

<b>MODULE:</b>	<b>BUSINESS LAW</b>
CODE	BAIHM-1-2-09
Number of Credits	4 semester credits / 6 quarter units
Stage:	1
Themes:	Legal and Ethical Issues

## **INTRODUCTION**

This module presents the legal environment in which business operates. It presents the legal framework within which law is administered, and its application to business disciplines and practices. It presents general legal principles and highlights for students the need for business practitioners to comply with their many responsibilities under the law.

## **AIMS**

- To provide students with an historical understanding of the legal system and how it pertains to business entities
- To familiarise students with key legal concepts
- To provide students with the skill and knowledge to understand and interpret legal judgements

## **LEARNING OUTCOMES**

On completion of this module successful students will be able to:

- Recognise the primary legal factors in business in terms of how they relate to human resource issues such as recruitment, selection, discipline and dismissal.
- Interpret the rules, regulations and liabilities in relation to the existing legislation governing business practice
- Describe legal aspects in relation to financial accounting
- Recognise appropriate courses of action when faced with legal problems

## **SYLLABUS**

### Introduction to Law

- Sources of Law – common law and equity, statutes and delegated legislation and statutory interpretation
- The difference between Civil (in the Common Law sense) and Criminal law
- The difference between Contract and Tort.

### Administration of Law

- The Court System
- Alternative Dispute Resolution

- The personnel of law – judges, barristers, solicitors, legal executives, para-legals

#### Application of Court Decisions

- Application of Case Law
- Facts & Figures of contrasting cases
- Decisions & Hypothetical situations

#### The Law of Association, the separate legal identity concept and its implication for the business and the customer

- The Sole Trader – definition of sole traders, trading position, legal liability
- Partnerships – essential elements of the partnership contract, relations with the partners – internal and external
- Companies – classification of registered companies, formation, memorandum of association and articles of association, changes in the law
- Nature and form of Company Securities: the management of the company, company meetings, the regulations governing the powers and duties of directors and shareholders

#### Rules of Contract

- Basic Law of Contract
- Offers and Acceptance of Contracts
- Intention to create legal relations
- Consideration and formality of Contracts
- Capacity, Terms and Conditions of Contracts; exclusion clauses
- Mistakes and Misinterpretations, Undue Influence
- Contracts in restraint of trade
- Discharge of the Contract
- Remedies in common law and equity for breach of contract

#### Consumer Protection Laws

- Special Contracts – sale and supply of goods, hire purchase
- Conditions and Warranties, Transfer of Title of Goods, Risks associated with Transfer, Delivery and Acceptance of Goods
- The Supply of Services
- Consumer Information
- The Director of Consumer Affairs and Fair Trade
- Transfer of Title by Non-Owner
- Remedies
- Loans, Hire Purchase and other credit and consumer agreements

#### Law with Regard to Agency

- Agency – Influence and Creation
- Authority of the Agency, rights, duties of the principle agency, types of agency
- Termination of the Agency Contract

## Principles of Consumer Law

- Common Law
- Statutory Legal Principles
- Case Law

## Law of Employment and Industrial Relations

- Contract of Employment – definition, nature and formation, implied terms
- Equal Opportunities and discrimination and their implications
- Termination of an Employment Contract by agreement, dismissal and redundancy
- Employment Tribunals and appeals

## Law regarding Bills of Exchange

- The concept of negotiability: definition and purpose of Bill of Exchange, duties and liabilities of the parties
- Cheques – Crossings
- Relationship of bankers and customers: protection of bankers and customers
- Charge and Credit Cards

## **WORKLOAD**

Content:	60 hours
Directed Learning Time:	15 hours
Independent Learning Time:	45 hours

**Total** **120 hours**