

# LAW307 Commercial Law

School: School of Law and Society

2023 Semester 2

UniSC Sunshine Coast

**BLENDED  
LEARNING**

Most of your course is on campus but you may be able to do some components of this course online.

*Please go to [usc.edu.au](http://usc.edu.au) for up to date information on the teaching sessions and campuses where this course is usually offered.*

## 1. What is this course about?

### 1.1. Description

This course introduces you to the fundamentals of commercial law, with emphasis on the Australian approach. We will examine key concepts in the lifecycle of commercial transactions, including personal property and its securitisation, laws regulating the sale of goods domestically and internationally, Australian consumer protection provisions, bankruptcy, guarantees, and insurance. Commercial dispute resolution processes and practices, including alternative dispute resolution, will also be canvassed.

### 1.2. How will this course be delivered?

| ACTIVITY   | HOURS | BEGINNING WEEK | FREQUENCY |
|--|-------|----------------|-----------|
| <b>BLENDED LEARNING</b>                                |       |                |           |
| <b>Learning materials</b> – Online learning materials  | 1hr   | Week 1         | 13 times  |
| <b>Tutorial/Workshop 1</b> – 2 Hour On-Campus Tutorial | 2hrs  | Week 1         | 13 times  |

### 1.3. Course Topics

- Fundamentals of Commercial Law
- The Role of Commercial Lawyers
- Sale of Goods in Australia and Queensland
- Australian Consumer Law
- International Sale of Goods under the Vienna Convention
- Securitisation and the Personal Property Securities Act
- Insurance
- Personal Bankruptcy
- Dispute Resolution
- Class Actions

## 2. What level is this course?

300 Level (Graduate)

Demonstrating coherence and breadth or depth of knowledge and skills. Independent application of knowledge and skills in unfamiliar contexts. Meeting professional requirements and AQF descriptors for the degree. May require pre-requisites where discipline specific introductory or developing knowledge or skills is necessary. Normally undertaken in the third or fourth full-time study year of an undergraduate program.

## 3. What is the unit value of this course?

12 units

## 4. How does this course contribute to my learning?

| COURSE LEARNING OUTCOMES  | GRADUATE QUALITIES   |
|---|--|
| On successful completion of this course, you should be able to...   | Completing these tasks successfully will contribute to you becoming... |
| 1 Identify legal issues and the relevant law from complex scenarios   | Knowledgeable  |
| 2 Demonstrate an understanding of the range of legal issues that are included under the generic title 'commercial law' and your ability to provide sound legal advice utilising that knowledge. | Knowledgeable<br>Creative and critical thinker                         |
| 3 Apply critical thinking to identify and resolve complex legal problems related to commercial law issues   | Knowledgeable<br>Empowered   |
| 4 Exercise the communication skills that are required of lawyers including presenting and drafting  | Empowered<br>Engaged   |

## 5. Am I eligible to enrol in this course?

Refer to the [UniSC Glossary of terms](#) for definitions of "pre-requisites, co-requisites and anti-requisites".

### 5.1. Pre-requisites

LAW204 and enrolled in any Law Program

### 5.2. Co-requisites

LAW205

### 5.3. Anti-requisites

Not applicable

### 5.4. Specific assumed prior knowledge and skills (where applicable)

Not applicable

## 6. How am I going to be assessed?

### 6.1. Grading Scale

Standard Grading (GRD)

High Distinction (HD), Distinction (DN), Credit (CR), Pass (PS), Fail (FL).

### 6.2. Details of early feedback on progress

Early feedback on progress is available in weekly tutorials, where students have an opportunity to present (and receive feedback on) responses to hypothetical advice scenarios and discussion questions.

6.3. Assessment tasks

| DELIVERY MODE | TASK NO. | ASSESSMENT PRODUCT                | INDIVIDUAL OR GROUP | WEIGHTING % | WHAT IS THE DURATION / LENGTH? | WHEN SHOULD I SUBMIT? | WHERE SHOULD I SUBMIT IT?                          |
|---------------|----------|-----------------------------------|---------------------|-------------|--------------------------------|-----------------------|--|
| All           | 1        | Quiz/zes                          | Individual          | 15%         | 30 Minutes                     | Week 4                | Online Assignment Submission with plagiarism check |
| All           | 2        | Written Piece                     | Individual          | 35%         | 1400 words                     | Week 10               | Online Assignment Submission with plagiarism check |
| All           | 3        | Examination - Centrally Scheduled | Individual          | 50%         | 4 Hours                        | Exam Period           | Online Assignment Submission with plagiarism check |

