

Course Outline

Code: LAW204 Title: Contracts B

School: Law and Criminology
Teaching Session: Semester 2
Year: 2020

Course Coordinator: David Wise
Email: dwise@usc.edu.au

Course Moderator: Professor Jay Sanderson
Email: jsander4@usc.edu.au

Please go to the USC website 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

Contracts B completes your studies in the Australian law of contract. In this course you will consider rules concerning performance, termination and remedies for breach and you will examine a range of factors that may impact on the enforceability of a contract. One of the themes we explore is the encroachment on freedom of contract by principles of justice and fair dealing as developed by the courts of equity and latterly, and increasingly, by Parliaments. You will continue to develop your skills of case reading and analysis and your skills of statutory interpretation.

1.2 Field trips, WIL placements or activities required by professional accreditation

Activity	Details
N/A	N/A

2. What level is this course?

200 level Developing – Applying broad and/or deep knowledge and skills to new contexts. May require pre-requisites and introductory level knowledge/skills. Normally undertaken in the 2nd or 3rd 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?

Specific Learning Outcomes On successful completion of this course, you should be able to:	Assessment tasks You will be assessed on the learning outcomes in task/s:	Graduate Qualities or Professional Standards mapping Completing these tasks successfully will contribute to:
Analyse facts to identify legal issues raised by those facts.	1,2 and 3	Empowered.
Explain the correct principle(s) of law to resolve a factual problem.	1,2 and 3	Knowledgeable.
Apply skills of legal reasoning utilising case law and statute and knowledge of Australian contract law to resolve contract disputes based on theoretical propositions and real-world fact scenarios.	1,2 and 3	Empowered.
Apply skills of communicating complex legal matters in plain English.	2,3	Empowered.

5. Am I eligible to enrol in this course?

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

5.1 Enrolment restrictions

Enrolled in any Laws program

5.2 Pre-requisites

LAW203

5.3 Co-requisites

LAW102 and enrolled in AR391

5.4 Anti-requisites

Nil

5.5 Specific assumed prior knowledge and skills (where applicable)

Not applicable

6. How am I going to be assessed?

6.1 Grading scale

Standard – 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 hands-on tutorials, where students have an opportunity to present (and receive feedback on) responses to hypothetical advice scenarios and discussion questions.

6.3 Assessment tasks

Task No.	Assessment Product	Individual or Group	Weighting %	What is the duration / length?	When should I submit?	Where should I submit it?
1	Quiz/zes	Individual	15% (3 x 5%)	15 mins each	By 8am on the day of tutorials, ordinarily in weeks 4-6 and 9-11	Quiz (Online Test)
2	Written Piece	Individual	35%	1800 words	Thursday, Week 10	Online Assignment Submission with Plagiarism check
3	Examination	Individual	50%	2500 words; 4 hours	Central Examination Period	Online Assignment Submission
			100%			

Assessment 1: Quiz

Goal:	The goal of this assessment is to assess your ability to engage in legal analysis of simple fact scenarios based on your understanding of the legal principles governing contract law.
Product:	Quiz/zes
Format:	Blackboard Quizzes. You will have the opportunity to complete up to six quizzes, and of these, the three quizzes you score highest in will be counted towards your mark for this assessment. Each of these quizzes is worth a maximum of 5% of your final grade. Quizzes are generally open for a period of 24 hours and are to be completed prior to commencement of the tutorial covering the material. Ordinarily, the quizzes will be open for completion from 8am on the day prior to your scheduled tutorial and will remain open until 8am the following day. Ordinarily quizzes will be conducted in weeks 4-6 and 9-11. Any alteration will be posted on Blackboard.
Criteria:	<ul style="list-style-type: none"> - Demonstrates a capacity to identify legal issues; - Applies principles derived from case law and/or statute to provide appropriate legal advice by selecting the most appropriate response; and - Where relevant, demonstrates an understanding of the wider principles of contract law

