

## Liverpool John Moores University

Title: LAW FOR ACCOUNTANTS  
Status: Definitive  
Code: **5004KFBAF** (118509)  
Version Start Date: 01-08-2011

Owning School/Faculty: Liverpool Business School  
Teaching School/Faculty: Kaplan Financial Birmingham

Team	Leader
Lewis Gordon	
Graham Padgett	

**Academic Level:** FHEQ5      **Credit Value:** 24.00      **Total Delivered Hours:** 55.00  
**Total Learning Hours:** 240      **Private Study:** 185

### Delivery Options

Course typically offered: Standard Year Long

Component	Contact Hours
Lecture	26.000
Tutorial	26.000

**Grading Basis:** 40 %

### Assessment Details

Category	Short Description	Description	Weighting (%)	Exam Duration
Essay	AS1	Essay	25.0	
Exam	AS2	Examination	75.0	3.00

### Aims

*This module enables students, as potential Accountants, to understand and apply a knowledge of the English Legal System, the basic Law of tort (negligence), The Law of contract, and agency.*

*The module provides an understanding of the legal nature of the limited company and of its constitution; the basic rules for the protection of potential investors; the company law requirements concerning corporate reports and accounts; the duties of*

*directors and auditors; the concept of majority rule and minority protection and the corporate insolvency regimes.*

## **Learning Outcomes**

After completing the module the student should be able to:

- 1 Understand the English Legal System
- 2 Have knowledge of the Law of Contract, negligence and agency
- 3 Apply legal knowledge to factual situation
- 4 Describe the essential legal characteristics of the company and in particular understand the implications of limited liability and corporate capacity.
- 5 Show an understanding of the nature of the contract formed by the company's articles of association
- 6 Discuss the doctrine of maintenance of capital and the rules which give effect to it.
- 7 List the company law requirements concerning corporate reports and accounts.
- 8 Explain the distribution of power within the company between the board and the company in general meeting. Show understanding of directors' Statutory Duties under the Companies Act
- 9 Explain the duty of the auditor and the limits on the tortious liability of the auditor. List the remedies for mismanagement contained in the Insolvency Act 1986

## **Learning Outcomes of Assessments**

The assessment item list is assessed via the learning outcomes listed:

CWA	1	2	3			
EXAM	4	5	6	7	8	9

## **Outline Syllabus**

### *1. The English Legal System*

*Custom, Legislation, Judicial Precedent and European Community Law as sources of English Law.*

*The system of courts in England and Wales.*

### *2. The Law of Tort*

*Negligence. Elements of the tort of Negligence. Nervous Shock. The doctrines of res ipsa loquitur, Contributory negligence and vicarious liability. Strict liability. Liability for negligent misstatement. Remedies in tort.*

### *3. The Law of Contract*

*Definition of a Contract. Classification of Contracts. Essential elements of a valid simple contract viz an agreement, intention to create legal relations and consideration. Form. Contractual capacity of minors and persons of unsound mind. The doctrine of privity of Contract. Vitiating factors in a Contract (in outline only). Terms of a Contract.*

*Remedies for breach of contract. Discharge of a contract.*

*4. Agency. The relationship between principles and agent. Agent's liability for its actions.*

*5. Formation of the limited company; concepts of corporate personality and the limited liability. Contents of the memorandum of association. Nature of the articles of association.*

*6. Maintenance of capital, issues at a premium and discount; company purchase of its own shares; prohibition of giving financial assistance.*

*7. Distribution of power within the company; removal of directors; director's duties. The rule in Foss & Harbottle and the exceptions to it.*

*8. Corporate reports and accounts. Appointment and removal of the auditor; auditor's duty and liability.*

*Liability under the Insolvency Act 1986 for wrongful trading, fraudulent trading and misfeasance*

## **Learning Activities**

Lectures/tutorials.

## **References**

<b>Course Material</b>	Book
<b>Author</b>	Card & James
<b>Publishing Year</b>	2002
<b>Title</b>	Law for Accountancy Students
<b>Subtitle</b>	
<b>Edition</b>	7th
<b>Publisher</b>	(Butterworths).
<b>ISBN</b>	

<b>Course Material</b>	Book
<b>Author</b>	MacIntyre E
<b>Publishing Year</b>	2008
<b>Title</b>	Business Law
<b>Subtitle</b>	
<b>Edition</b>	4th
<b>Publisher</b>	Longman Pitman
<b>ISBN</b>	

<b>Course Material</b>	Book
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<b>Author</b>	Abbot K, Pendlebury N & Wardman K
<b>Publishing Year</b>	2007
<b>Title</b>	Business Law
<b>Subtitle</b>	
<b>Edition</b>	8th
<b>Publisher</b>	Thomson
<b>ISBN</b>	

<b>Course Material</b>	Book
<b>Author</b>	Cooke J
<b>Publishing Year</b>	2007
<b>Title</b>	Law of Tort
<b>Subtitle</b>	
<b>Edition</b>	8th
<b>Publisher</b>	Pearson
<b>ISBN</b>	

<b>Course Material</b>	Book
<b>Author</b>	Poole J
<b>Publishing Year</b>	2008
<b>Title</b>	Textbook on Contract Law
<b>Subtitle</b>	
<b>Edition</b>	9th
<b>Publisher</b>	OUP
<b>ISBN</b>	

<b>Course Material</b>	Book
<b>Author</b>	Elliot C & Quinn F
<b>Publishing Year</b>	2008
<b>Title</b>	English Legal System
<b>Subtitle</b>	
<b>Edition</b>	9th
<b>Publisher</b>	Pearson
<b>ISBN</b>	

<b>Course Material</b>	Book
<b>Author</b>	Smith & Keenan
<b>Publishing Year</b>	2009
<b>Title</b>	Company Law
<b>Subtitle</b>	
<b>Edition</b>	14th
<b>Publisher</b>	Pearson
<b>ISBN</b>	

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**Notes**

This module will enable students to understand the basic principles of English law as it affects their practical roles in the Commercial World. Also, this module provides a greater depth of Company Law as a specialist area and is aimed at students with ambitions to go into professional practice as accountants.