This assessment aims to assess the potential of students’ ability to investigate and research real life issues in relation to any of all the topics covered in this subject. It is an assessment designed for students to apply the legislation of their individual countries or any other countries in the South Pacific Region.

The case study assessment is made to test your ability to conduct a mini research locating real live cases involved with any matters relating to any of all the topics in this course.

This assignment requires you to write essay type of paper where you are expected to analyse information, identify issues including factual, legal and policy issues, and to apply your knowledge and understanding of company and partnership law. Write by critically assessing the legislation, case law and the prescribed text on the topics which have been covered.

Students will be required to lay out the structure of their case study in consistent with the case study framework and structure set out in this document. The criteria and what the assessment of a case study is looking for has been provided as a guidance for students. After the submission of the written case study, following which, students will be given an opportunity to discuss their Research Project by engaging in an assessed Oral Presentation.

Students are required to adhere to the School of Law referencing guide to avoid plagiarism. Students are not required to use a one type of format structure. However you structure you essay must be logical and easy to follow. It must answer the question in whole to attract a good mark.

Note: Students can email to book a time to discuss their case study topic or any matters relating to the case study assessment with the Course Coordinator or for the online students can email their queries to their Online Course Coordinator.

This assessment is composed of two parts. The course coordinator has enabled the Moodle assessment drop box to receive **only 1** file upload: **Case Study RESEARCH Written Assessment**

**Marking Criteria**

1. Key terms /theories of company and partnership Law I legal principles sufficiently accommodated in the written paper.
2. Evidence of the law of company and partnership principles applied, explained and assessed in the paper.
3. Evidence of concise and relevant research design.
4. Overall topic and sub-issues clearly identifiable.
5. Evidence of reliance on primary or secondary resources.
6. Coherent structure, style, grammar and spelling.

**Length: 5 – 7 Pages (Excluding the Bibliography page(s), Font 12, 1.5 spacing and in New Times Roman.**

The following is a sample structure which can be used to structure the case study.

**Background information on the case study:**

This presents an outline of the background information of the legal issue in which you have researched and found in relation to a topic of company and partnership law or an issue in relation or a company or partnership. It answers the overarching question: What is your real life case or statutory issue? In essence, what will your research involve? The Abstract should be around 250-300 words.

**Background/Justification:**

This explains why you chose your topic: What prompted your interest in the topic? Why is it important to examine this subject area? What will your research add to existing research and how is your Paper different or unique?

**Legal application**

Explain what provisions of which statutes in which country is being affected and use in this case study.

Progressing from the background information and the legal application, in this section you should describe and provide more details as to how the issues, background and point of contract and or partnership law in your specific chosen study is being applied and used in this specific case study.

Analyse and assess it in light of the topics in the subject of this course. If your case study is about a topic for legal reform, provide a discussion here on what were the legal implication of the proposed reform on the law of company and partnership. Provide explanations as to the reasons how this topic of reform relates and connected to any of the topics in this course.

**Research:**

It is recommended that your case study be based on any case in any of the countries in the South Pacific region preferably. Then you can also decide on a case in any Pacific counties outside of the USP regional countries. Finally, you can choose any case study from any country in the world but you need to discuss how it is can be distinguished or similar to any laws practise in any countries of the South Pacific region which is of interest to you.

**Marking Criteria for the Case Study written assessment**

1. **Demonstrate research capabilities** - level of competence in carrying out independent research tasks. High level of competence locating the relevant case and legal issues relevant to the course. Did you refer to primary and secondary sources? How well did you use these sources?
2. **Analytical ability** – focus on how well the case is analysed the legal issue and legal problems in the case study related to the topics and legal principle and the law covered in the course and how supporting evidence is use to support the relation between the issue of law in the case matter and the applicable law. Are the points clear and logical? Do they evidence a critical or questioning mind-set or do you accept information uncritically?
3. **Merits of points and argument** – Looks at how coherent, comprehensive and compelling the discussion is. Are your points/arguments clear and logical? Did you identify all relevant legal issues? Is your discussion supported by the correct legal authorities? Did the case study provide some outcome, solutions and or recommendation that is persuasive and supported with evidences. Clearly set out the legal implications of the solutions from the case study.
4. **Presentation and language skills** – Looks at the presentation of your case study, the clarity of all its content, as well as appropriate use of academic language and grammar.

1. **References and bibliography** – Areyour references relevant, clear and correctly cited? Does your bibliography list primary and secondary materials in alphabetical order and according to the suggested SOL/AGLC 4 citation styles? Did you properly reference and account for the ideas of others?

**Case study structure & step**

1. Read and examine the case or legislation thoroughly. Take notes, highlight relevant facts, underline key problems. Provide a clear history and background information about what this case is all about or what this the necessary information about this study.
2. Focus your analysis by identifying a minimum of two (2) and maximum of four (4) key problems which is related to the topics covered in this subject. Why did these problems exist? Who is responsible for these problems? Investigate the problem or sometimes the problem is also being discussed in the case. Apply and relate the facts of this case from the background information to the relevant company and partnership law.
3. Uncover possible solutions, changes needed, what was and would be the likely decision and the decision. If it is the change of a law state the legal implications and other implications. Whether it will have some negative and positive effect on the society, company and partnership, business relations and others. Review the LW370 course readings and judicial decisions in the readings, research outside of the scope of your readings and come up with some solutions. Provide some comparison as to the impact of one or two of these solutions. Which solution would be the most effective and why. Alternatively, clearly outline some practical reasons as to why the stakeholders need these changes and or solutions.
4. Conclusion. Building on from part 3 above where the solutions are discussed and uncovered, in this section, the conclusion from these solutions and end goals of the case study are to be lay out. The alternative solutions or imminent and possible solutions. Propose which solution is the most effective using supporting evidence to support this claim.

The citation style must comply with the USP School of Law citation style. This can be found in the A Jowitt, *USP School of Law Guidebooks, Legal Referencing* (2006), which is posted on Moodle. In addition, students may also refer to the *Australian Guide to Legal Citation* (4th ed, 2018) to supplement the citation style where the current School of Law guide falls short, e.g., case citation for cases delivered by the International tribunals, etc., (AGLC4 is also posted on Moodle). You **will** lose marks if you do not comply with the style guide requirements.