

THE UNIVERSITY OF NEW SOUTH WALES



Faculty of Business (incorporating the AGSM)

School of Business Law and Taxation

LEGT 1711 LEGAL ENVIRONMENT OF COMMERCE

COURSE OUTLINE SESSION 1, 2007

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1. COURSE STAFF

Staff	Room	Phone	Email
Janet Austin Lecturer-in-charge	JG G7	9385-3295	janet.austin@unsw.edu.au
June Wang Tutor-in-charge	JG G3	9385-1089	zhigwang@unsw.edu.au

Consultation hours will be posted on the door of each staff member and will be announced during lectures in the first week.

1.1 Communication with Staff

You may consult with staff during their official consultation time. If you have compelling reasons which prevent you in attending during these hours you should make contact with the staff member by email to make an appointment for an alternative time.

Students may contact staff by email using their *official university email address*. Students should note however that email is not an appropriate medium for learning and emails to staff should be limited to short questions that can be answered with a yes/no answer. Do not expect staff to reply to emails which request extensive or substantive answers. Such questions should be directed to staff during tutorials or consultation hours.

2. INFORMATION ABOUT THE COURSE

2.1 Teaching times and Locations

LECTURE	DAY	TIME	LOCATION
Stream A	Tuesday	11-12	AppSc L1
	Thursday	11-12	AppSc L1
Stream B	Monday	5-6pm	Ritchie Th
	Wednesday	2-3pm	Ritchie Th

There are two lecture streams available in this course. Students are strongly advised to attend either the A lectures **OR** the B lectures in accordance with their enrolment as the space available in the lecture theatres is limited. There is also a real risk that the lecture content in the streams will not run parallel to each other.

2.2 Units of Credit

This course is worth 6 credit points.

2.3 Relationship of this course to other course offerings

LEGT 1711 *Legal Environment of Commerce* is the foundation subject offered by the School of Business Law and Taxation. This subject will introduce students to the legal method of writing, analysis and research. The knowledge and skills developed in this subject are essential for successful study of other business law or taxation subjects. **Particular emphasis is given to understanding legal reasoning and argument**, which is essential knowledge for the study of all subjects offered by the School. However, the following topics are also relevant to other courses offered by the School.

LEGT 1711 Topic	School of Business Law and Taxation Course
Property Law	Business Transactions Information Technology Law Business Taxation Law of Banking and Finance
Business Structures	Business Entities Business Taxation Taxation of Business Entities Law of Banking and Finance
Consumer Protection	Business Transactions Marketing and Distribution Law
Employment Law	Information Technology
Criminal law	Corporate Fraud and Crime Business Ethics and the Law
Intellectual Property	Information Technology Law

2.4 Relationship with other disciplines

The study of business law and taxation is essential for attaining a deep and well-rounded understanding of the other disciplines offered by the Faculty of Business.

Accounting-This course is recognised by CPA and ICAA as satisfying their educational requirements for admission to their associations.

Banking and Finance-All financial transactions are based upon a legal framework that allows for property rights to be leveraged and transferred. This course provides students with the knowledge and skills needed to understand how various financial transactions are used.

Marketing-Modern marketing practices must operate within the confines of the Trade Practices Act, which this course provides an introduction to.

Information Systems-This course provides an overview of intellectual property which is the fundamental legal mechanism for ownership and exploitation of commercial information.

Organisation and Management-This course covers the basic concepts involved in industrial relations including the contract of employment and unfair dismissal.

Economics-This course provides students with an overview of the operation of the legal system which will enhance your understanding of the legal framework within which the economy operates.

Actuarial Studies-This course develops skills in interpreting and applying complex legislation which is an important skill for actuaries.

2.5 Approach to learning and teaching

This course is conducted with the aim of promoting student-centred learning. This aim will be achieved by requiring students to engage with the topics presented in the course through independent research on the internet as part of the required weekly readings. Whilst the assessment in this course is designed to test student's knowledge of the key principles that establish the framework of common commercial transactions, the primary focus of the assessment regime is to test how well students can apply legal principles and practices in a realistic commercial text.

