

GMGT 3300: Commercial Law Course Syllabus

COURSE DESCRIPTION

The course is described in the University Calendar as follows:

GMGT 3300 Commercial Law: (Formerly 027.330) General history of law, the organization of courts, the Canadian Constitution, federal and provincial legislative functions. Legal concepts and problems relating to business organization, contracts, principal and agent, negotiable instruments, common torts, and bankruptcy proceedings.

COURSE GOALS

Upon completion of this course you should be able to:

1. Explain the nature of the Canadian Constitution and the relationship between levels of government.
2. Explain the doctrines underlying the formation and vitiation of contracts.
3. Outline the basic concepts of secured credit including, security interests, priority, and their interaction with bankruptcy law.
4. Explain the basic theories of the law of negligence.
5. Compare and contrast different right in land.
6. Distinguish between different forms of business organizations and the role of corporations in commerce.
7. Explain the relationship between principals and agents.
8. Formulate an argument for a legal position on a contentious issue.

COURSE MATERIALS

REQUIRED

Bookstore

The following required materials are available for purchase from the [University of Manitoba Bookstore](#). Please order your materials immediately, if you have not already done so. See your [Distance and Online Education Student Handbook](#) for instructions on how to order your materials.

- Smyth, J.E., Soberman, D.A. & Easson, A.J. (2012). *The Law of Business Administration in Canada*, 13th edition. Toronto: Pearson Education. ISBN:9780132604796

COURSE OVERVIEW

The course consists of eight units, most approximately two weeks in duration. Please see the course schedule for more information.

Topics

UNIT 1: AN INTRODUCTION TO LAW AND CANADA'S LEGAL SYSTEM

- What is Law in Philosophical Terms
- Institutional Sources of Law
- Courts

- Legislatures
- Delegate Bodies
- Systems of Law
- Common Law
- Civil Law
- The Nature and Roles of the Courts
- The Court System in Canada
- The Court Process in the Context of Litigation

THE CANADIAN CONSTITUTION

- The Nature of a Constitution
- Sources of the Constitution
- Selected Topics in Canadian Constitutional Law
- Federalism in Canada
- Responsible Government
- 1982 Revisions
- Constitutional Amendment Process
- The Charter of Rights

UNIT 2: THE LAW OF TORTS

- The Nature of Torts
- Intentional Torts
- The Tort of Negligence
- Professional Liability

UNIT 3: THE LAW OF CONTRACT

The Six Basic Elements of a Contract

- Offer
- Acceptance
- Consideration
- Intention to Create Legal Relations
- Capacity
- Legality of the Contract

UNIT 4: CONTRACTS CONTINUED

- Impugning a Contract
- Enforcement of Contractual Rights and Problems of Enforcement

- Discharge of a Contract
- Effect of Breach and Remedies

UNIT 5: AGENCY AND PARTNERSHIPS

- Basics of Agency
- Types of Authority
- Competence
- Partnerships
- Breach of Warranty
- Types of Principals

UNIT 6: CORPORATIONS

- Types of Business Organizations
- Legal Status of Corporations
- Social Responsibility and Duties of Corporate Officers
- Shareholder Rights and Minority Protection

UNIT 7: FINANCIAL ISSUES

- Negotiable Instruments
- Bankruptcy Issues
- Secured Transactions

UNIT 8: PROPERTY

- Real Property and Interests in Land
- Regulation of Land
- Landlord Tenant Relationship
- Leases and Leaseback Arrangements
- Mortgages
- Real Estate Transactions

Learning activities

The course material will be conveyed to you using the textbook and the unit video interviews. In the video interviews the content expert will engage in discussion about various legal issues. These videos are designed to be interactive and you will be asked to respond to a series of questions as you proceed.

EVALUATION AND GRADING

Your assignments will be graded and sent back to you so that you may benefit from the comments for your next assignment.

Distribution of Marks

Evaluation	Percentage
Discussions	15%
Group Conference Assignment	35%
Final examination	50%
Total	100%

Grading Scale

Letter grade	Percentage grade	Description
A+	93 – 100	Exceptional
A	86 – 92.5	Excellent
B+	79 – 85.5	Very Good
B	72 – 78.5	Good
C+	65 – 71.5	Satisfactory
C	58 – 64.5	Adequate
D	50 – 57.5	Marginal
F	less than 50	Failure

Note: All final grades are subject to departmental review.

Assignments

Note: Detailed instructions about the assignments are found in the assignment section in your course website.

DISCUSSIONS

Throughout the semester, you will have the opportunity to participate in interactions with your fellow learners through the discussion forums. In these forums you will be expected to post meaningful responses to the discussion prompts of your instructor and respond to the posts of your classmates.

GROUP CONFERENCE ASSIGNMENT

For this assignment, you will be divided into groups and asked to participate in an online conference to resolve a case study. Before the conference, your group will be given the case and supplied with a series of artifacts to help you resolve the issues at hand.

FINAL EXAM

Your instructor will inform you about the format, the time and location of the final exam.

Assignment due dates: Consult your course schedule for the assignment due dates.

Examination

Note:

The final exam will be written at the University of Manitoba (UM), Fort Garry campus or at an approved off-campus location. **Students needing to write at an off-campus location must declare a location by the specified deadline date** (see off-campus declaration and policy under Student Resources on course homepage). **Students writing at the UM Fort Garry campus do not need to declare an exam location.**

The Registrar's Office is responsible for the [final exam schedule](#) which is available approximately one month after the start of the course.

Plagiarism, Cheating, and Examination Impersonation

You should acquaint yourself with the University's policy on plagiarism, cheating, and examination impersonation as detailed in the General Academic Regulations and Policy section of the University of Manitoba Undergraduate Calendar. Note: These policies are also located in your Distance and Online Education Student Handbook or you may refer to Student Affairs at <http://www.umanitoba.ca/student>.

DISTANCE AND ONLINE EDUCATION (DE) STUDENT RESOURCES

In your course website there are links for the following:

- **Contact Distance and Online Education**
- **Distance and Online Education Student Handbook**
- **Distance and Online Education Website**

ACKNOWLEDGMENTS

CONTENT SPECIALISTS:

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