

SAULT COLLEGE OF APPLIED ARTS & TECHNOLOGY

SAULT STE. MARIE, ONTARIO

COURSE OUTLINE

Course Outline:

BUSINESS LAW II

Code No.:

BUS 215-4

Program:

ACCOUNTING

Semester:

FOURTH

Date:

JANUARY, 1988

Author:

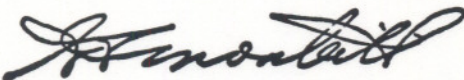
PHIL LEMAY

New: _____

Revision: _____

X

APPROVED:



Chairperson

Date

BUSINESS LAW

BUS 215-4

Course Name

Course Number

LENGTH OF COURSE: Four, fifty minute periods per week for one semester.

TEXTS: The Law and Business Administration in Canada; 5th edition by Smythe and Soberman.

RECOMMENDED READINGS:

- | | |
|--|-----------------|
| 1. <u>What's Wrong with the Law</u>
- Zander and Scarman | College Library |
| 2. <u>The Power of the Law</u> - Corry | Instructor |
| 3. <u>The Law and the Police</u> - Bourne | Instructor |
| 4. <u>The Law and You</u> - Chapman | College Library |
| 5. <u>It's Still the Law</u> - Hyman | College Library |
| 6. <u>The Law & the Lay-Person</u>
- "Small Claims Court" | Instructor |
| 7. <u>The Law and the Lay-Person</u>
- "Courts and Trials" | Instructor |
| 8. <u>The Law and the Lay-Person</u>
- "The Market Person" | Instructor |
| 9. <u>The Law and the Lay-Person</u>
- "Tennants Handbook" | Instructor |
| 10. <u>Counselling the Average Businessman</u>
- special lectures, Law Society of
Upper Canada | Instructor |
| 11. <u>Real Estate Guide (buying & selling)</u>
- Abramson | Instructor |
| 12. <u>Law: A Case Study Approach</u> - Velanoff | College Library |
| 13. <u>Summary of Canadian Commercial Law</u>
- Anger | College Library |
| 14. <u>The Revised Statutes of Ontario 1970</u> | Instructor |
| 15. <u>Canadian Business Law</u> -
- Amriault and Acher | Instructor |
| 16. <u>Newsmagazines and newspapers</u>
- current and those distributed in class | Downtown |

Date

Chaperson

APPROVED:

GENERAL OBJECTIVES:

Purpose:

The purpose of this subject is to provide the student with the knowledge the principles of law, particularly commercial law which regulates business, to develop in the student an understanding of these rules, to develop in him/her 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.

METHOD OF INSTRUCTION:

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

GRADING:

The student's grade will be determined by the administration of a test at the end of each chapter studies for a maximum of no more than ten (10) tests. The tests will be a combination of short case problems and brief essay questions. All tests are of equal value.

NOTE: However, in some, tests may be fill-in-blanks, true and false, et

Class Participation. Because the course involves case studies and because it is important to the learning process, each student will be expected to attend and participate in class discussions. Participation, therefore, will be assessed and a grade assigned at the end of the semester. The grade will be a letter grade as described below, eg. A = "exceptional participation", and it will be averaged in with the student's final test grades.

*NOTE: THIS MEANS THERE WILL BE NO MAKE-UP TESTS, ETC.

NOTE: There will be no merging of "I" grades.

Miss a Test: If a student misses a test, it is the student's responsibility to contact the instructor in the first class the student has with the instructor after the test, or upon returning to the College, and make arrangements to take the test. The student, of course, must have a valid reason for not writing the test in the first instance. If the student fails to contact the instructor within a reasonable time, the student will be refused the opportunity to take the test at a later time. If the student is to write the test, it will be either a multiple-choice type or an essay type test, at the discretion of the instructor.

GRADE INTERPRETATION:

A letter grading of A+, A, B, C, I, or R, will be used to indicate the achievement or value of the student's work.

A+ - 96% or more

A - This grade means that the student has an exceptional understanding of and/or ability with the portion of the subject assessed, to such an extent that he/she has a complete or near complete grasp or ability with the material or work and thus understands more than eighty-five percent of the work tested.

B - This grade means that the student has a high degree of understanding and/or ability with the portion of the subject assessed and thus understands more than seventy percent or able to perform more than seventy percent of the work tested.

C - This grade means that the student has a basic minimum understanding of all the elementary essentials of the portion of the subject assessed, and/or able to perform all the basic elementary essentials of the work tested and thus understands more than fifty-eight percent or able to perform more than fifty-eight percent of the work tested.

I - In tests and assignments this grade means that the student has not successfully demonstrated a basic understanding of the material assessed achieve a "C" grade, and the results of this assessment therefore, will be weighed as a zero* in the calculation of the final average grade of all tests, etc.

R - This grade means that the student has not achieved a minimum of a "C" grade in the final average calculation of all his/her tests, etc., or has demonstrated a lack of serious intention in acquiring a basic understanding of the material during the semester.

***NOTE: THIS MEANS THERE WILL BE NO MAKE-UP TESTS, ETC.**

NOTE: There will be no merging of "I" grades.

Miss a Test: If a student misses a test, it is the student's responsibility to contact the instructor in the first class the student has with the instructor after the test, or upon returning to the College, and make arrangements to take the test. The student, of course, must have a valid reason for not writing the test in the first instance. If the student fails to contact the instructor within a reasonable time, the student may be refused the opportunity to take the test at a later time. If the student is to write the test, it will be either a multiple-choice type or essay type test, at the discretion of the instructor.

