Faculty of Business
School of Business Law and Taxation

LEGT 2721
BUSINESS TRANSACTIONS

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SESSION 1, 2007
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1. Course Staff

<table>
<thead>
<tr>
<th>Staff</th>
<th>Room</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jenny Buchan</td>
<td>JG G</td>
<td>9385 1458</td>
<td><a href="mailto:jm.buchan@unsw.edu.au">jm.buchan@unsw.edu.au</a></td>
</tr>
<tr>
<td>Lecturer in charge</td>
<td></td>
<td>0432879988</td>
<td></td>
</tr>
<tr>
<td>Jill Vidler</td>
<td>JG G</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1.1 Communication with Staff

Please consult with staff during their official consultation time. Outside consultation hours your lecturer or tutor may not be able to see you. Your tutor is the first point of contact for queries about the course. In some circumstances they may refer you to the lecturer-in-charge.

If you extract what may be regarded as a concession from your tutor in relation to any matter concerning the course you must obtain it IN WRITING.

- Any changes to consultation times will be posted on the course website.
- Questions relating to subject content should be directed initially to your tutor, either in person or by email.
- As staff are not on campus all the time it is best to email any urgent query. If you contact staff by email please:
  - Use your university email address
  - Specify the subject LEGT 2721 in the header as your lecturer and tutor may be teaching more than one subject.
  - Please sign off using your name.
- You should ensure that your lecturer or tutor will be available by making an appointment if possible. Outside consultation hours your lecturer or tutor may not be able to see you.

Consultation hours are:

<table>
<thead>
<tr>
<th>Staff</th>
<th>Day</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jenny Buchan:</td>
<td>Wednesday</td>
<td>2:00 – 4.00pm</td>
</tr>
<tr>
<td>Jill Vidler</td>
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</table>

Course website

This course has a website in WebCT Vista. You can log on at http://www.vista.elearning.unsw.edu.au You should check the site a couple of times a week.
2. INFORMATION ABOUT THE COURSE

2.1 Teaching Times and Locations

<table>
<thead>
<tr>
<th>LECTURE</th>
<th>DAY</th>
<th>TIME</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Monday</td>
<td>11-1pm</td>
<td>Biomed. C</td>
</tr>
<tr>
<td>B</td>
<td>Monday</td>
<td>5-7pm</td>
<td>CLB 2</td>
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</table>

Students should attend either the A lecture OR B lecture.

Units of Credit

This course is worth 6 credit points.

2.3 Relationship of this Course to other Course Offerings

LEGT 2721 *Business Transactions* is the second core course offered by the School of Business Law and Taxation and is designed to build upon the knowledge and skills gained during LEGT 1711 *Legal Environment of Commerce*. This course also covers specific topics that are necessary for later study in business law or tax subjects. **Particular emphasis is given to the law of contracts**, 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.

<table>
<thead>
<tr>
<th>LEGT 2721 Topic</th>
<th>School of Business Law and Taxation Course</th>
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<tbody>
<tr>
<td>Business Failure</td>
<td>Business Entities</td>
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<td></td>
<td>Business Taxation</td>
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<tr>
<td>Competition law</td>
<td>International Business Law</td>
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<td></td>
<td>Marketing and Distribution Law</td>
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<td></td>
<td>Franchising</td>
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<td>Business Ethics and the Law</td>
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<tr>
<td>Consumer protection law</td>
<td>Marketing and Distribution Law</td>
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<tr>
<td></td>
<td>Franchising</td>
</tr>
<tr>
<td></td>
<td>Business Ethics and the Law</td>
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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, together with the prerequisite (LEGT 1711) recognised by CPA and ICAA as helping to satisfy their educational requirements for admission to their associations.

**Actuarial Studies**- This course provides a detailed discussion of the law regulating insurance products which is a major area of employment for actuaries.

**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.

**Economics**- This course provides an introduction to the key features of federal competition law which are important to understanding how the economy is regulated.

**Information Systems**- This course provides an overview of agency, licensing and distribution relationships, as well as a detailed consideration of commercial contract
negotiations and enforcement, which are an important part of the commercialisation of intellectual property rights.

**Marketing:** Modern marketing practices must operate within the confines of the Trade Practices Act, of which this subject provides a detailed discussion.

### 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 think like a lawyer in applying legal principles and practices to solve legal problems that arise in a commercial context.

