

Assessment 3: Case study - problem-solving exercise

Format

Problem scenario, students are required to identify the relevant issues, state the applicable principles of law, supported by authority, and apply the law to the given facts to arrive at a conclusion.

Worth

10% of the final mark

Assignment Submission

Submission is on-line via Stream in either PDF or MS Word format.

Due

- Monday 24th August 10 am

Scenario

Galmod is a lecturer in business law at the Edoras University. During a lecture on the need for form in contracts Galmod says "There is no need for any contract to be in writing for it to be enforceable in New Zealand law". Grima, a student in the class, asks whether this applies to contracts of guarantee and Galmod replies that it does. This is not correct. Grima is a part time student who runs his own business. In reliance on Galmod's statement, Grima accepts an oral guarantee of payment from the mother of one of his customers. The customer fails to pay the debt and Grima discovers that the mother's guarantee is unenforceable since it is not in writing as required under s27 Property Law Act 2007. As a result of this Grima has lost \$10,000.

Required:

Advise Grima whether he could succeed in an action in tort against:

- (a) Galmod
- (b) The Edoras University.

Reading

The textbook: Chapter 11

Lecture Notes Week 4

Assessment 4: Case study - problem solving exercise

Format

- Problem scenario, students are required to identify the relevant issues, state the applicable principles of law, supported by authority, and apply the law to the given facts to arrive at a conclusion.

Worth

15% of the final mark

Assignment Submission

Submission is on-line via Stream in either PDF or MS Word format.

Due

- Monday 21st September 10 am

Scenario

The SuperFood Supermarket is promoting a new range of sparkling wine. As part of the promotion it has on display in the wine section the following notice.

Buy 2 bottles of Sparkglo
(The wine that glows in the glass)
For \$15 each
And get
a set 6 champagne glasses FREE!

Jo takes two bottles of Sparkglo from the shelf to the checkout where they are put through the bar code reader. When Jo asks for the wine glasses the check-out operator says that the promotion is finished, as the supermarket has no more glasses.

Required:

Using the principles of the law of contract formation, explain with reasons whether the Superfood Supermarket is legally bound to supply the 6 champagne glasses.

Note: you are not required to discuss the application of the Fair Trading Act 1986 to these facts.

Reading

The textbook: Chapter 5

Lecture Notes: Week 5

Assessment grid for Assessments 3 and 4

This indicates what we are looking for and how we assess the level at which it has been achieved. It is not applied in a “mechanical” way.

Learning Outcome	0%-50%	50%-65%	70%-80%	80%-100%
1. Apply the legal principles from selected cases to typical business-related problems.	Is unable to correctly identify the legal issues raised by the fact or accurately state the relevant legal principles	Correctly identifies most of the legal issues raised and accurately explains the relevant legal principles for the issues correctly identified	Correctly identifies all the relevant issues and correctly explains the applicable law in each case	Demonstrates facility, maturity and originality in identifying the relevant issues and in explaining the relevant law.
2. Identify how to apply basic principles of the law of Contract, Tort, Consumer protection and a selected area of substantive law to simple problems which might confront a business in New Zealand.	Is unable to locate the relevant sources of law or, if able to locate the sources, does not demonstrate sufficient understanding thereof or to use them appropriately to support their argument or hypothesis	Identifies relevant legislative provisions and case law interpreting the legislation and demonstrates adequate understanding thereof. Supports their argument with appropriate legal authorities	Is able to locate related legislative provisions and precedents and to accurately analyse them in relation to the argument put forward. Demonstrates a facility in handling law materials in the problem solving process	Demonstrates skills in locating legal material of an advanced standard and originality in the research process. Is able to put forward hypotheses that possess originality and elegance and demonstrate a maturity of thought in the use of the materials in support of their arguments.