

DBS SCHOOL OF BUSINESS

LJMU DEGREE PROGRAMMES

MODULE PROFORMA

Module Title: Business & Company Law

Level 2

Assessment Continuous Assessment: 30%

Examination: 70%

Prerequisites: None

Credits: 12

Objectives:

- To ensure that students pursuing a career in either accounting or financial management are equipped with significant knowledge of the legal framework surrounding their chosen profession.
- To enable students to identify the essential elements of the legal system, including the main sources of law.
- To provide students with the tools to facilitate an understanding of contractual obligations, negligent liability and corporate governance.
- To evaluate and apply the law relating to the employment relationship.

Learning Outcomes:

On completion of this module students will be able to:

- Demonstrate a firm understanding and appreciation of the role of law in business, with specific emphasis on the areas of accounting and finance.
- Apply legal principles to practical problems in the work place.
- Advise on business and company law issues arising in everyday work practice.

Syllabus:

Introduction to Irish Legal Systems

- The structure of the Courts, the doctrine of precedent, statute law and delegated legislation, Human Rights Act 2003

Contract Law

- Formation: offer, acceptance, consideration, intention, capacity, privity of contract. Formalities: conditions, warranties, innominate terms, express terms, implied terms, exclusion clauses. Vitiating Factors: mistake, misrepresentation, duress, statutory and common law illegalities. Conclusion: contractual discharge and remedies

The Law of Tort

- Negligence, nuisance, defamation, passing-off, professional negligence

Commercial Law

- Consumer Protection Legislation: Consumer Information Act 1978, Sale of Goods and Supply of Services Act 1980, EU Directive on Unfair Contract Terms 1994. Agency: formation, classifications, rights and duties, conclusion

Employment Law

- Contract of Employment: contracts of service, contracts for services, duties of the employer and employee. Dismissal and redundancy

Company Law

- Partnership: formation, formalities, rights and duties, liability, conclusion. Company Formation: types and classifications of companies, company promoters, registration procedure. Company Finance: capital, shares and dividends. Company Officers: directors, the auditor and the secretary. Company Management: meetings, accounts and the annual return. Company Conclusion: liquidation and examinership. Corporate Governance: codes of practice, money-laundering, fraudulent, reckless and insider trading