

SAULT COLLEGE OF APPLIED ARTS & TECHNOLOGY

SAULT STE. MARIE, ONTARIO

COURSE OUTLINE

Course Outline: BUSINESS LAW

Code No.: BUS 102-4

Program: ACCOUNTING

Semester: TWO

Date: JANUARY 1993

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Author: PHIL LEMAY

New: _____ Revision: X

APPROVED: *Montall*
Dean, School of Business & Hospitality

Jan 93
Date



BUSINESS LAW

BUS 102-4

Course Name

Course Number

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

TEXT: The Law and Business Administration in Canada; 6th edition
by Smythe and Soberman

GENERAL OBJECTIVES:

Purpose:

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/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 and assignments.

GRADING:

The student's grade will be determined by the administration of a maximum of nine tests to be given as indicated on the course outline. Tests will be a combination of multiple choice and short essays. Test papers will be returned to the students after grading in order to permit verification of the results and to review the test. However, the students will be required thereafter to return the test papers to the instructor.

GRADE INTERPRETATION:

A letter grading of 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 of 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 of 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 understanding of all the elementary essentials of the portion of the subject assessed, and/or able to perform all the basic elementary essentials or 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 to 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 the 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 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.

ATTENDANCE:

Even though there is a text, there will be substantial information communicated in the lectures that will not be found in the text or that will be information to update the text and therefore may be obtained by the student only by being present. Therefore, it is crucial for the student to be in attendance in order to have a complete knowledge of the subject. Attendance may, therefore, be considered in the calculation of the final 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. If a student foresees circumstances where he/she may be late, they should discuss the matter beforehand with the professor.

SPECIFIC OBJECTIVES:

The student will be responsible for (1) all the content of all the chapters* indicated, (2) for any articles distributed during the class sessions, or placed in the library, (4) and for the material emphasized in the lectures and case studies.

***ARTICLE** - is defined as: the topic may be about a case which actually took place in the courts, or about a set of circumstances that has actually occurred, but in either situation the information about it was reported in a NEWSPAPER, MAGAZINE, or some other PUBLICATION, reference to which was made in class, or was in fact read by, or to the class. However, it does not include cases or examples in the text or mentioned in explanation by the instructor or student, not in a publication. And, please note the spelling of the word -- **ARTICLE!!** Some articles will be placed on reserve in the Library and student will be responsible for their content.

*NOTE: Chapters are not necessarily in sequence

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 TEST
2	Judicial interpretation, interrelation of legal adjudication and legislation. Articles - cases as examples TEST
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, the Ontario Court Structure, settlement out of, simple litigation procedure, means of satisfying judgment, execution, garnishment, recovery of personal property. Articles - cases as examples
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. TEST

CHAPTER

LECTURE EMPHASIS

6

Principles of Contract Law

-definition, history, requirements for a valid contract, advantages, mutual agreement, rules for a valid offer and acceptance.

Cases - to be assigned

7

Consideration

-definition, kinds, meaning of good, value, valid, the seal

Cases 1 only

Legal Intention

-reason for rule various presumptions, effect

TEST

8

Capacity

-definition, general rule, persons with limited ability

Cases - T.B.A.

TEST

CHAPTER

LECTURE EMPHASIS

9

Legality of Purpose

-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

Articles - Cases T.B.A.

TEST

12

Statute of Frauds

Nature of memorandum, doctune of part-performance oral evidence rule, Sale of Goods Act, Sealed documents.

TEST - Articles, Cases T.B.A.

15

Discharge of a Contract

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

Articles, Case 1

TEST

17

Breach of Contract

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

Articles, Case 2

TEST
