



Course Type: **Core**

Course Code: **MBA 607**

Course Name: **Business Law**

## **COURSE SYLLABUS**

*Students please note that this is Core course. Recognized Prior Learning (RPL) for this course will be recognized. Students may do this course by (a) studying the course via Tubeclases and using the (free) MOOC courses from leading universities as supplementary delivery vehicles of the course content (\$250 per course); OR (b) undertaking similar courses elsewhere (including accredited MOOC Courses) and having the assessments suitably externally proctored (via organizations such as ProctorU); and then applying to Calwest for credit towards their degree program (\$25 per course); OR undertaking similar courses elsewhere (including accredited MOOC Courses) and undertaking 'challenge exams' at Calwest university (\$250 per course). Students may also undertake similar courses in other accredited universities for credit (\$25 per course). Please note there are limits to the maximum credits allowed in graduate programs.*

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### **1. Course Description**

One of the most interesting and important developments in social science since 1970 has been the "discovery" of a consistent economic logic underlying the great common law subjects of property, contract, tort and crime, the thousand-year-old bedrock of the English and American legal systems. This logic prevails in the information age. Property and contract provide the institutional scaffolding that makes free exchange in markets possible, while the liability systems of tort and crime appear to mimic market exchange in areas of human activity where free exchange itself, for well-defined reasons, is not possible. This course seeks to expose this underlying economic logic through the close investigation of a series of paradigmatic problems and examples in light of some simple but very powerful economic ideas. The course assumes no prior background in economics or law, and begins with an introduction to the basic concepts of property, exchange, efficiency and externality. On this foundation, specific topics in the law, including property, tort and crime, eminent domain, intellectual property and criminal procedure, are considered. Each group of lectures will elaborate on a different concrete problem or example to suggest the range of legal issues and questions to which economic reasoning can be productively applied. The ideas and modes of analysis developed in the course are not difficult or mysterious, but the questions of interpretation and policy that they raise about a subject that affects everyone are challenging and provocative.

### **3. Learning Objectives**

1. Students will gain an understanding of the consistent economic logic underlying the common-law subjects of property, contract, tort and crime, especial in an eCommerce environment.
2. Students will gain a broad critical perspective of the basic concepts of property, exchange, efficiency and externality.
3. Student will elaborate on different concrete problems and examples in the law.

- Students will learn how to appreciate the range of legal issues and questions to which economic reasoning can be productively applied.

#### 4. Learning Outcomes:

To successfully complete this subject, a student should be able to:

- Appreciate alternative business enterprises internationally, namely sole proprietorships, partnerships, companies and trusts.
- Recognize the general laws which apply to such business entities internationally and appreciate the development of corporate governance regulation in different countries, especially in the information age.
- Understand and be able to identify, use and evaluate legal concepts underlying business decisions and relationships.
- Develop a critical awareness of law reform proposals and current developments in business law.
- Explain the principles of business law which underpin competence in business administration.
- Apply legal principles to business problems.
- Understand the need for corporate governance regulation.

#### 5. Prescribed Reading (Compulsory)

Henry R. Cheeseman, *Contemporary Business and Online Commerce Law*; Latest Edition, Prentice Hall, <http://www.pearsoned.com/>

#### 6. Student Resource Requirements

- PC: A reliable computer running Windows XP or higher with 500 MB of RAM or higher
- Mac: A reliable computer running Mac OS 10 or higher
- Reliable high speed Internet connection (minimum 768 Kbps/128 Kbps)
- Web browser with Adobe Flash Player installed (Flash Player 10 or higher recommended)

#### 7. Topic Outline

<b>Topic No.</b>	<b>Topic</b>	<b>Text Book Chapter</b>	<b>Lecture Power Point</b>
1	Legal Heritage and the Information Age	1	1
2	Torts and Strict Liability	5	5
3	Criminal Law and Cyber Crimes	6	6
4	Intellectual Property and Cyber Piracy	7	7
5	Formation of Traditional and E-Contracts	9	9
6	Agreement and Consideration	10	10
7	Capacity and Legality	11	11
8	Genuineness of Assent and Statute of Fraud	12	12
9	Third-Party Rights and Discharge	13	13
10	Breach of Contract and Remedies	14	14
11	E-Commerce and Digital Law	15	15
12	Formation of Sales and Lease Contracts	16	16

13	Performance of Sales and Lease Contracts	17	17
14	Agency Law	25	25

## 8. Assessment

There will be **Continuous Assessments** done throughout this course. All topics will have a **Topic Quiz** that needs to be satisfactorily answered prior to being allowed to access the next topic in the course. You are allowed 3 attempts in each Topic Quiz, so that you can revise the course material and master the topic before proceeding to the next topic in the course. Calwest keeps computer logs of all student activity in terms of accessing the course material and MCQs to ensure that sufficient time is being spent on online studies. Note that negative marks will be attached to wrong answers in the Topic MCQs, and this will affect the final assessment score. *Therefore, please study the course material before attempting the Topic MCQs.*

After completing all Topics (and Quizzes), your **Final Assessment** will be available for you to undertake online at a time of your convenience. There will be a time limit of *90 minutes* for the final assessment in which you will need to answer *80 multiple-choice questions* that will be randomly selected from the questions asked in the topic quizzes.

**Please ensure that you have an undisturbed 90-minute time frame to undertake your Final Assessment as after 90 minutes your work will be automatically submitted and graded.**

**There will be only one attempt provided for the Final Assessment.**

***The Final Assessment will form the over 80% of the weight given to your final course grade. The Balance 20% is obtained as an average of the scores you achieve in the Topic Quizzes.***

## 9. Grading Criteria

Calwest University applies the following grading system in all courses:

A pass mark of 60% (grade of D which is a bare minimum pass) or above is required to satisfy the educational requirements of the university for completing the course. The grade assessments are as follows:

Below 60%: Fail	73-75% : C	85-88% : B+
60-64% : D	76-78% : C+	89-91% : A-
65-69% : D+	79-81% : B-	92-95% : A
70-72% : C-	82-84% : B	Over 95% : A+