



LAWS13018 Competition and Consumer Law

Term 1 - 2018

Profile information current as at 03/05/2024 08:31 am

All details in this unit profile for LAWS13018 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

Competition and Consumer Law examines the economic and legal principles which underpin Australia's competitive market economy. You will examine the Competition and Consumer Act 2010 (Cth) and analyse case law interpreting and applying the legislation. You will also examine the role of the Australian Competition and Consumer Commission in regulating the conduct of competition and fair trade ensuring the rights and responsibilities of business and individuals. Current issues and recent case law regarding competition and consumer law are of focus.

Details

Career Level: *Undergraduate*

Unit Level: *Level 3*

Credit Points: 6

Student Contribution Band: 10

Fraction of Full-Time Student Load: 0.125

Pre-requisites or Co-requisites

Pre- Requisites: LAWS11057 Introduction to Law LAWS11059 Statutory Interpretation LAWS11061 Contract A LAWS11062 Contract B

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 1 - 2018

- Distance

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: 50%

2. **Written Assessment**

Weighting: 50%

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 reacted positively to the Unit Co-ordinator providing a marking rubric and marker's expectation document with assessment tasks.

Recommendation

Competition and Consumer Law will continue to provide a marking rubric and marker's expectation document with all assessment tasks.

Unit Learning Outcomes

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

1. Explain the rationale for, and implementation of, competition and consumer law policy in the Australian economy
2. Demonstrate proficient legal research skills to locate legislation and case law relevant to competition and consumer law
3. Identify, apply and critically evaluate legislation and case law to a practical competition and consumer law problem.

Alignment of Learning Outcomes, Assessment and Graduate Attributes



Alignment of Assessment Tasks to Learning Outcomes

Assessment Tasks	Learning Outcomes		
	1	2	3
1 - Written Assessment - 50%	•	•	•
2 - Written Assessment - 50%	•	•	•

Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes		
	1	2	3
1 - Communication	•	•	•
2 - Problem Solving	•	•	•
3 - Critical Thinking	•	•	•

Graduate Attributes	Learning Outcomes		
	1	2	3
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 - 50%	•	•	•	•		•		•		
2 - Written Assessment - 50%	•	•	•	•		•		•		

Textbooks and Resources

Textbooks

LAWS13018

Prescribed

Australian Competition Law

Edition: 2nd edn (2013)

Authors: Bruce, A

Lexis Nexis Butterworths

Chatswood , NSW , Australia

ISBN: 9780409332827

Binding: Other

LAWS13018

Prescribed

The Australian Consumer Law

Edition: 3rd edn (2016)

Authors: Corones, SG

Thomson Reuters

Sydney , NSW , Australia

ISBN: 9780455237442

Binding: Other

Additional Textbook Information

The Second Edition of the Australian Competition Law is the correct version for Term 1, 2018. The third edition will not be published by the start of term.

[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 style: [Australian Guide to Legal Citation, 3rd ed](#)
For further information, see the Assessment Tasks.

Teaching Contacts

Lance Rundle Unit Coordinator
l.rundle@cqu.edu.au

Schedule

Week 1 - 05 Mar 2018

Module/Topic	Chapter	Events and Submissions/Topic
Introduction to economic foundation of competition and consumer law	Bruce Chapter 1, 3, 4, 5 and 6 Corones Chapter 1 and 2	

Week 2 - 12 Mar 2018

Module/Topic	Chapter	Events and Submissions/Topic
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Restraint of trade	Bruce Chapter 2
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Week 3 - 19 Mar 2018

Module/Topic	Chapter	Events and Submissions/Topic
Anti- competitive agreements	Bruce Chapter 7	

Week 4 - 26 Mar 2018

Module/Topic	Chapter	Events and Submissions/Topic
Misuse of market power	Bruce Chapter 8	

Week 5 - 02 Apr 2018

Module/Topic	Chapter	Events and Submissions/Topic
Exclusive Dealing	Bruce Chapter 9	Written Assessment Due: Week 5 Friday (6 Apr 2018) 11:59 pm AEST

Vacation Week - 09 Apr 2018

Module/Topic	Chapter	Events and Submissions/Topic
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Week 6 - 16 Apr 2018

Module/Topic	Chapter	Events and Submissions/Topic
Enforcement and remedies- competition law	Bruce Chapter 14, 15 and 16	