### 3. Course Aims and Outcomes

#### 3.1 Course Objectives

The specific objectives of the course are to:

- Add depth to the understanding of law and legal reasoning provided in Legal Environment of Commerce;
- Teach you a methodology for analysing and solving legal problems that you will be able to use throughout your career;
- Provide an understanding of the legal principles that underpin common commercial transactions;
- Introduce skills that provide a basis for understanding the nature and effect of commercial contracts;
- Allow students to understand how selected areas of substantive law such as fair trading, competition and bankruptcy impact on commercial activities;
- Provide a conceptual background to the legal issues involved in buying, running and expanding of 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 law

3.3 Teaching Strategies

Lectures

Lectures are an essential part of learning. Lectures do not summarise or replace the required reading in the textbook. YOU MUST NOT MERELY RELY ON YOUR LECTURE NOTES. The readings from the textbooks 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. You are expected to study the prescribed texts and reading material provided and to engage with sources outside of their prescribed texts, such as information on the internet.

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

Tutorials

Tutorials commence in week 2. If you are unable to attend your assigned tutorial, or you are not enrolled in a tutorial, you should email or see the tutor-in-charge. Tutorial allocations will not be changed after the end of week 3.

Please attend your allocated tutorial and no other. In exceptional circumstances (illness, compassionate grounds) you may be permitted to attend a make-up tutorial. Students attending other tutorials without permission will not be assessed marks or attendance 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 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 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 attend tutorials prepared 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.
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 fallen behind in their readings have performed poorly in the subject.

4.2 Attendance
Your regular and punctual attendance at lectures and seminars is expected in this course. University regulations indicate that if students attend less than eighty (80) 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 website. 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**

<table>
<thead>
<tr>
<th>Modes of Assessment</th>
<th>Due</th>
<th>Word limit</th>
<th>Percentage of Marks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tutorial presentation plus hand in assignment</td>
<td>Week 4</td>
<td>200 + one overhead</td>
<td>5+5 = 10</td>
</tr>
<tr>
<td>Hand in assignment</td>
<td>Week 7</td>
<td>500</td>
<td>10</td>
</tr>
<tr>
<td>Major assignment</td>
<td>Week 10</td>
<td>1500</td>
<td>20</td>
</tr>
<tr>
<td>Final Examination</td>
<td>Exam Period</td>
<td>NA</td>
<td>60</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>100%</strong></td>
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</table>

**Week 4 assessment: Due week 4 in tutorial**
- The assignment is the week 4 tutorial problem in the Tutorial Program.
- You are required to prepare a **2 minute presentation** to deliver in your tutorial class on the tutorial topic. You may use **one overhead slide** but this is not mandatory. The tutor will award marks out of a possible total of 5 for the presentation.
- You are required to hand a written response to the tutor at your tutorial. The written work will also be marked out of 5. This work will not be returned to you.
- Please pay particular attention to the different emphasis in the question for presentation and the question for the written response.
- If you did not enrol into LEGT 2721 until after week 4 you will hand in the written answers for weeks 7 and 10. Your answer for week 7 will be marked out of 20.

**Week 7 assessment: Due Monday week 7 by 11am**
- Prepare, and hand in, a written answer to the week 7 tutorial problem. This must be in strict MIRAT format and may be in bullet points. It must be footnoted.

**Week 10 assessment: Due Monday week 10 by 11am**
- Prepare and hand in a written answer to a problem question that will be posted on the course website. This work must NOT use bullet points. It must be in strict MIRAT format and must be footnoted.

*IF you fail to hand in a piece of work on time you will be given 0 for that item of the assessment.*
Major Assignment Due Monday week 10 by 11am

Weight: 20%

Word Limit: 1,500 words

This task will require you to provide written advice to a client explaining what legal issues arise in relation to a particular commercial problem that will be posted on Webct Vista. This assignment fulfills the aims of the course by assessing:

- your written communication skills
- your ability to analyse a commercial problem and consider the feasibility of possible solutions
- your ability to think like a legal adviser and to present your argument in the way a legal adviser would.
- your understanding of the law relating to contracts

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 assignment. The assignments cannot be successfully completed in one or two days before the due date because they require a considered and well-researched written analysis of a complex legal problem. Where a student fails to devote sufficient time to researching and writing, the result is usually the submission of sub-standard assignment that receives a fail grade.

