TABL2732
FRANCHISING

Course Outline
Semester 1, 2016

Part A: Course-Specific Information
Part B: Key Policies, Student Responsibilities and Support
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PART A: COURSE-SPECIFIC INFORMATION

1. STAFF CONTACT DETAILS
Lecturer-in-charge and tutor: Dr Jenny Buchan
Room QUAD 2054
Phone No: 9385 1458/ 0432 87 99 88
Email: jm.buchan@unsw.edu.au
Consultation Times – by appointment

2. COURSE DETAILS

2.1. Teaching Times and Locations
Lectures and tutorials start in Week 1 (to Week 13). No class in week 4 as the class falls on Good Friday.
The time and location are: Fridays 12noon – 3pm in Colombo LG01

2.2. Units of Credit
The course is worth 6 units of credit.

2.3. Summary of Course
This course examines the nature, operation and regulation of franchising in Australia. Franchising is a business strategy which is of increasing significance both domestically and internationally. Australia has nearly 1,160 business format franchisors that, either personally or via franchisees, operate 79,000 units which employ over 460,000 people and turn over $144 billion/ann. (Franchising Australia survey, 2014).

All consumer goods and services and most B2B services can be distributed through franchise systems in Australia. Quasi-professional and government services are increasingly franchised. Franchise operations are increasingly found nested within public and proprietary corporate groups.

The course examines:
- the nature and operation of franchising as a business model
- the contract based franchisor/ franchisee relationship
- topical legal issues in the context of franchising (good faith, insolvency, standard form contract terms)
- the federal regulation of franchising under the Franchising Code of Conduct prescribed under the Competition and Consumer Act (Cth) 2010

2.4. Course Aims and Relationship to Other Courses
This course is offered as an elective in the Business Law stream in the BCom degree.

In addition to providing students with specific knowledge on Australian franchising law and practice, the course also seeks to develop learning outcomes introduced in prior studies including:
- confidence and competence in constructing and presenting written and oral arguments relevant to common commercial problems
- the ability to analyse legal issues and commercial issue in a logical and structured way (ie to identify problems, research relevant sources, conduct due
diligence and identify possible challenges to the reliability of franchise system due diligence)

Franchising is not a core course in the programs offered by the Business School. It is nevertheless an attractive option for students in a range of business disciplines. Franchising – originally an expansion/business entry vehicle for small business – is increasingly used by big business as a distribution system. Because franchising operates in all industry sectors and at all levels of distribution, the course is relevant to students of all business disciplines.

The course complements TABL3732, International Franchise Law that is offered in session 2.

2.5. Student Learning Outcomes

By the end of this course, you should be able to:

1. Explain what a business format franchise is, what laws relate to it in Australia, and what roles each party involved in the franchised business play.
2. Analyse a franchise network through the eyes of a lawyer: know what to look for when assessing a franchise
3. Conduct due diligence on a franchise offering in Australia

The Course Learning Outcomes are what you should be able to DO by the end of this course if you participate fully in learning activities and successfully complete the assessment items.

The Learning Outcomes in this course also help you to achieve some of the overall Program Learning Goals and Outcomes for all undergraduate students in the Business School. Program Learning Goals are what we want you to BE or HAVE by the time you successfully complete your degree (e.g. ‘be an effective team player’). You demonstrate this by achieving specific Program Learning Outcomes - what you are able to DO by the end of your degree (e.g. ‘participate collaboratively and responsibly in teams’).

For more information on the Undergraduate Program Learning Goals and Outcomes, see Part B of the course outline.
Business Undergraduate Program Learning Goals and Outcomes

1. Knowledge: Our graduates will have in-depth disciplinary knowledge applicable in local and global contexts.
   You should be able to select and apply disciplinary knowledge to business situations in a local and global environment.

2. Critical thinking and problem solving: Our graduates will be critical thinkers and effective problem solvers.
   You should be able to identify and research issues in business situations, analyse the issues, and propose appropriate and well-justified solutions.

3. Communication: Our graduates will be effective professional communicators.
   You should be able to:
   a. Prepare written documents that are clear and concise, using appropriate style and presentation for the intended audience, purpose and context, and
   b. Prepare and deliver oral presentations that are clear, focused, well-structured, and delivered in a professional manner.

4. Teamwork: Our graduates will be effective team participants.
   You should be able to participate collaboratively and responsibly in teams, and reflect on your own teamwork, and on the team’s processes and ability to achieve outcomes.

