

## Liverpool John Moores University

Title: BUSINESS AND COMPANY LAW  
Status: Definitive  
Code: **5508CP** (103550)  
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:** 77.00  
**Total Learning Hours:** 240  
**Private Study:** 163

### 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	Written Assignment	30.0	
Exam	AS2	Examination	70.0	2.00

### Aims

*To equip learners with significant knowledge of the legal framework relevant to an accounting and finance professional.*

*To provide learners with an understanding of contractual obligations, negligent liability, consumer law and corporate governance.*

*To enable learners to evaluate employment law from both the employer and employee perspective.*

*To familiarise learners with the obligations imposed upon company directors,*

*auditors and liquidators and the liability that may arise from a breach of these obligations.*

*To enable learners recognise and apply appropriate legal rules to a variety of business law situations and advise appropriately.*

## **Learning Outcomes**

After completing the module the student should be able to:

- 1 Explain the application of Irish business law in the field of accounting and finance and related business environments.
- 2 Appraise business situations, their legal parameters and the concurrent legal obligations that arise in certain situations.
- 3 Discuss the corporate regulatory regime and the obligations it imposes on the accounting and finance sector.
- 4 Apply legal rules and principles relating to factual business situations.
- 5 Present appropriate legal information with supporting materials in an effective and concise manner.

## **Learning Outcomes of Assessments**

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

ESSAY	3	4	5		
EXAM	1	2	3	4	5

## **Outline Syllabus**

1. *Introduction to the Irish Legal System: - Classifications of Law, The structure of the Courts, the doctrine of precedent Statute law and delegated legislation, the Human Rights Act 2003, EU Law and the Irish Constitution*
2. *Contract Law- Formation: Offer, acceptance, consideration and intention- Formalities: terms and conditions, express terms, implied terms, exclusion clauses.- Conclusion: contractual discharge and remedies*
3. *The Law of Tort:- Negligence, Professional Negligence*
4. *Commercial Law:- Consumer Protection Law: Consumer Protection Act 2007 and the Codes of Practice in the Financial Services Sector.- Sale of Goods legislation*
5. *The Law of Agency- formation, classifications, rights and duties, termination of agency agreements.*
6. *Employment Law: - Contract of employment, contract of service, contracts for services, duties of the employer and employee.- Dismissal: constructive dismissal, unfair dismissal, wrongful dismissal.- Redundancy and associated legislation.*
7. *Company Law: The formation and constitution of business organisations- Partnership: formation, formalities, rights and duties, liability and conclusion. - Company formation: types and classifications of companies, registration procedure.- Companies and legal personality.*
8. *Company Law: - Management: The ODCE, meetings and decision making, accounts and the annual return- Company officers: Directors, the auditor and*

company secretary.

9. *Company finance: - Capital, shares, debentures, charges and dividends.*

10. *Corporate Governance and ethical issues related to business- Codes of practice, Money-Laundering legislation, fraudulent, reckless and insider trading, bribery.*

11. *Legal Issues relating to companies in difficulty or in crisis: Insolvency - Liquidation; Receivership and Examinership.*

## Learning Activities

Lectures and tutorials.

## References

<b>Course Material</b>	Book
<b>Author</b>	Clark
<b>Publishing Year</b>	2008
<b>Title</b>	Contract Law in Ireland
<b>Subtitle</b>	
<b>Edition</b>	6th
<b>Publisher</b>	Gill and Macmillan
<b>ISBN</b>	

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

<b>Course Material</b>	Book
<b>Author</b>	Courtney
<b>Publishing Year</b>	2012
<b>Title</b>	The Law of Companies
<b>Subtitle</b>	
<b>Edition</b>	3rd
<b>Publisher</b>	Bloomsbury Professional
<b>ISBN</b>	

<b>Course Material</b>	Book
<b>Author</b>	Forde & Byrne
<b>Publishing Year</b>	2009
<b>Title</b>	Employment Law
<b>Subtitle</b>	
<b>Edition</b>	3rd

<b>Publisher</b>	Roundhall
<b>ISBN</b>	

<b>Course Material</b>	Book
<b>Author</b>	Keenan
<b>Publishing Year</b>	2012
<b>Title</b>	Principles of Irish Law
<b>Subtitle</b>	
<b>Edition</b>	5th
<b>Publisher</b>	Gill and Macmillan
<b>ISBN</b>	

<b>Course Material</b>	Book
<b>Author</b>	Mc Donnell
<b>Publishing Year</b>	2009
<b>Title</b>	An Introduction to Irish Business Law
<b>Subtitle</b>	
<b>Edition</b>	1st
<b>Publisher</b>	Chartered Accountants Ireland
<b>ISBN</b>	

<b>Course Material</b>	Book
<b>Author</b>	McMahon & Binchy
<b>Publishing Year</b>	2013
<b>Title</b>	Irish Law of Torts
<b>Subtitle</b>	
<b>Edition</b>	4th
<b>Publisher</b>	Bloomsbury
<b>ISBN</b>	

<b>Course Material</b>	Book
<b>Author</b>	Quill
<b>Publishing Year</b>	2009
<b>Title</b>	Torts in Ireland
<b>Subtitle</b>	
<b>Edition</b>	3rd
<b>Publisher</b>	Gill and Macmillan
<b>ISBN</b>	

## Notes

This module offers an introduction to business and company law. It considers various aspects of business law including contract law, employment law and commercial law. The law of tort is also studied as part of this module. Company law focuses on governance and highlights areas where the regulatory framework imposes obligations on accountants and auditors.

