



Course Outline (Higher Education)

School: Federation Business School

Course Title: COMMERCIAL LAW

Course ID: BULAW5914

Credit Points: 15.00

Prerequisite(s): Nil

Co-requisite(s): Nil

Exclusion(s): Nil

ASCED: 080301

Description of the Course :

This course 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, etc.)

Placement Component: No

Supplementary Assessment: Yes

Where supplementary assessment is available a student must have failed overall in the course but gained a final mark of 45 per cent or above and submitted all major assessment tasks.

Program Level:

| Level of course in Program | AQF Level of Program | | | | | |
|----------------------------|----------------------|---|---|---|---|----|
| | 5 | 6 | 7 | 8 | 9 | 10 |
| Introductory | | | | | ✓ | |
| Intermediate | | | | | | |
| Advanced | | | | | | |

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

Course 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

Values:

- V1.** Appreciate that the law is dynamic and is a product of complex social, economic, political and/or international considerations;
- V2.** Appreciate the empowerment a knowledge of law gives both business and consumers;
- V3.** Assess how the law impacts upon business decision making;
- V4.** Consider the trade-offs and balances reflected in commercial law;
- V5.** Judge the importance of commercial law as both a facilitator and regulator of commerce.

Graduate Attributes

The Federation University FedUni graduate attributes (GA) are entrenched in the Higher Education Graduate Attributes Policy (LT1228). FedUni graduates develop these graduate attributes through their engagement in explicit learning and teaching and assessment tasks that are embedded in all FedUni programs. Graduate attribute attainment typically follows an incremental development process mapped through program progression. **One or more graduate attributes must be evident in the specified learning outcomes and assessment for each FedUni course, and all attributes must be directly assessed in each program**

| Graduate attribute and descriptor | | Development and acquisition of GAs in the course | | | |
|-----------------------------------|---|--|---|-----------------------|--|
| | | Learning Outcomes (KSA) | Code A. Direct B. Indirect N/A Not addressed | Assessment task (AT#) | Code A. Certain B. Likely C. Possible N/A Not likely |
| GA 1 Thinkers | Our graduates are curious, reflective and critical. Able to analyse the world in a way that generates valued insights, they are change makers seeking and creating new solutions. | K2,K3,K4,S2,S3,A2,A3 | A | AT2, AT3 | C |
| GA 2 Innovators | Our graduates have ideas and are able to realise their dreams. They think and act creatively to achieve and inspire positive change. | Not applicable | N/A | Not applicable | N/A |

| Graduate attribute and descriptor | | Development and acquisition of GAs in the course | | | |
|-----------------------------------|--|--|---|-----------------------|--|
| | | Learning Outcomes (KSA) | Code A. Direct B. Indirect N/A Not addressed | Assessment task (AT#) | Code A. Certain B. Likely C. Possible N/A Not likely |
| GA 3 Citizens | Our graduates engage in socially and culturally appropriate ways to advance individual, community and global well-being. They are socially and environmentally aware, acting ethically, equitably and compassionately. | Not applicable | N/A | Not applicable | N/A |
| GA 4 Communicators | Our graduates create, exchange, impart and convey information, ideas, and concepts effectively. They are respectful, inclusive and empathetic towards their audience, and express thoughts, feelings and information in ways that help others to understand. | K5,S2,S3,A1,A2 | B | AT2, AT3 | C |
| GA 5 Leaders | Our graduates display and promote positive behaviours, and aspire to make a difference. They act with integrity, are receptive to alternatives and foster sustainable and resilient practices. | Not applicable | N/A | Not applicable | N/A |

Learning Task and Assessment:

| Learning Outcomes Assessed | Learning 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 | Open-book | Test / Final Assessment | 40-60% |

Adopted Reference Style:

APA