

## LEGL1001: Foundations of Law

Newcastle City Precinct  
Semester 2 - 2023



THE UNIVERSITY OF  
NEWCASTLE  
AUSTRALIA

## OVERVIEW

### Course Description

The law impacts our daily lives in ways particularly evident for those engaged in business, commerce, public service, and professions. This course introduces the Australian legal system, its legal sources and the court system. Then, it focuses on the law of contract as one of the building blocks of business transactions while introducing other areas of potential legal liability for businesses. A professional conducting business requires a basic understanding of the law regulating torts, consumer protection, employment, agency, and business structures. Students are also equipped with a tool for analysing and solving legal problems transferable to other subjects relevant to business and commerce professionals. This course provides foundational knowledge to identify opportunities and risks for business to navigate the Australian legal institutions and think globally.

### Contact Hours

#### Newcastle City Precinct

##### Seminar

Face to Face on campus or online for students based overseas.  
2 hour(s) per Week

Students will complete specific readings from the text and online learning activities provided via Canvas before and after attending class each week.

### Unit Weighting Workload

10

Students are required to spend on average 120-140 hours of effort (contact and non-contact) including assessments per 10-unit course.

# COURSE OUTLINE

[www.newcastle.edu.au](http://www.newcastle.edu.au)

CRICOS Provider 00109J

# CONTACTS

<b>Course Coordinator</b>	<b>Newcastle City Precinct</b> Dr Mirella Atherton Mirella.Atherton@newcastle.edu.au Consultation: By appointment (via ZOOM or Face to Face)
<b>Teaching Staff</b>	Mr Marcus.McCarthy Marcus.McCarthy@newcastle.edu.au Consultation: By appointment (via ZOOM or Face to Face)  Ms Sushmita Choudhury Sushmita.Choudhury@newcastle.edu.au Consultation: By appointment (via ZOOM or Face to Face)
<b>School Office</b>	<b>University of Newcastle</b> <b>School of Law and Justice</b> 5th Floor NU Space 409 Hunter Street Newcastle Law-School@newcastle.edu.au +61 2 4921 8666

# SYLLABUS

<b>Course Content</b>	MODULE 1: The Australian legal system - The concept of law - The Australian legal system - Finding and applying the law MODULE 2: The law of contract - Contract formation - Contract enforceability - Contract terms and exclusion clauses - Contract termination and remedies MODULE 3: Other areas of law affecting business - The tort of negligence - Consumer protection - Employment and agent-principal relationships - Business structures
<b>Course Learning Outcomes</b>	<b>On successful completion of this course, students will be able to:</b>  1. Identify and explain the principal features of the Australian Legal System; 2. Identify the key areas of the law facilitating running a business and the sources of potential liabilities. 3. Outline the main legal requirements for creating and enforcing a contract; 4. Outline some the main legal requirements for establishing the tort of negligence, a breach of consumer protection, the employment and the agent-principal relationship, and the key business organisations; and 5. Apply a problem-solving method to key areas of law covered during the course.
<b>Course Materials</b>	The prescribed text is: Nickolas James, <i>Business Law</i> (6th edition, 2021) Wiley. The text for this course is an essential resource and the course content, activities and assessment assume that students are in possession of the text. The text is available as an e-book or hard copy (the 4th edition is available free online through the library). Please note that if you purchase the e-book you will not be able to access it during the exam.

# SCHEDULE

Week	Week Begins	Topic	Learning Activity	Assessment Due
1	17 July	Introduction	Using Canvas & Textbook	
2	24 July	The concept of law	Online and classroom activities	
3	31 July	The Australian legal system	Online and classroom activities	
4	7 August	Finding and applying the Law	Online and classroom activities	
5	14 August	Contracts 1: essential elements (formation)	Online and classroom activities	Online MCQ 1 (15%) available between Mon 14 <sup>th</sup> August 9 am and Sun 20 <sup>th</sup> August 11 pm
6	21 August	Contracts 2: additional elements (enforceability)	Online and classroom activities	
7	28 August	Contracts 3: terms & exclusion clauses	Online and classroom activities	
8	4 September	Contracts 4: Termination & Remedies	Online and classroom activities	
9	11 September	Torts: Negligence	Online and classroom activities	Individual IRAC task (20%) due on Sun 17 <sup>th</sup> September at 11:59 pm
10	18 September	Consumer Protection	Online and classroom activities	
<b>Mid-Semester Break 25 September – 6 October</b>				
11	9 October	Employment & Agency	Online and classroom activities	
12	16 October	Business Structures and Exam Review	Online and classroom activities	Online MCQ 2 (15%) available between Mon 16 <sup>th</sup> October 9 am and Sun 22 <sup>nd</sup> October 11 pm
13	23 October	One-to-one consultation		
<b>Examination Period</b>				
<b>Examination Period</b>				

# ASSESSMENTS

This course has 4 individual assessments. Each assessment is described in more detail in the sections below.