5. Ethical, social and environmental responsibility: Our graduates will have a sound awareness of the ethical, social, cultural and environmental implications of business practice.
   You should be able to:
   a. Identify and assess ethical, environmental and/or sustainability considerations in business decision-making and practice, and
   b. Identify social and cultural implications of business situations.

The following table shows how your Course Learning Outcomes relate to the overall Program Learning Goals and Outcomes, and indicates where these are assessed (they may also be developed in tutorials and other activities):

<table>
<thead>
<tr>
<th>Program Learning Goals and Outcomes</th>
<th>Course Learning Outcomes</th>
<th>Course Assessment Item</th>
</tr>
</thead>
<tbody>
<tr>
<td>This course helps you to achieve the following learning goals for all Business undergraduate coursework students:</td>
<td>On successful completion of the course, you should be able to:</td>
<td>This learning outcome will be assessed in the following items:</td>
</tr>
<tr>
<td>1 Knowledge</td>
<td>Understand how to find and read decided Australian franchise cases</td>
<td>Case presentations in tutorials</td>
</tr>
<tr>
<td>2 Critical thinking and problem solving</td>
<td>Read, interpret and compare clauses in franchise agreements</td>
<td>Franchise agreement clauses</td>
</tr>
</tbody>
</table>
3. LEARNING AND TEACHING ACTIVITIES

3.1. Approach to Learning and Teaching in the Course
This course is conducted with the aim of promoting student-centred learning. This aim will be achieved by requiring every student to engage with the topics presented in the course and the assessments students are required to undertake. Each assessment is strongly based on the reality of understanding the needs of and advising franchisors and franchisees.

Materials will be distributed or posted on Blackboard throughout the session. Students are expected to understand rather than memorise, to apply and analyse rather than regurgitate.

3.2. Learning Activities and Teaching Strategies
Franchising is conducted in a weekly three-hour class (notionally 2 hours of lecture followed by a 1 hour tutorial) that will comprise a number of components – lecture, presentation, presentations by guest lecturers, tutorial and discussion of assigned cases, aspects of franchise agreements, and due diligence exercises.

4. ASSESSMENT

4.1. Formal Requirements
In order to pass this course, you must:
- achieve a composite mark of at least 50;
- attend at least 80% of the scheduled classes and
4.2. Assessment Details

Remember to keep a copy of all work submitted for assessment and to keep your returned marked assignments.

<table>
<thead>
<tr>
<th>Assessment Task</th>
<th>Weighting</th>
<th>Length</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oral presentation (12%) and written submission (8%) of Franchise contract clause(s)</td>
<td>20%</td>
<td>5 minutes</td>
<td>Week 5 lecture and tutorial</td>
</tr>
<tr>
<td>Case note: oral presentation.</td>
<td>20%</td>
<td>3 powerpoint slides maximum 2 pages</td>
<td>Lecture and Tutorial, weeks as agreed between weeks 6 and 11</td>
</tr>
<tr>
<td>Written summary</td>
<td>20%</td>
<td>3 powerpoint slides maximum 2 pages</td>
<td>Lecture and Tutorial, weeks as agreed between weeks 6 and 11</td>
</tr>
<tr>
<td>Due diligence: written</td>
<td>35%</td>
<td>See 4.3 below</td>
<td>Friday Week 12 10am</td>
</tr>
<tr>
<td>Due diligence: oral</td>
<td>15%</td>
<td>10 minutes</td>
<td>Present in class in weeks 12 and 13</td>
</tr>
<tr>
<td>Reflection on sustainability</td>
<td>10%</td>
<td>300 words</td>
<td>Week 13</td>
</tr>
<tr>
<td>Total</td>
<td>100%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Assessment 1: Franchise agreement**

This assessment has an oral and a written component. Each student:
- will be allocated one issue that is addressed in a franchise agreement.
- will be assigned a role of either franchisor or franchisee.

There is no ‘right’ or ‘wrong’ answer. This question involves you thinking about the commercial implications of ‘your’ issue.

**Oral presentation (10 marks):**

You are required to:
- Explain the issue and identify the clause(s) that address it;
  - what the clause(s) mean,
  - what situation(s) they are designed to cover,
  - their effect, and
  - in what circumstances they would be implemented.
- Identify whether reciprocal obligations or rights exist for the other party (ie: the counterparty).
- Discuss the impact, if any, of your conclusion either that the obligation is reciprocal or that it is one-sided.
- What would be the effect of a breach of the clause(s)?