3. COURSE AIMS AND OUTCOMES

3.1 Course Objectives

The specific objectives of the course are to: -

- Give students an appreciation of the nature of the basic legal framework that applies to common commercial activities;
- Provide students with an understanding of the legal principles that underpin common legal problems faced by commercial enterprises;
- Introduce skills that provide a basis for understanding the range of activities that can give rise to negligence claims;
- Allow students to understand how selected areas of substantive law, such as property and employment law, impact on commercial activities;
- Provide a conceptual background to the legal issues involved in buying, running and expanding a business.

3.2 Student Learning Outcomes

This course also seeks to develop learning outcomes introduced in prior studies, including:

- Confidence and competence in constructing written and oral arguments relevant to common commercial problems;
- The ability to analyse legal issues in a logical and structured way (i.e. to identify problems, research relevant sources, propose an outcome and identify possible challenges to the proposed outcome);
- Awareness of the policy choices that underpin and are reflected in business and taxation law;
- Competence in managing teamwork dynamics.

3.3 Teaching Strategies

Lectures

Lectures are an essential part of learning. Lectures do not summarise or replace the required reading in the textbook. **STUDENTS SHOULD NOT MERELY RELY ON THEIR LECTURE NOTES.** The readings from the textbook place the lecture material in its proper context and provide the full understanding of the topic that is needed for successful completion of the course. The purpose of the lecture is to highlight key aspects of the subject, not to fully explain the week's topic. Students are expected to study the prescribed text and reading material provided and to engage with sources outside of their prescribed text, such as information on the internet.

Students should not assume that material not covered in the lectures is either unimportant or not subject to assessment. The assessment will cover all material dealt with in the course including the lectures, tutorial work and the reading material.

Tutorials

Tutorials commence in Week 2. You should enrol in a tutorial through myUNSW. Students note: myUNSW does not allow for allocated class times to clash. Therefore, you will not be allowed to change tutorial time if you cite clashing times as your reason. If for some reason you are unable to attend your assigned tutorial, or you are not enrolled in a tutorial, you should see the Lecturer-in-charge. Tutorial allocations will not be changed after the end of week 3.

Students must attend their allocated tutorial and no other. In exceptional circumstances (illness, compassionate grounds) a student may be permitted to attend a make-up tutorial. **Students attending other tutorials without permission will not be assessed participation marks for that tutorial.** This makes it essential that you ensure that you are allocated to a tutorial. The tutorial assessment will be based upon the official myUNSW allocated tutorial class lists.

Topics and problems for each week are set out in the Tutorial Guide. Each topic/problem must be prepared for discussion in class by each student using the prescribed readings and the lecture notes for the relevant topic. As a general rule, tutorials will deal with issues lectured on in the previous week.

The purpose of the questions in the tutorial program is to help you to interpret and apply the week's material. The tutorial problems and discussion questions also allow you to practice for the final exam, which will consist of similar questions. Note: there will be no suggested answers given out to the tutorial questions. Do not ask for answers to the tutorial questions to be given out or posted to the website. The purpose of the questions is to allow you to apply the course material and gauge your own level of competence. Simply giving you the suggested answers will defeat this purpose

It is your responsibility to prepare for tutorials so that you are able to make a valuable contribution to class activities. The tutorials are not designed as a repeat lecture. The tutorials are provided to give students the opportunity to work through any problems/issues that may be outstanding after doing the required reading and attending the lecture.

Tutorial Assessment

Tutorials in this subject are based upon group interaction. The assessment for tutorial work is worth 10% (10 marks). These marks are based upon successful completion of all activities engaged in the tutorials.

Students should note however that NO MARKS WILL BE GIVEN FOR MERE ATTENDANCE. The tutorial assessment mark will be earned through consistent thoughtful participation that demonstrates an understanding of the week's material.

