

GRANDE PRAIRIE REGIONAL COLLEGE
DEPARTMENT OF BUSINESS ADMINISTRATION
BUSINESS LAW
BA 142

Course Description and Outline

1484-40

Fall Session 1989

This course is designed to give an introduction to, and an overview of three major areas of law generally encountered in business and commercial law -- introduction to the Canadian legal system, contract and tort.

Law as an academic subject places different demands on the student than would be encountered in the more traditional university courses. It is essential that the student be able to communicate clearly and effectively, even when dealing with fact situations in which there is not always a clear right or wrong answer.

The course format will be a series of lectures on the topics described in the course outline and class discussion as time permits. Students may be expected to respond to questions based upon assigned readings.

EVALUATION:

(a) Examinations:

- i) September 28, 1989 - 10%
- ii) October 26, 1989 - 30% (Midterm)
- iii) November 16, 1989 - 10%
- iv) December 14, 1989 - 40% (Final)

(b) Class Participation - 10%

The final examination will be held according to the College Examinations Schedule set by the Registrar. Students are expected to write the final examination in the assigned examination time slot and no request for arrangement of an alternative time will be entertained.

TEXTBOOKS:

1. Required
Smyth, Soberman & Easson, THE LAW AND BUSINESS ADMINISTRATION IN CANADA, 5th ed., Prentice-Hall
 2. Optional
Amirault and Archer, CANADIAN BUSINESS LAW, Methuen, (Reserve, Law Library)
- Osborn's CONCISE LAW DICTIONARY (may be consulted in the library)

COURSE OUTLINE:

(Readings refer to Smyth and Soberman text. Additional readings and case reports may be assigned during the term.)

1. Nature of Law - Chapter 1,2
 - a) Nature and origins of law
 - b) Theories of justice
 - c) Philosophy of law (include pages 39 to 42)
 - d) Division of powers between federal and provincial governments
2. The legal process and machinery of justice - Ch. 2, 3
 - a) The role of Courts
 - b) Civil courts and litigation procedure
 - c) Criminal courts and prosecution procedure
3. Essential Elements of Contract
 - a) Policy basis
 - b) Offer and acceptance - Chapter 6
 - c) Consideration - Chapter 7
 - d) Intention - Chapter 7
 - e) Capacity - Chapter 8
 - f) Legality - Chapter 9
4. Vitiating Elements of Contract
 - a) Mistake - Chapter 10
 - b) Misrepresentation - Chapter 11
 - c) Duress - Chapter 11
 - d) Undue influence - Chapter 11
 - e) Requirement of writing - Chapter 12
5. Interpretation of Contract - Chapter 13
 - a) Express terms
 - b) Parol evidence rule
 - c) Implied terms
6. Privity of Contract - Chapter 14
 - a) doctrine of privity
 - b) Novation
 - c) Vicarious performance

- d) Exceptions to the privity rule
- e) Assignment of contractual rights

7. Ending the Contract - Chapter 15

- a) By performance
- b) By agreement
- c) By frustration
- d) By operation of law
- e) Breach of contract - Chapter 16

8. Remedies for Breach of Contract - Chapter 17

- a) Damages
- b) Quantum meruit
- c) Equitable remedies

9. Torts - Chapters 4, 5

- a) Definition and scope of law
- b) Influence of insurance

10. Intentional Torts

- a) Intent
- b) Intentional interference to person
- c) Intentional interference with land
- d) Intentional interference with chattels
- e) Defences

11. Tort of Negligence

- a) Duty of care and standard
- b) Breach of duty
- c) Damage
- d) Burden of proof
- e) Defences

12. Products Liability

- a) Development
- b) Negligence
- c) Strict Liability

13. Torts Affecting Economic Relations

- a) Intimidation
- b) Inducement of breach of contract
- c) Deceit

14. Other Torts

- a) Strict Liability torts
- b) Occupiers liability
- c) Nuisance
- d) Defamation