Good marks will be allocated for clear, considered presentation and well-argued coverage of all of the above and for demonstrably appreciating your client’s commercial and personal perspective as reflected in the clause(s).
Marks will be lost for sloppiness, going over time, failing to cover all issues, and failing to clearly ‘put yourself in the shoes of’ your client.

Written submission (10 marks):
- Identify the clauses by number
- Explain why you believe each one may be seen as unfair.

This assessment enables you to demonstrate your critical thinking, legal research and problem solving ability, and provides an opportunity to develop your oral presentation skills.

Assessment 2: Case Note

Each pair of students will be allocated an Australian franchising case on which a case note will be presented to the class in lectures and tutorials. For tasks 1) – 7) below both students will be awarded the same mark. For task 8) each student will submit an independent response via Turnitin and marks will be awarded individually.

<table>
<thead>
<tr>
<th>Areas of case to be addressed and evaluated</th>
<th>Weighting /20</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Citation</td>
<td>1</td>
</tr>
<tr>
<td>2) Court</td>
<td></td>
</tr>
<tr>
<td>3) Brief background/ procedural history</td>
<td></td>
</tr>
<tr>
<td>4) Facts</td>
<td>2</td>
</tr>
<tr>
<td>i) Time line of events</td>
<td></td>
</tr>
<tr>
<td>(see Enright pp 530-31)</td>
<td></td>
</tr>
<tr>
<td>ii) Diagram showing space dimension of events (see Enright p 533)</td>
<td></td>
</tr>
<tr>
<td>iii) Relationship between parties</td>
<td></td>
</tr>
<tr>
<td>(see Enright p 534)</td>
<td></td>
</tr>
<tr>
<td>5) Legal Issue(s)</td>
<td>2</td>
</tr>
<tr>
<td>1) Decision/ analysis</td>
<td>2</td>
</tr>
<tr>
<td>7) Overall quality of presentation including: clear, audible and kept to time/ adhered to slide limit and supplied slides for posting to Blackboard</td>
<td>5</td>
</tr>
</tbody>
</table>
8) Implications – One student of the pair will be allocated the role of franchisor and the other will be the franchisee(s). In your answer:
   □ Please state whether you are the franchisor or the franchisee(s)
   □ Identify two ‘implications’ or things a franchisor/franchisee would have learned as a consequence of the litigation and one implication for your professional advisor.
   □ Suggest how both you (as franchisor/franchisee) and ‘your’ advisor could adjust future conduct to avoid ending up in court again.

Assessment will be on the basis of a 5-8 minute class presentation and the timely supply of slides to lecturer
   □ Submission dates will be agreed on allocation of the case.
   □ Submit one copy of slides to the lecturer in hard copy at the lecture by midday on the day you present.
   □ Submit your response to 8) above via Turnitin on the day before you present your case in class. Question 8) is to be done individually by each member of the pair.

Assessment 3. Due Diligence client advice

This work is to be done in pairs of students. You will be allocated into your pair. Both students will receive:
   □ the same mark for the oral presentation in week 12 or 13
   □ their own mark for the written component submitted in week 12.
Due Friday 27 May at 12 noon.

*** NOTE: do not underestimate the size of this task. Get onto it early!***

This assessment will test your legal forensic research skills and will give you a realistic experience of the challenges of verifying information concerning a franchise. This assessment is based on the Disclosure Document that all franchisees are required to provide to franchisees to comply with under the Competition and Consumer (Industry Codes—Franchising) Regulation 2014, Select Legislative Instrument No. 168, 2014 (see link under 5 below)

You are required to present this material in class in weeks 12 and 13 in your pairs, and to hand in your individual written advice by 12 noon Thursday of Week 12 via Turnitin and email (to jm.buchan@unsw.edu.au ).

This work is to be done in pairs of students. You will be allocated into pairs.