	Assessment	Due Date	Involvement	Weighting	Learning Outcomes
1	Two Multiple Choice Quizzes	Week 5 (15%) and Week 12 (15%)	Individual	30%	1, 2, 3, 4
2	An IRAC problem question.	Week 9 (20%)	Individual	20%	3, 4, 5
3	Final Examination	Formal Exam Period	Individual	50%	3, 4, 5

To ensure that grades are fair both within and between courses and cohorts, Newcastle Law School has a rigorous policy of moderating and reviewing assessment. The School Assessment Board (SAB) reviews all final grades before they are released to students, and the SAB process may result in the overall marks of a class being moved up or down by a specific amount, thus impacting individual marks. This is consistent with grading practices in other Law Schools across the country and important to ensure the integrity of assessment. This means that the final grade you are awarded may not be the sum of marks you have received in all assessments.

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<b>Late Submissions</b>	The mark for an assessment item submitted after the designated time on the due date, without an approved extension of time, will be reduced by 10% of the possible maximum mark for that assessment item for each day or part day that the assessment item is late. Note: this applies equally to week and weekend days.
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## Assessment 1 - Two Multiple Choice Quizzes

<b>Assessment Type</b>	Online Quiz
<b>Description</b>	Two online tests each of which consists of 15 Multiple Choice Questions (MCQ) worth one mark each towards the final grade.
<b>Weighting</b>	30% (15% each)
<b>Due Date</b>	In Week 12 from Monday 9:00 am to Sunday 11:00 pm
<b>Submission Method</b>	Online
<b>Assessment Criteria</b>	Each quiz contains fifteen questions and one mark for each correct multiple-choice question (MCQ)
<b>Return Method</b>	Marks will be available on Canvas
<b>Feedback Provided</b>	Correct answers will be available on Canvas and/or via discussion.

## Assessment 2 – An IRAC problem question.

<b>Assessment Type</b>	Written Assignment
<b>Description</b>	The purpose of this task is to scaffold and assess the skills required to apply the IRAC method to a legal problem.
<b>Weighting</b>	20% IRAC problem Question
<b>Due Date</b>	Week 9 Sunday 11.59pm
<b>Submission Method</b>	Via a Turnitin link on Canvas
<b>Assessment Criteria</b>	The submission will receive marks based on the correct identification of the key legal issues, parties' arguments, cases and statutes applied as well as the courts reason(s) for the judgment, and the final outcome (conclusion) of the case.
<b>Return Method</b>	Marks and brief feedback will be available on Canvas
<b>Feedback Provided</b>	Brief feedback will be provided on Canvas.

## Assessment 3 - Final Examination

<b>Assessment Type</b>	Formal Examination
<b>Description</b>	The purpose of the final exam is to assess student's comprehension of key legal concepts relating to the topics covered in the course and to assess the ability to apply the IRAC method to simple legal problems. The exam will consist IRAC problem questions. This exam will be an OPEN book examination. Unlimited notes and textbooks are allowed.
<b>Weighting</b>	50% Final Exam
<b>Due Date</b>	To be advised
<b>Submission Method</b>	To be advised
<b>Assessment Criteria</b>	Marks will be allocated based on the correct identification and application of the relevant rules to pre-identified legal issues, the application of the rules to the relevant facts, clarity of written expression and the quality of arguments used to support conclusions regarding how the problem should be solved
<b>Return Method</b>	No return
<b>Feedback Provided</b>	Brief feedback will be provided on request.

# COMPULSORY REQUIREMENTS

In order to pass this course, each student must complete the following compulsory requirements:

## Contact Hour Requirements:

- Please enrol in one 2hr seminar each week and attend the class in which you are enrolled.

## Course Assessment Requirements:

There is a **compulsory attendance** requirement in this course. Attendance at all classes (seminars and workshops) will be monitored and records maintained by the Course Coordinator. In order to satisfy the "Attendance" requirement, students must be present at a minimum of 80% of scheduled classes as spelled out in the course outline, unless they are able to demonstrate that their absence falls within the Adverse Circumstances policy. Unless this requirement is met, despite marks awarded in other assessment items, the student will receive a zero mark and an CF grade for the course.

