

**BSEN 395 L01-04**  
**BUSINESS LAW FOR STRATEGIC DECISION-MAKERS**  
 Course Outline – Daytime Lectures – Winter 2016

**Instructor** Robert Malach– Senior Instructor  
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**Office hours** By appointment - preferably before or after  
 scheduled class times  
**Website** <http://d2l.ucalgary.ca>

	<b>Lecture location</b>	<b>Lecture times</b>
<b>R. Malach L01</b>	PF 114	M/W 8:00 – 9:15
<b>R. Malach L02</b>	PF 118	M/W 14:00 – 15:15
<b>R. Malach L03</b>	PF 118	M/W 15:30 – 16:45
<b>R. Malach L04</b>	PF 118	M/W 17:00 – 18:15

**Course Description** This course provides an overview of: the Canadian legal system, business organizations, contracts, employment law, torts, real property law, environmental law, and some related energy issues. It will provide you with opportunities to enhance your communication abilities, ethical understanding, reasoning ability, analytic skills, and reflective thinking skills.

**Course Outcomes** This course provides students with an understanding of the inter-relationship between law and business. The purpose of the course is to prepare students to:

- Recall legal definitions pertaining to business contexts discussed in the course.
- Define and explain legal concepts commonly encountered by business managers.
- Analyze business scenarios with attention to legal constructs and implications.
- Identify and describe an effective legal solution to a business law problem.
- Effectively communicate their knowledge of how legal principles apply to unfamiliar business decisions.

**Required Textbook & Course Materials** John A. Willes and John H. Willes, Contemporary Canadian Business Law (11th Ed.) – Available from the Bookstore (ISBN-13:978-0-07-097985-7 or ISBN-10:0-07-097985-5).

Alternatively available as an ebook download at the publisher’s web site.

If you want an ebook - go to <http://create.megraw-hill.com/shop/> and follow the instructions to take you to the University of Calgary and the Business Law text.

Additional course materials as posted to D2L, or distributed in class.

**Course Preparation**

- Lectures focus on the material presented in the textbook and general discussion relating to the topic(s) outlined in the lecture schedule. **Students are expected to read the assigned text chapters and readings before class**, and be prepared for class discussion.
- With a view to encouraging thoughtful dialogue, students may be randomly called up to participate in the discussion of issues being lectured upon.
- Important information and additional readings for BSEN 395 are posted on D2L. Students should regularly check for news items posted on D2L.
- All students (as part of their evaluation), will also participate in a group Case Analysis Project and Presentation.
- Your instructor may not necessarily cover all of the materials in a chapter, but it is the responsibility of the student to understand the concepts presented in the textbook and lectures. **All assigned readings and lecture content and materials are subject to examination.** If you are unsure of any of the concepts, please take the initiative to ask the instructor.

**Course Announcements**

Announcements of importance regarding, but not limited to, readings, course preparation, evaluations, course revisions, or changes to the syllabus may be made in any one of the following ways:

1. In-class announcements
2. Emails
3. D2L announcements

For this reason, students should endeavour to attend all classes in a timely manner as important announcements may on occasion be made solely by in-class announcement.

**Class Participation**

Includes “Getting to Know You” Assignment (see D2L), Class Preparation, Appropriate In-Class Participation, Decorum, Professional Conduct & E-mail Etiquette; it also applies to group work in the preparation and presentation of the Case Analysis Project.

Each student is required to submit to their Instructor in class a hardcopy photograph of themselves and a brief (2 or 3 line) statement of a legal topic of interest to them. Use the template provided for this purpose under the “Getting to Know You” Assignment on D2L. This is a course requirement and is therefore allotted 2% in your

Grade Distribution. To obtain the 2% it must be handed in at the class and on the date assigned and the student must sign in as well. The 2% participation can be lost by those who fail to participate fully and with professional decorum in class and on assignments.

**Contacting Your Instructor**

Students requiring assistance are encouraged to speak to their instructor during class or during their office hours. Should you wish to meet with the instructor outside of office hours, please email the instructor to make an appointment. To best facilitate our response, when communicating **please include the course lecture number** with your contact information, as your Instructor teaches multiple Sections and cannot always immediately identify you by name alone.

**Proper Business Use of Email**

Email is commonly used by students to communicate with their instructor. However, it does limit the effectiveness of the communications and may not be the best way for instructors to answer student questions, especially those requiring an explanation of concepts covered in this course or some personal concerns. Therefore the instructor may request a telephone call or personal meeting. *Your instructor will inform you as to his/her expectations about emails.*

**Internet & Electronic Communication Devices**

Any surfing of the Internet during lectures that is not directly related to the class discussion is distracting and strictly forbidden. Additionally, the use of any electronic devices (e.g., cellular phones, Blackberries, Apple Watches) for e-mailing, text-messaging, etc. is strictly prohibited. Please turn OFF your phone before the beginning of each lecture.

