



## COURSE OUTLINE

# LAW404 Regulation

**Course Coordinator:** Dominique Moritz (dmoritz@usc.edu.au) **School:** School of Law and Society

2021 | Semester 2

USC Sunshine Coast

ON CAMPUS

Most of your course is on campus but you may be able to do some components of this course online.

*Please go to the USC website for up to date information on the teaching sessions and campuses where this course is usually offered.*

## 1. What is this course about?

### 1.1. Description

In this course you will develop advanced knowledge and skills to interpret and apply the often complex legislation of the modern regulatory state. You will evaluate a range of regulatory techniques available to government and the circumstances in which they are used, focusing on the use of laws (legal regulation). You will examine the components of legislative schemes, including rule-making and control of subordinate legislation. You will apply advanced interpretive approaches to give a reasoned opinion as the appropriate meaning of legislative provisions.

### 1.2. How will this course be delivered?

ACTIVITY	HOURS	BEGINNING WEEK	FREQUENCY
ON CAMPUS			
<b>Tutorial/Workshop 1</b> – On campus tutorial - 2 hours in weeks 2-6 and 8-13.	2hrs	Week 2	11 times
<b>Lecture</b> – On campus lecture - 1 hour in weeks 1-6 and 8-13.	1hr	Week 1	12 times

### 1.3. Course Topics

Regulatory theory

Rights and legality

Statutory construction and interpretation techniques

Validity of delegated legislation

## 2. What level is this course?

400 Level (Graduate)

Demonstrating coherence and breadth or depth of knowledge and skills. Independent application of knowledge and skills in unfamiliar contexts. Meeting professional requirements and AQF descriptors for the degree. May require pre-requisites where discipline specific introductory or developing knowledge or skills is necessary. Normally undertaken in the third or fourth full-time study year of an undergraduate program.

## 3. What is the unit value of this course?

12 units

#### 4. How does this course contribute to my learning?

COURSE LEARNING OUTCOMES		GRADUATE QUALITIES
On successful completion of this course, you should be able to...		Completing these tasks successfully will contribute to you becoming...
1	Research, synthesise, interpret and apply relevant principles and approaches including interdisciplinary and ethical perspectives.	Creative and critical thinker Empowered
2	Apply critical analysis and professional judgment to generate appropriate and practical responses to complex problems.	Creative and critical thinker Engaged
3	Recognise and respond to ethical and sustainability issues arising in regulation.	Ethical Sustainability-focussed
4	Communicate in ways that are effective, appropriate and persuasive for both legal and non-legal audiences.	Creative and critical thinker Empowered

#### 5. Am I eligible to enrol in this course?

Refer to the [USC Glossary of terms](#) for definitions of “pre-requisites, co-requisites and anti-requisites”.

##### 5.1. Pre-requisites

LAW301 and LAW401 and enrolled in any Law Program.

##### 5.2. Co-requisites

Not applicable

##### 5.3. Anti-requisites

Not applicable

##### 5.4. Specific assumed prior knowledge and skills (where applicable)

Not applicable

#### 6. How am I going to be assessed?

##### 6.1. Grading Scale

Standard Grading (GRD)

High Distinction (HD), Distinction (DN), Credit (CR), Pass (PS), Fail (FL).

##### 6.2. Details of early feedback on progress

In week 4 of this course, there will be a formative online multiple-choice quiz which tests important course content relevant to the first assessment task.

##### 6.3. Assessment tasks

DELIVERY MODE	TASK NO.	ASSESSMENT PRODUCT	INDIVIDUAL OR GROUP	WEIGHTING %	WHAT IS THE DURATION / LENGTH?	WHEN SHOULD I SUBMIT?	WHERE SHOULD I SUBMIT IT?
All	1	Report	Individual	20%	1500 words	Week 5	Online Assignment Submission with plagiarism check
All	2	Written Piece	Individual	40%	2000 words	Week 11	Online Assignment Submission with plagiarism check
All	3	Examination - Centrally Scheduled	Individual	40%	4 hours	Exam Period	Online Assignment Submission with plagiarism check

### All - Assessment Task 1: Report

<b>GOAL:</b>	To make recommendations for the better regulation of a complex legal issue using a range of regulatory models, tools and instruments.		
<b>PRODUCT:</b>	Report		
<b>FORMAT:</b>	Report format, completed individually.		
<b>CRITERIA:</b>	<b>No.</b>	<b>Learning Outcome assessed</b>	
	1	Knowledge and understanding of the topic	1
	2	Analysis and problem solving	2 3
	3	Structure and writing	4
	4	Referencing	4

### All - Assessment Task 2: Written advice

<b>GOAL:</b>	The goal of this assignment is to develop your ability to analyse, synthesise and interpret legal sources and apply legal knowledge to a complex legal problem.		
<b>PRODUCT:</b>	Written Piece		
<b>FORMAT:</b>	Written legal advice		
<b>CRITERIA:</b>	<b>No.</b>	<b>Learning Outcome assessed</b>	
	1	Knowledge and understanding	1
	2	Analysis and problem solving	2
	3	Writing	4
	4	Referencing	4

### All - Assessment Task 3: Examination

<b>GOAL:</b>	The goal of this examination is to assess your understanding of the statutory interpretation concepts that have been studied in this course as well as your ability to apply that understanding to hypothetical fact situations.		
<b>PRODUCT:</b>	Examination - Centrally Scheduled		
<b>FORMAT:</b>	Examination answers.		
<b>CRITERIA:</b>	<b>No.</b>	<b>Learning Outcome assessed</b>	
	1	Identification of legal issues	1 3
	2	Synthesis and application of legal principles	2
	3	Analysis and problem solving	2

## 7. Directed study hours

A 12-unit course will have total of 150 learning hours which will include directed study hours (including online if required), self-directed learning and completion of assessable tasks. Directed study hours may vary by location. Student workload is calculated at 12.5 learning hours per one unit.

