



**UNIVERSITY OF REGINA**

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**BUSINESS LAW 307-001**  
**MONDAY, WEDNESDAY 8:30 a.m. to 9:45 a.m.**

**EDUCATION ROOM 616**

**CASE STUDY**

**ASSIGNMENT 15%**

- Assigned on September 25, 2017
- DUE DATE – October 16, 2017

**MIDTERM EXAM 15%**

- Wednesday, October 18, 2017
- 8:30 a.m. to 9:45 a.m. in Education 616

**FINAL EXAM 20%**

- Monday, December 11, 2017
- 9:00 a.m. to 12:00 p.m. (location TBA)

**TEXTBOOK:**

**THE LAW AND BUSINESS ADMINISTRATION IN CANADA  
SMYTH, SOBERMAN, EASSON & MCGILL (14<sup>TH</sup> EDITION).**

(Text will be used in Brett's half of the class for supplemental reading only. Student is only responsible for material covered in class. Text is required for Mackenzie's half of the class.)

**COURSE OUTLINE**

**I. History of the Law in Saskatchewan**

**II. Nature and Origins of the Law:**

- (a) the legal system
- (b) sources of the law
  - case law

- statutes
- custom
- legal texts

### **III. Unintentional Torts:**

(See **Chapter 4** (pgs. 74 to 100) in text for supplemental reading)

- (a) The Action in Negligence
  - duty of care
  - breach of standard of care
  - damage suffered
  - damage caused by negligent conduct of Defendant
- (b) Defences
  - contributory negligence
  - volenti non fit injuria (voluntary assumption of risk)

### **IV. Occupier's Liability:**

- (a) Occupier
- (b) Types of Entrants
  - a. Trespasser
  - b. Licencee
  - c. Invitee
  - d. Contractual Entrant
- (c) Duty of Care owed by Occupant to Entrant

### **V. Intentional Torts:**

(See **Chapter 4** (pgs 74 to 100) in text for supplemental reading)

- (a) Introduction
- (b) Intentional Interference with the Person
  - Battery
  - Assault
- (c) Damages
- (d) Defences to Intentional Torts:
  - consent
  - self defence
  - defence of a third person
  - defence of property
  - legal authority

## **VI. The Court Structure in Saskatchewan:**

- (a) The Federal Courts:
  - Supreme Court of Canada
  - Federal Court of Appeal
  - Federal Court of Canada
  - Tax Court of Canada
  
- (b) The Provincial Courts:
  - Saskatchewan Court of Appeal
  - Saskatchewan Court of Queen's Bench
    - Family Law Division
  - Saskatchewan Provincial Court
    - Small Claims Court
  - Highway Traffic Court
  - Justices of the Peace

## **VII. Civil Procedure**

- (a) General Procedure
- (b) Expedited Procedure
- (c) Small Claims Court

## **VIII. Judgment Enforcement**

(See **Chapters 28 and 29** (pgs 657 to 704) in text for supplemental reading)

- (a) *The Enforcement of Money Judgments Act (Saskatchewan)*

## **IX. Forms of Business Organizations**

(See **Chapters 24 and 25** (pgs 552 to 598) in text for supplemental reading)

- (a) Sole Proprietorship
- (b) Partnership
- (c) Corporation

## **X. Other Torts:**

- (a) Professional liability
- (b) Defamation and Slander

**\*\*\*\* If there is any student in this course who, because of a disability, may have a need for accommodations, please discuss this with me, as well as contacting the Coordinator of Special Needs Services at 306-585-4631.**



## **BUS 307 – BUSINESS LAW**

**FALL 2017**

Mackenzie Tulloch

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### **1. Reading**

J.E. Smyth et. al, *The Law and Business Administration in Canada*, 14th ed. (Toronto: Pearson, 2015)

### **2. Evaluations**

Assignment (15%) - A review of various cases and an application to a real world scenario.  
Hand Out: November 6, 2017  
Due Date: November 27, 2017

Midterm Examination (15%) - October 18, 2017

Final Examination (20%) - December 11, 2017

Class Participation (0%) You will not be marked on your class participation or engagement. Having said that, class participation and engagement has a direct correlation into the final mark you receive.

### **3. Classes**

Monday and Wednesday  
8:30 – 9:45  
ED 616

## 4. Office Hours

I will be available after class to discuss any questions you may have regarding the lecture. I do not have regular “office hours” and it is likely easiest to contact me via-email ([MTulloch@mcdougallgauley.com](mailto:MTulloch@mcdougallgauley.com)). I also regularly check the UR Courses class email.

As necessary, I can arrange to have a telephone or in-person discussion. My office is located at:

1500 – 1881 Scarth Street  
Regina, SK S4P 4K9

## 5. Evaluation Policy

All University of Regina students are subject to the University’s rules on Academic Misconduct, and are expected to act with academic integrity at all times. Students should be especially aware of the University’s rules in relation to plagiarism. Plagiarism includes: copying the work of another student; copying or paraphrasing from a textbook or reference book, journal article, case or electronic source without proper footnoting; copying your own work that has already been submitted for another course in this degree or another degree, passing off the ideas of another person as your own. If you plagiarize, you will be subject to penalties set out in the [University of Regina calendar](#).

## 6. Respectful Classroom

In our class: 1) everyone is allowed to feel they can work and learn in a safe and caring environment; 2) everyone learns about, understands, appreciates, and respects varied races, classes, genders, physical and mental abilities, and sexualities; 3) everyone matters; 4) all individuals are to be respected and treated with dignity and civility; and 5) everyone shares the responsibility for making our class, and the Academy, a positive and better place to live, work, and learn.<sup>1</sup>

## 7. Course Outline

Generally you can expect us to cover the following materials this semester:

1. Offer & Acceptance – Chapter 6
2. Consideration & Intention – Chapter 7
3. Capacity to Contract – Chapter 8
4. Legality of Object – Chapter 8
5. Mistake & Misrepresentation – Chapter 9
6. Requirement of Writing – Chapter 10
7. Privity of Contract – Chapter 11
8. Discharge of Contracts – Chapter 12

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<sup>1</sup> <http://www.facultyfocus.com/articles/teaching-professor-blog/creating-respectful-classroom-environment/>

9. Damages – Chapter 13

10. Contracts of Employment – Chapter 18

11. Any other topic relating to contract law which you may find interesting – examples:

a. Residential tenancy contracts, sale and purchase of real property and family law

## **8. Technology in the Classroom**

I do not mind if you use technology in the class room. I was once a student too – while technology can be beneficial in a learning environment, it can also be a distraction with students internet browsing, Facebooking, Instagram-ing or online shopping. **Please do these activities at the back of the classroom.**

## **9. Questions Prior to Exams**

I will not answer questions on exam day. I will try my best to answer all questions concerning the exam prior to the exam day. There are no guarantees however. It is best to send your question in sooner rather than later.

## **10. Advice**

My advice to you is to come to class, listen and ask questions. There is no such thing as a “stupid” question. I am here to facilitate your learning, so please take advantage of that.