4. STUDENT RESPONSIBILITIES AND CONDUCT

4.1 Workload

It is expected that you will spend at least **ten hours** per week studying this course. This time should be made up of reading, research, working on exercises and problems, and attending classes. In periods where you need to complete assignments or prepare for examinations, the workload may be greater.

Over-commitment has been a cause of failure for many students. You should take the required workload into account when planning how to balance study with employment and other activities. The structure of this subject is based upon students keeping up to date with their reading, and attending tutorials ready to contribute to the class activities. In previous sessions, students who have gotten behind in their readings have consistently performed poorly in the subject.

4.2 Attendance

Your regular and punctual attendance at lectures and tutorials is expected in this course. University regulations indicate that if students attend less than eighty per cent of scheduled classes they may be refused final assessment.

4.3 General Conduct and Behaviour

You are expected to conduct yourself with consideration and respect for the needs of your fellow students and teaching staff. Conduct that unduly disrupts or interferes with a class, such as the use of mobile phones, is not acceptable and students may be asked to leave the class. More information on student conduct is available at: www.my.unsw.edu.au

4.4 Keeping informed

You should take note of all announcements made in lectures, tutorials or on the course web site. From time to time, the University will send important announcements to your university e-mail address without providing you with a paper copy. You will be deemed to have received this information.

5. LEARNING ASSESSMENT

5.1 Formal Requirements

In order to pass this course, you must:

- achieve a total mark of at least 50/100; and
- attend 80% of your allocated tutorials; and
- make a satisfactory attempt at all assessment tasks.

Satisfactory Performance in All Aspects of Assessment

Whilst there is no requirement that a student attain 50% or more for each piece of assessment, there is however a requirement that the student achieve a result that indicates the student genuinely attempted the assessment. Where a student achieves a total mark of 50/100 or more in the course, but fails to demonstrate a satisfactory level of performance in each form of assessment the student may be awarded a UF grade (unsatisfactory fail). An example of unsatisfactory performance is failing to complete an assessment task (e.g. failing to submit an assignment, or failing to complete the final exam).

5.2 Assessment Details

ASSESSMENT

Task	Percentage
Mid Session Exam	15%
Major Assignment	15%
Tutorial Participation	10%
Final Exam	60%

Mid Session Exam

Weight: 15%

When: To be advised (Week 7)

A mid-session examination will be held in Week 7 at a date, time and venue to be announced during lectures and posted on Webct. The examination will contain twenty (20) multiple-choice questions worth 0.5 marks each and 5 short answer questions worth 1 mark each (total of 15 marks).

The mid-session exam is a closed book examination and covers the material lectured in weeks 1 through 6 inclusive. The examination will be 45 minutes in length.

The mid-session exam is compulsory. Students who do not sit the mid-session exam as a result of illness or misadventure must advise the Lecturer of their circumstances in writing with accompanying supporting documentation within three (3) days of the mid-session exam.

Students whose circumstances are accepted as a valid reason for not sitting the mid-session exam may, at the lecturer's discretion, have the 15 marks allocated for the mid-session exam added to the 60 marks allocated for the final examination (i.e. these students may have their Final Exam marked out of 75%).

Major Assignment

Weight: 15%

Maximum Word Limit: 1,500 words

Due Date: Thursday 10 May 2007 by 2pm (Week 10)

The assignment will be a problem-based question that will require students to advise on the legal liability of one or more parties. The assignment will assist students in preparing for the exam (which will contain similar problem questions) and will allow students to exercise their analytical and research skills.

Students are encouraged to research their assignment in groups with tasks divided among group members. Although group work is permitted, each student must submit their own written work.