**Grade Distribution**

Class Participation	2%
Case Analysis & Presentation	18%
Midterm Exam	35%
Final Exam	45%
Total	100%

**Grade Scale**

The Haskayne School of Business endeavours to ensure consistency of final grades across courses and sections. Variations in distribution will always be considered by the instructor where called for by the performance in each individual class.

The student does not have any 'right' to a certain grade, but is responsible for earning grades. The instructor has unfettered discretion to evaluate student performance and assign all grades.

<b>A+</b>	≥	97	<b>B+</b>	≥	77	<b>C+</b>	≥	64	<b>D+</b>	≥	57
<b>A</b>	≥	87	<b>B</b>	≥	72	<b>C</b>	≥	60	<b>D</b>	≥	55
<b>A-</b>	≥	82	<b>B-</b>	≥	68	<b>C-</b>	≥	58	<b>F</b>	≤	54.99

**Note: the Pass Mark for BSEN 395 is 55%.**

- Exam Information** There will be a midterm and a final exam in this course.
- The final exams are scheduled by the Office of the Registrar. Before making any travel or holiday plans, check their Exam Schedule to ensure your travel plans are not in conflict with your exams. Travel will not qualify a student for a deferred exam.
- The final exam will be cumulative, covering the entire course.
- Students will be allowed to bring “one” handwritten 8 ½” x 11” double-sided reference sheet into each of the midterm exam and the final exam. No photocopied or computer printed reference sheets or other materials or electronic devices (including cell phones or Apple Watches) will be permitted into the exam room.
- Deferred Exams** Writing of an exam after the normal scheduled date may be allowed in cases of illness, domestic affliction, or religious conviction. If you are requesting a deferred midterm exam you must contact your instructor before the exam, and proper documentation must be submitted prior to approval of a subsequent midterm. If you are requesting a deferred final exam you must submit the proper documentation to the Haskayne School of Business Undergraduate Programs Office. Please refer to the current University of Calgary Calendar for more information and time limits for requests of deferred exams.
- There will be one date set for deferred exams (T.B.A.).
- Appealing an Exam Grade** As the grading of any exam is open to human error, please feel free to question your results. Students have *fifteen calendar days* (15) from the posting of the exam results to appeal an exam grade. Students are encouraged to consult the current University of Calgary Calendar for more information.
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## Emergency Evacuation Plan

In the event of an emergency, the building must be evacuated and all individuals are to meet at a predetermined location. Additional information on the emergency procedures and the list of rendezvous points can be found here <http://www.ucalgary.ca/emergencyplan/assemblypoints>.

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## University Regulations

### Academic Accommodation:

The University of Calgary is committed to ensuring that each student is afforded an academic environment that has been developed on the principles of equal and equitable access, respect for individual differences, and academic integrity. **Student Accessibility Services (SAS)** offers services to students with documented disabilities including learning disabilities, chronic health issues, hearing and visual impairment, disabilities and temporary impairment due to accident, illness or injury. It is the student's responsibility to contact Student Accessibility Services to request academic accommodation. The nature and type of academic accommodations vary from student to student and are dependent upon the student's disability and the academic requirements.

If you are a student with a documented disability who may require academic accommodation and have not registered with Student Accessibility Services, please contact their office at 403.220.8237. Students who have not registered with Student Accessibility Services are not eligible for formal academic accommodation. Students are also required to discuss needs for accommodation with the instructor no later than fourteen (14) days after the start of this course.

<http://www.ucalgary.ca/access>

### Academic Honesty:

Academic honesty is the cornerstone in the development of knowledge. A single offence of cheating, plagiarism or other academic misconduct on term work, tests or final examinations or assignments can lead to disciplinary probation, suspension or expulsion from the Faculty by the Dean. If a student allows his/her name to stand on group work when in fact there is essentially no contribution made, then that student is guilty of academic misconduct. Please refer to the current University Calendar for further details.

### Plagiarism:

Plagiarism involves submitting or presenting work as if it were the student's own work when it is not. Any ideas or materials taken from another source written, electronic, or oral must be fully and formally acknowledged. Plagiarism includes but is not limited to:

- (a) The work submitted or presented was done, in whole or in part, by an individual other than the one submitting or presenting the work (this includes having another impersonate the student or otherwise substituting the work of another for one's own in an examination or test),
- (b) Parts of the work are taken from another source without reference to the original author,
- (c) The whole work (e.g., an essay) is copied from another source, and/or,
- (d) A student submits or presents work in one course which has also been submitted in another course (although it may be completely original with that student) without the knowledge of or prior agreement of the instructor involved.