Marking criteria

The assignment will be marked according to the following criteria:

- Understanding the practical application of the law
- Evidence of research beyond the textbooks
- Evidence of a full and comprehensive argument taking into account differing viewpoints and alternative arguments
- Correct referencing of sources.

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. You must ensure that you consult the exam timetable and attend the exam at the scheduled time and place.

The exam may cover all topics discussed in both the lectures and tutorials. The exam will require you 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 Assignment Submission Procedure

- **Week 4** assessment must be handed to your tutor during the tutorial, with a signed cover sheet attached.
- **Weeks 7 and 10** assessment tasks must be delivered in two (2) formats:
  - **Hard copy** with a cover sheet containing your name, student number, preferred email address and tutorial time to the box outside Room G20 in John Goodsell Building by 1.00pm, on the due date. **Late submissions and emailed submissions will not be accepted**, except as provided in the instructions to student working full time in accounting or similar jobs.
  - **Electronic copy** must also be uploaded onto the course [WebctVista](http://www.unsw.edu.au). This is a backup copy. Submitting the assignment in electronic format will allow staff to check for plagiarism. The electronic copy will not be marked. Late submissions of electronic copies ONLY are accepted up to 24 hours after the Monday deadline.

- The **hard copy will be marked**. The hard copy must be posted by the deadline. The electronic copy is a back-up.
- Your name and student number must be on the footer of every page.
- Please leave a margin of at least 5cm on one side of every page so the marker has room to make comments.
- Please print your work using:
  - at least 12 point font,  
  - one and a half spaced lines.
  - Two sided copying, where possible.

**The assignment in week 7 and 10**

You MUST also keep a copy of your written assignments for your records.

Coversheets are at the end of this course outline.

**Students working FULL TIME who are enrolled in tutorials at or after 5pm**

- Students who are working full time AND who attend one of the above tutorials may submit the ‘hard copy’ of assignments by email by the time all other students’ assignments are due. You are also required to post your assignments on webCT VISTA. Please follow these instructions closely:
  - footer on every page must contain your name and student ID  
  - work to be in rich text format (.rtf)  
  - Email work to jm.buchan@unsw.edu.au  
  - Write the words: “2721 Assignment – student z (your #) working” in the header of the email.  
  - If there is a problem with the email UNSW accepts no responsibility.  
  - Original signed cover sheet to be handed to your tutor at the tutorial of the relevant week.

**Assignment Footnotes, Quoting and Copying**


Footnotes allow the reader to quickly and easily find the **exact place** in the source material to which the footnote refers.
In the course of the written answer you will need to cite relevant authorities. These may be a case precedent, the views of an author, a piece of legislation or an article. The source of the proposition or idea that is used must be acknowledged. For example, you do not quote the opening page of a website if your quotation comes from another page. You must quote the exact, complete, location of the page on the web where you found the material.

All sources must be acknowledged by a footnote at the foot of the page where:
- the source is being directly quoted;
- an argument or proposition in that source is being paraphrased;
- the source is being used as authority to support a student's proposition or argument;

Footnotes that represent digressions from the main argument should be kept to a minimum.

5.4 Late Submission

Any assignment submitted late on the due date will not be accepted unless PRIOR written approval has been granted by the Lecturer-in-charge.

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 25 marks) in at 4pm on the due date you will loose 6.25 marks from your final score. Any paper submitted more than 4 days late will score 0. 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 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.

5.5 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 NewSouthQ, program and course offices, or you can download a copy of the form (pdf format). The completed application form must be submitted to NewSouthQ.

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 (3) 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](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. The school of Business Law and Taxation will advise you of the details of your supplementary exam by email to your UNSW@mail address.