**All - Assessment Task 1:** Commercial Law Online Quiz

|                  |  |  |
|------------------|--|--|
| <b>GOAL:</b>     | To test your understanding of key concepts and principles covered in weeks 1-3 of the course.    |  |
| <b>PRODUCT:</b>  | Quiz/zes   |  |
| <b>FORMAT:</b>   | Multiple choice questions, containing a combination of definitional and problem-style questions. |  |
| <b>CRITERIA:</b> | <b>No.</b>   | <b>Learning Outcome assessed</b>   |
|                  | 1  | You will be assessed on your understanding of the principles and concepts covered in weeks 1-3. <span style="float: right;">2 3</span> |

**All - Assessment Task 2:** Commercial Law Advice

|                  |  |   |
|------------------|--|---|
| <b>GOAL:</b>     | The goal of this task is for you to show advanced understanding of complex Commercial Law issues, and critically evaluate this by reference to relevant legal and policy materials – including legislation, case law, commentary, and, where appropriate other domestic and international materials. |   |
| <b>PRODUCT:</b>  | Written Piece  |   |
| <b>FORMAT:</b>   | Assignment on a specified Commercial Law issue that has been provided to you, completed individually. 1400 words plus references AGLC4 format.   |   |
| <b>CRITERIA:</b> | <b>No.</b>   | <b>Learning Outcome assessed</b>  |
|                  | 1  | Identification and application of legal issues, principles and rules of law derived from case analysis and statute <span style="float: right;">1 3</span>     |
|                  | 2  | Analytical thinking to propose, discuss, generate and recommend appropriate responses to complex commercial law issues <span style="float: right;">2 3</span> |
|                  | 3  | Interpretation, synthesis and application of relevant legal, factual and policy materials <span style="float: right;">3</span>                                |
|                  | 4  | Effective communication, including concision, accuracy, and appropriate structure and referencing <span style="float: right;">4</span>                        |

### All - Assessment Task 3: Open Book Examination

|                  |   |   |
|------------------|---|---|
| <b>GOAL:</b>     | To demonstrate your understanding of key concepts in Commercial Law.  |   |
| <b>PRODUCT:</b>  | Examination - Centrally Scheduled   |   |
| <b>FORMAT:</b>   | Completed individually in central examination period, submitted via SafeAssign. Short answer, essay and/or problem questions. |   |
| <b>CRITERIA:</b> | <b>No.</b>  | <b>Learning Outcome assessed</b>  |
|                  | 1   | Identification of legal issues and rules in a commercial context <b>1</b>   |
|                  | 2   | Interpretation, synthesis and application of relevant legal, factual and policy materials <b>2 3</b>                  |
|                  | 3   | Analytical thinking and your skills of legal analysis <b>3</b>  |
|                  | 4   | Analytical thinking to propose, discuss and recommend appropriate responses to complex commercial law issues <b>2</b> |

## 7. Directed study hours

A 12-unit course will have total of 150 learning hours which will include directed study hours (including online if required), self-directed learning and completion of assessable tasks. Student workload is calculated at 12.5 learning hours per one unit.

## 8. What resources do I need to undertake this course?

Please note: Course information, including specific information of recommended readings, learning activities, resources, weekly readings, etc. are available on the course Canvas site– Please log in as soon as possible.

### 8.1. Prescribed text(s) or course reader

Please note that you need to have regular access to the resource(s) listed below. Resources may be required or recommended.

| REQUIRED? | AUTHOR                      | YEAR | TITLE                                    | EDITION | PUBLISHER       |
|-----------|-----------------------------|------|--|---------|-----------------|
| Required  | Clive Turner and John Trone | 2021 | Australian Commercial Law (33rd Edition) | n/a     | Thomson Reuters |

### 8.2. Specific requirements

Not applicable

## 9. How are risks managed in this course?

Health and safety risks for this course have been assessed as low. It is your responsibility to review course material, search online, discuss with lecturers and peers and understand the health and safety risks associated with your specific course of study and to familiarise yourself with the University's general health and safety principles by reviewing the [online induction training for students](#), and following the instructions of the University staff.

## 10. What administrative information is relevant to this course?

### 10.1. Assessment: Academic Integrity

Academic integrity is the ethical standard of university participation. It ensures that students graduate as a result of proving they are competent in their discipline. This is integral in maintaining the value of academic qualifications. Each industry has expectations and standards of the skills and knowledge within that discipline and these are reflected in assessment.

Academic integrity means that you do not engage in any activity that is considered to be academic fraud; including plagiarism, collusion or outsourcing any part of any assessment item to any other person. You are expected to be honest and ethical by completing all work yourself and indicating in your work which ideas and information were developed by you and which were taken from others. You cannot provide your assessment work to others. You are also expected to provide evidence of wide and critical reading, usually by using appropriate academic references.