Division 2.1 of The Franchising Code of Conduct states that:

10 Franchisee or prospective franchisee to give advice to franchisor before entering into franchise agreement
(1) The franchisor must not:
   (a) enter into a franchise agreement; or
   (b) renew or transfer a franchise agreement; or
   (c) extend the term or scope of a franchise agreement; or
   (d) enter into an agreement to:
      (i) enter into a franchise agreement; or
      (ii) renew or transfer a franchise agreement; or
      (iii) extend the term or scope of a franchise agreement; or
(e) receive a non-refundable payment (whether of money or of other valuable consideration) under a franchise agreement or an agreement to enter into a franchise agreement;

unless the franchisor has received from the franchisee or prospective franchisee a written statement that the franchisee or prospective franchisee has received, read and had a reasonable opportunity to understand the disclosure document and this code.

(2) Before a franchise agreement is entered into, the franchisor must have received from the prospective franchisee:

(a) signed statements, that the prospective franchisee has been given advice about the proposed franchise agreement or franchised business, by:

(i) an independent legal adviser; or

(ii) an independent business adviser; or

(iii) an independent accountant; or

(b) for each kind of statement not received under paragraph (a), a signed statement by the prospective franchisee that the prospective franchisee:

(i) has been given that kind of advice about the proposed franchise agreement or franchised business; or

(ii) has been told that that kind of advice should be sought but has decided not to seek it.

You and your pair are advisors who have been approached by a franchisee to sign the statement in Division 2.1 clause 10(2)(a) above. You must conduct due diligence on that franchisor by attempting to provide every piece of information the franchisor itself would be required to supply to comply with the Disclosure requirements of the Franchising Code of Conduct.

Each pair of student advisors will be allocated one franchisor from the list below to be the subject of your advice.

Boost Juice Bars
Brazilian Beauty
Coco Cubano
Fastway Couriers
In the Booth
Laser Clinics Australia
Laubman & Pank
Plus Fitness
Schnitz
Shingle Inn
Supercheap Storage
Top Juice
Total Tools
Zambrero

Written advice: Information about your franchise must be disclosed under 23 headings. In your pair you must divide the task approximately in half. You must both provide answers to disclosure Items 1 and 2. Each of you must then compile half of the
remaining information required (Items 3 to 23) and submit your information individually as your own assignment. You must allocate items 3 to 23 so that each item is covered.

As an individual you must also answer the 3 questions below, basing your answer on what you have discovered through the entire due diligence exercise.

1. Complete your agreed sections of the information in the Franchising Code of Conduct 1998 Annexure 1 Disclosure document for franchisee or prospective franchisee for your franchisor. (15 marks)

2. As you progress through your research you may discover information that does not fit into any of the required items, but nevertheless seems to be important. Make a list of the information and its source and write a short consideration as to whether, in your opinion as a potential franchisee’s professional adviser, it would be important for the franchisee to know the information before signing the franchise agreement. (10 marks)

3. Identify any further information that as a legal or accounting or business adviser is not required to be provided in the disclosure document but that you would wish to know before you recommended your client sign, or not sign, the franchise agreement. (10 marks)

**Oral advice:** Present your findings in class in weeks 12 or 13. Both students must be involved in the presentation.

4. Based on what you and your partner now know about the franchised business do you recommend your client should invest in it, or not? Explain why/why not? (15 marks)

**Rules:**

☐ You may **not** ask the franchisor for the information.

☐ You may **not** ask a current franchisee for the information.

☐ You may not buy any searches or other information.

☐ If there is information that you could find if you were prepared to pay for it you are required to identify the source (by- eg - providing the appropriate link to a website) and to state in dollars and cents the cost of the material you would want to access.

☐ If you cannot find material about a particular item please write “could not verify” next to the item number and move on. You will lose marks if you write ‘could not verify” and the lecturer is able to verify the information.

☐ You must footnote every entry. Ie: clearly identify the source of the information by making a note at the end of the page where it appears using the ‘insert footnote’ function under the references section of your computer.
Suggested sources of information.
This list will serve as a starting point.
UNSW electronic databases accessible through library; including:
- Factiva
- Casebase
- LexisNexis
- Annual reports of listed and unlisted public companies (sometimes these are franchisors or they own franchisors)
- IBISWorld Franchising in Australia - X0002 opened report
Franchisor’s websites
Linkedin

Assessment 4: ethics and sustainability
This reflection is to be posted on Moodle by the end of Week 13.
Identify two (2) ethical issues and/ or positive or questionable environmental sustainability practices in a franchise being studied by another student (not the franchise you are studying) and propose ways to reduce the environmental footprint in Australia of that franchise system.

4.3. Assessment Format
All written work must be spell checked, presented in 12 point font and have 1.5 spacing. Where possible, please print on both sides of the page.