**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

<table>
<thead>
<tr>
<th>Plagiarism is the presentation of the thoughts or work of another as one’s own.</th>
<th>Examples include:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• 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;</td>
<td></td>
</tr>
<tr>
<td>• paraphrasing another person’s work with very minor changes keeping the meaning, form and/or progression of ideas of the original;</td>
<td></td>
</tr>
<tr>
<td>• piecing together sections of the work of others into a new whole;</td>
<td></td>
</tr>
<tr>
<td>• 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,</td>
<td></td>
</tr>
<tr>
<td>• claiming credit for a proportion a work contributed to a group assessment item that is greater than that actually contributed.†</td>
<td></td>
</tr>
</tbody>
</table>

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 Texts

Websites
- www.comlaw.gov.au
- www.accc.gov.au

Recommended Readings
- Butler, *Questions and Answers Contract Law* (LexisNexis)
- Carter and Harland, *Contract Law in Australia* (LexisNexis)
- Graw, *An Introduction to Contract Law* (Lawbook Co)

7.2 Other Resources, Support and Information
The University and the Faculty provide a wide range of support services for students, including:
- **Counselling support** - http://www.counselling.unsw.edu.au
- **Disability Support Services** – Students who have a disability that requires some adjustment in their teaching, learning or examination environment are encouraged to discuss their study needs with the Lecturer in charge or the Equity Officer (http://www.equity.unsw.edu.au/disabil.html). Early notification is essential to enable any necessary adjustments to be made.
- **Learning and study support**
  - EdTec – WebCTVista information (http://www.edtec.unsw.edu.au)
  - FCE Education Development Unit (EDU) The EDU offers extra support for students at the EDU Learning Assistance Centre. A learning consultant can advise on assignment writing, written expression, critical analysis, learning strategies and exam techniques. The service is free, friendly and confidential. It is only available to FCE students. You can request a consultation by phone 02 9385 5584; email edu@unsw.edu.au or visit the EDU at Level 2, Room 2039, Quad Building. (http://education.fce.unsw.edu.au)
  - UNSW Learning Centre; phone 02 9385 3890, Level 2 of the Library (http://www.lc.unsw.edu.au)
- **Library training and support services** - http://info.library.unsw.edu.au

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
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

<table>
<thead>
<tr>
<th>Week</th>
<th>Lecture</th>
<th>Lecture Content</th>
<th>Reading</th>
<th>Tutorial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wk 1</td>
<td>Course Administration</td>
<td>Introduction</td>
<td>Trade Practices Act (TPA) handout</td>
<td>No tutorials</td>
</tr>
<tr>
<td>26 Feb</td>
<td>Introduction to Competition law</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wk 2</td>
<td>Competition Law</td>
<td>Concepts; examples</td>
<td>Handouts chapters 24 and 25.1 – 25.9</td>
<td>Introduction to tutor and tutorial program.</td>
</tr>
<tr>
<td>5 March</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wk 3</td>
<td>Expanding a business</td>
<td>Agency, distribution, franchising, licensing</td>
<td>chapters 16 - 18</td>
<td>Competition law</td>
</tr>
<tr>
<td>12 March</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wk 4</td>
<td>Contract law</td>
<td>Agreement, offer and acceptance</td>
<td>K &amp; Y</td>
<td>Present competition law tutorial assignment</td>
</tr>
<tr>
<td>19 March</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wk 5</td>
<td>Contract law</td>
<td>Consideration, intention to be legally bound, capacity, formalities</td>
<td>K &amp; Y</td>
<td>Contract</td>
</tr>
<tr>
<td>26 March</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wk 6</td>
<td>Contract Law</td>
<td>Content of contract; express and implied terms, exemption clauses</td>
<td>K &amp; Y</td>
<td>Contract</td>
</tr>
<tr>
<td>2 April.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wk 7</td>
<td>Contract law</td>
<td>Discharge/ ending the contract</td>
<td>K &amp; Y</td>
<td>Contract</td>
</tr>
<tr>
<td>16 April.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wk 8</td>
<td>Contract law</td>
<td>Genuine agreement, absence of genuine consent, mistake, misrepresentation, duress, undue influence, unconscionable conduct in CONTRACT law</td>
<td>K &amp; Y</td>
<td>Contract</td>
</tr>
<tr>
<td>23 April.</td>
<td></td>
<td></td>
<td>T&amp;G 21.8</td>
<td></td>
</tr>
<tr>
<td>Wk 9</td>
<td>Consumer protection and fair trading</td>
<td>Unconscionable conduct in Statute law</td>
<td>TPA handout ch. 21</td>
<td>Contract</td>
</tr>
<tr>
<td>30 April.</td>
<td></td>
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<td></td>
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<tr>
<td>Wk 10</td>
<td>Consumer protection and fair trading</td>
<td>S 52 Trade Practices Act 1974 (Cth) (‘TPA’)</td>
<td>TPA handout ch. 22</td>
<td>Unconscionable conduct under TPA</td>
</tr>
<tr>
<td>7 May</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wk 11</td>
<td>Consumer protection and fair trading</td>
<td>Sections 51A – 60 TPA</td>
<td>TPA handout ch. 22</td>
<td>Consumer protection and fair trading</td>
</tr>
<tr>
<td>14 May</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Week</td>
<td>Lecture</td>
<td>Lecture Content</td>
<td>Reading</td>
<td>Tutorial</td>
</tr>
<tr>
<td>------------</td>
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<td>-----------------------------------------------------</td>
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<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Wk 12</td>
<td>Remedies</td>
<td>Remedies for breach of contract</td>
<td>K &amp; Y</td>
<td>Consumer protection and fair trading</td>
</tr>
<tr>
<td>21 May.</td>
<td></td>
<td>Remedies for breach of TPA</td>
<td>TPA handout</td>
<td></td>
</tr>
</tbody>
</table>
| Wk 13      | Legal risk, compliance and due diligence and tax | • Australian Standard and risk compliance  
• Due diligence | handouts    | Remedies, including statutory undertakings        |
| 28 May.    |                       |                                                     |             |                                               |
| Week 14    | Business failure      | Introduction to personal bankruptcy and corporate insolvency | ch. 19      | Revision                                      |
| 4 June     |                       |                                                     |             |                                               |
LEGT 2721 ASSIGNMENT COVER SHEET – FIRST ASSIGNMENT

