

# 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

**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:

- 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

## FEDTASKS

Federation University Federation recognises that students require key transferable employability skills to prepare them for their future workplace and society. FEDTASKS (**T**ransferable **A**tttributes **S**kills and **K**nowledge) provide a targeted focus on five key transferable Attributes, Skills, and Knowledge that are embedded within curriculum, developed gradually towards successful measures and interlinked with cross-discipline and Co-operative Learning opportunities. *One or more FEDTASK, transferable Attributes, Skills or Knowledge must be evident in the specified learning outcomes and assessment for each FedUni Unit, and all must be directly assessed in each Course.*

FEDTASK attribute and descriptor		Development and acquisition of FEDTASKS in the Unit	
		Learning Outcomes (KSA)	Assessment task (AT#)
FEDTASK 1 Interpersonal	Students at this level will demonstrate an advanced ability in a range of contexts to effectively communicate, interact and work with others both individually and in groups. Students will be required to display high level skills in-person and/or online in: <ul style="list-style-type: none"> <li>Using and demonstrating a high level of verbal and non-verbal communication</li> <li>Demonstrating a mastery of listening for meaning and influencing via active listening</li> <li>Demonstrating and showing empathy for others</li> <li>High order skills in negotiating and conflict resolution skills</li> <li>Demonstrating mastery of working respectfully in cross-cultural and diverse teams.</li> </ul>	Not applicable	Not applicable
FEDTASK 2 Leadership	Students at this level will demonstrate a mastery in professional skills and behaviours in leading others. <ul style="list-style-type: none"> <li>Creating and sustaining a collegial environment</li> <li>Demonstrating a high level of self-awareness and the ability to self-reflect and justify decisions</li> <li>Inspiring and initiating opportunities to lead others</li> <li>Making informed professional decisions</li> <li>Demonstrating initiative in new professional situations.</li> </ul>	Not applicable	Not applicable
FEDTASK 3 Critical Thinking and Creativity	Students at this level will demonstrate high level skills in working in complexity and ambiguity using the imagination to create new ideas. Students will be required to display skills in: <ul style="list-style-type: none"> <li>Reflecting critically to generate and consider complex ideas and concepts at an abstract level</li> <li>Analysing complex and abstract ideas, concepts and information</li> <li>Communicate alternative perspectives to justify complex ideas</li> <li>Demonstrate a mastery of challenging conventional thinking to clarify complex concepts</li> <li>Forming creative solutions in problem solving to new situations for further learning.</li> </ul>	Not applicable	Not applicable
FEDTASK 4 Digital Literacy	Students at this level will demonstrate the ability to work competently across a wide range of tools, platforms and applications to achieve a range of tasks. Students will be required to display skills in: <ul style="list-style-type: none"> <li>Mastering, exploring, evaluating, managing, curating, organising and sharing digital information professionally</li> <li>Collating, managing complex data, accessing and using digital data securely</li> <li>Receiving and responding professionally to messages in a range of professional digital media</li> <li>Contributing competently and professionally to digital teams and working groups</li> <li>Participating at a high level in digital learning opportunities.</li> </ul>	Not applicable	Not applicable

FEDTASK attribute and descriptor		Development and acquisition of FEDTASKS in the Unit	
		Learning Outcomes (KSA)	Assessment task (AT#)
FEDTASK 5 sustainable and Ethical Mindset	Students at this level will demonstrate a mastery of considering and assessing the consequences and impact of ideas and actions in enacting professional ethical and sustainable decisions. Students will be required to display skills in: • Demonstrate informed judgment making that considers the impact of devising complex solutions in ambiguous global economic environmental and societal contexts • Professionally committing to the promulgation of social responsibility • Demonstrate the ability to evaluate ethical, socially responsible and/or sustainable challenges and generating and articulating responses • Communicating lifelong, life-wide and life-deep learning to be open to the diverse professional others • Generating, leading and implementing required actions to foster sustainability in their professional and personal life	Not applicable	Not applicable

**Learning Task and Assessment:**

Learning Outcomes Assessed	Assessment Tasks	Assessment Type	Weighting
K3, K4, 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	Oral Presentation and / or Written Research Assignment	30-40%
K1, K2, K3, K4, K5, S1, S2, S3, A1, A2, A3	Invigilated exam	Exam	40-60%

**Adopted Reference Style:**

APA ()

 Refer to the [library website](#) for more information

 Fed Cite - [referencing tool](#)