

SAULT COLLEGE OF APPLIED ARTS AND TECHNOLOGY

SAULT STE. MARIE, ONTARIO



Sault College

COURSE OUTLINE

COURSE TITLE: Business Law 1

CODE NO. : BUS102 **SEMESTER:** 2

PROGRAM: Accounting/Business

AUTHOR: Phil Cunnington

DATE: Jan. 2000 **PREVIOUS OUTLINE DATED:** Jan. 1999

APPROVED:

	_____	_____
	DEAN	DATE

TOTAL CREDITS: 3

PREREQUISITE(S): None

LENGTH OF COURSE: 16 weeks **TOTAL CREDIT HOURS:** 48

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For additional information, please contact
School of Business
(705) 759-2554, Ext.688

I. COURSE DESCRIPTION:

The law and the administration of the law are essential if society is to live and progress in an orderly manner. This course will cover historical and contemporary issues of the law with a focus on the law of torts and the law of contract.

II. LEARNING OUTCOMES AND ELEMENTS OF THE PERFORMANCE:

Upon successful completion of this course, the student will demonstrate the ability to:

1. Explain what is "law," its complexities, background, philosophies, and development as they pertain to our legal system today.

Potential Elements of the Performance:

- Discuss the nature and sources of law.
 - Discuss the purpose of a legal system.
 - Describe the history of attempts to explain the nature of law and the purpose of a legal system.
2. Discuss the various type and level of courts in the Canadian legal system, and the wide variety of functions performed by these courts.

Potential Elements of the Performance:

- Discuss the role of the courts under the Canadian Constitution.
 - Outline how courts interpret legislation.
 - Describe the responsibility of the courts to protect civil liberties.
 - Explain the function of the courts as arbiters of disputes between private parties.
3. Discuss the machinery of justice in terms of a broad classification of law, the sources of law and the Canadian court system and the underlying process of the legal system.

Potential Elements of the Performance:

- Explain three classifications of law.
 - Outline the sources of law.
 - Discuss the Canadian court system
 - Explain basic concepts necessary to use the courts.
4. Discuss what tort law is, its nature and purpose, and when wrongs are torts and when compensation may be recovered by those who have suffered harm from the wrong doings of others.

Potential Elements of the Performance:

- Discuss the nature and purposes of tort law.
 - Explain the tort of negligence and what is required by way of proof.
 - Outline occupier's liability.
 - Discuss several torts other than negligence
5. Discuss the role of professionals and the scope of the duty that they owe and the liability they have for the advice they provide and the work they do.

Potential Elements of the Performance:

- Discuss the legal position of the professional.
 - Explore the scope of professional liability.
 - Examine the standards set for professionals.
6. Describe the formation of a contract as it relates to an offer and acceptance, two of the requirements necessary for entering into a valid business contract.

Potential Elements of the Performance:

- Discuss the essential elements of an offer.
 - Discuss standard form contracts.
 - Explain the ways in which an offer may be terminated.
 - Describe the methods in which an offer may be accepted.
7. Discuss the formation of some contracts as it relates to the elements of consideration and the intention to create legal relationships.

Potential Elements of the Performance:

- Explain the meaning of the term "consideration."
 - Outline the difference between valuable consideration and adequate consideration.
 - Discuss what is meant by the phrase "intention to create legal relations."
8. Explain the formation of a contract as it pertains to who can and who cannot contract in various circumstances and the legality of the object of the contract.

Potential Elements of the Performance:

- Explain who generally has the capacity to contract.
- Discuss a minor's capacity to contract.
- Discuss others with limited capacity to contract.
- Outline what types of contracts are illegal and why.
- Discuss agreements in restraint of trade, and how they would be dealt with by a court.

9. Discuss a legal mistake as grounds for impeaching a contract, (setting the contract aside).

Potential Elements of the Performance:

- Discuss the legal consequences of a mistake about the terms of a contract.
- Explain the legal consequences of a mistake in an assumption that underlies a contract.
- Distinguish a void contract from a voidable contract.
- Discuss how the law of mistake affects third parties.
- Explain the defense of non est factum and when it applies and when it does not apply.

10. Discuss misrepresentation, undue influence, and duress as reasons for impeaching a contract.

Possible Elements of the Performance:

- Discuss the differences between misrepresentation as a tort and as a contractual wrong.
- Explain the requirements for innocent misrepresentation and when innocent misrepresentation may become fraudulent misrepresentation.
- Discuss undue influence and duress and their remedies.

- 11 Explain the various forms a contract may take, and in particular discuss whether the form a contract takes really matters.

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Potential Elements of the Performance:

- Discuss the types of contracts which must be in writing to be enforceable.
- Describe the requirements that a written document must meet to satisfy the Statute of Frauds.
- Explain the doctrine of part performance.
- Discuss the Sale of Goods Act.