You will lose marks for poor grammar and spelling. ‘Wanna’, ‘canna’, ‘gunna’ and similar words are not part of the written English language. You will lose marks if you use them in assignments and please do not use them in emails either.

4.4. Late Submission
10% of the possible marks for an assessment will be deducted per day or part thereof for late submissions unless you have the lecturer’s prior written consent.

Quality Assurance
The Business School is actively monitoring student learning and quality of the student experience in all its programs. A random selection of completed assessment tasks may be used for quality assurance, such as to determine the extent to which program learning goals are being achieved. The information is required for accreditation purposes, and aggregated findings will be used to inform changes aimed at improving the quality of Business School programs. All material used for such processes will be treated as confidential.

5. COURSE RESOURCES
The website for this course is on Moodle at: http://moodle.telt.unsw.edu.au

5.1. Textbook
Jenny Buchan, Franchisees as Consumers: Benchmarks, Perspectives and Consequences Springer, 2013 (Referred to as ‘Buchan’ in the course Schedule)
5.2. Legislation

Competition and Consumer Act, 2010

Competition and Consumer (Industry Codes—Franchising) Regulation 2014 known as the Franchising Code of Conduct 2014


Personal Property Securities Act 2009

Restraints of Trade Act 1976 (NSW)


5.3. Other resources


Australasian Legal Information Institute http://www.austlii.edu.au

Australian Competition and Consumer Commission – has information for franchisors and franchisees www.accc.gov.au

Australian Securities and Investments Commission www.asic.gov.au

Bluemaumau www.bluemaumau.org

http://www.tandfonline.com/doi/full/10.1080/1046669X.2015.1113487


Elizabeth Crawford Spencer. The regulation of franchising in the new global economy Edward Elgar, 2010. See electronic copy in the UNSW library

Franchising Australia biannual surveys: accessible through

Frazer and Buchan, ‘It Really Pays For Franchisees to do their Due Diligence: Here’s How’ https://theconversation.com/it-really-pays-for-franchisees-to-do-their-due-diligence-heres-how-49297


IBISWorld report (franchising) – accessible through UNSW library
5.4. Cases

Apple Computer Australia Pty Ltd v Mekrizis (2003) 44 ACSR 518; (2003) 54 ATR 383; [2003] NSWSC 126; BC200300813 - controlled by a system or marketing plan

Australian Competition and Consumer Commission (ACCC) v Kyloe Pty Ltd (2007) ATPR 42-194; [2007] FCA 1522; BC200708849 - controlled by a system or marketing plan


Australian Competition and Consumer Commission v Seal-A-Fridge Pty Ltd (ACN 080 116 258) & another - 268 ALR 321 – 28 – was franchisor’s conduct unconscionable?

Australian Competition and Consumer Commission v Seal-A-Fridge Pty Ltd (No 2) [2010] FCA 681 – was franchisor’s conduct unconscionable?

Australian Competition and Consumer Commission v South East Melbourne Cleaning Pty Ltd (in liq) (formerly known as Coverall Cleaning Concepts South East Melbourne Pty Ltd) (No 2) [2015] FCA 257 – misleading and deceptive – franchisor insolvent

BP Australia Pty Ltd v Karioi Pty Ltd & Others (2010) 278 ALR 105 – competition

Denbridge Pty Ltd and Registrar of Personal Property Securities [2015] AATA 938 (4 December 2015) – personal property

Dymocks Holdings Pty Ltd v Top Ryde Booksellers Pty Ltd (2000) NSW SC 390 – territory

Far Horizons Pty Ltd v McDonald’s Australia Ltd (2000) VSC – territory

Fletcher v Nextra Australia Pty Ltd [2015] FCAFC 52 – was blog misleading?

Henderson & Ors v Purairclean Pty Ltd & Anor [2013] NTSC 29 – disclosure, interpretation of contract, manuals

Master Education Services Pty Ltd v Ketchell (2008) 249 ALR, 44 [2008] HCA 38 – consequences of breach of Code by franchisor


Parker and Another v Tucker and Others [2010] FCA 263 – good faith

Phone Hospital v ACAR and Ors [2010] NSWSC 888 – intellectual property

Rafferty v Time 2000 West Pty Ltd (No 4) [2010] FCA 725 – agreement, controlled by a system or marketing plan

RPR Maintenance Pty Ltd v Marmax Investments Pty Ltd [2014] FCA 409 - territory

Seal-A-Fridge (South) Pty Ltd -v- Seal Home Services Pty Ltd & Anor [2009] WADC 19 – was it a franchise agreement?

