



UNIT OUTLINE

Managing the Legal Environment

UNIT CODE & TITLE	BL629 Managing the Legal Environment
AUTHOR	Chris Baker
SCHOOL	School of Business
COURSE	Bachelor of Commerce, Bachelor of Business
PREREQUISITE(S)	Nil but should be taken in year two of study.
COREQUISITE(S)	Nil
DURATION	One semester
CREDIT POINTS	15

OBJECTIVES

This unit is designed to enable students to:

Knowledge

- Develop knowledge of the legal environment in which businesses and their people operate by appreciating the function of law, key legal systems and institutions
- Appreciate how core legal concepts, rights and obligations are created, developed and managed to achieve competitive advantage or effective non-profit activity.
- Develop knowledge of fundamental legal principles in the area of negligence, contract, trade practices, business structures and topical issues relevant to the student's major area of study – for example, intellectual property and corporate governance (entrepreneurship students); travel agents, accommodation, environment and planning (tourism students); crime, discrimination, defamation (sports students)

Skills

- Evaluate the role and impact of law on business operations and vice versa
- Recognise legal issues and develop strategies to both manage legal risks and use the law to ensure competitive advantage or efficient non-profit activity
- Develop critical analysis and problem solving skills
- Develop research and communication skills

Attitudes and Values

- Appreciate the interconnectedness of law and other business factors in management
- Appreciate that the law is influenced by social, economic, political, technical, environmental and international forces and how that impacts on business
- Accept responsibility for and value learning
- Appreciate creative and innovative ways of thinking and working

CONTENT

Understanding the legal environment within which business operates

- Functions of law
- Legal systems
- Institutions
- Creation and development of law

Fundamental legal principles – within a risk management and problem solving context

- Due care – negligence
- Making and enforcing contracts
- Trade Practices – implied terms, product liability, misleading conduct
- Business structures – advantages and disadvantages

Topical Issues – depending on interest and study area of student, for example:

- Entrepreneurship – intellectual property, competition law, corporate governance
- Tourism – travel agents, accommodation services, passenger transport, environmental and planning law
- Sport – crimes, dispute resolution, discrimination, defamation

LEARNING TASKS AND ASSESSMENT

Learning Task	Assessment	Weighting
Problem solving, researching, analysis, comprehension, group and individual oral communication	Group tutorial presentation (graded)	10-20%
Identifying legal issues, planning, researching legal principles, critical analysis, problem solving and writing specifically related to a topical issue in the student's study area (e.g. entrepreneurship)	One assignment on a topical area related to major or specific study area (graded)	40-50%
Listening, reading, summarising, evaluating, revising unit material	Examination (graded)	40-50%

METHODOLOGY

A combination of lectures, workshops, seminars, presentations, tutorials, case studies and private study may be used.

REFERENCES

- Baker, C. D. (2002). *Torts Law in Principle*. (3rd ed.). Sydney: Thompson Legal & Regulatory
- Bruce, A. & Webb, E. (1999). *Trade Practices Law (Butterworths Tutorial Series)*. Sydney: Butterworths
- Caenegem, V.W. (2001). *Intellectual Property (Butterworths Tutorial Series)*. Sydney: Butterworths
- Carvan, J. (2002). *Understanding the Australian Legal System*. (4th ed.). Sydney: LBC Information Services
- Clarke, P. and Corones, S. (1999). *Competition Law and Policy: Cases and Materials*. Melbourne: Oxford University Press
- Cordato, A.J. (1999). *Australian Travel and Tourism Law*. (3rd ed.). Sydney: Butterworths
- Corones, S.J. and Clarke, P.H. (1997). *Consumer Protection and Product Liability Law*. Pyrmont: Law Book Company
- Clarke B. & Sweeney, B. (2000). *Marketing and the Law*. (2nd ed.) Sydney: Butterworths
- Davies, M. (1999). *Torts (Butterworths Tutorial Series)* Sydney: Butterworths
- Duns, J. & Davison, M.J. (2000). *Competition Law: Cases and Materials*. Sydney: Butterworths
- Fewell, M. (1995). *Sports Law: A practical guide*. Sydney: LBC Information Services
- Gibson, A. and Fraser, D. (2003). *Business Law*. French's Forest, NSW: Pearson Education Australia
- Goldring, J., Maher, L., McKeough, J. & Pearson, G. (1998). *Consumer Protection Law*. (5th ed.). Sydney: Federation Press
- Graw, S. (2002). *An Introduction to the Law of Contract*. 4th ed. Pyrmont, NSW: Lawbook Co.
- Griggs, L., Clarke, E., and Iredale, I. (2003). *Managers and the Law*. (2nd ed.). Sydney: LBC Information Services
- Healey, D. (1996). *Sport and the Law*. (2nd ed.). Sydney: University of NSW
- Healey, D. and Terry, A. (1991). *Misleading or Deceptive Conduct*. Sydney: CCH

- Heilbronn, G. (1992). *Travel and Tourism Law in Australia and New Zealand*. Sydney: Federation Press
- Hurley, A. and Wiffen, G. (1999). *Outline of Trade Practices and Consumer Protection Law*. (2nd ed.). Chatswood: Butterworths
- Latimer, P. (2003). *Australian Business Law*. Sydney: CCH
- Lockhart, C (ed). (1996). *Misleading or Deceptive Conduct: Issues and Trends*. Sydney: Federation Press
- Luntz, H. and Hambly A.D. (2002). *Torts: Cases and Commentary*. (5th ed.). Sydney: Butterworths
- Mann, T. (2001). *Essentials of Business Law*. Croydon, Vic.: Tertiary Press
- McGregor-Lowndes, M., Fletcher, K. and Sievers, A.S. (1996). *Legal Issues for Non-Profit Associations*. Sydney: LBC Information Services
- McKeough, J., Bowrey, B. and Griffith, P. A. (2002). *Intellectual Property Commentary and Materials*. Sydney: Lawbook Co.
- Quirk, P. and Forder, J. (2003). *Electronic Commerce and the Law*. 2nd ed. Milton, Qld.: John Wiley & Sons Australia Ltd.
- Reynolds, R and Stoianoff, N. (2003). *Intellectual Property Text and Essential Cases*. Sydney: Federation Press
- Ryan, H., Gibson, A., Rigby, S. and Tamsitt, G. (2001). *Commercial Law in principle*. Pymont, NSW: Lawbook Co.
- Sievers, A.S., *Associations and Clubs Law in Australia and New Zealand*. (1996). Sydney: Federation Press
- Steinwall, R. (2003). *Annotated Trade Practices Act 1974*. Sydney: Butterworths
- Terry, A. and Giugni, D. (2002). *Business, Society and the Law*. 3rd ed. Sydney: Thompson Learning
- Veljanovski, A. (1999). *Butterworths' Student Companions: Sports Law*. Sydney: Butterworths

Useful Online databases

CCH Trade Practices and Consumer Law Library
 CCH Torts Law Library
 CCH Industrial and Intellectual Property Library
 AGIS FULL TEXT (Informit)

Amended BMCC045/C