While it is recognized that scholarly work often involves reference to the ideas, data and conclusions of other scholars, intellectual honesty requires that such references be explicitly and clearly noted. Plagiarism is an extremely serious academic offence.

It is recognized that clause (d) does not prevent a graduate student incorporating work previously done by him or her in a thesis or dissertation.

**Software Policy:**

Faculty, students and staff of the University of Calgary are expected to use software in a lawful manner in accordance with the Canadian law of copyright and the software's specific license conditions.

**Copyright and Photocopying:**

All material used in this course is for the sole use of the individual and should not be recopied either in print or digital format. For copyright guidelines and University of Calgary policies please visit: <http://library.ucalgary.ca/copyright>. All copyright related questions can be directed to the Copyright Office: [copyright@ucalgary.ca](mailto:copyright@ucalgary.ca).

**Recording Lectures:**

Recording of lectures and labs is permitted for individual private study, only at the discretion of the instructor. Any other use of recording constitutes Academic Misconduct and may result in suspension or expulsion. Both the student and the instructor must sign the appropriate Release Form to facilitate recording lectures or labs.

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**Other Information**

**The SU Wellness Centre – Counselling, Health Services and Wellness Programs**

The SU Wellness Centre Counselling Services focus on three major areas: personal counselling, career development and academic success. To learn more about services, wellness programs, and assistance, please phone 403.220.5893 or visit the website at: <http://www.ucalgary.ca/counselling/>

**The Student Success Centre**

The personalized planning and support available at the Student Success Centre includes advising, learning and writing support, student success seminars and online resources. The **Writing Support Services** at U of C are housed at the SSC. For general inquiries and appointments: 403.220.5881; [success@ucalgary.ca](mailto:success@ucalgary.ca)  
<http://www.ucalgary.ca/ssc>

**Student Accessibility Services**

The mission of Student Accessibility Services (formerly the Disability Resource Center) is to work collaboratively and innovatively with the campus community to create an accessible, equitable and supportive learning and living environment that enhances each student's academic and personal development. SAS houses the Nat Christie Adaptive Technology Centre, a technology lab and quiet study area where students can study, be trained on, and make use of, a range of assistive and adaptive hardware and software options. <http://www.ucalgary.ca/access>

**Students' Union Representative:**

Email: [haskayne1@su.ucalgary.ca](mailto:haskayne1@su.ucalgary.ca)  
[haskayne2@su.ucalgary.ca](mailto:haskayne2@su.ucalgary.ca)

**Freedom of Information and Protection of Privacy Act:**

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For information on the Freedom of Information and Protection of Privacy Act please visit <http://www.ucalgary.ca/secretariat/privacy>

**Safe Walk:**

<http://www.ucalgary.ca/security/safewalk>

**Office of the Ombudsperson:**

<http://www.ucalgary.ca/provost/students/ombuds>

## Haskayne Undergraduate Statement of Student Responsibility

### **RESPONSIBILITY is:**

**R**espect for **E**veryone I care about, impact and represent, **S**o I make a **P**ositive impact **O**n my **N**eighbors, peers, colleagues, and family. **S**taying responsible **I**s what keeps me grounded **B**y reminding me the way **I** Live is **I**nfluenced by **T**he actions of others; my actions impact **Y**ou – today and in the future.

As a Haskayne School of Business Student:

- When faced with tough choices, I have a responsibility to ensure that alternatives are explored, their consequences understood, and priorities are set based on ethical values so that “win-win” solutions are possible.
- I am accountable for my actions and responsible for their consequences – both in the short and long term.
- I will be consistent in my actions, words, and intentions so they reflect commitment to my ethical and responsible core values.
- I can play a role in respectfully raising awareness among others and encouraging my peers and colleagues to find positive solutions to ethical challenges.
- I will develop and sustain lasting relationships through open and honest communication, and demonstrating personal integrity.
- I have the responsibility to strive for a career and life that embody my passions and reflect my sound values while living to an ethical standard.
- It is my responsibility as a student to develop to my full potential and in turn make a positive contribution to the world around me. It is my social responsibility to help my fellow students, coworkers, and members of the community at large to fully realize their potential as well.
- I am responsible for shaping a positive world for future generations, including the management of my own ecological footprint and respect for the environment in my decisions and actions.
- I have a responsibility to embrace, encourage, and sincerely accept diversity. Diversity of opinion, background, and belief is a competitive advantage and helps build a positive future.

