

BLOCK 1 TRIMESTER 3 2017-18: TLAW 101 – BUSINESS LAW – ASSIGNMENT QUESTIONS**Assessment Details**

Due date: Friday, 8 December 2017, 11-59 PM IN TURNITIN

Weighting: 30%

Length: 2000 words (+/- 10%), correctly referenced

Objectives

Answer the following questions with reference to the relevant common law and equity principles operating in Australia concerning contracts plus related and other transactions. Do not consider the effects of legislation potentially applicable other than that specifically identified. As a guide, students should write about 2000 words (+/- 10%), or about 500 words (+/- 10%) per 10 mark allocation.

Assessment Task**Question 1****15 Marks**

Mojo Beverage placed the following advertisement in a local newspaper on 25 January:

‘Come one, come all! Fishermen and women of Lake Tranquil. We are offering to pay \$100,000 to any person who catches Lord Harry, a trout which we have tagged and released into the lake.’

The following day was the Australia Day holiday. Lake Tranquil was crowded with people fishing both from the bank and from boats. At about lunch time, a rumour spread among the people on the bank that there had been an error in the advertisement: that the true amount should have been \$1,000 and that Mojo Beverage had announced that the prize would be the lower amount. The rumour was in fact true. Ben heard this rumour from the stranger fishing beside him, minutes before catching Lord Harry. A Mojo Beverage representative was on hand to certify the catch before Lord Harry was released back into the lake, but did not say anything about the amount of the prize.

Ben is claiming that Mojo Beverage owes him \$100,000.

Advise Mojo Beverage, explaining applicable legal principles and citing relevant authorities.

Question 2**15 Marks**

(a) Dorper Sheep Sellers Pty Ltd was negotiating the sale of a number of dorper sheep to a firm called Livestock Brokers, which intended to on-sell the sheep. On 1 June Dorper Sheep Sellers sent a letter to Livestock Brokers, setting out the number of sheep for sale and the price per head. It asked Livestock Brokers to reply within 14 days.

Livestock Brokers sent a letter by reply dated 6 June, inquiring whether the sale could be financed on the ‘usual terms’. Dorper Sheep Sellers did not reply.

On 14 June, at the opening of business, Livestock Brokers sent a fax stating: 'We accept your offer of 1 June for the sale of sheep'. The same day Dorper Sheep Sellers faxed back, saying: 'You're too late. We're just in the process of selling the stock to another purchaser. Formalities will be completed by tomorrow'.

Advise Livestock Brokers as to the rights and liabilities of the parties in the light of the commercial interactions taken place between them.

(b) Presume in (a) above Livestock Brokers sent the fax on 14 June but because of a transmission error Dorper Sheep Sellers did not receive it. Advise Livestock Brokers under these circumstances.

Assessment Criteria

Fail

You will have shown evidence of the following:

- the written expression is poor and difficult to understand
- the answer is poorly organised
- referencing is generally inadequate
- lack of familiarity with the legislation and its application
- failure to identify and address the issues in the question
- reasoning and application demonstrated is poor.

Pass

You will have:

- made a conscientious attempt to address the topic and/or answer the question
- shown evidence of having done the required reading and of having understood the reading
- presented a reasonable argument to back up your conclusions
- demonstrated a reasonable level of spelling and grammatical usage
- used referencing but this may need improvement
- issues that may need to be identified and addressed in more depth.

Credit

You will have:

- addressed the topic and/or answered the question directly
- presented soundly based arguments and backed these up with reasons
- gone beyond description to analysis of key issues
- used the English language well
- shown evidence of reading widely

- demonstrated understanding of the reading
- used referencing that is satisfactory.

Distinction

You will have:

- met the above criteria for a credit
- demonstrated the attainment of a high degree of understanding of the concepts of the course
- demonstrated deep insight into the application of knowledge and skills acquired to complex theoretical and practical situations
- used referencing correctly
- made reference to all appropriate legislation.

High Distinction

You will have:

- met the above criteria for a distinction
- demonstrated the attainment of an outstanding level of achievement regarding the objectives of this course
- demonstrated an interesting and/ or original approach/ idea/ argument
- demonstrated mastery of the relevant referencing system
- ensured conclusions are backed by well-reasoned arguments demonstrating a detailed insight and analysis of issues
- ensured references are made to the appropriate legislation for particular issues.

END OF QUESTIONS