School of Business Law & Taxation

Please staple this coversheet to the front of your Assignment.

Fill in all details on this form. Remember to sign the declaration at the bottom.

Title Mr/Ms/Mrs. Last Name ___________________ First Name ___________________
Student Number: __________________________________________________________
Postal Address: ____________________________________________________________________________________________
Preferred E-mail Address: ____________________________________________________________________________________________

Subject: LEGT 2721 Business Transactions  Week 4 ____________
Lecturer Name ___________________ Lecture Time: ______________________
Tutorial Day & Time ___________________ Tutors name ___________________
Due Date: __________ Time: __________  IN YOUR TUTORIAL

Checklist: • Spell check [   ]
• Have I answered the question? [   ]

Comments. ........................................................................................................................................................................

Acknowledgement: I have read and fully understand the Guide to Written Work and the information on Plagiarism detailed in the Course Outline. I hereby certify by my signature that this is my own work and not the work of others.

Student Signature: ____________________________________________________________________________
LEGT 2721 ASSIGNMENT COVER SHEET – SECOND assignment

School of Business Law & Taxation

Please staple this coversheet to the front of your individual Assignment. Fill in all details on this form. Remember to sign the declaration at the bottom.

Title Mr/Ms/Mrs. Last Name __________________First Name _______________
Student Number: ____________________________________________________
Postal Address: ____________________________________________________
Preferred E-mail Address: ____________________________________________

Subject: LEGT 2721 Business Transactions Week 7 ______________
Lecture time: 11am or 5pm (please circle time)
Tutorial Day & Time: ____________________
Due Date: Monday 16 April _______________Time: 11am

Checklist: • Spell check [ ]
• Footnotes [ ]
• Footer on each page [ ]

Comments. ..................................................................................................................

Acknowledgement: I have read and fully understand the Guide to Written Work and the information on Plagiarism detailed in the Course Outline. I hereby certify by my signature that this is my own work and not the work of others.

Student Signature: ________________________________
LEGT 2721 ASSIGNMENT COVER SHEET – THIRD assignment

School of Business Law & Taxation

Please staple this coversheet to the front of your individual Assignment. Fill in all details on this form. Remember to sign the declaration at the bottom.

Title Mr/Ms/Mrs. Last Name __________________First Name __________________
Student Number: ______________________________________________________
Postal Address: __________________________________________________________________
Preferred E-mail Address: __________________________________________________________________

Subject:  LEGT 2721 Business Transactions   Week 10 _____________
Lecturer Name ____________________Lecture Day: ________________________
Due Date:  Monday 7 May    Time:  11am

Checklist:  • Spell check [ ]
            • Footnotes [ ]
            • Footer on each page [ ]

Comments. ..................................................................................................................

Acknowledgement: I have read and fully understand the Guide to Written Work and the information on Plagiarism detailed in the Course Outline. I hereby certify by my signature that this is my own work and not the work of others.

Student signature

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