

## YEAR 1: COURSE 6 – LEGAL ENTITIES AND CONTRACT LAW

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<b>Prescription Title:</b>	Legal Entities and Contract Law	
<b>Prescription Number:</b>	DC506	
<b>Level:</b>	5	
<b>Credits:</b>	20	
<b>Version:</b>	1	
<b>Introduced:</b>	2008	
<b>Hours:</b>	Timetabled teaching	60
	Directed Learning	60
	Unsupervised / Independent hours	80
	<b>Total</b>	<b>200</b>
<b>Prerequisites</b>	Nil	

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### AIM / PURPOSE

The purpose of this course is to examine the differences between the various legal entities that exist within New Zealand, and to understand the legal principles and relevant law pertaining to contract.

### DESIRED OUTCOMES

- a. Describe and contrast the various business entities that exist within New Zealand.
- b. Explain the law of partnership, joint ventures and syndicate agreements.
- c. Understand and apply the relevant principles of contract law.
- d. Discuss and understand relevant contract case law.
- e. Examine standard lease and sale and purchase agreements

### ASSESSMENT WEIGHTINGS

Learning outcomes	Assessment weighting %
1. Describe and contrast the various business entities	20
1. Explain the law of partnership, joint ventures.	20
2. Principles of Contract Law	25
3. Discuss and understand relevant contract case law	20
4. Sale and Purchase Agreements	15
<b>TOTAL</b>	<b>100</b>

All learning outcomes must be evidenced; a 10% aggregate variance is allowed.

## Assessment Notes

The focus of this prescription is on Students examining the differences between the various legal entities that exist within New Zealand and understanding the legal principles and relevant law pertaining to contract.

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|---------------------------|---|
| 1. Learning outcome one   | - Describe and contrast the various business entities |
| 1. Learning outcome two   | - Explain the law of partnership, joint ventures.     |
| 2. Learning outcome three | - Principles of Contract Law                          |
| 3. Learning outcome four  | - Contract Case Law                                   |
| 4. Learning outcome five  | - Lease and sale and purchase agreements.             |

## LEARNING OUTCOME 1

Students will be able to describe and contrast the various business entities that exist within New Zealand.

- 1.1 Examine the essential characteristics of each type of business organization and consider their respective advantages and disadvantages:
  - Sole trader
  - Partnerships
  - Corporations
  - Trusts
- 1.2 Identify the extent of liability for the parties involved in each of these types of organizations
- 1.3 Examine the legal requirements for each type of organization and the legal obligations imposed on the individuals who make up the organization
- 1.4 Examine the reasons for and the importance of registering a business name.

## LEARNING OUTCOME 2

Students will be able Explain the law of partnership, joint ventures and syndicate agreements.

- 2.1 Examine the definition of a partnership and consider the terms of a partnership agreement.
- 2.2 Consider the rights and obligations of partners and their actual and apparent authority.
- 2.3 Examine joint and several liability of partners.
- 2.4 Discuss the ways that a partnership may be terminated.
- 2.5 Identify key provisions of the Partnership Act 1908.
- 2.6 Define Limited partnerships and discuss the nature and powers of a limited partnership pursuant to the Limited Partnerships Act 2008.
  - Describe the liability of limited partners under the Limited Partnerships Act 2008
  - Define a joint venture and a syndicate agreement
  - Identify how a joint venture and a syndicate agreement differ to a partnership

### **LEARNING OUTCOME 3**

Students will learn and apply the relevant principles of contract law.

- 3.1 Describe contracts in accordance with their validity as to whether a contract is void, voidable, unenforceable or illegal.
- 3.2 Explain the formation of contracts including those that are express or implied.
- 3.3 Differentiate between formal and simple contracts and identify the requirements for formation.
- 3.4 Explain the essential elements of a contract namely intention to create legal relations, offer and acceptance, consideration, legality, legal capacity and genuine consent.
- 3.5 Identify the different classifications of terms of a contract including conditions, warranties, exclusion clauses, express and implied terms.
- 3.6 Describe the ways that a contract is discharged including performance, agreement, frustration, operation of law and by breach.
- 3.7 Identify the remedies available for breach of contract including damages, termination, specific performance, and Injunctions.
- 3.8 Identify causes of actions outside the contract such as misrepresentation.

### **LEARNING OUTCOME 4**

Discuss and understand relevant contract case law and legislation that regulates contracts.

- 4.1 Identify relevant contractual law cases that impact on the formation of a contract, the elements of a contract, the terms of a contract, the discharge of a contract and the remedies available for breach of contract.
- 4.2 Describe the effect of legislation on contract law including the Contracts Enforcement Act 1956, Contractual Mistakes Act 1977 and amendments and the Contractual Remedies Act 1979 and amendments.

### **LEARNING OUTCOME 5**

Examine standard lease and sale and purchase agreements.

- 5.1 Review the terms of a standard Residential Lease Agreement.
  - 5.2 Review the terms of a standard agreement for the sale and purchase of real estate.
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**CROSS CREDIT**

Not applicable for this paper

**REQUIRED COURSE TEXTS AND MATERIALS**

Yet to be confirmed