

Course Title: **Indigenous Private Law**

Course Code: **LAWS771**

Descriptor Start Date: **17/07/2023**

POINTS: **15.00**

LEVEL: **7**

PREREQUISITE/S: **75 points from Part II**

COREQUISITE/S: **None**

RESTRICTION/S: **None**

## LEARNING HOURS

Hours may include lectures, tutorials, online forums, laboratories. Refer to your timetable and course information in Canvas for detailed information.

**Total learning hours: 150**

## PRESCRIPTOR

An examination of the prevailing issues, concepts, norms and principles which underpin the philosophical foundations of private law (in particular, tort law, contract law, and property law) and the expanding discourse on indigenous legal norms. The historical and contemporary application of indigenous private law in selected jurisdictions, provide an international and local context to how indigenous law has evolved beyond the common scope of inquiry.

## LEARNING OUTCOMES

1. Examine the prevailing issues underpinning the intersection of private law and indigenous legal norms.
2. Explain, analyse and critically evaluate the major theories about the structure of private law.
3. Critically examine and recognise the context of indigenous private law in selected jurisdictions.
4. Research and critically apply the indigenous concepts, norms and principles that holistically form the scope of indigenous private law.

**Disclaimer: Course descriptors may be amended between teaching periods/semesters**

## CONTENT

Introduction to Indigenous Private Law;  
Comparative Legal Framework (South Pacific and Aotearoa (New Zealand));  
Legislation and Case Law;  
Business structures and concepts;  
Contract Law;  
Remedies in Private Law;  
Torts Law;  
Fiduciary duties;  
Privacy, Concepts of Ownership and Property;  
Trusts;  
Intellectual Property and Protecting Trade Secrets.

## LEARNING & TEACHING STRATEGIES

An appropriate range of strategies that may include lectures, workshops & online learning.

## ASSESSMENT PLAN

Assessment Event	Weighting %	Learning Outcomes
Legal Writing (Individual)*	40.00	3, 4
Final Examination (Individual)**	60.00	1, 2

### Grade Map

#### MAP1

A+ A A- Pass with Distinction  
B+ B B- Pass with Merit  
C+ C C- Pass  
D Fail

### Overall requirement/s to pass the course:

\*An appropriate piece of legal writing which may include (but is not restricted to) a research essay, paper or report, a case analysis, an opinion, a letter of advice to a client, a memorandum of legal advice, a submission, a judgment.

\*\*The final exam for this course may be an on-campus invigilated exam, an online time-constrained assessment, or a take-home exam. Details will be provided on Canvas.

To pass a course, students must:

- Obtain an overall grade of at least 50% C-; and
- Obtain a mark of at least 40% in the Final Exam (if the course has a Final Exam);
- Complete any compulsory pieces of assessment (if applicable).

Plussage may operate in some courses. If plussage applies in this course, details will be provided on Canvas.

## LEARNING RESOURCES

Details of all learning resources (including journals, databases, websites etc) are available on Canvas. Required Text(s): If there is a required text, details are available by searching the University Bookshop's website: [www.ubs.co.nz](http://www.ubs.co.nz)

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**For further information, contact:** Te Ara Pakihi, Te Ohanga Me Te Ture - Faculty of Business, Economics and Law

**Principal Programme:** AK1008, Bachelor of Laws

**Related Programme/s:** AK1009 LLB(Hons) AK2601 CertLegalSt

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