



## **BUS 350 *Business Law* (3 credit hours) Winter 2011**

### **Class Schedule:**

Wednesdays 6:30PM – 9:00PM

Class Location: Room A2141

### **Instructor Information:**

David Adams, BBA, MBA, CA, CPA, CMA (Hon.)

Ambrose Office: Room L2057

Daytime Office Phone: 403-295-2566 x1107

Email Address: [dadams@ambrose.edu](mailto:dadams@ambrose.edu)

### **Course Description:**

This course provides an examination of the Laws of Contracts, assignments, trusts and negotiable instruments. Business transactions are the formation of contracts will be discussed. This course also covers the Law of Torts, insurance and guarantees, principle and agent, negotiable instruments, partnerships, corporations and credit transactions.

### **Course Objectives:**

By the end of this course students are expected to gain an understanding about:

1. how the Canadian legal system functions;
2. the fundamental role of contracts in business law;
3. how legal liability for torts affects businesses;
4. the rights and obligations of employers and employees;
5. the basic concepts of property law and how it applies to business;
6. the rights and obligations of buyers and sellers of goods and services;
7. the various legal forms of business in Canada;
8. how to actively manage legal risks in the operation of a business.

### **Required Textbook:**

DuPlessis, D., Enman, S., O'Bryne, S., Gunz, S., *Canadian Business and the Law*, 3<sup>rd</sup> edition, Thomson-Nelson, 2008. (or you may also use the 4<sup>th</sup> edition)

### **Attendance:**

Students are expected not only to attend class but also to participate in class discussions and in the review of in-class case material. A portion of the grade for the course is allocated to class participation. There will be several guest lecturers during the course and they will also make notes regarding your participation and class contributions.

**Course Requirements:**

Classes will include lectures (including several guest lecturers), discussion of issues, and review of various legal cases and situations. Achievement will be enhanced by attending class, studying the lecture notes and textbook, participating in discussions, and seeking assistance from the instructor when required. The following is a summary of all evaluation methods and relative weights for the course:

<b>Evaluation Method</b>	<b>Weight</b>	<b>Date</b>	<b>Material</b>
Participation	10%	N/A	N/A
Case & Presentation	10%	TBA	TBA
Mid-term exam	40%	Feb. 16	Chps. 1 – 9, 25 - 27
Final exam	40%	TBA	TBA

**Examinations:**

Final examinations are held during a scheduled time at the end of the semester for regular semester classes and are scheduled by the Registrar. Graded final examinations will be available for supervised review at the request of the student.

**Grading Scale:**

The available letters for course grades are as follows:

<u>% Grade</u>	<u>Letter Grade</u>	<u>Description</u>
95% to 100%	A+	
90% to 94%	A	Excellent
85% to 89%	A-	
80% to 84%	B+	
76% to 79%	B	Good
72% to 75%	B-	
68% to 71%	C+	
64% to 67%	C	Satisfactory
60% to 63%	C-	
55% to 59%	D+	
50% to 54%	D	Minimal Pass
0% to 49%	F	Failure

All hand-in assignments and exams must include the student's name and ID number.

Please note that final grades will be available on your student portal. Printed grade sheets are no longer mailed out.

**Important Dates for Registration, Withdrawal, and Course Auditing**

*January 21<sup>st</sup>, 2011, is the last day to enter a course without permission or to withdraw from a course without incurring a financial penalty in terms of tuition refund.*

*March 18<sup>th</sup>, 2011, is the last day to voluntarily withdraw from a course or change to audit without academic penalty.*

*Course withdrawal forms are available from the Registrar. Students who do not follow the proper withdrawal procedures will be recorded as having failed the course.*

## **In-class Use of Electronic Devices**

*The use of personal electronic devices by students in-class is purely at the discretion of the instructor. The use of music players, earphones, cell phones, PDAs, or any other personal entertainment devices will not be allowed in-class at any time. Typically, laptop or notebook computers may be utilized only for taking notes or reviewing course materials if necessary. However, if laptop use becomes a distraction for other students in the class, or is used for activities that are not class-related (i.e. Internet browsing, playing games, watching videos, emailing, chatting, etc.), the instructor will ask the student to stop using the laptop and put it away, and make a deduction to the student's course participation grade – 20% deduction for first instances; additional 40% deduction and loss of laptop use for the remainder of the semester for any repeat instances.*