## 8. What resources do I need to undertake this course?

Please note: Course information, including specific information of recommended readings, learning activities, resources, weekly readings, etc. are available on the course Blackboard site– Please log in as soon as possible.

### 8.1. Prescribed text(s) or course reader

Please note that you need to have regular access to the resource(s) listed below. Resources may be required or recommended.

REQUIRED?	AUTHOR	YEAR	TITLE	PUBLISHER
Required	Perry Herzfeld and Thomas Prince	2014	Regulation in Statutory Interpretation Principles: The Laws of Australia	Thomson Reuters

### 8.2. Specific requirements

Not applicable

## 9. How are risks managed in this course?

Health and safety risks for this course have been assessed as low. It is your responsibility to review course material, search online, discuss with lecturers and peers and understand the health and safety risks associated with your specific course of study and to familiarise yourself with the University's general health and safety principles by reviewing the [online induction training for students](#), and following the instructions of the University staff.

## 10. What administrative information is relevant to this course?

### 10.1. Assessment: Academic Integrity

Academic integrity is the ethical standard of university participation. It ensures that students graduate as a result of proving they are competent in their discipline. This is integral in maintaining the value of academic qualifications. Each industry has expectations and standards of the skills and knowledge within that discipline and these are reflected in assessment.

Academic integrity means that you do not engage in any activity that is considered to be academic fraud; including plagiarism, collusion or outsourcing any part of any assessment item to any other person. You are expected to be honest and ethical by completing all work yourself and indicating in your work which ideas and information were developed by you and which were taken from others. You cannot provide your assessment work to others. You are also expected to provide evidence of wide and critical reading, usually by using appropriate academic references.

In order to minimise incidents of academic fraud, this course may require that some of its assessment tasks, when submitted to Blackboard, are electronically checked through SafeAssign. This software allows for text comparisons to be made between your submitted assessment item and all other work that SafeAssign has access to.

### 10.2. Assessment: Additional Requirements

Eligibility for Supplementary Assessment

Your eligibility for supplementary assessment in a course is dependent of the following conditions applying:

The final mark is in the percentage range 47% to 49.4%

The course is graded using the Standard Grading scale

You have not failed an assessment task in the course due to academic misconduct

### 10.3. Assessment: Submission penalties

Late submission of assessment tasks may be penalised at the following maximum rate:

- 5% (of the assessment task's identified value) per day for the first two days from the date identified as the due date for the assessment task.

- 10% (of the assessment task's identified value) for the third day - 20% (of the assessment task's identified value) for the fourth day and subsequent days up to and including seven days from the date identified as the due date for the assessment task.

- A result of zero is awarded for an assessment task submitted after seven days from the date identified as the due date for the assessment task. Weekdays and weekends are included in the calculation of days late. To request an extension you must contact your course coordinator to negotiate an outcome.

### 10.4. Study help

For help with course-specific advice, for example what information to include in your assessment, you should first contact your tutor, then your course coordinator, if needed.

If you require additional assistance, the Learning Advisers are trained professionals who are ready to help you develop a wide range of academic skills. Visit the [Learning Advisers](#) web page for more information, or contact Student Central for further assistance: +61 7 5430 2890 or [studentcentral@usc.edu.au](mailto:studentcentral@usc.edu.au).

## 10.5. Wellbeing Services

Student Wellbeing provide free and confidential counselling on a wide range of personal, academic, social and psychological matters, to foster positive mental health and wellbeing for your academic success.

To book a confidential appointment go to [Student Hub](#), email [studentwellbeing@usc.edu.au](mailto:studentwellbeing@usc.edu.au) or call 07 5430 1226.

## 10.6. AccessAbility Services

Ability Advisers ensure equal access to all aspects of university life. If your studies are affected by a disability, learning disorder mental health issue, , injury or illness, or you are a primary carer for someone with a disability or who is considered frail and aged, [AccessAbility Services](#) can provide access to appropriate reasonable adjustments and practical advice about the support and facilities available to you throughout the University.

To book a confidential appointment go to [Student Hub](#), email [AccessAbility@usc.edu.au](mailto:AccessAbility@usc.edu.au) or call 07 5430 2890.

## 10.7. Links to relevant University policy and procedures

For more information on Academic Learning & Teaching categories including:

- Assessment: Courses and Coursework Programs
- Review of Assessment and Final Grades
- Supplementary Assessment
- Administration of Central Examinations
- Deferred Examinations
- Student Academic Misconduct
- Students with a Disability

Visit the USC website: <http://www.usc.edu.au/explore/policies-and-procedures#academic-learning-and-teaching>

## 10.8. General Enquiries

### In person:

- **USC Sunshine Coast** - Student Central, Ground Floor, Building C, 90 Sippy Downs Drive, Sippy Downs
- **USC Moreton Bay** - Service Centre, Ground Floor, Foundation Building, Gympie Road, Petrie
- **USC SouthBank** - Student Central, Building A4 (SW1), 52 Merivale Street, South Brisbane
- **USC Gympie** - Student Central, 71 Cartwright Road, Gympie
- **USC Fraser Coast** - Student Central, Student Central, Building A, 161 Old Maryborough Rd, Hervey Bay
- **USC Caboolture** - Student Central, Level 1 Building J, Cnr Manley and Tallon Street, Caboolture

**Tel:** +61 7 5430 2890

**Email:** [studentcentral@usc.edu.au](mailto:studentcentral@usc.edu.au)