



BUSINESS SCHOOL
Te Kura Pakihi

COURSE OUTLINE

BLAW 212 ***Business Law relating to Obligations***

Semester Two, 2023

This course outline contains information specific to this paper. For more general information common to your papers, please refer to the COMMERCE_UG_2021: Commerce Undergraduate Students site on Blackboard.

Paper Description and Aims

This course provides an introduction to the general law of contract and aspects of consumer, tort, relationship property and insolvency law.

Prerequisite BLAW 211

BLAW 212 may not be taken concurrently with or after having passed LAWS 202.

Learning Outcomes

Upon successful completion of this paper, you should be able to:

1. Demonstrate a basic knowledge of the fundamentals of law of contract;
2. Demonstrate a basic knowledge of consumer law;
3. Demonstrate a basic knowledge of the fundamentals of the law of negligence
4. Demonstrate a basic knowledge of insolvency law.
5. Demonstrate a basic understanding of Relationship Property

Teaching Staff

Paper Co-coordinator and Lecturer

Name: Gerard De Courcy
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Lecturer

Name: Joanne Westgate
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You should contact the Paper Coordinator with any administrative enquiries about the paper.

Tutorials: See eVision and the tutorial schedule on blackboard.

Class Representatives

Class representatives are an important means of communication between students and staff. Contact details for your student class representatives will be available on the Blackboard page for this paper once the class has selected them.

Course Delivery

Lecture Day/Time/Room:

Monday, 5:00 pm to 5:50pm,

Wednesday, 5:00 pm to 5:50pm,

Thursday, 5:00 pm to 5:50pm,

Lecture rooms to be advised.

Tutorials:

Tutorials: See PIMS **and** the tutorial schedule on blackboard.

Lectures present the key conceptual material through discussion and interaction between teaching staff and students. Attendance is important.

Tutorials are interactive, collaborative sessions in which students attempt to cement concepts presented at lectures with their peers in a supportive environment. Preparation is essential and required.

Tutorials will be held in 9 of the 13 weeks in the semester. A schedule setting out the weeks that tutorials will be held will be posted on Blackboard. You will be allocated to a tutorial and this will be available in e-Vision.

Tutorials offer you the opportunity to work in groups on a series of problems designed to apply the concepts that you have been exposed to in class and from your reading, and to stimulate your interest in the course as it applies to legal issues. The key feature of tutorials, as opposed to lectures and individual study, is participation of all members of the tutorial group. **You are expected to prepare for tutorials before going to them.**

Course Calendar: The course calendar (in this outline) details scheduling information. Note that this calendar may change as the course proceeds. Any changes will be announced at lectures and be detailed on Blackboard.

Students are expected to prepare for and attend all classes to gain full benefit from the course

These activities should be prepared for by reviewing information detailed on Blackboard and completing any assigned readings. Students unable to attend a lecture are expected to catch up on missed material. Unless stated otherwise, all aspects of the course are examinable.

Course Learning Resources

Textbook information,

Hubbard, Thomas and Varnham (2013) *Principles of Law for New Zealand Business Students* 5th ed. Pearson, Auckland.

This text is available on reserve at the Central Library or may be purchased.

Materials placed on Blackboard:

- Course announcements and notices;
- Recommended Readings;
- Lecture Slides;
- A schedule setting out the weeks during the semester in which there will be tutorials
- Tutorial Problems that will be discussed in the tutorials;
- Other information or material relevant to the Course.

Blackboard

<https://blackboard.otago.ac.nz/> provides you with access to course materials, class notices, and resources. Blackboard is used to email the whole class so it is important that you check your student email and *Blackboard* regularly.

Further information about student support, learning support and information, academic integrity and other University resources for students is available on the COMMERCE_UG_2021: Commerce Undergraduate Students site on Blackboard.

Student Webmail

We will use your student email account to email you information relevant to your programme. To forward your University email address to an email address that you use regularly:

1. Log into your StudentMail account (<http://www.otago.ac.nz/smlanding/>) using your student username and password.
2. Click the **Cog** button (top right corner).
3. Click on **Mail** under **Your App Settings**.
4. Under **Accounts** on left hand side, select **Forwarding**.
5. Under the Forwarding heading, type in the email address you want your email to be forwarded to. You can also choose to have a copy of these emails kept on your StudentMail account, so please check the box if you would like this.
6. Click the **Save** button.

Academic Integrity and Academic Misconduct (Plagiarism)

Academic Integrity

Academic integrity means being honest in your studying and assessments. It is the basis for ethical decision-making and behaviour in an academic context. Academic integrity is informed by the values of honesty, trust, responsibility, fairness, respect and courage. Students are expected to be aware of, and act in accordance with, the University's Academic Integrity Policy.

