

TABL1710 Major assignment rubric

TABL 1710 BUSINESS AND THE LAW

MAJOR ASSIGNMENT: SEMESTER 1, 2017

Total marks: **20**

You need to support your analysis with relevant research and references in AGLC format, as set out in the TABL1710 Style Guide on Moodle. The mark allocation is set out under "Requirements" below. There are marks associated with all of the requirements of the rubric and the analysis should be supported using the law.

There are **zero marks** for repeating the facts and you will reduce the number of words for your analysis if you repeat the facts.

The total length must be no more than 1,800 words (excluding footnotes) and there is **NO** +10% margin. Work beyond the 1,800 word limit may not be marked.

Your submission is due before **Monday 4 September 2017 at 17:00**, Submission is via Turnitin on Moodle and no hard copy is required.

In answering this question, you should apply **the common law of contracts** (that is, you should not refer to statutes and you should not refer to employment law). When there is a **legal principle** that you apply in your analysis, **you should cite a relevant case**.

One of your friends at the UNSW Business School is Mike Tuckerberg. Mike is an entrepreneur and he has just started a new social network for UNSW Business School students which is called "Schoolbook". Schoolbook allows its members to share their news and pictures.

You also know of two other students in the UNSW Business School called Elder Rower and Younger Rower. Elder and Younger are identical twins. You know that they have just won a defamation court case and, after expenses, they have each been awarded \$250,000.

Mike has talked to Elder Rower about investing in Schoolbook. Mike and Elder Rower agreed that Elder Rower would invest \$100,000 in Schoolbook. They recorded their agreement in a document that had the heading "Terms Sheet". This terms sheet included the following elements:

- (a) This terms sheet outlines the principal terms with respect to the operation of Schoolbook
- (b) Mike Tuckerberg and Elder Rower are each referred to as a 'Party' and collectively as 'the Parties'.
- (c) The Parties agree that this terms sheet is intended to be legally binding and to constitute the obligations of the Parties.
- (d) Each Party is entitled to an equal share of the profits made by Schoolbook.

After the Terms Sheet was signed on 1 December 2016, Mike worked really hard to make Schoolbook a success. Elder Rower dropped out of UNSW and went to a start-up business

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called SnappyTalk. He invested his balance of \$150,000 in SnappyTalk, which is set to become a "unicorn" when it has its initial public offering in early 2018.

Younger Rower has been helping Mike to spread the news about Schoolbook through his extensive social media contacts. In July 2017, Mike was pleased to work out that Schoolbook had made a profit of \$50,000 from online advertising, mainly using Google Adwords.

Mike sent Elder Rower \$25,000 via a bank transfer on 31 July 2017.

On 1 August, he received:

- (a) an email from Elder Rower that said "thanks for the dividend, I look forward to many more as does my brother Younger"; and
- (b) an email from Younger Rower that said "where is my dividend? My brother and I always invest together".

REQUIRED

Mike knows that you are a keen student of business law and asks you what he should do now and why. You should include:

- (a) What contract or contracts have been formed? When were the contract or contracts formed? Who are the parties? **(2 marks)**
- (b) Advice to Mike as to what the issues are **(4 marks)**
- (c) Your analysis is of those issues **(12 marks)**
- (d) What Mike should do now **(2 marks)**

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Criteria	<50% (Fail)	50% - 74% (Pass-Credit)	≥ 75% (Distinction-HD)
Identifies key areas of law	Does not correctly identify or select relevant area of law.	Identifies (and explains where necessary) some relevant areas of law.	Accurately identifies (and explains where necessary) all key relevant areas of law, indicating a breadth of understanding.
Applies the law	Does not apply relevant law appropriately.	Applies relevant law appropriately, but may include minor errors.	Insightfully and accurately applies relevant law, demonstrating a depth of understanding.
Identify and critically analyse a problem or issue.	Does not clearly or correctly identify or define/explain an issue or problem. Does not provide a sound analysis of a problem or issue. No reference to case law.	Identifies (and explains where necessary) key elements of a problem or issue, but may not cover all relevant aspects or convey its complexity. Provides a sound analysis of a problem or issue using some research of the common law.	Clearly identifies (and accurately explains where necessary) all relevant, key aspects of a problem or issue, and conveys its complexity. Effectively analyses an issue or problem, applying and synthesising a range of research of common law.
Develop well-justified conclusions or solutions.	Does not develop a sound, well-justified conclusion or solution.	Develops a sound conclusion or solution, but may contain some weaknesses or limited justification by analysis or research.	Presents an insightful/strategic conclusion or solution, well-supported by analysis, evidence, and research. Considers and evaluates differing perspectives and acknowledges limitations and constraints of own conclusion/solution.
Communicates clearly and concisely.	Does not express information clearly and precisely in language appropriate for the intended audience, purpose and context or with sufficiently accurate expression or grammar to make meaning clear.	Expresses information clearly, using generally accurate expression, grammar, and language appropriate for the intended audience, purpose and context (although this could be more consistently effective).	Consistently expresses information clearly, precisely and concisely in language appropriate for the intended audience, context and purpose, and with accurate expression/grammar. Text is fluent, polished and professional.
Structures text logically and coherently	Does not present main argument, ideas and information logically or structure text coherently to achieve aim.	Presents main argument, ideas and information logically and generally structures text coherently to achieve aim.	Presents all ideas /arguments/information logically and persuasively, and structures text coherently and effectively to achieve aim.
Presents text professionally and references sources accurately	Does not present document at a professional standard. Does not reference sources appropriately using the TABL1710 assignment style guide.	Presents document at a professional standard. References mainly follow the TABL1710 assignment style guide	Presents document very professionally (no/negligible spelling /punctuation errors); effectively uses appropriate format. Integrates sources effectively and references follow the TABL1710 assignment style guide.