

Course Outline

Department of Accounting and Finance
School of Business and Economics

BLAW 2910-3
Commercial Law (3,0,0)

Calendar Description

Students examine the legal environment in which businesses operate and how common law and different provincial and federal government statutes influence decision making. Topics include the legal system and the law relating to torts, contracts, forms of business organization, agency, sale of goods, consumer protection, competition, credit, real estate, the environment, intellectual property, international business and employment.

Educational Objectives/Outcomes

Upon completing this course, students will be able to:

1. Describe the basic origins of Canadian common law, equity, and statute law.
2. Diagram the system of British Columbia courts and Canadian courts.
3. Explain the differences between intentional and unintentional torts and the legal remedies available to successful plaintiffs.
4. Describe the elements that make a contract valid and enforceable, the ways in which a contract may be discharged, and the remedies available for breach of contract.
5. Discuss with examples the forms of business organizations and the advantages and disadvantages of each.
6. Apply rules from sale of goods legislation to determine when title to goods passes to a buyer.
7. Identify seller activities designed to drive up prices of goods or services, cause price discrimination or unduly lessen competition.
8. Explain how mortgages, conditional sale agreements and other security instruments protect creditor investments and creditors' rights upon default.
9. Describe estates and lesser interests in land under land titles legislation and the Torrens system.
10. Specify types of remedies available to a plaintiff under environmental common law cases and why legislation is required to address pollution causing more fundamental environmental damage.
11. Explain patents, trademarks, copyright and industrial design and general registration procedures.
12. Describe the effect of contract law on the employer-employee relationship.

Prerequisites

ENGL 1100

Note: Student cannot receive credit for both BLAW 2910 and TMGT 2250.

Co-requisites

None

Texts/Materials

Willes, John A. and John H. Willes, Fundamentals of Canadian Business Law, Second Edition, McGraw-Hill Ryerson, 2008.

Student Evaluation

Midterm(s)	40%
Assignments	10-20%
Class participation	0-10%
Final exam	40-50%

Students must pass the exam to pass the course

Course Topics

1. Legal System
 - Nature, origins and sources of law
 - The court system and court procedures
2. Intentional and Unintentional Torts
 - Intentional torts
 - Negligence and other unintentional torts
 - Commercial negligence
3. Formation of a Valid and Enforceable Contract
 - Elements of a valid contract
 - Enforceability of illegal agreements
 - Contracts in restraint of trade
 - Privacy legislation
 - Requirements of form and writing
 - Failure to create an enforceable contract: mistake
 - Misrepresentation
 - Undue influence
 - Duress
 - Performance and discharge by means other than performance
 - Breach of contract and remedies for breach
4. Forms of Business Organization and Agency
 - Sole proprietorships
 - Agency
 - Partnerships

- Corporations
5. Sale of Goods and Consumer Protection
 - Application of the legislation
 - Conditions and warranties
 - Contractual duties of the buyer
 - Remedies of the seller
 - Consumer protection legislation
 6. Competition Law
 - Introduction to competition law
 - Restrictive trade practices
 - Dealings between competitors
 - Dealings with customers
 - Offences relating to promotion and advertising of products
 7. Credit Law
 - Introduction to forms of security for debt
 - Lien claims
 - Bankruptcy and insolvency
 8. Real Estate Law
 - Introduction and historical development
 - Estates in land
 - Title to land
 - Lesser interests in land
 - Mortgages
 9. Environmental Law
 - The common law
 - Three weaknesses in environmental common law
 - Statute law and the regulatory approach
 - Storage and spills
 10. Intellectual Property Law
 - Confidentiality
 - Patents
 - Foreign patent protection
 - Compulsory licences
 - Copyright
 - Trademarks
 - Industrial designs
 11. Employment Law
 - Contract of employment
 - Employee or independent contractor

- Duties of the employer
- Duties of the employee
- Termination of employment relationship

Methods for Prior Learning Assessment and Recognition

As per TRU policy

Attendance Requirements – Include if different from TRU Policy

As per TRU policy

Special Course Activities – Optional

Use of Technology – Optional