EVALUATION:

ASSIGNMENT 15%
- Assigned on Wednesday, January 23, 2019
- DUE DATE – Wednesday, February 6, 2019 before class at 8:30 am
- One (1) mark, (up to a maximum of 5 marks) will be deducted for each day that the assignment is late, starting at any time after 8:30 am on Feb. 6th. Any assignments handed in after February 27, 2019 will not be marked and you will be given a mark of zero (0) out of fifteen (15) for the assignment.

MIDTERM EXAM 15%
- Wednesday, February 27, 2019
- 8:30 a.m. to 9:45 a.m. in Education 616

FINAL EXAM 20%
- Friday, April 15, 2019
- 9:00 a.m. – 12:00 p.m. (location TBA)

* Please confirm the location of the final on the UR Self Service page prior to the examination*

READING:

TEXTBOOK: THE LAW AND BUSINESS ADMINISTRATION IN CANADA SMYTH, SOBERMAN, EASSON & McGILL (14TH EDITION).

Text will be used in Nicole’s half of the class for supplemental reading only. Student is only responsible for material covered in class.
An electronic version of the textbook is available for order directly from the publisher. If you wish to purchase an electronic version of the textbook, you may do so at the following web address:


You will note that there are two options to obtain access electronically, namely:

1. Purchase access to the text for 180 days (expiring in July, 2019) for $88.20 CDN; or
2. Purchase lifetime access to the text for $130.95 CDN.

You may also purchase a hard copy of the textbook from the Bookstore.

**OFFICE HOURS:** I do not have regular office hours. I will be available before or after class to discuss any questions you may have. Please feel free to contact me via email (nfolk@mcdougallgauley.com) if you have any questions or concerns. The above email address is the best way to contact me. You may also contact me though UR Courses however, please note that I check my email via UR Courses less frequently than the above address.

Alternatively, please contact me if you would like to make arrangements to meet in-person. Our office is located at:

1500 – 1881 Scarth Street, Regina, Saskatchewan   S4P 4K9

**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 regarding plagiarism. In the event of plagiarism, the student will be subject to penalties as set out in the University of Regina calendar.
COURSE OUTLINE

I. NEGLIGENCE & UNINTENTIONAL TORTS

(See Chapter 4 (pgs 74 – 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 Injuria* (voluntary assumption of risk)

II. OCCUPIER’S LIABILITY

(a) Occupier

(b) Types of Entrants
   – Trespasser
   – Licencee
   – Invitee
   – Contractual Entrant

(c) Duty of care owed by Occupant to Entrant

III. INTENTIONAL TORTS

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

(a) Introduction

(b) Intentional Inference with the Person
   – Battery
   – Assault

(c) Damages

(d) Defences to Intentional Torts
   – Consent
   – Self defence
   – Defence of a third person
IV. OTHER TORTS

(a) Defamation and slander

V. HISTORY OF LAW IN SASKATCHEWAN

VI. NATURE AND ORIGINS OF THE LAW

(a) The legal system

(b) Sources of law
   – Case law
   – Statutes
   – Custom
   – Legal texts

VII. 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

VIII. CIVIL PROCEDURE

(a) General Procedure

(b) Expedited Procedure

(c) Small Claims Court

IX. JUDGMENT ENFORCEMENT

(See Chapters 28 and 29 (pgs 657 – 704) in text for supplemental reading)
(a) *The Enforcement of Money Judgments Act* (Saskatchewan)

**** 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 ****
1. Reading


*The text book is not mandatory for my portion of the class.* Students are encouraged to obtain access to a copy of the textbook for review purposes.

The electronic version of the text book is available for order directly from the publisher. The link to electronically purchase the text book is attached [here](#). There are two options to obtain access electronically:

1. Purchase access to the text book for 180 days (expiring in July of 2019) for $88.20 CDN; or

2. Purchase lifetime access to the text book for $138.95 CDN.

Additionally, you may purchase the text book from the Bookstore, however, it is currently closed for renovations. During renovations, students must order textbooks online through the link attached [here](#).

2. Evaluations

Assignment (15%)  Hand Out: March 4, 2019
Due Date: March, 20, 2019

Marks will be deducted for late assignments, with students losing one mark per day.

Midterm Examination (15%)  February 27, 2019
Depending on how much material is covered, the Midterm is will likely consist of questions from the first five chapters discussed in class.

Final Examination (20%) April 15, 2019 at 9:00 am
Location: TBA
(Please confirm the location on the UR SELF Service page prior to the exam)

3. Classes

Monday and Wednesday
8:30 – 9:45 am
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). 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.

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
9. Damages – Chapter 13
10. Contracts of Employment – Chapter 18
11. Forms of Business Organizations – Chapter 24 and 25
12. 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 classroom. 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.