**Please note** that meeting the attendance rule each week requires meaningful attendance for the full one hour and fifty minutes of each class. Partial attendance will not meet the attendance requirement for a given class unless prior approval has been given by the Course Coordinator or Lecturer. (To be clear, simply being present for purposes of the roll call does not on its own satisfy the attendance requirement. As such, even if you have been present for the roll call, if you leave early without permission you are agreeing that your attendance will not count for that week.)

**Note** also that if you miss more than 2 classes for reasons that fall within the University's adverse circumstances policy you may be required to complete additional assessment items to ensure that you have completed the required volume of learning for this course.

# ADDITIONAL INFORMATION

## Grading Scheme

This course is graded as follows:

Range of Marks	Grade	Description
85-100	High Distinction (HD)	Outstanding standard indicating comprehensive knowledge and understanding of the relevant materials; demonstration of an outstanding level of academic achievement; mastery of skills*; and achievement of all assessment objectives.
75-84	Distinction (D)	Excellent standard indicating a very high level of knowledge and understanding of the relevant materials; demonstration of a very high level of academic ability; sound development of skills*; and achievement of all assessment objectives.
65-74	Credit (C)	Good standard indicating a high level of knowledge and understanding of the relevant materials; demonstration of a high level of academic achievement; reasonable development of skills*; and achievement of all learning outcomes.
50-64	Pass (P)	Satisfactory standard indicating an adequate knowledge and understanding of the relevant materials; demonstration of an adequate level of academic achievement; satisfactory development of skills*; and achievement of all learning outcomes.
0-49	Fail (FF)	Failure to satisfactorily achieve learning outcomes. If all compulsory course components are not completed the mark will be zero. A fail grade may also be awarded following disciplinary action.

\*Skills are those identified for the purposes of assessment task(s).

## Communication Methods

Communication methods used in this course include:

## Course Evaluation

Each year feedback is sought from students and other stakeholders about the courses offered in the University for the purposes of identifying areas of excellence and potential

improvement.

### Oral Interviews

As part of the evaluation process of any assessment item in this course an oral examination may be conducted. The purpose of the oral examination is to verify the authorship of the material submitted in response to the assessment task. The oral examination will be conducted in accordance with the principles set out in the [Oral Examination Guidelines](#). In cases where the oral examination reveals the assessment item may not be the student's own work the case will be dealt with under the [Student Conduct Rule](#).

### Academic Misconduct

All students are required to meet the academic integrity standards of the University. These standards reinforce the importance of integrity and honesty in an academic environment. Academic Integrity policies apply to all students of the University in all modes of study and in all locations. For the Student Academic Integrity Policy, refer to <https://policies.newcastle.edu.au/document/view-current.php?id=35>.

### Adverse Circumstances

The University acknowledges the right of students to seek consideration for the impact of allowable adverse circumstances that may affect their performance in assessment item(s). Applications for special consideration due to adverse circumstances will be made using the online Adverse Circumstances system where:

1. the assessment item is a major assessment item; or
2. the assessment item is a minor assessment item and the Course Co-ordinator has specified in the Course Outline that students may apply the online Adverse Circumstances system;
3. you are requesting a change of placement; or
4. the course has a compulsory attendance requirement.

Before applying you must refer to the Adverse Circumstance Affecting Assessment Items Procedure available at:

<https://policies.newcastle.edu.au/document/view-current.php?id=236>

### Important Policy Information

The 'HELP for Students' tab in Canvas contains important information that all students should be familiar with, including various systems, policies and procedures.

### Wellness Contacts

There are a variety of pressures on students, and being able to perform well academically under pressure, without excessive stress will contribute to enhanced outcomes in wellbeing and academic results. Reach out to support services and learn ways to maintain your mental health, deal with stress and common issues like perfectionism, procrastination and anxiety.

To access UON support:

<https://www.newcastle.edu.au/current-students/support/personal>

Ph: 4921 6622 or email: [counselling@newcastle.edu.au](mailto:counselling@newcastle.edu.au)

For support outside of office hours call the University Crisis Support Line on 1300 653 007 or for chat sms 0488 884 165.

For immediate support contact Lifeline 24/7 on 13 14 11 or <https://www.lifeline.org.au/>

*This course outline was approved by the Head of School. No alteration of this course outline is permitted without Head of School approval. If a change is approved, students will be notified and an amended course outline will be provided in the same manner as the original.*

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