Assessment Task 2: Contract law assignment

Goal:	The goal of this assignment is to assess your understanding of the interplay between the theory and practice of contract law, including in the evaluation of reform options and the interplay between common law, equity, and statute.
Product:	Written Piece
Format:	This is an individual assessment of 1800 words (excl. footnotes and bibliography)
Criteria:	<ul style="list-style-type: none"> • exploration of relevant legal, policy and theoretical issues in a principled manner • supported, reasoned and balanced legal analysis and argument • knowledge and understanding of principles and rationales underpinning contract law, including comparative differences and evaluation of options for reform • presentation, referencing, structure and writing

Assessment Task 3: Open book examination

Goal:	The goal of the examination is to assess your understanding of the rules of contract in relation to performance, breach and remedies and to assess your capacity to apply that understanding to new fact scenarios.
Product:	Examination
Format:	This is an individual assessment. You will have four hours to complete the assessment. You may use any materials to construct an answer to two unseen legal problems drawn from any part of the course.
Criteria:	Correct identification of legal issues, statute and case law appropriate to resolve issues; able to organise an answer that demonstrates the skill of legal analysis.

7. Directed study hours

This course will be delivered via technology-enabled learning and teaching. All lectures will remain in this mode for Semester 2 2020. When government guidelines allow, students that elected on-campus study via the class selection process will be advised when on campus tutorials and practical sessions will resume.

The directed study hours listed here are a portion of the workload for this course. 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. Directed study hours may vary by location. Student workload is calculated at 12.5 learning hours per one unit.

Location:	Directed study hours for location:
Sippy Downs	Online Lecture: 2-hour lecture or equivalent content per week. (Weeks 1-6, 8-13) Tutorial: 1 hour per week (2-6, 8-13)

***Week 7: School of Law and Criminology Week*

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

Please note that course information, including specific information of recommended readings, learning activities, resources, weekly readings, etc. are available on the course Blackboard 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 as they are required:

Author	Year	Title	Publisher
Willmott, Christensen, Butler, Dixon [WCBD]	2018	<i>Contract Law</i>	Oxford University Press
Willmott, Christensen, Butler, Dixon [Casebook]	2018	<i>Contract Law Casebook</i>	Oxford University Press

8.2 Specific requirements

Nil

9. How are risks managed in this course?

Health and safety risks for this course have been assessed as low.

It is your responsibility as a student 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. It is also your responsibility to familiarise yourself with the University's general health and safety principles by reviewing the [online Health Safety and Wellbeing training module 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 Blackboard, are electronically checked through SafeAssign. This software allows for text comparisons to be made between your submitted assessment item and all other work that SafeAssign has access to.

10.2 Assessment: Additional requirements

Eligibility for Supplementary Assessment

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

- a) The final mark is in the percentage range 47% to 49.4%
- b) The course is graded using the Standard Grading scale
- c) You have not failed an assessment task in the course due to academic misconduct

10.3 Assessment: Submission penalties

Late submission of assessment tasks will 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 and supply the required documentation to negotiate an outcome.

10.4 Study help

In the first instance, you should contact your tutor, then the Course Coordinator. Additional assistance is provided to all students through Academic Skills Advisers. To book an appointment or find a drop-in session go to [Student Hub](#).

Contact Student Central for further assistance: +61 7 5430 2890 or studentcentral@usc.edu.au

10.5 Wellbeing Services

Student Wellbeing Support Staff are available to assist on a wide range of personal, academic, social and psychological matters to foster positive mental health and wellbeing for your success. Student Wellbeing is comprised of professionally qualified staff in counselling, health and disability Services.

Ability Advisers ensure equal access to all aspects of university life. If your studies are affected by a disability, mental health issue, learning disorder, injury or illness, or you are a primary carer for someone with a disability, [AccessAbility Services](#) can provide assistance, advocacy and reasonable academic adjustments.

To book an appointment with either service go to [Student Hub](#), email studentwellbeing@usc.edu.au or accessability@usc.edu.au or call 07 5430 1226

10.6 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
- Administration of Central Examinations
- Deferred Examinations
- Student Academic Misconduct
- Students with a Disability

Visit the USC website:

<http://www.usc.edu.au/explore/policies-and-procedures#academic-learning-and-teaching>

10.7 General Enquiries

In person:

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

Tel: +61 7 5430 2890

Email: studentcentral@usc.edu.au