In order to minimise incidents of academic fraud, this course may require that some of its assessment tasks, when submitted to Canvas, are electronically checked through Turnitin. This software allows for text comparisons to be made between your submitted assessment item and all other work to which Turnitin has access.

## 10.2. Assessment: Additional Requirements

### Eligibility for Supplementary Assessment

Your eligibility for supplementary assessment in a course is dependent of the following conditions applying:

The final mark is in the percentage range 47% to 49.4%

The course is graded using the Standard Grading scale

You have not failed an assessment task in the course due to academic misconduct

## 10.3. Assessment: Submission penalties

Late submission of assessment tasks may be penalised at the following maximum rate:

- 5% (of the assessment task's identified value) per day for the first two days from the date identified as the due date for the assessment task.

- 10% (of the assessment task's identified value) for the third day - 20% (of the assessment task's identified value) for the fourth day and subsequent days up to and including seven days from the date identified as the due date for the assessment task.

- A result of zero is awarded for an assessment task submitted after seven days from the date identified as the due date for the assessment task. Weekdays and weekends are included in the calculation of days late. To request an extension you must contact your course coordinator to negotiate an outcome.

## 10.4. SafeUniSC

UniSC is committed to a culture of respect and providing a safe and supportive environment for all members of our community. For immediate assistance on campus contact SafeUniSC by phone: [07 5430 1168](tel:0754301168) or using the [SafeZone](#) app. For general enquires contact the SafeUniSC team by phone [07 5456 3864](tel:0754563864) or email [safe@usc.edu.au](mailto:safe@usc.edu.au).

The SafeUniSC Specialist Service is a Student Wellbeing service that provides free and confidential support to students who may have experienced or observed behaviour that could cause fear, offence or trauma. To contact the service call [07 5430 1226](tel:0754301226) or email [studentwellbeing@usc.edu.au](mailto:studentwellbeing@usc.edu.au).

## 10.5. Study help

For help with course-specific advice, for example what information to include in your assessment, you should first contact your tutor, then your course coordinator, if needed.

If you require additional assistance, the Learning Advisers are trained professionals who are ready to help you develop a wide range of academic skills. Visit the [Learning Advisers](#) web page for more information, or contact Student Central for further assistance: +61 7 5430 2890 or [studentcentral@usc.edu.au](mailto:studentcentral@usc.edu.au).

## 10.6. Wellbeing Services

Student Wellbeing provide free and confidential counselling on a wide range of personal, academic, social and psychological matters, to foster positive mental health and wellbeing for your academic success.

To book a confidential appointment go to [Student Hub](#), email [studentwellbeing@usc.edu.au](mailto:studentwellbeing@usc.edu.au) or call 07 5430 1226.

## 10.7. AccessAbility Services

Ability Advisers ensure equal access to all aspects of university life. If your studies are affected by a disability, learning disorder mental health issue, injury or illness, or you are a primary carer for someone with a disability or who is considered frail and aged, [AccessAbility Services](#) can provide access to appropriate reasonable adjustments and practical advice about the support and facilities available to you throughout the University.

To book a confidential appointment go to [Student Hub](#), email [AccessAbility@usc.edu.au](mailto:AccessAbility@usc.edu.au) or call 07 5430 2890.

## 10.8. Links to relevant University policy and procedures

For more information on Academic Learning & Teaching categories including:

- Assessment: Courses and Coursework Programs
- Review of Assessment and Final Grades
- Supplementary Assessment
- Central Examinations
- Deferred Examinations
- Student Conduct
- Students with a Disability

For more information, visit <https://www.usc.edu.au/explore/policies-and-procedures#academic-learning-and-teaching>

## 10.9. Student Charter

UniSC is committed to excellence in teaching, research and engagement in an environment that is inclusive, inspiring, safe and respectful. The [Student Charter](#) sets out what students can expect from the University, and what in turn is expected of students, to achieve these outcomes.

## 10.10.General Enquiries

### In person:

- **UniSC Sunshine Coast** - Student Central, Ground Floor, Building C, 90 Sippy Downs Drive, Sippy Downs
- **UniSC Moreton Bay** - Service Centre, Ground Floor, Foundation Building, Gympie Road, Petrie
- **UniSC SouthBank** - Student Central, Building A4 (SW1), 52 Merivale Street, South Brisbane
- **UniSC Gympie** - Student Central, 71 Cartwright Road, Gympie
- **UniSC Fraser Coast** - Student Central, Student Central, Building A, 161 Old Maryborough Rd, Hervey Bay
- **UniSC Caboolture** - Student Central, Level 1 Building J, Cnr Manley and Tallon Street, Caboolture

**Tel:** +61 7 5430 2890

**Email:** [studentcentral@usc.edu.au](mailto:studentcentral@usc.edu.au)