TOPICS:

1. Law and Society
2. The Role of the Courts
3. The Machinery of Justice
4. The Law of Torts
5. Professional Liability
6. Offer and Acceptance
7. Consideration and Intention
8. Capacity to Contract and Legality of Object
9. Grounds for Impeaching a Contract: Mistake
10. Misrepresentation, Undue Influence, Duress
11. The Requirement of Writing

IV. REQUIRED RESOURCES/TEXTS/MATERIALS:

The Law and Business Administration in Canada: Eighth Edition
Symth, Soberman, Easson

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V. EVALUATION PROCESS/GRADING SYSTEM:
 Students will be evaluated on the following basis:

- Quizzes	20%
-First test	25%
-Second test	25%
-Final test (semester work)	30%

Tests:

All tests will consist primarily of essay questions. Some short answer, multiple choice question, etc. may be used to complement and extend the test areas.

Dates of the tests will be announced approximately one week in advance. Students are required to take the tests as scheduled.

If a student is not able to write a test because of illness, or a legitimate emergency, that student must contact the professor prior to the test and provide an explanation which is acceptable to the professor. (In some circumstances a medical certificate or other appropriate proof may be required.)

Following the student's return to the college, he/she must request, in writing, to make up for the missed test. This request will be in proper letter form and outline the reasons for requesting special considerations. Making such a request does not guarantee that the student will receive permission is granted, the test will be given at the end of the semester, or at some other time at the professor's convenience. This is to allow time for the student of prepare for the test without missing important work, and to allow time for the professor to prepare a new test.

Such requests must be made within one week of returning to the College. In considering the request, the professor will take a number of factors into consideration. These will include, but not limited to, the student's attendance, completion of all other quizzes, tests assignments, etc. and the likelihood of the student being successful.

In all other cases, the student will receive a mark of zero for the test.

Quizzes may be held at any time and in some cases may be without prior notice. If a student misses a quiz, he/she will receive a zero for that quiz.

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Quizzes:

Quizzes may be held at any time and in some cases may be without prior notice. If a student misses a quiz, he/she will receive a zero for that quiz. No make-up quizzes will be given.

Consideration may be given to students who miss a quiz, but who made some arrangements in advance.

Each student must meet the following requirements in order to complete this course successfully:

1. Must complete, in a fashion acceptable to the professor, all projects and other assignments.
2. Must write two tests and the final exam. If a student misses a test, or the final exam, and has not made appropriate arrangements as above, he/she will receive a mark of zero for that test/exam.
3. Must have an overall mark of 60%. This mark includes all work in the semester.

Students who are not successful in achieving the minimum mark of 60% and/or do not complete the required assignments in an acceptable fashion, as they are due, will repeat the course.

THERE WILL BE NO SUPPLEMENTARY TESTS.
FINAL GRADES WILL BE RELEASED BY THE REGISTRAR'S OFFICE

The following semester grades will be assigned to students in postsecondary courses:

<u>Grade</u>	<u>Definition</u>	<u>Grade Point Equivalent</u>
A+	90 - 100%	4.00
A	80 - 89%	3.75
B	70 - 79%	3.00
C	60 - 69%	2.00
R (Repeat)	59% or below	0.00
CR (Credit)	Credit for diploma requirements has been awarded.	
S	Satisfactory achievement in field	

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X	placement or non-graded subject areas. A temporary grade. This is used in limited situations with extenuating circumstances giving a student additional time to complete the requirements for a course (see <i>Policies & Procedures Manual – Deferred Grades and Make-up</i>).
NR	Grade not reported to Registrar's office. This is used to facilitate transcript preparation when, for extenuating circumstances, it has been impossible for the faculty member to report grades.

VI. SPECIAL NOTES:

Special Needs:

If you are a student with special needs (e.g. physical limitations, visual impairments, hearing impairments, or learning disabilities), you are encouraged to discuss required accommodations with your instructor and/or the Special Needs office. Visit Room E1204 or call Extension 493, 717, or 491 so that support services can be arranged for you.

Retention of course outlines:

It is the responsibility of the student to retain all course outlines for possible future use in acquiring advanced standing at other postsecondary institutions.

Plagiarism

Students should refer to the definition of “academic dishonesty” in *Student Rights and Responsibilities*. Students who engage in “academic dishonesty” will receive an automatic failure for that submission and/or such other penalty, up to and including expulsion from the course, as may be decided by the professor. In order to protect students from inadvertent plagiarism, to protect the copyright of the material referenced, and to credit the author of the material, it is the policy of the department to employ a documentation format for referencing source material.

The Professor reserves the right to change the information contained in this course outline depending on the needs of the learner and the availability of resources.

Substitute course information is available in the Registrar's office.

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VII. PRIOR LEARNING ASSESSMENT:

Students who wish to apply for advanced credit in the course should consult the instructor. Credit for prior learning will be given upon successful completion of the following:

VIII. DIRECT CREDIT TRANSFERS:

Students who wish to apply for direct credit transfer (advanced standing) should obtain a direct credit transfer form from the Dean's secretary. Students will be required to provide a transcript and course outline related to the course in question.