

## COURSE OUTLINE

### OA2150 BUSINESS LAW

**TEXT** Business Law in Canada, 4th ed., Richard Yates, Prentice Hall Canada Ltd.

Business Law in Canada: Study Guide and Work Book, 4th ed., Richard Yates, Prentice Hall Canada Inc.

**SUPPLIES** Binder for notes and handouts.

**COURSE DESCRIPTION** Provide the student with an understanding of business law principles as applied in a business environment.

**COURSE OBJECTIVE** Upon successful completion, the student will be able to demonstrate an understanding of the legal system; tort, contract, employment, and real estate law.

**GRADING** A passing grade is 4.

#### **BASIS OF EVALUATION:**

|                        |             |
|------------------------|-------------|
| Tests                  | 60%         |
| Case Studies           | 25%         |
| In-class Participation | <u>15%</u>  |
| <b>TOTAL</b>           | <u>100%</u> |

**TESTS** There will be at least four tests, equally weighted.

**CASE STUDIES** The student will complete three assigned case studies weighted as follows:

|        |     |
|--------|-----|
| Case 1 | 5%  |
| Case 2 | 10% |
| Case 3 | 10% |

**CONTENT/FORMAT FOR EACH CASE:**

|  |           |
|--|-----------|
| Title Page                             | 1         |
| Broad Area of Law Identified           | 3         |
| Issues Identified                      | 6         |
| Legal Rules Identified                 | 6         |
| Presentation of Argument for Defendant | 12        |
| Presentation of Argument for Plaintiff | 12        |
| Conclusion                             | <u>10</u> |
| TOTAL                                  | <u>50</u> |

**MARKING CRITERIA:**

Deduct 3 for each:

- incorrect, insufficient, or missing information
- failure to follow instructions
- opinion and/or assumption
- major grammatical error making it difficult to understand meaning

Deduct 1 for each day late.

**IN-CLASS  
PARTICIPATION**

The student will be expected to participate in class discussions, orally presented case studies, and any in-class assignments.

**MARKING CRITERIA:**

Grading for each discussion, case study, and/or assignment will be based on participation in class. A mark of zero will be assigned if the student does not to participate; for example, if the student is absent. The grade assigned for each in-class participation assignment will be based on the number of in-class participation assignments graded.

**COURSE  
CONTENT**

The following is guideline of the units to be covered, time permitting:

- (a) INTRODUCTION TO THE LEGAL SYSTEM
- What is Law
  - Origins of the Law
  - Sources of the Law
  - The Law in Canada
    - Confederation
    - Constitution and Division of Power

- Statutes
- Charter of Rights and Freedom
- Courts
- Process of Civil Litigation
- Administrative Law

(b) THE LAW OF TORTS

- Introduction
  - Tort law defined
  - Development of the Tort concept
  - Basis for Liability
- Intentional Torts
  - Assault & Battery
  - Trespass to Land
  - False Imprisonment
  - Private Nuisance
  - Defamation
- Negligence
  - Elements of an action
  - The Reasonable Person Test
  - Duty of Care
  - Standard of Care
  - Causation
  - Remoteness of Damage
  - Burden of Proof
  - Contributory Negligence
  - Special Aspects of Negligence
- Strict Liability
- Other Business Torts

(c) CONTRACTS

- Formation of Contracts
  - The Contractual Relationship
  - Consideration
  - Capacity
  - Legality
  - Intention
  - Form of Contract
  - Statute of Frauds
- Factors Affecting the Contractual Relationship
  - Mistake
  - Misrepresentation
  - Duress and Undue Influence

- Privity of Contract and Assignment
  - Discharge of Contracts
    - Performance
    - Discharge by Agreement
    - Frustration
    - Operation of Law
    - Breach
    - Remedies for Breach of Contract
  - Legislative Interference
    - The Sale of Goods
    - Consumer Protection
- (d) EMPLOYMENT
- What it is
  - Master/Servant
  - Independent Contractor
  - Agent
  - Legislation
  - Collective Bargaining
- (e) INTELLECTUAL PROPERTY
- Copyright
  - Patents
  - Industrial Design
  - Trademarks
- (f) REAL ESTATE
- Legal Interest in Land
  - Landlord/Tenant
  - Mortgages