Managing the Assignment Workload

One of the biggest problems affecting the success of students in this subject is the lack of planning involved in researching and completing the major assignment. Frequently, students do not appreciate the amount of work that is required to obtain a good result in the major assignment. Students also often do not start their assignment until after the completion of their mid-session exams. This is simply **unacceptable** and has led to many students failing to devote sufficient time to researching and writing their assignments, which results in the submission of sub-standard assignments and receiving fail grades. The major assignment cannot be successfully completed in one or two days before the due date because it requires a considered and well researched written analysis of a complex legal problem. Students should expect to devote at least 2 full days (16 hours) doing research and 2 full days (16 hours) writing the assignment. These are conservative estimates based on students who have a good understanding of the subject and excellent reading and writing skills.

This assignment fulfils the aims of the course by assessing:

- Students' written communication skills
- Students' ability to analyse a commercial problem and consider the feasibility of possible solutions
- Students' understanding of the scope of potential liability that can arise under the law of negligence

Marking criteria

The assignment will be marked according to the following criteria:

- Understanding the practical application of the law
- Evidence of research beyond the textbook
- Clarity of structure and argument
- Evidence of a full and comprehensive argument taking into account differing viewpoints and alternative arguments

Assignment Submission Procedure

The assignment should be submitted in the LEGT 1711 assignment box outside the School Office in JG G20 in hard copy with a cover sheet containing the students name, student number and tutorial time.

The assignment must also be uploaded onto **Webct**. Submitting the assignment in electronic format will allow staff to check for plagiarism and to enforce the word limit. Students **MUST**

also keep a copy of their written assignments. Coversheets will be available on Webct and outside the School Office.

Late Submission

Students are advised that submitting the assignments after 2:00 pm on the due date will not be accepted unless **PRIOR** written approval has been granted by the Lecturer-in-charge. Requests for extensions must be received by the lecturer-in-charge not less than 24 hours before the due deadline. Therefore, email requests the night before the due deadline will be ignored. If a student falls ill the day before the due deadline they will not be given an extension but will be asked to request special consideration from New South Q.

Assignments that are submitted after the due date and time without prior written approval will have **25% DEDUCTED PER DAY LATE**. Please note: penalty marks will be imposed immediately after 2pm on the due date. For example, if you deliver your assignment (worth 15 marks) in at 4pm on the due date you will lose 3.75 marks from your final score. Any paper submitted more than 4 days late will not be marked. Any student who fails to submit their major assignment will fail the course.

If circumstances beyond your control mean that you cannot complete the assessment by the due date you should make an application for special consideration (see below). These applications are reserved for illness or misadventure, not work commitments. WORK COMMITMENTS AND CLASHES WITH OTHER SUBJECTS ARE NOT A VALID REASON FOR SPECIAL CONSIDERATION APPLICATIONS.

If you foresee that you will have problems submitting the assignment on time you should contact the Lecturer-in-charge) immediately. Only the Lecturer-in-charge can grant an extension for the assignments.

Do not wait until the due date to ask for an extension. No extensions will be granted on the due date itself.

Final Exam

Weight: 60%

Date: To be advised

The final exam will be held during the formal exam period at the end of Session 1 2007. Students must ensure that they consult the exam timetable and attend the exam at the scheduled time and place.

The exam will cover all topics discussed in both the lectures and tutorials. The exam will require students to be familiar with the methodology used for legal analysis and the basic legal principles applied in the tutorials. The exam will be closed book.

5.3 Special Consideration and Supplementary examinations

All applications for special consideration on medical grounds should be submitted to the New South Q, the Chancellery and a copy delivered to the Lecturer-in-Charge. You should email the Lecturer-in-charge if you make a request for special consideration.

It is important to note that the application is assessed by both the Student's Centre and the Lecturer-in Charge. In particular, the application is assessed for the effect the medical condition or misadventure has on the student's ability to sit the examination. Merely lodging an application with medical documentation does not mean that the application will be accepted. Both the Student Centre and Lecturer-in-Charge must be satisfied that there are genuine reasons to warrant special consideration.

