



LAWS19031 Commercial Law

Term 1 - 2020

Profile information current as at 06/05/2024 04:24 am

All details in this unit profile for LAWS19031 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.

Corrections

Unit Profile Correction added on 26-03-20

The end of term examination has now been changed to an alternate form of assessment. Please see your Moodle site for details of the assessment.

General Information

Overview

A study of commercial law including an examination of the different types of property and ownership. There is a study of the contract of sale and other consumer transactions with particular reference to relevant legislation. Other topics covered include agency, bailment, cheques, insurance, securities, and bankruptcy. STUDENTS WHO HAVE PREVIOUSLY COMPLETED LAWS11054 COMMERCIAL LAW CANNOT ENROLL IN THIS UNIT.

Details

Career Level: *Undergraduate*

Unit Level: *Level 2*

Credit Points: *6*

Student Contribution Band: *10*

Fraction of Full-Time Student Load: *0.125*

Pre-requisites or Co-requisites

Prerequisite: LAWS 11030

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 - 2020

- 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. **Examination**

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 Current Unit Coordinator reflection

Feedback

The current content and structure of the unit shall be revised and improved for Term 1 2020. Certain module topics are too broad and span a number of weeks. Existing content will be streamlined and other relevant areas can be appropriately incorporated. These improvements will align closely with the set text, Moodle resources and unit profile.

Recommendation

Unit Coordinator to revise and improve the structure and content of the unit. Unit Coordinator to add weekly video sessions and master classes to streamline and improve the unit's content. Unit Coordinator to add reports of current legal events to Moodle as related weekly activities.

Unit Learning Outcomes

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

1. demonstrate an understanding of the commercial law concepts in the topics covered
2. locate, understand and interpret relevant provisions of the legislation considered in the unit
3. identify the obligations, rights and remedies available to parties in commercial transactions
4. make an informed decision as to the likely outcome of a commercial fact situation based on appropriate information.

Alignment of Learning Outcomes, Assessment and Graduate Attributes



Alignment of Assessment Tasks to Learning Outcomes

Assessment Tasks	Learning Outcomes			
	1	2	3	4
1 - Written Assessment - 40%	•	•	•	•
2 - Examination - 60%	•	•	•	•

Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes			
	1	2	3	4
1 - Communication	•	•	•	•
2 - Problem Solving	•	•	•	•
3 - Critical Thinking	•	•	•	•

Graduate Attributes	Learning Outcomes			
	1	2	3	4
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 - Examination - 60%	•	•	•	•						

Textbooks and Resources

Textbooks

LAWS19031

Prescribed

Business Law

Edition: 5th (2020)

Authors: Nicholas James

Wiley

Milton , Queensland , Australia

ISBN: 9780730369271

Binding: Paperback

Additional Textbook Information

Copies are available for purchase at the CQUni Bookshop here: <http://bookshop.cqu.edu.au> (search on the Unit code)

[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, 4th ed](#)
For further information, see the Assessment Tasks.

Teaching Contacts

Ronald Farran Unit Coordinator
r.farran@cqu.edu.au

Schedule

Week 1 - 09 Mar 2020

Module/Topic	Chapter	Events and Submissions/Topic
Business and the Australian legal system	Chapters 1-4	

Week 2 - 16 Mar 2020

Module/Topic	Chapter	Events and Submissions/Topic
Setting up a business and property concepts	Chapter 14	

Week 3 - 23 Mar 2020

Module/Topic	Chapter	Events and Submissions/Topic
Protecting intellectual property	Chapter 13	

Week 4 - 30 Mar 2020

Module/Topic	Chapter	Events and Submissions/Topic
Insuring a business, tax issues and employing workers	Chapters 18 and 19	

Week 5 - 06 Apr 2020

Module/Topic	Chapter	Events and Submissions/Topic
Contract Law review	Chapters 7-9	

Vacation Week - 13 Apr 2020

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

Week 6 - 20 Apr 2020

Module/Topic	Chapter	Events and Submissions/Topic
Working with agents	10	

Week 7 - 27 Apr 2020

Module/Topic	Chapter	Events and Submissions/Topic
Tort Law review	Chapters 5 and 6	Individual Assignment Due: Week 7 Wednesday (29 Apr 2020) 11:45 pm AEST

Week 8 - 04 May 2020

Module/Topic	Chapter	Events and Submissions/Topic
Dealing with consumers	Chapter 11	

Week 9 - 11 May 2020

Module/Topic	Chapter	Events and Submissions/Topic
Dealing with competitors	Chapter 12	

Week 10 - 18 May 2020

Module/Topic	Chapter	Events and Submissions/Topic
Making payments, cheques, securities and recovering debts	Chapter 17	

Week 11 - 25 May 2020

Module/Topic	Chapter	Events and Submissions/Topic
Managing a business: Closing down and personal and corporate insolvency	Chapter 20	

Week 12 - 01 Jun 2020

Module/Topic	Chapter	Events and Submissions/Topic
Revision and exam preparation		

Review/Exam Week - 08 Jun 2020

Module/Topic	Chapter	Events and Submissions/Topic
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Exam Week - 15 Jun 2020

Module/Topic	Chapter	Events and Submissions/Topic
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- 22 Jun 2020

Module/Topic	Chapter	Events and Submissions/Topic
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Assessment Tasks

1 Individual Assignment

Assessment Type

Written Assessment

Task Description

The assignment involves a series of tasks aimed at developing and assessing student research, analysis and writing skills.

The assignment consists of problem based questions set in a hypothetical factual situation. Students are to provide the likely outcomes for the parties concerned, including their rights, obligations and remedies by identifying the relevant legal issues and applying legal principles. In completing the written assignment, students will locate and interpret relevant cases and provisions of the legislation examined in the unit to demonstrate an understanding of the commercial law concepts.

Assessment Due Date

Week 7 Wednesday (29 Apr 2020) 11:45 pm AEST

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

Return Date to Students

Week 9 Wednesday (13 May 2020)

Weighting

40%

Assessment Criteria

The unit assignment will use the following assessment criteria:

Problem solving: The focus of many parts of the assignment is upon developing applied problem solving skills. This requires students to read and analyse fact scenario matrix, identify legal issues and apply case law and provisions of legislation to develop a reasoned outcome to the issue presented by the problem matrix.

Critical thinking: Students are required to critically analyse and evaluate information, facts and law in a problem solving context. The skills being emphasised involve the critical appraisal and reflection of legal issues and the application of case law and legislation against a factual matrix.

Information literacy: The assessment tests understanding and comprehension of critical legal knowledge and legal

concepts discussed in the course in topics covered prior to submission of the assessment. Students need to develop understanding and familiarity with legal terms and words introduced in topics covered prior to submission of the assessment. This information, understanding and literacy is tested in an applied rather than a descriptive context.

Information technology competence: Online submission of the assignment requires competence in the use of technology.

Assessment instructions, assignment detail and the marking rubric are on Moodle.

Referencing Style

- [Australian Guide to Legal Citation, 4th ed](#)

Submission

Online

Learning Outcomes Assessed

- demonstrate an understanding of the commercial law concepts in the topics covered
- locate, understand and interpret relevant provisions of the legislation considered in the unit
- identify the obligations, rights and remedies available to parties in commercial transactions
- make an informed decision as to the likely outcome of a commercial fact situation based on appropriate information.

Graduate Attributes

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

Examination

Outline

Complete an invigilated examination.

Date

During the examination period at a CQUniversity examination centre.

Weighting

60%

Length

180 minutes

Exam Conditions

Open Book.

Materials

Dictionary - non-electronic, concise, direct translation only (dictionary must not contain any notes or comments).

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