SPAR Licensing Pty Ltd v MIS QLD Pty Ltd [2014] FCAFC 50 – breach of Franchising Code re timing of disclosure

Sportsco Pty Ltd v Singh Group Pty Ltd (No 2) [2011] VSC 576 [this case and the next to be tackled]
6. COURSE EVALUATION AND DEVELOPMENT

Each year feedback is sought from students and other stakeholders about the courses offered in the School and continual improvements are made based on this feedback. UNSW's Course and Teaching Evaluation and Improvement (CATEI) Process is one of the ways in which student evaluative feedback is gathered. In this course, we will seek your feedback through end of semester CATEI evaluations and email feedback to the lecturer in charge any time.

Feedback has indicated students would like a textbook and that they found the due diligence to be very-valuable, but time consuming.

As a result I suggest you will find my book covers many aspects of the course, and that you get onto the due diligence assessment as soon as you have been allocated into pairs.
## 7. COURSE SCHEDULE

<table>
<thead>
<tr>
<th>Week</th>
<th>Lecture &amp; Tutorial Topic</th>
<th>References</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Week 1  4 March</strong></td>
<td>History &amp; development The business format model Economic, social significance</td>
<td>Schaper and Buchan ‘Franchising in Australia: A History’</td>
</tr>
<tr>
<td><strong>Week 2  11 March</strong></td>
<td>The Legal and Regulatory Framework</td>
<td>Guest speaker: Dr Michael Schaper; Deputy Chair ACCC <em>Competition and Consumer Act, 2010 (‘CCA’) Australian Consumer Law (ACL) is found in CCA Schedule 2 Franchising Code of Conduct, 2014</em></td>
</tr>
<tr>
<td><strong>Week 3  18 March</strong></td>
<td>The franchise system and network Franchise agreements</td>
<td>Buchan ‘Franchisees as Consumers’ Chapter 3</td>
</tr>
<tr>
<td><strong>Week 4  25 March</strong></td>
<td></td>
<td><em>NO CLASS (Friday 25 March is Good Friday public holiday)</em></td>
</tr>
<tr>
<td><strong>Week 5  8 April</strong></td>
<td>Presentations of franchise agreement</td>
<td>Assessment 1</td>
</tr>
<tr>
<td><strong>Week 6  15 April</strong></td>
<td>Property</td>
<td>CCA re passing off Buchan, Chapter 3 <em>Restrants of Trade Act 1976 (NSW)</em></td>
</tr>
<tr>
<td></td>
<td>□ Copyright □ Trademarks and passing off □ Restraint of trade/non-competition covenants</td>
<td></td>
</tr>
<tr>
<td><strong>Week 7  22 April</strong></td>
<td>Property</td>
<td>Buchan, Chapter 3 <em>Personal Property Securities Act 2009 (Cth)</em></td>
</tr>
<tr>
<td></td>
<td>□ Real property issues □ Personal property securities</td>
<td></td>
</tr>
<tr>
<td>Week 8 29 April</td>
<td>Relationships □ Pricing – not breaching CCA □ Franchise advisory councils (FACs)</td>
<td><strong>Guest speaker:</strong> Susan Fairbairn</td>
</tr>
<tr>
<td>Week 9 6 May</td>
<td>Equity issues □ Good Faith □ Unconscionable Conduct Disputes and dispute resolution</td>
<td>Franchising Code, Part 1 Division 3 CCA, Schedule 2 Australian Consumer Law Chapter 2 Franchising Code Part 4 and Office of the Franchise Mediation Adviser</td>
</tr>
<tr>
<td>Week 11 20 May</td>
<td>Due diligence Waiting and cooling off under the Franchising Code of Conduct</td>
<td>Frazer and Buchan (see reading list) Courtenay Atwell will take the class this week</td>
</tr>
<tr>
<td>Week 12 27 May</td>
<td>Presentations of Assessment 3 (in pairs)</td>
<td>Courtenay Atwell will take the class this week</td>
</tr>
<tr>
<td>Week 13 3 June</td>
<td>Presentations of Assessment 3 (in pairs)</td>
<td></td>
</tr>
</tbody>
</table>
PART B: KEY POLICIES, STUDENT RESPONSIBILITIES AND SUPPORT

8. PROGRAM LEARNING GOALS AND OUTCOMES

The Business School Program Learning Goals reflect what we want all students to BE or HAVE by the time they successfully complete their degree, regardless of their individual majors or specialisations. For example, we want all our graduates to HAVE a high level of business knowledge, and a sound awareness of ethical, social, cultural and environmental implications of business. As well, we want all our graduates to BE effective problem-solvers, communicators and team participants. These are our overall learning goals for you and are sought after by employers.

