

YEAR 2: COURSE 11 – BUSINESS LAW

Prescription Title:	Business Law
Prescription Number:	DC611
Level:	6
Credits:	20
Version:	1
Introduced:	2008
Hours:	Total 200
Prerequisites	DC503 –Business and Commercial Law

AIM / PURPOSE

The purpose of this course is to enable students to develop the skills to act for vendors in regard to agreements for the sale of businesses and purchasers in regard to the purchase of a business.

DESIRED OUTCOMES

- a. Compare and contrast the various types of insurance, when it applies and the reasons why a claim may be rejected.
- b. Understand the basic principles of insolvency law.
- c. Discuss the various types of legal protection available for intellectual property.
- d. Examine the practical aspects acting for a vendor/purchaser in the sale/purchase of a business.
- e. Negotiate and examine matters to be considered in negotiating a new lease or assignment of existing lease to ensure acceptable lease conditions.

LEARNING OUTCOME 1

Students will understand and contrast the various types of insurance, when it applies and the reasons why a claim may be rejected.

- 1.1 Describe the types of insurance that may apply to a conveyancing business
- 1.2 Discuss the requirements for an insurable interest
- 1.3 Discuss the duty of disclosure and the effect that misrepresentation and non-disclosure may have on a claim under a contract of insurance
- 1.4 Explain the principles of proximate cause, indemnity and the doctrine of subrogation

LEARNING OUTCOME 2

Students will be able to understand and discuss the basic principles of insolvency law.

- 2.1 Discuss the nature of bankruptcy and its long term implications.
- 2.2 Describe the process of bankruptcy and differentiate between an application for bankruptcy based on a creditor's application - to that based on a debtor's application.
- 2.3 Explain what amounts to an Act of Bankruptcy.
- 2.4 Explain the role of an assignee and receiver.
- 2.5 Discuss how an assignee may disclaim onerous contracts.
- 2.6 Explain how the public register of discharged and undischarged bankrupts may be accessed.
- 2.7 Discuss what alternatives there are to Bankruptcy.

LEARNING OUTCOME 3

Students will be able to discuss and apply the various types of legal protection available for intellectual property.

- 3.1 Define different forms of intellectual property including Trademarks, Copyright, Patents and Designs.
- 3.2 Explain what protection the law gives to confidential information.
- 3.3 Briefly describe how to obtain a trademark, copyright, patent, and design protection.
- 3.4 Describe what remedies are available to a person whose intellectual property rights are infringed.

LEARNING OUTCOME 4

Students will examine the practical aspects acting for a vendor/purchaser in the sale/purchase of a business.

LEARNING OUTCOME 5

Students will be able to understand and apply matters to be considered in negotiating a new lease or assignment of existing lease to ensure acceptable lease conditions.

- 5.1 Describe the key covenants in a lease including its term, the amount payable by way of rent, the rent review process, the permitted use and tenant and landlord obligations.
- 5.2 Describe the effect of legislation on leases.
- 5.3 Explain the continuing obligations on a tenant who has assigned their lease.

CROSS CREDIT

Not applicable for this paper

REQUIRED COURSE TEXTS AND MATERIALS

Yet to be confirmed