

## In Progress

Please note that this Unit Profile is still in progress. The content below is subject to change.



# LAWS20058 Australian Commercial Law

## Term 3 - 2022

Profile information current as at 02/10/2022 12:57 pm

All details in this unit profile for LAWS20058 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 provide you with an introduction to the law of contract and commercial law as they operate within the parameters of Australia's common law based legal system. Topics include the origins of Australia's present legal system and the current legal environment in which contract and commercial law operate to regulate commercial transacting between firms as well as individuals using concepts, doctrines, principles, legislation and case law. It explains the key functions and processes of the legal system. A particular study is made of the nature, terms, validity, operation and discharge of contracts, the process of litigation and alternate dispute resolution methods of corporate and non-corporate business structures.

### Details

Career Level: *Postgraduate*

Unit Level: *Level 8*

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 - 2022

- Brisbane
- Melbourne
- Online
- Sydney

### 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 Postgraduate 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. **Online Test**

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, self-reflection.

**Feedback**

Students are mostly accounting or business students and may be international. Law subjects are difficult for them and students struggle to answer legal questions.

**Recommendation**

Workshops, which are already well received, can focus more on the basic concepts and the skills required for answering law questions.

#### Feedback from Student feedback, self-reflection.

**Feedback**

Students have difficulty facing legal assessment tasks.

**Recommendation**

The assessment items can be supported more with discussions both in class and in support materials.

## Unit Learning Outcomes

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

1. Delineate the structure, institutions, key functions and processes of the Australian legal system in which contracts and commercial transactions are devised and undertaken
2. Demonstrate a sound comprehension of the main concepts, doctrines, principles, legislation and case law in the contract and commercial law topics covered
3. Recognise the types of legal problems likely to be contained in commonly encountered business transactions
4. Employ legal skills and critical reasoning to identify and analyse the variable and discrete configuration of obligations, rights and remedies attaching to parties across a range of contracts and business transactions
5. Make informed judgments as to the likely legal outcomes of standard types of business transactions, coupled with the potential for managing them in a proactive, risk-avoiding and value maximising manner

## Alignment of Learning Outcomes, Assessment and Graduate Attributes



### Alignment of Assessment Tasks to Learning Outcomes

Assessment Tasks	Learning Outcomes				
	1	2	3	4	5
1 - Written Assessment - 40%	•	•	•	•	•
2 - Online Test - 60%	•	•	•	•	•

### Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes				
	1	2	3	4	5
1 - Knowledge	◦	◦	◦	◦	
2 - Communication	◦	◦		◦	
3 - Cognitive, technical and creative skills		◦	◦		
4 - Research	◦	◦			◦
5 - Self-management					
6 - Ethical and Professional Responsibility					◦
7 - Leadership					
8 - Aboriginal and Torres Strait Islander Cultures					

## Textbooks and Resources

### Textbooks

LAWS20058

#### **Prescribed**

#### **Business Law**

Sixth Edition (2022)

Authors: Nick James

Wiley

Milton , Queensland , Australia

ISBN: 9780730391869

Binding: Website Link

#### **Additional Textbook Information**

A free e-copy of the James textbook is available via the library website. If you prefer a paper text to study with, you can purchase a pack containing BOTH paper and eBook at the CQUniversity Bookshop here: <http://bookshop.cqu.edu.au> (search on the Unit code)

### IT Resources

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

## Academic Integrity Statement

Information for Academic Integrity Statement has not been released yet.

This unit profile has not yet been finalised.