COURSE DESCRIPTION
The course is described in the University Calendar as follows:

GMGT 3300 Commercial Law: (Formerly 027.330) General history of law, the organization of courts, the Canadian Constitution, federal and provincial legislative functions. Legal concepts and problems relating to business organization, contracts, principal and agent, negotiable instruments, common torts, and bankruptcy proceedings.

Time and Location of Class
A01: Monday and Wednesday, 10:00 a.m. to 11:15 a.m.
January 3, 2018 to April 6, 2018
Room 122 Drake Centre

Method of Evaluation
There will be a mid-term test worth 30% of the final grade for A03: February 14, 2018 in class.

There will be a 2 ½ hour examination worth 70% of the final grade.
Final exam date A03: TBA.
The Voluntary Withdrawal Date is March 16, 2018.

There will be no deferred writing of the mid-term test. Therefore, should you have a legitimate reason preventing you from writing the mid-term test, the final exam will be worth 100% of your final grade. The mid-term test usually covers material to, and including, Section 3, The Major Forms of Business Organization in Canada. Results will be provided prior to the March 16, 2018 Voluntary Withdrawal date.

General References

These are the prescribed texts for the course. It is expected that you will avail yourself of a copy and read the chapters or pages to which reference is made. It is assumed that you have not read any other references, which are provided to you for your interest only.

Electronics in Class
The use of cell phones, texting, and internet is not allowed during class, during the mid-term test nor the final examination.

Consuming Food in Class
Consuming food in class is prohibited without the approval of instructor.

University Email Policy
Effective September 1, 2013, the U of M will only use your university email account for official communications, including messages from your instructors, department or faculty, academic advisors, and other
administrative offices. If you have not already been doing so, please send all emails from your UofM email account. Remember to include your full name, student number and faculty in all correspondence. For more information visit: [http://umanitoba.ca/registrar/e-mail_policy](http://umanitoba.ca/registrar/e-mail_policy)

**Deferred Examinations**
FOR ALL STUDENTS WHO HAVE BEEN APPROVED BY THEIR FACULTY OFFICE TO HAVE A DEFERRED EXAM:

Effective September 2005, the Department of Business Administration has instituted a policy which provides **ONE DATE ONLY** for students who have deferred their final exams.

**The deferred final exam date is still to be determined. It will be provided to you once confirmed.**

Please refer to University of Manitoba’s Policy 1305 – Exam Regulations ([http://umanitoba.ca/admin/governance/governing_documents/academic/454.htm](http://umanitoba.ca/admin/governance/governing_documents/academic/454.htm)) or the Undergraduate Program Office for rules and regulations concerning deferred exams.

**Unclaimed Assignments**
Pursuant to the FIPPA Review Committee’s approved recommendations as of August 15, 2007, all unclaimed student assignments will become the property of the faculty and will be subject to destruction six months after the completion of any given academic term.

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### AACSB Assurance of Learning Goals and Objectives.

The Asper School of Business is proudly accredited by AACSB. Accreditation requires a process of continuous improvement of the School and our students. Part of “student improvement” is ensuring that students graduate with the knowledge and skills they need to succeed in their careers. To do so, the Asper School has set the **learning goals and objectives** listed below for the **Undergraduate Program**. The checked goal(s) and objective(s) will be addressed in this course and done so by means of the items listed next to the checkmark.

<table>
<thead>
<tr>
<th>Goals and Objective in the Undergraduate Program</th>
<th>Goals and Objectives Addressed in this Course</th>
<th>Course Item(s) Relevant to these Goals and Objectives</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Quantitative Reasoning</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. Determine which quantitative analysis technique is appropriate for solving a specific problem.</td>
<td></td>
<td></td>
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<tr>
<td>B. Use the appropriate quantitative method in a technically correct way to solve a business problem.</td>
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<tr>
<td>C. Analyze quantitative output and arrive at a conclusion.</td>
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<td></td>
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<tr>
<td><strong>Written Communication</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. Use correct English grammar and mechanics in their written work.</td>
<td>✓</td>
<td>Written exams</td>
</tr>
<tr>
<td>B. Communicate in a coherent and logical manner</td>
<td>✓</td>
<td>Written exams</td>
</tr>
<tr>
<td>C. Present ideas in a clear and organized fashion.</td>
<td>✓</td>
<td>Written exams</td>
</tr>
<tr>
<td><strong>Ethical Thinking</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. Identify ethical issues in a problem or case situation</td>
<td>✓</td>
<td>Part I of the Outline and during discussions about specific court cases</td>
</tr>
<tr>
<td>B. Identify the stakeholders in the situation.</td>
<td>✓</td>
<td>Part I of the Outline</td>
</tr>
<tr>
<td>C. Analyze the consequences of alternatives from an ethical standpoint.</td>
<td>✓</td>
<td>During discussions about specific court cases</td>
</tr>
<tr>
<td>D. Discuss the ethical implications of the decision.</td>
<td>✓</td>
<td>During discussions about specific court cases</td>
</tr>
<tr>
<td><strong>Core Business Knowledge</strong></td>
<td>✓</td>
<td>Entire course</td>
</tr>
</tbody>
</table>