*Audio or video recording of class lectures is strictly prohibited without the prior expressed consent of the instructor.*

## **Important Notes**

*Students are advised to retain this syllabus for their records. It is the responsibility of all students to become familiar with and adhere to academic policies as stated in the Student Handbook and Academic Calendar. Personal information, that is information about an individual that may be used to identify that individual, may be collected as a requirement as part of taking this class. Any information collected will only be used and disclosed for the purpose for which the collection was intended. For further information contact the Privacy Compliance Officer at [privacy@ambrose.edu](mailto:privacy@ambrose.edu).*

*Although extensions to coursework in the semester are at the discretion of the instructor, students may not turn in coursework for evaluation after the last day of the scheduled final examination period unless they have received permission for a "Course Extension" from the Registrar's Office. Requests for course extensions or alternative examination time must be submitted to the Registrar's Office by the appropriate deadline (as listed in the Academic Calendar <http://www.ambrose.edu/publications/academiccalendar>). Course extensions are only granted for serious issues that arise "due to circumstances beyond the student's control."*

*Academic dishonesty is taken seriously at Ambrose University College as it undermines our academic standards and affects the integrity of each member of our learning community. Any attempt to obtain credit for academic work through fraudulent, deceptive, or dishonest means is academic dishonesty. Plagiarism involves presenting someone else's ideas, words, or work as one's own. Plagiarism is fraud and theft, but plagiarism can also occur by accident when a student fails or forgets to give credit to another person's ideas or words. Plagiarism and cheating can result in a failing grade for an assignment, for the course, or immediate dismissal from Ambrose. Students are expected to be familiar with the policy statements in the current academic calendar and*

*the student handbook that deal with plagiarism, cheating, and the penalties and procedures for dealing with these matters. All cases of academic dishonesty are reported to the Academic Dean and become part of the student's permanent record.*

*Course changes, including adding or dropping a course, may be made during the Registration Revision period, as outlined in the Calendar of Events. All course changes must be recorded on a Registration form, available from the Office of the Registrar. Due to circumstances such as class size, prerequisites or academic policy, the submission of a Registration form does not guarantee that a course will be added or removed from a student's registration. Students may change the designation of any class from credit to audit up to the date specified in the Calendar of Events, although students are not entitled to a tuition adjustment or refund after the Registration Revision period.*

*Withdrawal from courses after the Registration Revision period will not be eligible for tuition refund. Students intending to withdraw from some or all of their courses must submit a completed Registration form to the Registrar's office. The dates by which students may voluntarily withdraw from a course without penalty are listed in the Calendar of Events. A grade of 'W' will be recorded on the student's transcript for any withdrawals from courses made after the end of the Registration Revision period and before the Withdrawal Deadline (also listed in the Calendar of Events). 'W' grades are not included in grade point average calculations. A limit on the number of courses from which Academic a student is permitted to withdraw may be imposed. Students wishing to withdraw from a course, but who fail to do so by the applicable date, will receive the grade earned in accordance with the course syllabus. A student obliged to withdraw from a course after the Withdrawal Deadline because of health or other reasons may apply to the Registrar for special consideration.*

*An appeal for change of grade on any course work must be made to the course instructor within one week of receiving notification of the grade. An appeal for change of final grade must be submitted to the Office of the Registrar in writing within 30 days of receiving notification of the final grade, providing the basis for appeal. A review fee of \$50.00 must accompany the appeal to review final grades. If the appeal is sustained, the fee will be refunded.*