Academic Misconduct, such as plagiarism or cheating, is a breach of Academic Integrity and is taken very seriously by the University. Types of misconduct include plagiarism, copying, unauthorised collaboration, submitting work written by someone else (including from a file sharing website, text generation software, or purchased work) taking unauthorised material into a test or exam, impersonation, and assisting someone else's misconduct. A more extensive list of the types of academic misconduct and associated processes and penalties is available in the University's Student Academic Misconduct Procedures.

It is your responsibility to be aware of and use acceptable academic practices when completing your assessments. To access the information in the Academic Integrity Policy and learn more, please visit the University's Academic Integrity website at www.otago.ac.nz/study/academicintegrity<<http://www.otago.ac.nz/study/academicintegrity>>, or ask at the Student Learning Centre (HEDC) or the Library, or seek advice from your paper co-ordinator.

For further information:

Academic Integrity Policy

<http://www.otago.ac.nz/administration/policies/otago116838.html>

Student Academic Misconduct Procedures

<http://www.otago.ac.nz/administration/policies/otago116850.html>

Turnitin on Blackboard

Turnitin is a text-matching software tool which reports matches between sections of student work submitted to it, and other material to which Turnitin has access (i.e. material available via the internet, and content of other student assignments which have previously been submitted to Turnitin). Turnitin is also often referred to as a plagiarism detection tool. All assignments submitted electronically through Blackboard are uploaded via Turnitin, and the report is available to the marker. You are able to check your draft assignment via Turnitin before you submit your final assignment. Full instructions and guidance for the use of Turnitin can be found at:

<https://help.otago.ac.nz/blackboard/assessing-your-students/turnitin/turnitin-for-students/>

Assessment

All material presented is examinable (except where stated otherwise) by assignments and the final examination. All important assessment information such as due dates and times, content, guidelines and so on will be discussed at lectures and, where appropriate, detailed on Blackboard. *Students are responsible for ensuring that they are aware of this information, keeping track of their own progress, and catching up on any missed classes.*

| Assessment | Date | % of final grade | Requirements to pass this paper |
|-------------------|------|------------------|--|
| Terms Test | TBA | 30% | A Total mark for the course of 50% or more |
| Final Examination | TBA | 70% | |

Course Requirements

To pass the Course your total course mark must be 50% or higher. There are no terms requirements for this course. If you do not do well in the terms test, it is possible to improve your overall course mark by obtaining a higher mark in the final examination.

Referencing Style and Style Guide

For this paper the referencing style is (*e.g. Harvard, Chicago, APA, etc*). Here is a link to the style guide: (*insert link*) Style guides are also available on the University Library website: <http://www.otago.ac.nz/library/quicklinks/citation/index.html>

Learning Outcomes

| Learning Outcome | Terms Test | Exam | Total |
|--|------------|------|-------|
| Demonstrate a basic knowledge of the fundamentals of law of contract; | | 35% | 35% |
| Demonstrate a basic knowledge of consumer law; | | 7% | 7% |
| Demonstrate a basic knowledge of the fundamentals of the law of negligence | 30% | | 30% |
| Demonstrate a basic knowledge of insolvency law. | | 14% | 14% |
| Demonstrate a basic understanding of Relationship Property | | 14% | 14% |
| Total | 30% | 70% | 100% |

These allocations may vary depending on exam question choices selected by the student and are subject to any adjustment by the lecturer. Any adjustment will be notified..

Course Calendar

| Lecture Week | Week Commencing | Topic | Reading |
|--|-------------------|---|------------|
| 1 | 10 July 2023 | Introduction to torts - ACC | Refer text |
| 2 | 17 July 2023 | Negligence | |
| 3 | 24 July 2023 | Negligence | |
| 4 | 31 July 2023 | Relationship property | |
| 5 | 7 August 2023 | Insolvency | |
| 6 | 14 August 2023 | Insolvency Record Keeping Auditing Reporting and Disclosure | |
| 7 | 21 August 2023 | Offer and Acceptance Intention to Create Legal Relations | |
| Mid Semester Break 28 August – 1 September 2023 | | | |
| 8 | 4 September 2023 | Consideration, Form | |
| 9 | 11 September 2023 | Form, Privity and Capacity | |
| 10 | 18 September 2023 | Duress, Undue Influence, Unconscionable Bargains | |
| 11 | 25 September 2023 | Misrepresentation, Frustration, Mistake | |
| 12 | 2 October 2023 | Exclusion Clauses, Remedies, Consumer Law | |
| 13 | 9 October 2023 | Consumer Law | |

Lectures end Friday 13 October 2023
University Exam Period 18 October – 11 November 2023

Disclaimer

While every effort is made to ensure that the information contained in this document is accurate, it is subject to change. Changes will be notified in class and via Blackboard. Students are encouraged to check Blackboard regularly. It is the student's responsibility to be informed.