Special Consideration - Illness & Misadventure

On some occasions sickness, misadventure, or other circumstance beyond your control may prevent you from completing a course requirement or attending or submitting assessable work for a course. Such assessable requirements may include formal end of session examination, class test, laboratory test, seminar presentation, etc. It is also possible that such situations may significantly affect your performance in an assessable task. The University has procedures that allow you to apply for consideration for the affected assessments. Depending on the circumstances, the University may take action to allow you to overcome the disadvantage; eg. give you additional assessment or extend a deadline.

You should note that merely submitting a request for Consideration does not automatically mean that you will be granted additional assessment, nor that you will be awarded an amended result. For example, if you have a poor record of attendance or performance throughout a session/year in a course you may be failed regardless of illness or other reason affecting a final examination in that course.

The University has a centralised procedure for Consideration applications. Many Course Authorities and Faculties have 'local' procedures that you will also need to follow.

It sometimes happens that a student may encounter a situation which is so significant or personal they do not want to use the Special Consideration procedures. In a case like this you may prefer to contact the University Health Service, the Counselling Service, an academic adviser in your Program Offices Directory or the Assistant Registrar in the Student Information and Systems Office. Remember that it is always important to let the University know if there is anything which may affect your ability to continue your studies.

How to apply for Consideration

You must make formal application for Consideration for the course/s affected as soon as practicable after the problem occurs and within three working days of the assessment to which it refers. The application must be made on the 'Request for Consideration' form available from NewSouth Q, program and course offices, or you can download a copy of the form (pdf format). The completed application form must be submitted to NewSouth Q.

Applications are accepted only in the following circumstances:

- Where academic work has been hampered to a substantial degree by illness or other cause. Except in unusual circumstances a problem involving only three consecutive days or a total of five days within the teaching period of a semester is not considered sufficient grounds for an application.
- The circumstances have to be unexpected and beyond your control. Students are expected to give priority to their University study commitments and any absence must clearly be for circumstances beyond your control. Work commitments are not normally be considered a justification.
- An absence from an examination should be supported by a medical certificate or other document which clearly indicates you were unable to be present.
- A student absent from an examination or who attends an examination and wants to request special consideration is normally required to provide a medical certificate dated the same day as the examination.

An application for special consideration has to be provided within three working days of the assessment to which it refers. In exceptional circumstances an application may be accepted outside the three-day limit.

To give the University sufficient and appropriate information on which to base its decision about your request, you must support your application with certified official documentation which normally contains at least the following key information:

- (1) The assessment task/s for which you are seeking consideration
- (2) The dates/deadlines associated with these tasks
- (3) The basis of your request ie. the nature of your misadventure, illness, etc.
- (4) The date/s on which you were seen by the professional/authority providing your official documentation
- (5) The date of the illness or misadventure or the dates of the period of time of the illness or misadventure
- (6) The professional's/authority's assessment of the severity of your illness or misadventure and opinion of the likely effect on your capacity to undertake the assessment task/s concerned.

Items (4) to (6) need to be certified by the provider. For example, by your medical practitioner or other health professional. (for illness or injury) or counsellor (for personal or family problems), so you will need to make the provider aware of the University's requirements.

For causes other than sickness, (eg. road accident, court hearing, or death of a relative) written evidence (eg. a police report, a court summons, or a death certificate) instead of the documentation required in 6 above is acceptable (ie. Section B of the Consideration form need not be completed).

To assist you the 'Request for Consideration' form has a sheet attached explaining the procedures and the information required. The form and information sheet must be taken with you when you obtain the certification so as to ensure all the key information is provided. The forms are widely available on all of the University's campuses--from NewSouth Q, Faculty and program offices, the University Health Service, the Counselling Service, and many course authorities.

You should note that Consideration requests normally will not be considered:

- Unless the application is made on the appropriate form
- Unless all the key information is provided
- If more than 3 days have elapsed since the assessment for which Consideration is sought.

In exceptional circumstances the University may waive these requirements, for example, if an accident or sudden illness occurs which requires your immediate hospitalisation.

