



Business Administration

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| Course Number: | BUAD 209 |
| Course Title: | BUSINESS LAW |
| Credits: | 3 |
| Calendar Description: | An overview of the law as it relates to business, including an examination of the fundamentals of tort law, contract law and special types of contracts commonly encountered by small business. A basic understanding of the law of torts and contracts will assist students to recognize and resolve simple legal problems of small businesses (<i>also offered by Distance Education</i>). |
| Semester and Year: | Winter 2017 |
| Prerequisite(s): | BUAD 123 and 2 nd year standing, or admission to any Post-Baccalaureate Diploma, or admission to the Culinary Management Diploma |
| Corequisite(s): | No |
| Prerequisite to: | |
| Final Exam: | Yes |
| Hours per week: | 4 |
| Graduation Requirement: | BBA and Diploma – Required Post-Baccalaureate Diploma in Accounting – Required Culinary Management Diploma – Required |
| Substitutable Courses: | No |
| Transfer Credit: | CPA, PMAC |
| Special Notes: | Students with credit for BUAD 119 cannot take BUAD 209 for further credit. |
| Originally Developed: | 1993 |
| EDCO Approval: | May 12 th , 2016 |
| Chair's Approval: | |

Professors

| Name | Phone number | Office | Email |
|---------------------|--------------|---------------|--|
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Learning Outcomes

Upon completion of this course students will be able to

- Identify legal concepts applicable to businesses in British Columbia.
- Determine when it is appropriate to seek legal advice
- Apply basic legal concepts in the law of torts and contracts.
- Analyze legal problems by applying proper legal methodology.
- Debate legal issues commonly experienced by businesses in British Columbia.

Course Objectives

This course will cover the following content including:

See Course Schedule.

Evaluation Procedure

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|------------------------------|------|
| Team Assignments/Moot Courts | 40% |
| Mid-term Exam | 20% |
| Final Exam* | 40% |
| Total | 100% |

*Students must pass the final exam to pass the course.

Notes**Assignment and Exam Policy:**

1. All assignments are due at the start of the lecture and on the date assigned by your professor. Late assignments beyond the end of class time will not be accepted.
2. Final exams will only be rescheduled in accordance with College policy as set out in the OC calendar; inconvenience to the student is not a valid reason for rescheduling an exam
3. Students must pass the final exam to pass this course.

Class Format:

- We will be forming teams of max of 5 in the first class. These teams will work together for the duration of the term on all cases that are given to you for assignments and the moots. Each team will have a leader who will organize team meetings.
- As there are 4 hours of class each week and considerable material to cover and learn, we need to be very efficient with our time.
- Starting in Week #2 and for every week thereafter, we will use the following format:
 - The first class will comprise an interactive seminar on the Chapters assigned and will also involve in-class debates. This will require students to be familiar with the chapter which means if you don't read the chapters, you won't be able to participate! **You are expected to have read the assigned chapters.**
 - The second class will comprise 2 moot courts. Each moot consists of 2 teams arguing a case against each other before the class. We will do two moot courts per class for a total of 4 teams doing moots during the weeks that moot courts are assigned. Each class will see a rotation of teams so that all teams get to participate in an equal number of moots. The other 4 teams not doing a moot court will hand in the written case briefs at the start of class for one of the cases assigned for the moot. For each moot, we will reserve 30 minutes for presentation of the case and arguments and the questions from the judges.
- This course will provide you with a new way of solving business problems that will enhance your critical thinking skills.

PLEASE NOTE THAT IF YOU DO NOT READ THE CHAPTERS IN ADVANCE, YOU WILL HAVE TROUBLE PASSING THIS COURSE. BE FOREWARNED.

Required Texts/Resources

Business Law in Canada, Yates, Bereznicki-Korol & Clarke, 11th ed. Pearson 2016. ISBN 978-0-13-384713-0

