

Carleton University

Department of Law and Legal Studies

### Course Outline

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<b>COURSE:</b>	<b>LAWS 3205A – Business Enterprise Frameworks</b>
<b>TERM:</b>	<b>FALL 2020</b>
<b>PREREQUISITES:</b>	<b>(LAWS 2202 or BUSI 2601) and 0.5 credit in LAWS at the 2000 level.</b>
<b>CLASS:</b>	<b>Day &amp; Time: Monday 8:35 am to 11:25 am</b> <b>Room: All courses during the Fall 2020 semester will be delivered online. The lectures in this course will be delivered “live”, online every week during our regularly scheduled class time using the Zoom conferencing platform.</b>
<b>INSTRUCTOR: (CONTRACT)</b>	<b>Gilles LeVasseur</b>
<b>CONTACT:</b>	<b>Office: B442 Loeb Building (Contract Instructor’s Office)</b> <b>Office Hrs: Monday night 21h05 to 22h00</b> <b>Telephone: TBA</b> <b>Email: <a href="mailto:jlilles.levasseur@sympatico.ca">jlilles.levasseur@sympatico.ca</a></b>

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#### **Academic Accommodations:**

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

**Pregnancy obligation:** Please contact me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details, visit the Equity Services website: [carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf](http://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf)

**Religious obligation:** write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details, visit the Equity Services website: [carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf](http://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf)

**Academic Accommodations for Students with Disabilities:** If you have a documented disability requiring academic accommodations in this course, please contact The Paul Menton Centre (PMC) at 613-520-6608 or [pmc@carleton.ca](mailto:pmc@carleton.ca) for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your Letter of Accommodation at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (if applicable). After requesting accommodation from PMC, meet with me as soon as possible to ensure accommodation arrangements are made. Please consult the PMC Website for their deadline to request accommodations for the formally-scheduled exam (if applicable) [www.carleton.ca/pmc](http://www.carleton.ca/pmc)

#### **Plagiarism:**

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished

material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at: <http://carleton.ca/studentaffairs/academic-integrity/>

### **Survivors of Sexual Violence**

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: [carleton.ca/sexual-violence-support](http://carleton.ca/sexual-violence-support)

### **Accommodation for Student Activities**

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. <https://carleton.c/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

For more information on academic accommodation, please contact the departmental administrator or visit: [students.carleton.ca/course-outline](http://students.carleton.ca/course-outline)

### **Department Policy**

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://carleton.ca/law/current-students/>

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## **General**

The purpose of this course is to provide a broad introduction to the Canadian consumer legal system and to the institutions, processes, rules and actors that comprise it. The goal is to situate the consumer law within its general social setting, practically and theoretically, and to examine the interrelationship between the aspirations and practices of each. The class will also look in detail at the participants and parties in the consumer law system, and in particular examine the mechanisms of accountability and control for these actors and their relative effectiveness. Current examples and reforms will be discussed throughout the course to highlight the pertinent issues and problems within the system.

**N.B.** The prerequisite for enrolling in this course is the successful completion of LAWS 1000.

### **Materials**

Required text:

*Consumer Law: Cases and Materials* by M.H. Ogilvie, 3<sup>rd</sup> ed., Toronto, Captus Press, 2007 - Available (new and used) at the Carleton University Bookstore or Haven Books, 43 Seneca Avenue, Ottawa (havenbooks.ca).

ISBN 978-1-55322-156-2 (2007) 572 pages, 1300 g, 8.5 X 11, \$62.25 (US\$49.75)

### **Web Site**

Course announcements, grades, and other materials will be posted on the course web site on cuLearn. To logon, go to <https://culearn.carleton.ca>. Only students registered in the course have access to the site; your Username and ConsPassword to sign on are the same as those for your email or Connect account.

### **Evaluation**

1. Midterm Exam	30%
2. Written assignment	30%
3. December Examination	40%

#### **Explanation of evaluation scheme:**

1. The December exam will be held during the formal examination period (December 11 – 22); the exact date, time and location will be announced by the Scheduling Office during the term.
2. The midterm will be written on **Monday, October 19, at 8:35 a.m. – 11:35 a.m.** It will be a closed book exam. Complete details will be provided before the midterm.
3. The details of the written assignment will be announced during term.