Week 7 - 23 Apr 2018

Module/Topic	Chapter	Events and Submissions/Topic
Misleading or deceptive conduct	Corones Chapter 3	

Week 8 - 30 Apr 2018

Module/Topic	Chapter	Events and Submissions/Topic
Unconscionable conduct	Corones Chapter 4	

Week 9 - 07 May 2018

Module/Topic	Chapter	Events and Submissions/Topic
Unfair contract terms	Corones Chapter 5	

Week 10 - 14 May 2018

Module/Topic	Chapter	Events and Submissions/Topic
Specific false or misleading representations	Corones Chapter 6	

Week 11 - 21 May 2018

Module/Topic	Chapter	Events and Submissions/Topic
Enforcement and remedies - consumer law	Corones Chapter 13 and 14	

Week 12 - 28 May 2018

Module/Topic	Chapter	Events and Submissions/Topic
Revision and final take home paper		Written Assessment- Final Take Home Paper Due: Week 12 Tuesday (29 May 2018) 3:00 pm AEST

Review/Exam Week - 04 Jun 2018

Module/Topic	Chapter	Events and Submissions/Topic
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Exam Week - 11 Jun 2018

Module/Topic	Chapter	Events and Submissions/Topic
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Term Specific Information

Assessment Tasks

1 Written Assessment

Assessment Type

Written Assessment

Task Description

You will be presented with a legal problem, the assessment question will be released on Moodle. You will be required to undertake research of legislation and case law and apply this research to support your legal argument and conclusion.

Assessment Due Date

Week 5 Friday (6 Apr 2018) 11:59 pm AEST

To be uploaded as a word document via the assessment 1 upload link on Moodle

Return Date to Students

Week 8 Friday (4 May 2018)

Grade and feedback will be returned on Moodle when all students in this unit have completed the assessment task.

Weighting

50%

Assessment Criteria

You will be assessed on your research skills, your ability to reference case law, reference legislation and outline your legal argument linking the law to the problem scenario using concise, clear and grammatically correct language.

Referencing Style

- [Australian Guide to Legal Citation, 3rd ed](#)

Submission

Online

Submission Instructions

To be uploaded as a word document via the assessment 1 upload link on Moodle

Learning Outcomes Assessed

- Explain the rationale for, and implementation of, competition and consumer law policy in the Australian economy
- Demonstrate proficient legal research skills to locate legislation and case law relevant to competition and consumer law
- Identify, apply and critically evaluate legislation and case law to a practical competition and consumer law problem.

Graduate Attributes

- Communication
- Problem Solving
- Critical Thinking
- Information Literacy
- Information Technology Competence
- Ethical practice

2 Written Assessment- Final Take Home Paper

Assessment Type

Written Assessment

Task Description

The Final Take Home Paper will be released on Moodle in week 12 on 27 May at 3pm. The assessment will comprise problem scenarios requiring legal argument based on legislation and case law. You must upload your answer on Moodle in a word document. This assessment task must be completed by the due date in week 12 on 29 May at 3pm. In the absence of an approved extension, there will be no opportunity to complete the task after this date and there will be no opportunity to apply a late penalty of five per cent per day and you will receive a mark of zero for this assessment task.

Assessment Due Date

Week 12 Tuesday (29 May 2018) 3:00 pm AEST

To be uploaded as a word document via the assessment 2 upload link on Moodle

Return Date to Students

The final take home paper will not be returned to students.

Weighting

50%

Assessment Criteria

You will be assessed on your research skills, your ability to reference case law, reference legislation and outline your legal argument linking the law to the problem scenario using concise, clear and grammatically correct language.

Referencing Style

- [Australian Guide to Legal Citation, 3rd ed](#)

Submission

Online

Submission Instructions

To be uploaded as a word document via the assessment 2 upload link on Moodle

Learning Outcomes Assessed

- Explain the rationale for, and implementation of, competition and consumer law policy in the Australian economy
- Demonstrate proficient legal research skills to locate legislation and case law relevant to competition and consumer law
- Identify, apply and critically evaluate legislation and case law to a practical competition and consumer law problem.

Graduate Attributes

- Communication
- Problem Solving
- Critical Thinking
- Information Literacy
- Information Technology Competence
- Ethical practice

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