Course Schedule

| Date | | Topic | Textbook | Assigned Reading | Team Assignments |
|----------|-------|---|------------|------------------|---|
| Week of: | | Tues., Jan. 3 Classes begin for all academic programs Mon., Feb. 13 Family Day - No classes Tues., Feb. 14 to Fri., Feb. 17, Mid-semester break - No classes Mon., Apr. 10 Last day of regularly-scheduled classes Wed., Apr. 12 to Wed., Apr. 26 Final exam period* *Fri., Apr. 14 to Mon., Apr. 17 Easter - No exams | | | |
| Jan | 2 | Introductions Course Review Team Formation | | Ch 1,2,3 | Assign Teams Legal Brief Review |
| | 9 | Managing Your Legal Affair / The Legal System / Resolution of Disputes Legal Brief Review | Ch 1, 2, 3 | Ch 4 | Legal Brief Exercise |
| | 16 | Intentional Torts & Torts Impacting Business Practice Legal Brief – Class Review | Ch 4 | Ch 5 | Prepare for a Practice Moot |
| | 23 | Negligence, Professional Liability & Insurance Practice Moot | Ch 5 | Ch 6,7 | Moot 1v2; 3v4 Teams 5-8 Assigned Case |
| | 30 | Elements of Contracts – Consensus and Consideration; Capacity, Legality and Intention | Ch 6, 7 | Ch 8 | Moot 5v7; 6v8 Team 1,2,3,4 Assigned Case |
| Feb | 6 | Factors Affecting the Contractual Relationship | Ch 8 | Ch 9 | |
| | 13 | Midterm Break | | | |
| | 20 | The End of the Contractual Relationship | Ch 9 | Review Ch 1 - 9 | Moot 7v1; 8v2 Teams 3,4,5,6 Assigned Case |
| | 27 | Mid-term Exam | Ch 1-9 | Ch 12 | |
| Mar | 6 | Employment | Ch 12 | Ch 10 | Moot 3v6; 5v4 Teams 1,2,7,8 Assigned Case |
| | 13 | Agency and Partnership | Ch 10 | Ch 11 | Moot 1v4; 3v2 Teams 5-8 Assigned Case |
| | 20 | Corporations | Ch 11 | Ch 13 & 14 | Moot 3v5; 4v6 Teams 1,2,7,8 |
| | 27 | Real, Personal and Intellectual Property | Ch 13,14 | Ch 15 & 16 | Moot 5v8;7v6 Team 1,2,3,4 Assigned Case |
| Apr | 3 | Commercial Transactions & Priority of Creditors | Ch 15, 16 | | Moot 7v2;1v8 Team 3,4,5,6 Assigned Case |
| Apr | 12-26 | Final Exam Period | | | |

SKILLS ACROSS THE BUSINESS CURRICULUM

The Okanagan School of Business promotes core skills across the curriculum. These skills include reading, written and oral communications, computers, small business, and academic standards of ethics, honesty and integrity.

STUDENT CONDUCT AND ACADEMIC HONESTY

What is the Disruption of Instructional Activities?

At Okanagan College (OC), disruption of instructional activities includes student “conduct which interferes with examinations, lectures, seminars, tutorials, group meetings, other related activities, and with students using the study facilities of OC”, as well as conduct that leads to property damage, assault, discrimination, harassment and fraud. Penalties for disruption of instructional activities include a range of sanctions from a warning and/or a failing grade on an assignment, examination or course to suspension from OC.

What is Cheating?

“Cheating includes but is not limited to dishonest or attempted dishonest conduct during tests or examinations in which the use is made of books, notes, diagrams or other aids excluding those authorized by the examiner. It includes communicating with others for the purpose of obtaining information, copying from the work of others and purposely exposing or conveying information to other students who are taking the test or examination.”

Students must submit independently written work. Students may not write joint or collaborative assignments with other students unless the instructor approves it in advance as a group/team project. Students who share their work with other students are equally involved in cheating.

What is Plagiarism?

Plagiarism is defined as “the presentation of another person’s work or ideas without proper or complete acknowledgement.” It is the serious academic offence of reproducing someone else’s work, including words, ideas and media, without permission for course credit towards a certificate, diploma, degree and/or professional designation. The defining characteristic is that the work is not yours.

“Intentional plagiarism is the deliberate presentation of another’s work or ideas as one’s own.” Intentional plagiarism can be a copy of material from a journal article, a book chapter, data from the Internet, another student, work submitted for credit in another course or from other sources.

“Unintentional plagiarism is the inadvertent presentation of another’s work or ideas without proper acknowledgement because of poor or inadequate practices. Unintentional plagiarism is a failure of scholarship; intentional plagiarism is an act of deceit.”

What are the Students’ Responsibilities to Avoid Plagiarism?

Students have a responsibility to read the OC Plagiarism Policy and Procedures outlined in the OC calendar, which is available in online format www.okanagan.bc.ca. Students must acknowledge the sources of information used on all their assignments. This usually involves putting the authors’ name and the year of publication in parentheses after the sentence in which you used the material, then at the end of your paper, writing out the complete references in a Reference section.

“Students are responsible for learning and applying the proper scholarly practices for acknowledging the work and ideas of others. Students who are unsure of what constitutes plagiarism should refer to the UBC publication “*Plagiarism Avoided; Taking Responsibility for your Work*”. This guide is available in OC bookstores and libraries.

Students are expected to understand research and writing techniques and documentation styles. The Okanagan School of Business requires the use of the APA or MLA style, but suggests that students cite references using the APA guidelines (see Publication Manual of the American Psychological Association, 6th edition (2009). A copy of the APA manual is available in the reference section and also available for circulation from OC libraries. The library website has access to these two major citing styles.

What are the Penalties for Plagiarism and Cheating?

The Okanagan School of Business does not tolerate plagiarism or cheating. All professors actively check for plagiarism and cheating and the Okanagan School of Business subscribes to an electronic plagiarism detection service. All incidents of plagiarism or cheating are reported and result in a formal letter of reprimand outlining the nature of the infraction, the evidence and the penalty. The Dean of the Okanagan School of Business and the Registrar record and monitor all instances of plagiarism and cheating. Penalties for plagiarism and cheating reflect the seriousness and circumstances of the offence and the range of penalties includes suspension from OC.