### **LATE PENALTIES AND REQUESTS FOR EXTENSIONS**

The penalty for a late assignment is zero if past the due date.

The granting of extensions is determined by the instructor who will confirm whether an extension is granted and the length of the extension. For requests for extensions lasting less than 7 days, please complete the form at the following link and submit it to the instructor prior to the assignment due date <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf>. **Extensions for longer than 7 days will normally not be granted.** In those extraordinary cases where extensions lasting longer than 7 days are granted, the student will be required to provide additional information to justify the longer extension (up to a maximum of 14 days).

### **Syllabus**

The course syllabus will generally follow the topics as presented in the "Table of Contents" in the text. The general topics and the order in which they are presented are as follows (subject to some variations as required by time constraints):

1. Introduction – Chapter one
2. Consumerism and the law – Chapter two
3. Business and Government – Chapter three
4. Products liability – Chapter four
5. Private law and conflict of laws – Chapter five
6. Contracts – Chapter six
7. Sales of Goods – Chapter seven
8. Consumer credit – Chapter eight
9. Regulating credit – Chapters nine, ten and eleven
10. Debt collection – chapters twelve, thirteen and fourteen
11. Regulatory approaches – Chapter fifteen
12. Small Claims Suits – Chapters sixteen

## READING LIST

The following list contains a selection of books concerning Consumer Law which are available at the MacOdrum Library. Although not required reading, students may find these books of use in preparing research papers and in researching topics of particular interest.

- Gordon Borrie and Aubrey L. Diamond, *The Consumer, Society and the Law*, 4th ed., (Penguin, 1981).
- Jamie Cassels and Craig Jones, *The Law of Large-Scale Claims*, (Irwin Law, 2005).
- Alistair M. Clarke, *Product Liability*, (Sweet and Maxwell, 1989).
- Cranston's *Consumers and the Law*, 3rd ed., (Butterworths, 2000).
- Michael Deturbide, *Consumer Protection Online*, (LexisNexis, 2006).
- C.R.B. Dunlop, *Creditor-Debtor Law in Canada*, 2nd ed. (Carswell, 1995).
- Dean F. Edgell, *Product Liability Law in Canada*, (Butterworths, 2000).
- G.H.L. Fridman, *The Sale of Goods in Canada*, 6th ed.(Carswell, 2006).
- Roy Goode, *Commercial Law*, 4th ed. (Lexis Nexis, 2009).
- Andrew Grubb (ed.), *Product Liability*, (Lexis Nexis, 2007).
- J.F. Kenkel and W.S. Chalmers, *Small Claims Litigation*, 4th ed., (Butterworths, 2002).
- Stanley J. Kershman, *Credit Solutions: Kershman on Advising Secured and Unsecured Creditors* 2nd ed. (Carswell, 2007).
- Elizabeth L. McNaughton and Parna Sahat, *A Guide to the Ontario Consumer Protection Act*, (LexisNexis, 2009).
- Johanna Niemi, Iain Ramsay and William C. Whitford (eds.), *Consumer Credit, Debt and Bankruptcy: Comparative and International Perspectives* (Hart, 2009).
- Laurence Olivo, *Debtor-Creditor Law and Procedure*, (Emond-Montgomery, 1999).
- Iain Ramsay, *Consumer Protection. Text and Materials*, (Weidenfeld and Nicolson, 1989).
- Iain Ramsay, *Consumer Law and Policy: Texts and Materials on Regulating Consumer Markets*, 3rd ed., (Hart, 2012).
- Stikeman, Elliott, *Competition Act and Commentary* (LexisNexis, 2012).

- S.M. Waddams, Product Liability, 5th ed., (Carswell, 2011).
- Roderick J. Wood, Bankruptcy and Insolvency Law, (Irwin Law, 2009).
- Marvin A. Zuker, Ontario Small Claims Court Practice 2012, (Carswell, 2011)