

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 1995

Previous Outline Dated: JANUARY 1994

Author: PHIL LEMAY

New: _____ Revision: X

APPROVED: Dean, School of Business & Hospitality

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, and tests.

GRADING:

The student's grade will be determined by the administration of a maximum of seven tests to be given as indicated on the course outline. Tests will be a combination of multiple choice and True/False. Test papers will be returned to the students along with test results after grading in order to permit verification of the results and to review the test.

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+) 90% 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 not less than eighty 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 not less 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 not less than sixty 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/her tests.

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

Miss a Test: If a student misses a test, it is the student's responsibility to contact the professor in the first class the student has with the professor 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 missing 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 and/or TRUE/FALSE type or ESSAY TYPE test, at the discretion of the professor, and after discussion with the student.

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.

PUNCTUALITY:

Classes will commence on time, that is, precisely on the half hour, students are expected to be in class beforehand. Anyone not present as aforesaid may be refused entry. Tardiness causes interruption in the class process and is therefore, thereby discouraged. The student, however, is advised to knock on the door and the professor will respond. A brief discussion about the reason for being late may be discussed. 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. Law & Society - definition, personality and nature of the law (additional to the text). Articles

TEST

2 Courts as Arbitrators, Judicial interpretation, interrelation of legal adjudication and legislation. Articles - cases as examples

TEST

3 Canadian Legal System
-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 (new), settlement out of, simple litigation procedure, means of satisfying
Articles - cases as examples

TEST

4 Torts
-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

(NOTE - CHAPTER 5
IS NOT INCLUDED)

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

-various presumptions, effect, and reasons for

TEST

8 Capacity

-definition, general rule, persons with limited ability

Cases - T.B.A.

TEST

NOTE: Other chapters to be studied in law in third semester.

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