You can demonstrate your achievement of these goals by the specific outcomes you achieve by the end of your degree (e.g. be able to analyse and research business problems and propose well-justified solutions). Each course contributes to your development of two or more program learning goals/outcomes by providing opportunities for you to practise these skills and to be assessed and receive feedback.

Program Learning Goals for undergraduate and postgraduate students cover the same key areas (application of business knowledge, critical thinking, communication and teamwork, ethical, social and environmental responsibility), which are key goals for all Business students and essential for success in a globalised world. However, the specific outcomes reflect different expectations for these levels of study.

We strongly advise you to choose a range of courses which assist your development of these skills, e.g., courses assessing written and oral communication skills, and to keep a record of your achievements against the Program Learning Goals as part of your portfolio.
Business Undergraduate Program Learning Goals and Outcomes

1. Knowledge: Our graduates will have in-depth disciplinary knowledge applicable in local and global contexts.
   You should be able to select and apply disciplinary knowledge to business situations in a local and global environment.

2. Critical thinking and problem solving: Our graduates will be critical thinkers and effective problem solvers.
   You should be able to identify and research issues in business situations, analyse the issues, and propose appropriate and well-justified solutions.

3. Communication: Our graduates will be effective professional communicators.
   You should be able to:
   a. Prepare written documents that are clear and concise, using appropriate style and presentation for the intended audience, purpose and context, and
   b. Prepare and deliver oral presentations that are clear, focused, well-structured, and delivered in a professional manner.

4. Teamwork: Our graduates will be effective team participants.
   You should be able to participate collaboratively and responsibly in teams, and reflect on your own teamwork, and on the team’s processes and ability to achieve outcomes.

5. Ethical, social and environmental responsibility: Our graduates will have a sound awareness of the ethical, social, cultural and environmental implications of business practice.
   You will be able to:
   a. Identify and assess ethical, environmental and/or sustainability considerations in business decision-making and practice, and
   b. Identify social and cultural implications of business situations.

9. ACADEMIC HONESTY AND PLAGIARISM

The University regards plagiarism as a form of academic misconduct, and has very strict rules regarding plagiarism. For UNSW policies, penalties, and information to help you avoid plagiarism see: https://student.unsw.edu.au/plagiarism as well as the guidelines in the online ELISE tutorials for all new UNSW students: http://subjectguides.library.unsw.edu.au/elise

To see if you understand plagiarism, do this short quiz:
https://student.unsw.edu.au/plagiarism-quiz

For information on how to acknowledge your sources and reference correctly, see:
https://student.unsw.edu.au/harvard-referencing

For the Australian Guide to Legal Citation referencing guide please see:
http://law.unimelb.edu.au/mulr/aglc/about

NOTE: Harvard referencing is NOT used in the discipline of law. If you use it in this course you will lose 5% of the value of the assignment.
10. STUDENT RESPONSIBILITIES AND CONDUCT

Students are expected to be familiar with and adhere to university policies in relation to class attendance and general conduct and behaviour, including maintaining a safe, respectful environment; and to understand their obligations in relation to workload, assessment and keeping informed.

Information and policies on these topics can be found in UNSW Current Students 'Managing your Program' webpages: https://student.unsw.edu.au/program.

10.1. Workload

It is expected that you will spend at least **nine to ten hours** per week studying this course. This time should be made up of reading, research, working on exercises and problems, online activities and attending classes. In periods where you need to complete assignments or prepare for examinations, the workload may be greater. Over-commitment has been a cause of failure for many students. You should take the required workload into account when planning how to balance study with employment and other activities.

We strongly encourage you to connect with your Moodle course websites in the **first week of semester**. Local and international research indicates that students who engage early and often with their course website are more likely to pass their course.

