

Table of Contents

Module 1.....	2
Lecture.....	2
Module 2.....	6
Lecture.....	6
Module 3.....	14
Lecture.....	14
Module 4.....	24
Lecture.....	24
Module 5.....	31
Lecture.....	31
Module 6.....	38
Lecture.....	38
Module 7.....	44
Lecture.....	44
Module 8.....	51
Lecture.....	51
Module 9.....	54
Lecture.....	54
Module 10 Part 1.....	59
Lecture.....	59
Module 10 Part 2.....	66
Lecture.....	66

Module 1

Lecture

Learning Outcomes:

- To characterise the Law
- To understand why knowledge of Business Law is important
- To define Business Law and explain areas of law that it encompasses
- To describe the different functions that the law serves

What is the Law?

- A system comprising a collection of rules and principles developed to regulate relationships and conduct; to impose obligations; to impose penalties; to create institutions; and to confer rights
- Set rules and principles on how people should and should not behave
- What we can do and what we can't do
- Has many working parts:
 - Courts
 - Legislature
 - Police
 - Department of justice – Child protection
 - ASIC
 - State Government
 - Town Council
 - Department of Transport
- Important part of our nation's infrastructure

Why is knowledge of Business Law important?

- The law impacts all areas of business (and life in general)
- Consumer Law – you have the right, you buy a ticket to ride on public transport, you buy food – you know you won't get food poisoning because the business providing the food can be in trouble with the law
- Property Law – if you rent a property, you as the tenant have certain rights
- Contract Law – when you become an employee at a company you sign a contract
- You must understand how legal rules impact business situations (whether business owner or employee)
- Allows you to better understand and manage risk
- Can't eliminate risk but can learn to manage it, the greater the risk, the greater the legal responsibility
- Empowers you in your commercial dealings with others – by understanding what your legal rights and duties are, you can use the law to your benefit when:
 - Entering into contracts for goods and services (if you purchase a good that falls apart – you have the right to return it because the good is meant to be durable)
 - Purchasing or leasing property (if you know what your rights are under the contract you will be able to know what to do if something is said)
 - Forming and running a business
 - Dealing with financial institutions and investing in the financial market (banks charging penalty fees, companies knew they didn't have to, they had the right to sue)

What is Business Law?

- Business Law encompasses various areas of law that are particularly relevant to business and how it is carried out
- E.g. contract law, tort (civil role) law, corporations law and consumer protection law are areas of law included within this definition
- The areas of law that are relevant to business: (form part of understanding for ASSIGNMENT ONE)
 - **Contract Law** – the law that has a contract, legal partnership
 - **Tort Law** – Civil role, the behaviour of an individual negatively impacts the behaviour of another individual, negligence, trespassing
 - **Consumer and Competition Law** – competition, companies cannot act anti-competitively, consumer, the protection that consumers are awarded
 - **Corporations Law** – the creation, administration of companies, laws relating to directors duties what they can and can't do, how often should they hold meeting
 - **Criminal Law** – regulates harmful conduct by individuals that impacts society as a whole, the state suing the individual
 - **Property Law** – physical property, transactions in land – to sell a piece of land you have to have a deed, mortgages...
 - **Administrative Law** – deals with the official decision-making power of government agencies and the difficulties. They have to follow processes, because a member of the public can challenge the decision and law.
 - **Intellectual Property Law** – copyright, trademarks and protections.
- An area of law will encompass all of the legal rules that relate to that area e.g. the rules of conduct prohibiting murder, robbery and assault are contained within the criminal law
- Often, newspaper headlines give us an idea of what area of law the story deals with – e.g. “Tuqiri has contract torn up by the ARU” reflects the operation of **contract law**
- For example
 - “Jessica Sussan Whishart sues McDonald’s franchise over burns from hot coffee”
 - Tort Law
 - Consumer Law
 - Contract Law
 - Corporations Law (indirectly)
 - “Instagram nixes parts of new policy after user outrage”
 - Contract Law
 - Corporations Law
 - Intellectual Property
 - Consumer Law (debatable)
 - “Kelly’s welcome NSW booze laws”
 - Criminal Law
 - Administrative Law (liquor licensing)
 - “ASIC investigates David Jones amid takeover drama”
 - Administrative Law (ASIC is a government department)
 - Competition and Consumer Law
 - Corporations Law
 - Property Law
 - Contract Law

Ribena

- Claim – 4x the Vitamin C than orange juice
- Provided misleading information regarding the Vitamin C level in their products
- Consumer Law