

Liverpool John Moores University

Title: BUSINESS LAW
Status: Definitive
Code: **5507CP** (103549)
Version Start Date: 01-08-2013

Owning School/Faculty: Arts, Professional and Social Studies
Teaching School/Faculty: Dublin Business School

Team	Leader
Alistair Beere	Y

Academic Level: FHEQ5
Credit Value: 24.00
Total Delivered Hours: 75.00
Total Learning Hours: 240
Private Study: 165

Delivery Options

Course typically offered: Standard Year Long

Component	Contact Hours
Lecture	50.000
Tutorial	25.000

Grading Basis: 40 %

Assessment Details

Category	Short Description	Description	Weighting (%)	Exam Duration
Essay	AS1	Individual Essay – Case Study	50.0	
Report	AS2	Group Project: Contract, Tort and Agency	50.0	

Aims

To give learners the opportunity to gain an insight into the significance of the underlying legal principles applicable to the Irish legal system.

To build an awareness in learners of the relevance and significance of legal knowledge in the business environment, and an understanding as to when professional advice is necessary.

To allow learners to become familiar with the basic legal principles that are of most

relevant to business operations.

To enable learners to apply a methodological approach of legal analysis to relevant problem scenarios.

To develop in learners an appreciation of the necessity for on-going legal reform and the challenges the law creates for the business environment.

Learning Outcomes

After completing the module the student should be able to:

- 1 Explain the key components of the Irish legal system and its connection with EU Institutions.
- 2 Identify and locate the sources of Irish law.
- 3 Apply the key principles of Irish Contract, Tort and Agency law to common business problems.
- 4 Apply legal research and writing skills to legal issues relevant to business contexts.
- 5 Appraise on-going legal reform in respect of the business environment.

Learning Outcomes of Assessments

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

CASE STUDY	1	2	5
GROUP PROJECT	3	4	5

Outline Syllabus

1. *Irish Legal Systems:* • An introduction to the Irish legal system and the role of law in society • The Constitution – provisions, supremacy issues, interpretation and rights • Classifications of law and the legal profession • The doctrine of precedent
2. *Legislation:* • Primary legislation and the legislative process • Secondary/Delegated legislation – types, rules, controls and limits
3. *The Civil Courts:* • The jurisdiction of the civil courts – original and appellate • Court procedures • Civil remedies • European Court on Human Rights: appellate jurisdiction on human rights issues
4. *The Criminal Courts:* • The jurisdiction of the criminal courts – original and appellate • Court procedures • Criminal penalties
5. *Alternative Dispute Resolution:* • Conciliation, mediation and arbitration • Role of ADR within the Irish legal system
6. *European Law:* • Introduction to EU law and international law, focusing on primary and secondary sources and the EU institutions; the reform process
7. *Contract Law – Formation and Formalities:* • Formation – offer, acceptance, consideration, contractual capacity and intention; contents of a contract • Forms, terms and exclusion clauses
8. *Contract Law – Vitiating Factors, Discharge and Remedies:* • Validity of a contract

– misrepresentation, mistake, illegality, duress and undue influence• Discharge and remedies (mandatory and discretionary)

9. Law of agency: • Parties to an agency agreement• Creation of contracts of agency• Termination of agency contracts• Rights, duties and obligations of the principal and agent

10. Tort Law - Negligence: • Introduction to the law of negligence and appreciation of the concepts of causation and remoteness, duty of care and damages • The main defences to an action for negligence

11. Tort Law – Business Torts: • Overview of the basic torts that impact the operation of a business – Professional Negligence, Nuisance, Trespass, Defamation, Product Liability, Vicarious Liability, Occupiers' Liability and Employers' Liability, Health and Safety Act 2005 and Passing Off

Learning Activities

Lectures and tutorials.

References

Course Material	Book
Author	Byrne, R. and McCutcheon, P.
Publishing Year	2009
Title	Irish Legal System
Subtitle	
Edition	5th
Publisher	Bloomsbury
ISBN	

Course Material	Book
Author	Clark, R.
Publishing Year	2008
Title	Contract Law in Ireland
Subtitle	
Edition	6th
Publisher	Roundhall, Dublin
ISBN	

Course Material	Book
Author	Quill, E.
Publishing Year	2009
Title	Torts in Ireland
Subtitle	
Edition	3rd
Publisher	Gill and Macmillan
ISBN	

Course Material	Book
Author	Corbett, V.
Publishing Year	2009
Title	Tort
Subtitle	
Edition	2nd
Publisher	Roundhall
ISBN	

Course Material	Book
Author	McMahon, B. and Binchy, W
Publishing Year	2013
Title	Irish Law of Tort
Subtitle	
Edition	4th
Publisher	Bloomsbury
ISBN	

Course Material	Book
Author	Billins, R
Publishing Year	1993
Title	Agency Law
Subtitle	
Edition	1st
Publisher	Sweet and Maxwell
ISBN	

Course Material	Book
Author	Forde, M.
Publishing Year	2013
Title	Constitutional Law
Subtitle	
Edition	3rd
Publisher	Bloomsbury
ISBN	

Course Material	Book
Author	Doyle, O.
Publishing Year	2008
Title	Constitutional Law
Subtitle	Text, Cases and Materials
Edition	1st
Publisher	Gill and Macmillan
ISBN	

Course Material	Book
Author	Clark, R. and Clarke, B.

Publishing Year	2008
Title	Contract Cases and Materials
Subtitle	
Edition	4th
Publisher	Gill and Macmillan
ISBN	

Course Material	Book
Author	Doolan, B
Publishing Year	2011
Title	Principles of Irish Law
Subtitle	
Edition	8th
Publisher	Gill and Macmillan
ISBN	

Course Material	Book
Author	McMahon, B. and Binchy, W
Publishing Year	2005
Title	Casebook on Irish Law of Torts
Subtitle	
Edition	4th
Publisher	Butterworths
ISBN	

Course Material	Book
Author	Fahey, E.
Publishing Year	2011
Title	EU Law in Ireland
Subtitle	
Edition	1st
Publisher	Clarus Press
ISBN	

Course Material	Book
Author	Carolan, B
Publishing Year	2009
Title	EU Law for Students in Ireland
Subtitle	
Edition	2nd
Publisher	Gill and Macmillan
ISBN	

Notes

This module is designed to provide learners with a foundation in the fundamental

principles relevant to the manner in which the legal system operates and an introduction to the primary areas of law relevant to business. The module provides a gateway for those learners who will go on to pursue further legal studies. For those learners who will not be pursuing any further legal studies this module provides knowledge and understanding of the legal system insofar as it applies to the primary areas of business.