|  |  |
| --- | --- |
| **ASSESSMENT TASK 2 BRIEF:** | |
| Subject Code and Title | BUS201 Law for Business |
| Assessment | Case Study |
| Individual/Group | Individual |
| Length | 2500 Words |
| Learning Outcomes | This assessment addresses the following Subject Learning Outcomes |
| a) Explain what law is and the role law plays in doing business internationally. |
| b) Examine the applicability of a significant range of laws and explain their impact on those carrying out professional and managerial duties. |
| c) Differentiate the multiplicity of laws and the conflicts they may present when doing business internationally. |
| d) Analyse the ethical implications of legal decisions. |
| e) Examine the obligations, rights and remedies available to parties in business relationships. |
| Submission | Friday of Week 8 |
| Total Weighting | 30% |

**Context**

Australian businesses may wish to expand their operations and enter new markets in other countries. Making contracts is fundamental to business practice and this assessment allows students to reflect on the types of contracts a business may enter and to consider what the law relating to contracts is in the country they seek to do business.

This assessment builds on Assessment one (1) where research was conducted on the legal system of a chosen country.

**Instructions**

Assume that you are the director of an Australian company that does business in a number of overseas countries. Your company has decided that there is an opportunity to do business in the country that you researched in Assessment 1 (chosen country).

Your task is to prepare a written document appropriately referenced, that address the following matters:

1. State the nature of business your company is involved in. Be as creative as possible. For example, you may decide that you are a manufacturer who wishes to export goods to the chosen country. Alternatively, your company may provide services which can be offered in the chosen country or your company may wish to import goods and/services from the chosen country.

2. Explain in as much details as possible the business opportunity that has arisen for the company.

Making contracts is fundamental to business practice. Your company will need to make contracts in the scenario country. Please ensure you

* Identify the types of contracts that your business would need to enter in order to do business successfully in the scenario country. Explain why these contracts are necessary.
* Identify and explain the sources of contract law in the chosen country.
* Identify and explain the legal requirements for the creation of a valid contract in the chosen country.
* Explain the remedies for breach of contract in chosen country.
* Discuss whether it would be necessary to appoint an agent in the chosen country and an explanation for your decision.
* Identify whether Australia has a Free Trade Agreement with chosen country and explain the implications of this.
* Identify any specific regulations that apply in the chosen country based on the nature of your company’s business.

**Suggested format**

Whilst the format may vary for your report, below is suggested format for you to follow:

• Cover page

• Executive Summary [approximately 300 words]

o A concise summary of the main report in bullet points

• Introduction (approx. 300 words)

• Main Discussion [800-1200 words]

• Conclusion [300 words]

• Appendices where applicable

**Assessment Rubric**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Assessment Attributes** | **Fail (Unacceptable) 0-49%** | **Pass (Functional) 50-64%** | **Credit (Proficient) 65-74%** | **Distinction (Advanced) 75 -84%** | **High Distinction (Exceptional) 85-100%** |
| ***Global Perspective***  Percentage for this criterion  **30%** | Limited knowledge, skill and/or experience in global perspectives | Identifies objectives and strategies of international business in the context of global competition  Identifies appropriate elements of the legal principles in the country as applicable to business transactions | Analyses impact of entering new international markets  Analyses market segmentation in attractive international markets  Identifies appropriate elements of the legal principles in the country as applicable to business transactions | Identifies cultural differences; international trade policies and institutions  Notes legalities surrounding direct investment  Identifies appropriate elements of the legal principles of the country as applicable to business transactions | Introduces clear global perspectives into the analysis  Recommends international commercial and legal arrangements  Is sensitive to regional economic integration.  Identifies current international business trends and developments |
| ***Application of Knowledge***  Percentage for this criterion  **30%** | Limited understanding of the internal and external business environment  Lacks a global perspective for potential markets and trends | Understands the internal and external business environment including commercial context and market forces  Understands local and global market trends Accesses relevant information | Understands the impact of financial, social, political, environmental issues on the business  Demonstrates commercial awareness of product development/service provision | Understands the impact of financial, social, political, legal and environmental issues on the business, as they relate to different countries where the business may operate  Demonstrates commercial awareness | Demonstrates cultural sensitivity  Understands the impact of financial, social, political, legal and environmental issues on the business, as they relate to different countries where the business may operate |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Uses a limited range of information as the basis for recommended practice | Synthesises and evaluates information from a variety of sources  Gathers and uses competitor knowledge | Understands the business  Can prepare and present business cases and proposals. | of product development/service provision and cost relationships  Understands the business and its risks  Can prepare and present business cases and proposals | Demonstrates commercial fluency with product development/service provision and cost relationships  Understands the business and its risks  Assesses the impact of information and communication systems on the operations of the business  Demonstrates currency with legal implications of entering a foreign market place for businesses |
| ***High level of Personal Autonomy and Accountability***  Percentage for this criterion  **10%** | Does not reflect on own learning. | Reflects on own learning | Reflects on own learning and modifies approaches where necessary. | Reflects on own learning and uses reflection for own development | Reflects on own learning and uses reflection for own development  Demonstrates resilience by balancing competing priorities |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| ***Knowledge and skills demonstrating Creativity and Initiative***  Percentage for this criterion  **20%** | Limited understanding of required concepts and knowledge.  Key components of the assignment are not all addressed | Demonstrated knowledge or understanding of the field of law.  Key components of the brief are addressed  Often conflates/confuses assertion or personal opinion with information substantiated by evidence from the research/course materials. | Thorough knowledge or understanding of the field of law.  Supports personal opinion and information substantiated by evidence from research.  Explores the limits and strengths of current knowledge.  Demonstrates capacity to explain and apply relevant concepts | Highly developed understanding of the field of law.  Discriminates between assertion of personal opinion and information substantiated by robust evidence from research and extended reading.  Evaluates the limits  & strengths of current knowledge.  Well demonstrated capacity to explain and apply relevant concepts. | A sophisticated understanding of the field of law.  Systematically and critically discriminates between assertion of personal opinion and information substantiated from research and extended reading.  Extends the limits and strengths of current knowledge  Masters concepts and application to new situation and further learning. |
| ***Effective Communication***  Percentage for this criterion  **10%** | Difficult to understand for audience, no logical/clear structure, poor flow of ideas, argument lacks supporting evidence.  No effort is made to keep audience engaged; audience follow the line of reasoning. | Information, arguments and evidence are presented in a way is not always clear and logical.  Attempts are made to keep the audience engaged, but not always successful. Line of reasoning is often difficult to follow. | Information, arguments and evidence are well presented, mostly clear flow of ideas and arguments.  The audience is mostly engaged, line of reasoning is easy to follow. | Information, arguments and evidence are very well presented; the presentation is logical, clear and well supported by evidence.  Engages the audience, demonstrates cultural sensitivity. | Expertly presented; the presented is logical, persuasive, and and well supported by evidence, demonstrating a clear flow of ideas and arguments.  Engages and sustains audience’s attention in the topic, demonstrates high levels of cultural sensitivity. |