Moodle site.

#### **Recommendation**

Reduce the number of web links on the Moodle site.

Feedback from Student feedback, self reflection and review by management.

#### **Feedback**

Students require more support for the assignment.

#### **Recommendation**

The unit coordinator should provide more discussion of the assignment requirements in class and in supporting materials.

Feedback from Student feedback

#### **Feedback**

Students who wanted regular quizzes to keep up with the content of the unit were not aware that quizzes existed (as Review Questions) in the Study Guides.

#### **Recommendation**

The Unit Coordinator should explain in the introductory lesson the various materials available, especially what is in the Study Guides, so that students can make use of the full range of materials and resources.

## 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

 N/A Level	 Introductory Level	 Intermediate Level	 Graduate Level	 Professional Level	 Advanced Level
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### Alignment of Assessment Tasks to Learning Outcomes

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

### 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

The textbook can be purchased from the publisher as either a fully online e-text or in hard copy form which also allows access to the online version.

[View textbooks at the CQUniversity Bookshop](#)

### IT Resources

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

- CQUniversity Student Email
- Internet
- Unit Website (Moodle)
- Zoom Capacity (webcam and microphone)

## Referencing Style

All submissions for this unit must use the referencing style: [American Psychological Association 7th Edition \(APA 7th edition\)](#)  
For further information, see the Assessment Tasks.

## Teaching Contacts

**Dom Lococo** Unit Coordinator

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**Matt Nichol** Unit Coordinator

[m.nichol@cqu.edu.au](mailto:m.nichol@cqu.edu.au)

## Schedule

### Week 1 Legal Systems I: Business and the Law - 08 Nov 2021

Module/Topic	Chapter	Events and Submissions/Topic
What is Law and Business Law?	Nick James, <i>Business Law</i> (Wiley, 5th edition, 2020) Chapter 1	

### Week 2 Legal Systems II: The Australian Legal System - 15 Nov 2021

Module/Topic	Chapter	Events and Submissions/Topic
Key Features of the Australian Legal System	Nick James, <i>Business Law</i> (Wiley, 5th edition, 2020) Chapters 2 and 3	

### Week 3 Legal Systems III: Alternative Dispute Resolution and Legal Research - 22 Nov 2021

Module/Topic	Chapter	Events and Submissions/Topic
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Methods of Alternative Dispute Resolution and How to Find, Understand and Use the Law

Nick James, *Business Law* (Wiley, 5th edition, 2020) Ch 4

#### Week 4 Contract Law I: Formation of Contracts - 29 Nov 2021

Module/Topic	Chapter	Events and Submissions/Topic
Elements of Forming a Contract: Offer, Acceptance, Consideration, Intention and Capacity	Nick James, <i>Business Law</i> (Wiley, 5th edition, 2020) Chapter 7	

#### Vacation Week - 06 Dec 2021

Module/Topic	Chapter	Events and Submissions/Topic
Assignment preparation		

#### Week 5 Contract Law II: Terms of Contracts - 13 Dec 2021

Module/Topic	Chapter	Events and Submissions/Topic
Express and Implied Terms of a Contract, Disclaimers, Restraints of Trade and Sale of Goods Acts	Nick James, <i>Business Law</i> (Wiley, 5th edition, 2020) Chapter 8	

#### Week 6 Contract Law III: Enforcement of Contracts - 20 Dec 2021

Module/Topic	Chapter	Events and Submissions/Topic
Classification of Terms, Breach of Contract and Unenforceable Contracts	Nick James, <i>Business Law</i> (Wiley, 5th edition, 2020) Chapter 9	

#### Vacation Week - 27 Dec 2021

Module/Topic	Chapter	Events and Submissions/Topic
Revision and assignment preparation.		

