

Unit Outline (Higher Education)

Institute / School: Institute of Innovation, Science & Sustainability

Unit Title: COMMERCIAL LAW

Unit ID: BULAW5914

Credit Points: 15.00

Prerequisite(s): Nil

Co-requisite(s): Nil

Exclusion(s): Nil

ASCED: 091103

Description of the Unit:

This unit involves aspects of commercial law that are central to the operation of commerce: the Australian legal system; common law method and statutory interpretation; property law; the legal recognition of different business structures; bankruptcy law; contract law (formation, rights to avoid, terms and termination); insurance contracts; sale of goods contracts; the tort of negligence; manufacturers product liability. Students will examine legal regimes comprising an integrated body of case and statute law, and be able to explain and apply those regimes in a variety of settings.

Grade Scheme: Graded (HD, D, C, P, MF, F, XF)

Work Experience:

No work experience: Student is not undertaking work experience in industry.

Placement Component: No

Supplementary Assessment: Yes

Where supplementary assessment is available a student must have failed overall in the Unit but gained a final mark of 45 per cent or above, has completed all major assessment tasks (including all sub-components where a task has multiple parts) as specified in the Unit Description and is not eligible for any other form of supplementary assessment

Course Level:

Level of Unit in Course	AQF Level of Course					
	5	6	7	8	9	10
Introductory	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Intermediate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Advanced	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Learning Outcomes:

Knowledge:

- K1.** Appreciate the workings of the Australian legal system, the nature of common law method and international legal systems
- K2.** Understand how laws are created, developed and changed
- K3.** Distinguish between the various business and not-for-profit structures and consider their advantages and disadvantages
- K4.** Know the fundamental principles of areas of law that underpin and regulate business and accounting practice including agency, bankruptcy, contract, negligence, property, and the Australian consumer law
- K5.** Recognise the regulatory and facilitative effects of law on commercial life

Skills:

- S1.** Develop information literacy skills to find the law and the principles used to interpret it, including via the use of technology
- S2.** Use the law to the advantage of an accounting practice or business, including use of the law to manage legal risks
- S3.** Discern when a legal problem requires referral to a lawyer and have a command of legal language to facilitate communication with lawyers

Application of knowledge and skills:

- A1.** Explain the policy or regulatory role of commercial law in particular settings
- A2.** Assess legal risks in different business settings
- A3.** Problem-solve in settings which involve commercial law issues

Unit Content:

Topics may include:

- The Australian legal system
- Common law method and statutory interpretation
- Property law
- The legal recognition of different business structures and relationships
- Bankruptcy law

- Contract law: formation
- Contract law: rights to avoid
- Contract law: terms and termination
- Insurance contracts
- Sale of goods contracts
- The tort of negligence
- Manufacturers product liability

Learning Task and Assessment:

Learning Outcomes Assessed	Assessment Tasks	Assessment Type	Weighting
K1, K2 S1 A1, A2	Short answer questions	Test	10-20%
K1, K2, K3, K4, K5 S1, S2, S3 A1, A2, A3	Research essay and/or problem solving task	Assignment	30-40%
K1, K2, K3, K4, K5 S1, S2, S3 A1, A2, A3	Invigilated exam	Exam	40-60%

Adopted Reference Style:

APA

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