***My ethics become “real” when I choose to live my life in a way that is true to my core values.  
It is my responsibility to live ethically – no one can do it for me.***

*This statement was created with the input of over 400 Haskayne undergraduate students in the 2008 – 2009 academic year. It was officially unveiled March 20, 2009 at the Corporate Social Responsibility and Sustainable Development Program conference on Corporate Tools. This statement applies to all undergraduate students at the Haskayne School of Business, University of Calgary.*



## Class Schedule & Topics

Important dates (e.g. Block Week, Lecture start dates, Reading Week, etc.) can be found at the following web site: <http://ucalgary.ca/pubs/calendar/current/academic-schedule.html>

<b>BSEN 395 L01-03</b>	
<b>**This class schedule is subject to change depending upon the rate of progress through the topics and other program changes. Instructors of this course will use their best efforts to maintain the coverage as described, and will give the students as much notice as possible of any proposed amendments.</b>	
<b>T/TH – Lectures 01, 02 &amp; 03 –</b>	<b>PART I: INTRODUCTION TO THE CANADIAN LEGAL SYSTEM</b>
Lecture 1 - Monday Jan. 11	Introduction to Business Law & Intro. to Cdn. Constitution if time permits
Lecture 2 – Wednesday, Jan. 13	The Canadian Constitution Division of Powers The Charter Levels of Court
<b>PART II: CONTRACTS</b>	
Lecture 3 – Monday - Jan.18	Contracts – Introduction – Elements of a Contract – Offer & Acceptance
Lecture 4 – Wednesday – Jan. 20	The Requirements of Consideration, Legal Capacity and Legality
Lecture 5 – Monday - Jan. 25	Legality & Requirements of Form and Writing - Statute of Frauds - Sale of Goods
Lecture 6 – Wednesday – Jan. 27	Failure to Create an Enforceable Contract - Mistake & Misrepresentation

	- Undue Influence & Duress	
Lecture 7 – Monday. – Feb. 1	The Extent of Contractual Rights & Performance of Contractual Obligations	
Lecture 8 – Wed. – Feb. 3rd	Breach of Contractual Obligations & Remedies	
<b>PART III: BUSINESS ORGANIZATIONS</b>		
Lecture 9 – Mon., Feb. 8th	Forms of Business, Sole Proprietorship & Agency	
Lecture 10 – Wed., Feb. 10th	Partnership and Joint Ventures	
Feb. 14-21	Reading Week	
Lecture 11 – Mon., Feb. 22nd	Corporation Law & Director and Officer liability	
Lecture 13 – Wed., Feb. 24	<b>Midterm Review Class</b>	
<b>MIDTERM EXAM Friday, Feb.26th, 4:00 PM to 7:00 PM, MFH 162</b>		
Lecture 14 – Mon., Feb 29th <b>No Class - Wed. , Mar. 2<sup>nd</sup> , Core Course Exam Week</b>	Case Analysis Assignment– discussion of Methodology and Examples – Groups and Assignments Set – <b>You must attend your assigned lecture for this and all subsequent classes to enable you to work with your assigned group members.</b>	Page 244, Case 2 Page 263, Case 3  D2L – Case Analysis Assignment –
<b>PART IV: EMPLOYMENT</b>		

Lecture 15 – Mon. Mar. 7th	Employment Relationship &
Lecture 16 – Wed., Mar. 9th	Employment Dismissal
<b>PART V: PROPERTY</b>	
Lecture 17 – Mon., Mar. 14th	Real Property
Lecture 18 –Wed., Mar. , 16th	Oil and Gas Law
Lecture 19 – Mon.. Mar.21st	Environmental Law
<b>PART VI: TORTS</b>	
Lecture 21- Wed., Mar. 23rd	Intentional Torts
Lecture 22 – Mon., Mar.28th	Unintentional Torts
Lecture 23 – Wed., Mar. 31st	Professional Liability and Insurance
<b>PART VII: CASE ANALYSIS PRESENTATIONS &amp; REVIEW</b>	
Lecture 24 – Mon., April 5th	Case Analysis Presentation*
Lecture 25 –Wed., April 7th	Case Analysis Presentation*
Lecture 26 – Mon., April 11th	Final Exam Review Class
<b>REGISTRAR SCHEDULED FINAL EXAM</b>	

**Please note:** At the University of Calgary, feedback provided by students through the Universal Student Ratings of Instruction (USRI) survey provides valuable information to help with evaluating instruction, enhancing learning and teaching, and selecting courses. Typically these surveys are done either in class or online during the last two weeks of classes. Your responses make a difference – please participate in the USRI surveys. For more information, please visit <http://ucalgary.ca/usri>.