**Class Schedule:**

<b>Date</b>	<b>Chpt</b>	<b>Topic</b>	<b>Instructor</b>
Jan 12	1	Knowledge of Law as a Business Asset	Dave Adams
	2	The Canadian Legal System	Don Kowalenko
Jan 19	3	Managing Legal Risks	Dave Adams
	4	Dispute Resolution	Rolly Laing
Jan 26	25	Business & Banking	Scott Sangster
	26	The Legal Aspects of Credit	
	27	Bankruptcy and Insolvency	
Feb 2	5	An Introduction to Contracts	Don Kowalenko
	6	Forming Contractual Relationships	
Feb 9	7	The Terms of a Contract	Don Kowalenko
	8	Non-enforcement of Contracts	
	9	Termination and Enforcement of Contracts	
Feb 16	<b>MIDTERM EXAM (Chapters 1 – 9, 25 - 27)</b>		Don Kowalenko
	13	The Agency Relationship	
Feb 23	<b>NO CLASS – SEMESTER BREAK</b>		
Mar 2	14	Business Forms and Arrangements	David Spencer
	15	The Corporate Form: Organizational Matters	
	16	The Corporate Form: Operational Matters	
March 9	10	Introduction to Tort Law	Barry Robinson
	11	The Tort of Negligence	
	12	Other Torts	
March 16	20	The Employment Relationship	Dave Adams
	21	Terminating the Employment Relationship	
March 23	18	Intellectual Property	Dave Adams
	17	Personal Property	
March 30	19	Real Property	Don Kowalenko
April 6	23	Sales and Marketing: Part 1	Dave Adams
	24	Sales and Marketing: Part 2	
April 13		Case Presentations & Review	Dave Adams

## Guest Lecturer Profiles

**Don G. Kowalenko, LL.B., B.A., Partner, Fraser Milner Casgrain LLP**

Don is a member of the firm's Financial, Property and Personal Services Practice Section in the Calgary office. Don's practice is primarily in the commercial real estate area, including acquisitions, project development and management, leasing and financing. His clients include major institutional investors and their advisors from across the country, as well as national real estate developers.

**Roland K. (Rolly) Laing, Q.C., Retired.**

Rolly is a well-known Calgary lawyer who practiced for many years with the Bennett Jones firm. While in practice, Rolly developed expertise in a broad range of complex, multi-party litigation, arbitration and alternative dispute resolution proceedings with an emphasis on corporate commercial matters. In April, 2001, Rolly joined Canadian Bible College/Canadian Theological Seminary as a full time volunteer to assist in a variety of tasks relating to the proposed move of the schools and the development of the new campus of Ambrose University College in Calgary.

**Scott W. Sangster, LL.B., B.A., Partner, Fraser Milner Casgrain LLP**

Scott joined the Financial Services Practice Section of the Calgary office of Fraser Milner Casgrain LLP as an associate in 2004. Scott participates in a wide variety of domestic and international lending, commercial and corporate transactions and has extensive experience in debt financings, subordination and inter-creditor matters, restructurings, forbearances, realizations, acquisitions and divestitures in numerous industry segments, including the energy, real estate and transportation industries.

**Barry Robinson, B.Sc.F., M.E.S., LL.B, Staff Lawyer, Ecojustice**

Barry joined Ecojustice in 2008 as the first staff lawyer of Ecojustice's Alberta office. His work has focused on addressing the impact of oil and gas activities on rural landowners and the environment, and the improvement of water allocation and licensing in Alberta. Since joining the Ecojustice legal team, Barry has maintained a dynamic and effective docket of case work. His early victories include winning cases for the proper reclamation of abandoned oil and gas wells, the release of the groundbreaking report "Share the Water", and launching the ultimately successful prosecution against Syncrude over the deaths of 1,600 ducks in its tar sands tailings pond.

**David A. Spencer, LL.B., Partner, Bennett Jones LLP**

David Spencer's business law practice includes corporate finance, mergers and acquisitions and corporate governance. In his corporate finance practice he advises both underwriters and issuers regarding various transactions, including bought deals, MJDS offerings, subscription receipts and high yield financings. He advises buyers and sellers with respect to merger and acquisition transactions, including take-over bids and plans of arrangement.