You also need to follow any local procedures of the relevant course or program authority. You will have been informed of these procedures by the course authority or Faculty representative in the course brochure/information sheet made available to you upon commencement of the course or program. For example, as well as submitting your application through NewSouth Q, the course authority may require you to contact them.

If you need advice about any of the policies or procedures relating to Consideration contact NewSouth Q.

What happens after you make the application

If your application meets the University's criteria for acceptance, it is stamped, a copy is taken and the original is returned to you. Only documentation which meets the requirements

listed above will be accepted. No consideration will be given when the condition or event is not related to performance or is considered not to be serious.

Details, including the summary information provided by you, are made available to the relevant course authority/Faculty. The University's procedures ensure that confidentiality of this information is maintained.

Note that many course authorities require you to take action within a specified period of time to determine the outcome; for example to consult the course authority's notice board, to contact the authority in person or by phone, etc. Details of the arrangements will have been made available to you in the course information sheet. Failure to take this action will normally result in forfeiture of any additional assessment granted to you.

On the basis of the information provided in your application, a decision is made regarding the appropriate response in your particular case. The following may be taken into account:

- The student's performance in other items of assessment in the course.
- The severity of the event.
- Academic standing in other courses and in the program.
- History of previous applications for special consideration.

What outcomes you can expect

If an application for illness or misadventure is accepted, the following action may ensue:

- No action.
- Additional assessment or a supplementary examination. Additional assessment may take a different form from the original assessment. If you are granted additional assessment, the original assessment may be ignored at the discretion of the course authority. Consequently, a revised mark based on additional assessment may be greater or less than the original mark.
- Marks obtained for completed assessment tasks may be aggregated or averaged to achieve a percentage.
- The deadline for assessment may be extended.
- Discontinuation from the course. This is unlikely to occur after an examination or final assessment has taken place.

The following examples are included to give an indication of the outcomes you can expect in the most common circumstances. (Many course authorities include similar examples for the special types of assessment used by them in their course information sheets.)

Formal end of session examinations

If you miss such an examination through an illness, other circumstance beyond your control, etc., which is certified as being severe enough to have prevented your attendance, in general, you will be granted additional assessment. This is usually in the form of a supplementary examination.

If you attend an examination but prior to it an illness or other circumstance beyond your control occurs which, because of its duration or severity, is certified as having a significant effect on your preparation for that course, in general you will be granted additional assessment. This is usually in the form of a supplementary examination.

Note: In either of these cases if you have attained a pass in the course concerned from assessment tasks completed during session, it may not be regarded as necessary to grant you additional assessment.

If you attend an examination but have an illness on the day, which is either certified as not having a significant effect on your performance (such as a minor head cold), or for which you were examined after the illness had subsided, you will not be granted additional assessment.

Essays, reports, mini-theses, models, creative work, etc.

If an illness or other circumstance beyond your control occurs which, because of its duration or severity, is certified as having a significant effect on your ability to submit the work by the deadline given, you will generally be granted an extension of the deadline. You should not, however, expect the deadline to be extended for a time in excess of the period for which the certification was given.

Additional assessment

The time at which any additional assessment granted to you is held, is determined by the course authority concerned. Consult the course information sheet for detailed information about the times and arrangements for the various additional assessment tasks in that course.

Most course authorities conduct supplementary examinations in the period immediately after the formal end of session examination period. For example, for the end of Session 2, supplementary examinations are often held in the three-week period just prior to Christmas. In general, course authorities will provide only one opportunity for you to sit a supplementary examination except in exceptional circumstances. You need to ensure you will be available during this period to take any supplementary examination granted to you.

You should expect any additional assessment granted to you to be of the same degree of difficulty as the original assessment task which it replaces.

For further information visit: <http://www.student.unsw.edu.au/atoz/atoz-Special.shtml>

Supplementary Exams

The time at which any additional assessment granted to you is held will be determined by the Lecturer-in-Charge prior to the final exam. Consult the Lecturer-in-Charge for detailed information about the times and arrangements for the various additional assessment tasks in that course.

