

# LAW312 Competition and Consumer Law

**School:** School of Law and Society

2022 | 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

The course introduces principles of competition and consumer law which is vital for local, national and global commercial legal practice. The course considers the regulatory structure and economic concepts underlying competition regulation and includes examining the regulation of cartels and other horizontal arrangements, misuse of market power, exclusive dealing, resale price maintenance, mergers and acquisitions and access regimes. It also considers consumer protection provisions such as misleading and deceptive conduct, unconscionability, consumer guarantees and manufacturer's liability.

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

ACTIVITY	HOURS	BEGINNING WEEK	FREQUENCY
<b>BLENDED LEARNING</b>			
<b>Learning materials</b> – Asynchronous online materials will be provided for Weeks 1-13.	1hr	Week 1	13 times
<b>Tutorial/Workshop 1</b> – On campus and/or online workshop - weeks 2-6 and 8-13. Workshops will work through the course content with a range of activities and seminar-style discussion.	2hrs	Week 2	11 times
<b>Lecture</b> – Weeks 1 and 7. The Week 1 session will provide an introduction to the course broadly, as well as cover assessment, format, and expectations. Week 7 will revise content and assist in preparing you for upcoming assessment.	2hrs	Refer to Format	2 times

### 1.3. Course Topics

Australian Competition and Consumer Act 2010 (Cth)

Regulation of cartels and other horizontal arrangements

Misuse of market power, exclusive dealing, resale price maintenance, mergers and acquisitions

Misleading and deceptive conduct

Unconscionability

Consumer guarantees

Manufacturer's liability

## 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	Apply complex knowledge and critical understanding of the principles of Australian competition and consumer law in a broad range in legal context.	Knowledgeable
2	Apply critical thinking and analysis to identify and generate appropriate responses to problems related to the regulation of markets and protection of consumers.	Knowledgeable Creative and critical thinker
3	Engage in critical analysis and demonstrate the ability to think creatively in evaluating legal and policy issues in relation to competition law.	Creative and critical thinker Empowered
4	Exercise written communication and drafting skills that are effective, appropriate and persuasive in legal and commercial contexts.	Empowered

## 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 or BUS203 and enrolled in any Law Program or Business Programs

### 5.2. Co-requisites

Not applicable

### 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

A formative quiz will be available in weeks 3-4 to provide feedback on your understanding of the foundational concepts for the course.

### 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	Essay	Individual	30%	1500 words	Week 6	Online Assignment Submission with plagiarism check
All	2	Written Piece	Individual	40%	2000 words	Week 10	Online Assignment Submission with plagiarism check
All	3	Report	Individual	30%	1500 words	Week 13	Online Assignment Submission with plagiarism check

#### All - Assessment Task 1: Competition Law Essay

GOAL:	The goal of the Competition Law Critical Essay is for you to demonstrate your understanding of the principles underlying Competition law by a critical analysis of a contemporary issue.		
PRODUCT:	Essay		
FORMAT:	This is a 1500-word individual written assignment. The assignment requires students to select and respond to one (1) essay question. Responses should engage in research on the topic chosen and provide a critical analysis of the issues that it raises. Essays should be formatted with a clear introduction (including a strong thesis), a number of well-supported arguments that establish the thesis and a conclusion.		
CRITERIA:	No.		Learning Outcome assessed
	1	Demonstration of understanding of the concepts and principles underlying competition law, as evidenced by accurate articulation and analysis of the issues examined.	1
	2	Ability to engage in critical analysis and think creatively in constructing persuasive arguments, as demonstrated by the development of a strong thesis, clear development of arguments in support of that thesis, and persuasive presentation of material	2 3
	3	Demonstrate requisite academic communication skills, clear articulation of thesis, logical structure and grounding of arguments, appropriate conclusions, accuracy of citations and academic referencing and use of appropriate & persuasive expression.	4
GENERIC SKILLS:	Communication, Problem solving, Information literacy		

### All - Assessment Task 2: Competition Law Written Hypothetical Assignment

<b>GOAL:</b>	The goal of the Competition Law Written Hypothetical Assignment is for you to demonstrate your knowledge and understanding of Competition Law by correctly identifying the legal issues and applying the relevant legal principles to given hypothetical case scenarios.		
<b>PRODUCT:</b>	Written Piece		
<b>FORMAT:</b>	This is a 2000-word individual written assignment. The assignment involves preparing details responses to a number of hypothetical fact scenarios. Details of the assignment will be provided by the end of week 3.		
<b>CRITERIA:</b>	<b>No.</b>		<b>Learning Outcome assessed</b>
	1	Demonstration of knowledge of the law, as evidenced by accurate statement of relevant legal principles	1
	2	Demonstration of understanding of the law and critical thinking, as evidenced by cogent and coherent analysis of the law.	2 3
	3	Demonstrate requisite academic communication skills, as evidenced by logical structure of arguments, appropriateness of conclusions, accuracy of citations (legal referencing) and academic referencing and use of accurate and appropriate expression	4
<b>GENERIC SKILLS:</b>	Communication, Problem solving, Organisation, Information literacy		

### All - Assessment Task 3: Consumer Law Written Report

<b>GOAL:</b>	The goal of the Consumer Law Written Report is for you to apply your research and writing skills to communicate your understanding of a current issue in consumer law, and your ability to analyse and critique the topic utilising a range of primary and secondary sources.		
<b>PRODUCT:</b>	Report		
<b>FORMAT:</b>	This is a 1500-word individual written assignment. The report must address a current issue in consumer law. You will be provided with a topic and the details of the assignment by the end of Week 8.		
<b>CRITERIA:</b>	<b>No.</b>		<b>Learning Outcome assessed</b>
	1	Demonstration of knowledge of the law, as evidenced by accurate statement of relevant legal principles	1
	2	Demonstration of understanding of the law and ability to apply it, as evidenced by cogent and coherent analysis of law, policy and commercial issues.	2 3
	3	Demonstration of requisite academic communication skills, as evidenced by logical structure of arguments, appropriateness of conclusions, accuracy of citations (legal referencing) & academic referencing & use of accurate and appropriate expression.	4
<b>GENERIC SKILLS:</b>	Communication, Problem solving, Information literacy		

## 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	Alex Bruce	2018	Australian Competition Law	3rd ed	Lexis Nexis

### 8.2. Specific requirements

N/A

## 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

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)