#### Week 7 Contract Law IV: Australian Consumer Law - 03 Jan 2022

Module/Topic	Chapter	Events and Submissions/Topic
Consumer Protections and the Australian Consumer Law and Privacy Law	Nick James, <i>Business Law</i> (Wiley, 5th edition, 2020) Chapter 11	<b>Assignment</b> Due: Week 7 Friday (7 Jan 2022) 11:45 pm AEST

#### Week 8 Contract Law V: Review of Contract Law - 10 Jan 2022

Module/Topic	Chapter	Events and Submissions/Topic
Analysis of Contracts and Review of Important Contract Law Rules and Principles	See readings from weeks 4-7	

#### Week 9 Law in Context I: Tort Law - 17 Jan 2022

Module/Topic	Chapter	Events and Submissions/Topic
Types of Torts and the Tort of Negligence	Nick James, <i>Business Law</i> (Wiley, 5th edition, 2020) Chapters 5 and 6	

#### Week 10 Law in Context II: Business Start-Up - 24 Jan 2022

Module/Topic	Chapter	Events and Submissions/Topic
Legal Requirements for Starting a Business, Intellectual Property, the Internet and Law and Commercial Property	Nick James, <i>Business Law</i> (Wiley, 5th edition, 2020) Chapter 14	

#### Week 11 Law in Context III: Business Structures - 31 Jan 2022

Module/Topic	Chapter	Events and Submissions/Topic
Sole Traders, Partnerships, Joint Ventures, Trusts and Corporations	Nick James, <i>Business Law</i> (Wiley, 5th edition, 2020) Chapters 15 and 16.1	

#### Week 12 Law in Context IV: Managing a Business - 07 Feb 2022

Module/Topic	Chapter	Events and Submissions/Topic
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**Exam Week - 14 Feb 2022**

**Module/Topic**

**Chapter**

**Events and Submissions/Topic**

## Assessment Tasks

### 1 Assignment

**Assessment Type**

Written Assessment

**Task Description**

**The assignment involves a problem solving exercise where students must demonstrate research, analytical and writing skills. Students are required to examine a factual scenario and then apply relevant laws to a number of questions.**

**Assessment Due Date**

Week 7 Friday (7 Jan 2022) 11:45 pm AEST

The policy for extensions of time will be strictly enforced. Late submissions without an approved online extension will attract a penalty of 5% of the total available marks per day that is in accordance with the relevant CQU policies.

**Return Date to Students**

Week 9 Friday (21 Jan 2022)

Marks and feedback will be returned to students by Moodle

**Weighting**

40%

**Assessment Criteria**

The assignment will be assessed according to the following criteria:

1. Problem solving: students must demonstrate problem solving skills by identifying and applying relevant legal rules and principles.
2. Critical thinking: students must demonstrate critical thinking by analysing, applying and evaluating facts and law in a problem solving context.
3. Information literacy: students must demonstrate information literacy by identifying, understanding and applying legal rules and principles.
4. Writing and presentation: students must submit answers with a clear writing style that uses appropriate grammar and expression. Ideas and arguments must be presented using a logical structure and order.
5. Referencing: students must appropriately cite relevant references when using legislation, cases and secondary materials (for example books or journal articles).

A detailed marking rubric will be made available on Moodle.

**Referencing Style**

- [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 Paper**

### **Assessment Type**

Take Home Exam

### **Task Description**

The take-home paper will consist of a number of legal problem and short answer questions that test your knowledge and understanding of legal principles, legislation and cases. It is an individual assessment task and no collaboration is permitted. It will be released on Moodle. Students will have 24 hours to complete and submit their answers via Moodle. Extensions for the take-home paper are only permitted in accordance with relevant university policies.

### **Assessment Due Date**

The release date for the take-home paper will be set by the School and will be during the examination period. You will be informed of the date during the term.

### **Return Date to Students**

Marks for the take home paper will be released after certification of grades.

### **Weighting**

60%

### **Assessment Criteria**

The take home paper will be assessed according to the following criteria:

1. Problem solving: students must demonstrate problem solving skills by identifying and applying relevant legal rules and principles.
2. Critical thinking: students must demonstrate critical thinking by analysing, applying and evaluating facts and law in a problem solving context.
3. Information literacy: students must demonstrate information literacy by identifying, understanding and applying legal rules and principles.
4. Writing and presentation: students must submit answers with a clear writing style that uses appropriate grammar and expression. Ideas and arguments must be presented using a logical structure and order.
5. Referencing: students must appropriately cite relevant references when using legislation and cases.

A detailed marking rubric will be made available on Moodle.

### **Referencing Style**

- [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