

Liverpool John Moores University

Title: LAW FOR ACCOUNTANTS
Status: Definitive
Code: **5004KFLAF** (118024)
Version Start Date: 01-08-2012

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

Team	Leader
Graham Padgett	Y

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

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

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

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

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

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

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

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

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.