There will only be one supplementary examination for this subject. The supplementary exam may be held at any time in the 4 weeks after the end of the formal exam period. Students note: if you are planning to travel overseas after the end of your exams make sure that you do not plan your trip to coincide with the supplementary in the period immediately after the formal end of session examination period. If you are not available to take the supplementary exam on the required day you may need to repeat the subject the following session. Please note: a register of applications for Special Consideration is maintained. History of previous applications for Special Consideration is taken into account when considering each case.

6. ACADEMIC HONESTY AND PLAGIARISM

The University regards plagiarism as a form of academic misconduct, and has very strict rules regarding plagiarism. For full information regarding policies, penalties and information to help you avoid plagiarism see:

<http://www.lc.unsw.edu.au/plagiarism/index.html>

Plagiarism is the presentation of the thoughts or work of another as one's own.* Examples include:

- direct duplication of the thoughts or work of another, including by copying work, or knowingly permitting it to be copied. This includes copying material, ideas or concepts from a book, article, report or other written document (whether published or unpublished), composition, artwork, design, drawing, circuitry, computer program or software, web site, Internet, other electronic resource, or another person's assignment without appropriate acknowledgement;
- paraphrasing another person's work with very minor changes keeping the meaning, form and/or progression of ideas of the original;
- piecing together sections of the work of others into a new whole;
- presenting an assessment item as independent work when it has been produced in whole or part in collusion with other people, for example, another student or a tutor; and,
- claiming credit for a proportion a work contributed to a group assessment item that is greater than that actually contributed.†

Submitting an assessment item that has already been submitted for academic credit elsewhere may also be considered plagiarism.

The inclusion of the thoughts or work of another with attribution appropriate to the academic discipline does *not* amount to plagiarism.

Students are reminded of their Rights and Responsibilities in respect of plagiarism, as set out in the University Undergraduate and Postgraduate Handbooks, and are encouraged to seek advice from academic staff whenever necessary to ensure they avoid plagiarism in all its forms.

The Learning Centre website is the central University online resource for staff and student information on plagiarism and academic honesty. It can be located at:

www.lc.unsw.edu.au/plagiarism

The Learning Centre also provides substantial educational written materials, workshops, and tutorials to aid students, for example, in:

- correct referencing practices;
- paraphrasing, summarising, essay writing, and time management
- appropriate use of, and attribution for, a range of materials including text, images, formulae and concepts.

Individual assistance is available on request from The Learning Centre.

Students are also reminded that careful time management is an important part of study and one of the identified causes of plagiarism is poor time management. Students should allow sufficient time for research, drafting, and the proper referencing of sources in preparing all assessment items.

* Based on that proposed to the University of Newcastle by the St James Ethics Centre. Used with kind permission from the University of Newcastle

† Adapted with kind permission from the University of Melbourne.

7. STUDENT RESOURCES

7.1 Course Resources

Prescribed Text

Terry and Giugni, *Business and the Law*, 4TH ed. 2005 (Thomson Learning). Earlier editions are not permitted.

Students are also strongly encouraged to purchase a legal dictionary. For example: *Butterworths Concise Australian Legal Dictionary* (LexisNexis)

Students whose first language is not English may purchase a legal dictionary in their native language. It is important however that the student consult with the examinations unit to ensure that the dictionary would be acceptable to take into an examination.

Further Recommended Materials

There are a number of other texts which students may find useful in helping them to understand the various concepts covered in this subject. These books are available for purchase in the bookshop. The library also has a small number of copies on reserve.