Information on expected workload: https://student.unsw.edu.au/uoc

10.2. Attendance

Your regular and punctual attendance at lectures and seminars, as well as in online activities, is expected in this course. University regulations indicate that if students attend less than 80% of scheduled classes they may be refused final assessment. For more information, see: https://student.unsw.edu.au/attendance

10.3. General Conduct and Behaviour

You are expected to conduct yourself with consideration and respect for the needs of your fellow students and teaching staff. Conduct which unduly disrupts or interferes with a class, such as ringing or talking on mobile phones, is not acceptable and students may be asked to leave the class. More information on student conduct is available at: https://student.unsw.edu.au/conduct

10.4. Health and Safety

UNSW Policy requires each person to work safely and responsibly, in order to avoid personal injury and to protect the safety of others. For more information, see http://safety.unsw.edu.au/.

10.5. Keeping Informed

You should take note of all announcements made in lectures, tutorials or on the course website. From time to time, the University will send important announcements to your university e-mail address without providing you with a paper copy. You will be deemed to have received this information. It is also your responsibility to keep the University informed of all changes to your contact details.
11. SPECIAL CONSIDERATION
You must submit all assignments scheduled for your course. You should seek assistance early if you suffer illness or misadventure which affects your course progress.

General information on special consideration for undergraduate and postgraduate courses:

1. All applications for special consideration must be lodged online through myUNSW within 3 working days of the assessment (Log into myUNSW and go to My Student Profile tab > My Student Services > Online Services > Special Consideration). You will then need to submit the originals or certified copies of your completed Professional Authority form (pdf - download here) and other supporting documentation to Student Central. For more information, please study carefully in advance the instructions and conditions at: https://student.unsw.edu.au/special-consideration

2. Please note that documentation may be checked for authenticity and the submission of false documentation will be treated as academic misconduct. The School may ask to see the original or certified copy.

3. Applications will not be accepted by teaching staff. The lecturer-in-charge will be automatically notified when you lodge an online application for special consideration.

4. Decisions and recommendations are only made by lecturers-in-charge, not by tutors.

5. Applying for special consideration does not automatically mean that you will be granted a concession.

6. Special consideration requests do not allow lecturers-in-charge to award students additional marks.

12. STUDENT RESOURCES AND SUPPORT
The University and the Business School provide a wide range of support services for students, including:

- **Business School Education Development Unit (EDU)**
  
  https://www.business.unsw.edu.au/students/resources/learning-support
  
  The EDU provides academic writing, study skills and maths support specifically for Business students. Services include workshops, online resources, and individual consultations. EDU Office: Level 1, Room 1033, Quadrangle Building. Phone: 9385 5584; Email: edu@unsw.edu.au.

- **Business Student Centre**
  
  https://www.business.unsw.edu.au/students/resources/student-centre
  
  Provides advice and direction on all aspects of admission, enrolment and graduation. Office: Level 1, Room 1028 in the Quadrangle Building; Phone: 9385 3189.

- **Moodle eLearning Support**
  
  For online help using Moodle, go to: https://student.unsw.edu.au/moodle-support. For technical support, email: itservicecentre@unsw.edu.au; Phone: 9385 1333.

- **UNSW Learning Centre**
  
  www.lc.unsw.edu.au  Provides academic skills support services, including workshops and resources, for all UNSW students. See website for details.

- **Library training and search support services**
  
  http://info.library.unsw.edu.au/web/services/services.html

- **IT Service Centre**
Provides technical support for problems logging in to websites, downloading documents etc. [https://www.it.unsw.edu.au/students/index.html](https://www.it.unsw.edu.au/students/index.html) Office: UNSW Library Annexe (Ground floor). Ph: 9385 1333.

- **UNSW Counselling and Psychological Services**
  [https://student.unsw.edu.au/wellbeing](https://student.unsw.edu.au/wellbeing) Provides support and services if you need help with your personal life, getting your academic life back on track or just want to know how to stay safe, including free, confidential counselling. Office: Level 2, East Wing, Quadrangle Building; Phone: 9385 5418; Email: counselling@unsw.edu.au

- **Student Equity & Disabilities Unit**
  [http://www.studentequity.unsw.edu.au](http://www.studentequity.unsw.edu.au) Provides advice regarding equity and diversity issues, and support for students who have a disability or disadvantage that interferes with their learning. Office: Ground Floor, John Goodsell Building; Phone: 9385 4734; Email: seadu@unsw.edu.au