Course Prescription

Marketers are not free to say what they want. A variety of laws and codes govern the claims made about goods and services and the ways in which they are presented and sold. Marketing Law covers consumer legislation, product distribution, advertisement regulation, branding, privacy and competition law. It builds skills in problem solving, decision making and written communication.

Programme and Course Advice

Prerequisite: COMLAW 101, MKTG 201; or COMLAW 201 or 203; or COMLAW 101 and at least 30 points at Stage II.

Goals of the Course

To provide an option for students who wish to major in Commercial Law in the Bachelor of Commerce (BCom) degree programme and to provide a complementary paper for students undertaking a Marketing Major.

The focus of the course is on developing students’ skills for:
- applying legal concepts and theory to real-world marketing practice;
- analysing statutes, case law and non-regulatory decisions; and
- formulating and justifying recommendations when faced with legal issues in a marketing context.

Learning Outcomes

By the end of this course it is expected that the student will be able to:

1. Recognise the legal issues that may arise for a business under the Fair Trading Act 1986 and identify and justify recommendations for addressing such issues;
2. Analyse and explain how the advertising of goods and services is regulated;
3. Identify and analyse how the Consumer Guarantees Act 1993 impacts on the activities of manufacturers and suppliers of goods and services;
4. Identify and propose solutions to issues that arise when using personal information in the marketing of goods and services;
5. Identify how intellectual property law can be used by a business to protect elements of a brand and be able to identify and analyse legal issues that arise in relation to the use of signs and brand elements by businesses; and
6. Apply legal reasoning skills to problems that arise in various marketing situations.

Content Outline

Week 1 Introduction to Marketing Law/ The Fair Trading Act 1986
Week 2 Misleading, Deceptive and Unsubstantiated Statements and Representations
Week 3 Unfair Marketing Practices
Week 4 Advertising Standards
Week 5 Consumer Guarantees Act 1993
Week 7 Labelling, Packaging and Safety
Learning and Teaching

There are three hours teaching time per week organised as 1 one-hour session and 1 two-hour session. Office hours will be advised during lectures and the times also posted on Canvas. There are no tutorials for this course.

Teaching Staff

Dawn Duncan
Office: 594, Owen G Glenn Building
Phone: 373 7599 (ext. 81579) or 923 1579
Email: d.duncan@auckland.ac.nz

Learning Resources

A course book for this course is available for purchase at the Business School bookshop, Owen Glenn Building, Room 062.

There are no prescribed texts. Relevant texts are available on short loan at the Davis Law Library. Further information and resources are available on CANVAS.

Assessment

Assessment consists of one assignment, one in-class test and a final examination that is two hours in length. There is no plussage for this course.

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<th>Test 25%</th>
<th>Final Exam 50%</th>
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Inclusive Learning

Students are urged to discuss any impairment-related requirements with the course convener/lecturer.

In the Event of an Unexpected Disruption

We undertake to maintain the continuity and standard of teaching and learning in all your courses throughout the year. If there are unexpected disruptions the University has contingency plans to ensure that access to your course continues and your assessment is fair, and not compromised. Some adjustments may need to be made in emergencies. In the event of a disruption, the University and your course coordinators will make every effort to provide you with up to date information via canvas and the university web site.