- Harris, *Essential Commercial Legislation NSW 2003/2004 ed.* (LBC)
- Pentony, Graw, Lennard, Parker, *Understanding Business Law* (Butterworths)
- Gibson, Rigby and Tamsitt, *Commercial Law in Principle* (LBC)
- Latimer, *Australian Business Law* (CCH)
- Hughes, Leane and Clarke, *Australian Legal Institutions* (LBC)
- Sweeney and O'Reilly, *Law in Commerce* (Butterworths)
- Carvan, Miles and Dowler, *A Guide to Business Law* (LBC)
- Ardagh, *Questions and Answers Business Law* (Butterworths)
- Crosling & Murphy, *How to Study Business Law* (Butterworths)
- Krever, *Mastering Law Studies and Law Exam Techniques* (Butterworths)
- Chisholm & Netheim, *Understanding Law* (Butterworths)
- Carvan, *Understanding the Australian Legal System* (LBC)

7.2 Other Resources, Support and Information

The University and the Faculty provide a wide range of support services for students, including:

Learning and study support

- FCE Education Development Unit (<http://education.fce.unsw.edu.au>)
- UNSW Learning Centre (<http://www.lc.unsw.edu.au>)
- EdTec – WebCT information (<http://www.edtec.unsw.edu.au>)
- Counselling support - <http://www.counselling.unsw.edu.au>
- Library training and support services - <http://info.library.unsw.edu.au>
- Disability Support Services – Those students who have a disability that requires some adjustment in their teaching or learning environment are encouraged to discuss their study needs with the Course Coordinator or the Equity Officer (<http://www.equity.unsw.edu.au/disabil.html>). Early notification is essential to enable any necessary adjustments to be made.

In addition, it is important that all students are familiar with University policies and procedures in relation to such issues as:

- **Examination procedures** and advice concerning illness or misadventure <https://my.unsw.edu.au/student/academiclife/assessment/examinations/examinationrules.html>
- **Occupational Health and Safety** policies and student responsibilities; <http://www.riskman.unsw.edu.au/ohs/Policies%20&%20Procedures/UNSW%20OHS%20Accountability.pdf>

8. CONTINUAL COURSE IMPROVEMENT

Each year feedback is sought from students and other stakeholders about the courses offered in the School and continual improvements are made based on this feedback. UNSW's Course and Teaching Evaluation and Improvement (CATEI) Process (http://www.ltu.unsw.edu.au/ref4-5-1_catei_process.cfm) is one of the ways in which student evaluative feedback is gathered.

9. COURSE SCHEDULE

Week	Lecture	Topic	Tutorial	Readings
1	Introduction to Law	Introduction to the legal system	No tutorial	Terry Ch 1 & 2
2	The Constitution	The Constitution and separation of powers	Week 1 Lecture	Terry Ch 3
3	The Parliament and the Executive	Law making and executive decisions	Week 2 Lecture	Terry Ch 5, 6
4	The Judiciary	The court system and commercial dispute resolution	Week 3 Lecture	Terry pp 75-81, Ch 7
5	Legal Reasoning	Judicial decision making and legal problem solving	Week 4 Lecture	Terry pp 66-75, Ch 8
6	Tort Law	General Principles	Week 5 Lecture	Terry pp 184-204
7	Tort Law	Negligence resulting in physical injury	Week 6 Lecture	Terry pp 184-204
8	Tort Law	Professional negligence	Week 7 Lecture	Terry pp 204-226
9	Property Law	Real and Personal Property	Week 8 Lecture	Terry Ch 11
10	Commercial Relationships	Contract law and the statutory modification of contracts (particularly fair trading and competition laws)	Week 9 Lecture	Terry Ch 12 (skim read only), pp 427-431
11	Business Structures	Sole traders, partnerships, joint ventures, companies and trusts Taxation issues	Week 10 Lecture	Terry Ch 13 Supplementary readings
12	Criminal Law	Criminal prosecution in NSW	Week 11 Lecture	Terry Ch 9
13	Intellectual Property	Copyright, patents, designs and trade marks	Week 12 Lecture	Terry Ch 26
14	Privacy and Anti-Discrimination	Rights and Obligations of business under Privacy and Anti-discrimination laws	Week 13 Lecture	Terry Ch 31 & 35