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2
1. AN INTRODUCTION TO LAW AND CANADA’S LEGAL SYSTEM

1.a. What is Law in Philosophical Terms

1.b. Institutional Sources of Law
   1.b.i. Courts
   1.b.ii. Legislatures
   1.b.iii. Delegate Bodies

1.c. Systems of Law
   1.c.i. Common Law
   1.c.ii. Civil Law

1.d. The Nature and Roles of the Courts
   1.d.i. The Court System in Canada
   1.d.ii. The Court Process in the Context of Litigation

2. THE CANADIAN CONSTITUTION

2.a. The Nature of a Constitution

2.b. Sources of the Constitution

2.c. Selected Topics in Canadian Constitutional Law
   2.c.i. Federalism in Canada
   2.c.ii. Responsible Government
   2.c.iii. 1982 Revisions
   2.c.iv. Constitutional Amendment Process
   2.c.v. The Charter of Rights

3. THE MAJOR FORMS OF BUSINESS ORGANIZATION IN CANADA

3.a. Sole Proprietorships

3.b. Principal and Agent Relationship

3.c. Partnerships
3.d. Cooperatives
3.e. Corporations

4. THE LAW OF TORTS
4.a. The Nature of Torts
4.b. Intentional Torts
4.c. The Tort of Negligence
4.d. Professional Liability

5. THE LAW OF CONTRACT
5.a. The Six Basic Elements of a Contract
   5.a.i. Offer
   5.a.ii. Acceptance
   5.a.iii. Consideration
   5.a.iv. Intention to Create Legal Relations
   5.a.v. Capacity
   5.a.vi. Legality of the Contract
5.b. Impugning a Contract
5.c. Enforcement of Contractual Rights and Problems of Enforcement
5.d. Discharge of a Contract
5.e. Effect of Breach and Remedies

6. THE LAW OF PROPERTY
6.a. Personal Property
   6.a.i. Choses in Possession
   6.a.ii. Intellectual Property
6.b. Real Property

7. NEGOTIABLE INSTRUMENTS

8. SECURED TRANSACTIONS
9. BANKRUPTCY ISSUES

Academic Integrity

It is critical to the reputation of the Asper School of Business and of our degrees, that everyone associated with our faculty behave with the highest academic integrity. As the faculty that helps to create business and government leaders, we have a special obligation to ensure that our ethical standards are beyond reproach. Any dishonesty in our academic transactions violates this trust. The University of Manitoba General Calendar addresses the issue of academic dishonesty under the heading “Plagiarism and Cheating.” Specifically, acts of academic dishonesty include, but are not limited to:

- using the exact words of a published or unpublished author without quotation marks and without referencing the source of these words
- duplicating a table, graph or diagram, in whole or in part, without referencing the source
- paraphrasing the conceptual framework, research design, interpretation, or any other ideas of another person, whether written or verbal (e.g., personal communications, ideas from a verbal presentation) without referencing the source
- copying the answers of another student in any test, examination, or take-home assignment
- providing answers to another student in any test, examination, or take-home assignment
- taking any unauthorized materials into an examination or term test (crib notes)
- impersonating another student or allowing another person to impersonate oneself for the purpose of submitting academic work or writing any test or examination
- stealing or mutilating library materials
- accessing test prior to the time and date of the sitting
- changing name or answer(s) on a test after that test has been graded and returned
- submitting the same paper or portions thereof for more than one assignment, without discussions with the instructors involved

Group Projects and Group Work

Many courses in the Asper School of Business require group projects. Students should be aware that group projects are subject to the same rules regarding academic dishonesty. Because of the unique nature of group projects, all group members should exercise special care to ensure that the group project does not violate the policy on Academic Integrity. Should a violation occur, group members are jointly accountable unless the violation can be attributed to a specific individual(s).

Some courses, while not requiring group projects, encourage students to work together in groups (or at least do not prohibit it) before submitting individual assignments. Students are encouraged to discuss this issue as it relates to academic integrity with their instructor to avoid violating this policy.

In the Asper School of Business, all suspected cases of academic dishonesty are passed to the Dean's office in order to ensure consistency of treatment.