

SAULT COLLEGE OF APPLIED ARTS & TECHNOLOGY

SAULT STE. MARIE, ONTARIO

COURSE OUTLINE

Course Outline: BUSINESS LAW

Code No.: BUS 102-4

Program: ACCOUNTING & NON-SEMESTERED BUSINESS PROGRAM

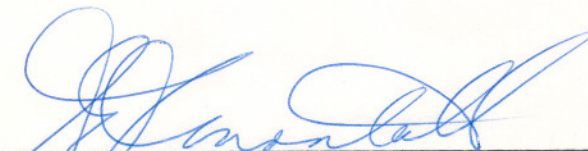
Semester: TWO

Date: JANUARY, 1986

Author: PHIL CUNNINGTON

New: _____ Revision: X

APPROVED:


Chairperson

85-12-20
Date

CALENDAR DESCRIPTION

BUSINESS LAW

BUS 102-4

Course Name

Course Number

PHILOSOPHY/GOALS:

This course will provide the student with a knowledge of the principles of law, particularly commercial law which regulates business. The student will develop the skill of recognizing and analyzing business legal problems and the ability to reason to a legal solution.

METHOD OF ASSESSMENT (GRADING METHOD):

Students will be evaluated on the following basis:

Three Tests	90%
Class Participation	10%
	<u>100%</u>

TESTS:

The content and time of the tests will be announced approximately one week in advance. Each test will be of equal value. If a student is not able to write a test because of illness or a legitimate emergency, that student must submit a medical certificate or contact the instructor prior to the holding of the test and provide an acceptable explanation for the absence. In all other cases, the student will receive a mark of zero for that test.

CLASS PARTICIPATION:

Class participation will include attendance and participation in the classroom discussion on lecture material and topics of current interest as well as preparation of assignments.

FINAL GRADE:

A	85% to 100%
B	70% to 84%
C	58% to 69%
R	57% or less

In order to successfully complete the course, a student must achieve an overall grade of 58%. For students who are not successful, there is provision for a supplemental test in certain limited circumstances. A student with a final grade of 45% to 57% may apply to the instructor for permission to write a supplemental test which will be based on work taken throughout the entire semester. Based on the attitude and participation of the student, the instructor may allow the student to write the supplemental test provided that each student has attempted all semester tests, and has given some indication of potential success on a supplemental test. It is the responsibility of any student in this category to apply for the supplemental test. A final grade of "C" will be assigned to any student who successfully completes the supplemental test.

In all other instances, students with a final grade of less than 58% will have to repeat the course.

TEXTBOOK(S)

The Law and Business Administration in Canada; 4th edition by Soberman and Smythe

COURSE OBJECTIVES:

The purpose of this subject is to provide the student with the knowledge of the principles of law, particularly commercial law which regulates business, to develop in the student an understanding of these rules, to develop in him the skill of recognizing, classifying, clarifying, and analyzing business legal problems, to apply the law and reason to a legal solution, and in so doing develop an understanding of a positive attitude toward the judicial process and its complexities.

INSTRUCTIONAL METHOD:

Reading assignments, lectures, discussion, case studies, tests and assignments.

TEXT REFERENCES:

1. What's Wrong with the Law - Zander and Scarman College Library
2. The Power of the Law - Corry Instructor
3. The Law and the Police - Bourne Instructor
4. The Law and You - Chapman College Library

5. It's Still the Law
- Hyman College Library
6. The Law and the Lay-Person
- "Small Claims Court" Instructor
7. The Law and the Lay-Person
- "Courts and Trials" Instructor
8. The Law and the Lay-Person
- The Market Place Instructor
9. The Law and the Lay-Person
- "Tenants Handbook" Instructor
10. Counselling the Average Businessman
- Special Lectures, Law Society
of Upper Canada Instructor
11. Real Estate Guide (buying & selling) Instructor
12. Law: A Case Study Approach
- Velanoff College Library
13. Summary of Canadian Commercial Law
- Anger College Library
14. The Revised Statutes of Ontario 1970 Instructor
15. Canadian Business Law
- Amriault and Archer Instructor
16. News magazines and newspapers
- Current and those distributed
in class Downtown

BUSINESS LAW (BUS 102-4)

CHAPTER

LECTURE EMPHASIS

1	Course Outline and distribution and review. <u>Law & Society</u> - definition, personality and nature of the law
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3	<u>Canadian Legal System</u> -sources of the law, judge made, statute, implications of the precedent system, classifications, the legal profession, hierarchy and jurisdiction of the courts, importance of the Provincial, Small Claims and District Courts, settlement out of, simple litigation procedure, means of satisfying judgment, execution, garnishment, recovery of personal property. Articles - cases as examples
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2	Judicial interpretation, interrelation of legal adjudication and legislation. Articles - cases as examples
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4	<u>Torts</u> -definition, distinction between civil and criminal. Kinds of torts, assault, battery, false imprisonment, occupier's liability, negligence, exceptions, defences, misrepresentations, related statutes. Articles - Cases as examples.
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21	<u>Bailment</u> -definition, essentials, consequences, standards of case, defences, exculpatory clauses, rules for effectiveness, examples. Innkeepers Act Articles - Cases 1 & 2 in Text
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CHAPTER

LECTURE EMPHASIS

6	<u>Principles of Contract Law</u> -definition, history, requirements for a valid contract, advantages, mutual agreement, rules for a valid offer and acceptance. Cases
7	<u>Consideration</u> -definition, kinds, meaning of good, value, valid, the seal Cases <u>Legal Intention</u> -reason for rule various presumptions, effect
8	<u>Capacity</u> -definition, general rule, persons with limited ability Cases 1,3
9	<u>Legality of Purpose</u> -reasons for the rule, contracts un-enforceable at common law, unreasonable restraint of trade laws, contracts void or illegal by statute, Combines Investigation Act, Lord's Day Act, Bankruptcy Act, Canadian Criminal Code, Income Tax Act, Customs Act, Gaming Act, Ontario Human Rights Code, Employment Standards Act, Workers Compensation Act, licencing statutes

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Special Contracts

Employment: definition of employer, employee in common law, in statute, difference between agency, independent contractor, tortious liability of, vicarious liability concept.

Employment contracts, form, termination notices at common law.

Statutes affecting employer/employee rights and duties, Canada Labour (safety) Code, Employment Standards Act, its contents and definitions, waivers, garnishments, wage priority, minimums, wage protection, hours of work, overtime, holidays, vacations equal pay, termination of notice, offences, penalties, where to complain, possible results.

Ontario Human Rights Code, discrimination generally, employment, hiring, advertising, promoting, firing, unions, application forms, exceptions opinion, special organizations, offences, penalties, where to complain, results, and amendment proposed in June 1982, Charter of Rights 5.15, April 1985, Discriminatory Business Practices Act, Labour Relations Act, collective bargaining, Ontario Occupational Health and Safety Act
Articles, cases as examples

15

Discharge of a Contract

-four ways of discharging obligations, performance, agreement, frustration, law

CHAPTER

LECTURE EMPHASIS

16

Breach of Contract

-how a breach may occur, remedies for,
possible criminal consequences
Articles, Case 2