SPELLING:

Correct spelling and grammar in all test papers and written submissions are essential to effectively communicate proof of understanding of the subject content. Any serious frequency of spelling errors, particularly of subject terminology or of grammar errors will probably reduce the receiver's or marker's ability to accurately interpret the communication, and thus should be avoided, and may also therefore justify the lowering of the mark by one grade or more, and even possibly the granting of an "I" grade.

PUNCTUALITY:

Classes will commence on time that is, precisely on the hour, students are expected to be in class beforehand. Anyone not present as aforesaid will be refused entry. Tardiness causes interruption in the class process and is therefore, thereby prohibited.

SPECIFIC OBJECTIVES:

The student will be responsible for (1) all content of all the chapters indicated, (2) for the recommended readings, (3) for the articles distributed during the class sessions, (4) and for the material emphasized in the lectures and case studies, an outline of which is provided below.

*NOTE: Chapters are not necessarily in sequence.

*Cases: List of cases attached

SPECIFIC OBJECTIVES - BUSINESS LAW II (BUS215-4)

ITEM

EMPHASIS

1. DISCHARGE OF
CONTRACTS

Chapter 15

Ways of terminating contracted obligations, performance, agreement,* frustration, by operation of the law, by operation of the law, their effect and cases relevant to their understanding cases, articles.

TEST

2. BREACH AND EFFECT

Chapter 16

What is a breach, ways in which it may occur. Express repudiation, impossibility of performance, failure to perform, exemption clauses, criminal consequences. cases, articles

TEST

3. REMEDIES FOR
BREACH

Chapter 17

Types of remedies. Damages - types of damages, measurement, mitigation, common law and equity, doctrine of Quantum meri enforcement of judgments. cases, article

TEST

4. SALE OF GOODS

Chapter 18

History, distinction between ownership and possession, definition of goods. The Sale of Goods Act. Basic terms in a Contract of Sale, covent emptor, Rules as to title to Goods, Bill of Lading. cases, articles

TEST

SPECIFIC OBJECTIVES - cont'd

<u>ITEM</u>	<u>EMPHASIS</u>
5. REMEDIES AND CONSUMER LEGISLATION Chapter 19	Remedies and liabilities available to seller and buyer in <u>a sale</u> , liabilities, lien, in transite, <u>resale</u> , damages sue for price retention, misrepresentation, breach, mis-use by seller, rescission, specific performance, tort, consumer legislation. The <u>Combines Investigation Act, Consumer Protection Act.</u> cases, articles TEST
6. INSURANCE Chapter 20	History, nature, terminology, types of risks and coverages. Fire, automobile life, and general, requirement of writing. cases, articles TEST
7. PRINCIPAL AND AGENT Chapter 22	Nature, creation of agreement, ratification, estoppel, necessity duties of principal, duties of agent, rights, liabilities of third parties, termination of. cases, articles TEST
8. PARTNERSHIP Chapter 29	History, nature, definition, liability, factors to consider before formation, firm name, <u>Agreements, separation and resolution, late registration, publication, Partnership Act, Partnersh Registration Act.</u> Forms, cases, articles. TEST - Fill in blanks, essay.
9. CORPORATIONS	Definition, Nature, Consequence of Kinds, formation, private, public,

Chapter 30

articles of Incorporation, By-Laws, criminality, corporate statutes. Forms, cases, articles. TEST - Fill in blanks, true-false, essay.

CHAPTERS

ITEM

Remedies and liabilities available to seller and buyer in a sale, liabilities, lien, in transit, resale, damages and for price retention, misrepresentation, breach, mis-use by seller, rescission, specific performance, tort, consumer legislation. The Consumer Protection Act, Consumer Protection Act, cases, articles TEST

2. REMEDIES AND CONSUMER LEGISLATION Chapter 19

History, nature, terminology, types of risks and coverages. Fire, automobile life, and general, reputation of writing. cases, articles TEST

6. INSURANCE Chapter 20

Nature, creation of agreement, ratification, estoppel, necessity, duties of principal, duties of agent, rights, liabilities of third parties, termination of. cases, articles TEST

7. PRINCIPAL AND AGENT Chapter 21

History, nature, definition, liability, factors to consider before formation, firm name, Agreements, separation and resolution, late registration, publication, Partnership Act, Partnership Registration Act. Forms, cases, articles. TEST - Fill in blanks, essay.

8. PARTNERSHIP Chapter 22

Definition, Nature, Consequence of kinds, formation, private, public

9. CORPORATIONS

LIST OF CASES

1. DISCHARGE. C.15
Problem 1
Cases 1 and 4

2. BREACH AND EFFECT
Problem 2
Case 1

3. REMEDIES FOR BREACH C.17
Problem 2
Cases 1 and 2

4. SALE OF GOODS C.18
Problems 1 and 4
Case 1

5. REMEDIES - SALE C.19
Problems 2 and 3
Case 2

6. INSURANCE C.20
Two cases to be distributed by Instructor

7. PRINCIPAL AND AGENCY C.22
Problem 1
Case 4

8. PARTNERSHIP C.29
Problems 2 and 3

9. CORPORATION C.30
Problem 2

