

## Course Outline

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<b>COURSE:</b>	LAWS 3005A– Law and Regulation
<b>TERM:</b>	Winter 2023
<b>PREREQUISITES:</b>	1.0 credit from LAWS 2201, LAWS 2202, LAWS 2501, LAWS 2502.
<b>CLASS:</b>	<b>Day &amp; Time:</b> Tuesdays 6:05pm-8:55pm <b>Room:</b> Please check Carleton Central for current Class Schedule In-person, including use of Brightspace for discussions.
<b>INSTRUCTOR:</b>	Faiza Ahmed-Hassan
<b>CONTACT:</b>	<b>Office:</b> N/A <b>Office Hrs:</b> Privately by appointment <b>Telephone:</b> N/A <b>Email:</b> FaizaAhmedHassan@cunet.carleton.ca

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### CALENDAR COURSE DESCRIPTION

Definitions and goals of regulation; contemporary theories and debates about legal and non-legal approaches to regulation. Approaches studied may include market mechanisms, public agency regulation, self-regulation and governance in co-operation with associations in civil society.

Lectures three hours a week.

### COURSE DESCRIPTION

In this course, we will explore the dynamics of government regulation in a variety of social fields. We will begin the course by exploring key regulatory concepts such as the rule of law and how regulations are created. Those concepts will then be applied to a series of case studies that illustrate the complexities, pitfalls, and political dynamics related to regulations. These case studies will focus on the contemporary Canadian context in various fields, including healthcare and technology.

### **REQUIRED TEXTS**

There will be no required textbook for this course but required materials set out in the course schedule below.

### **SUPPLEMENTARY TEXTS**

Regulatory Law and Practice, 3rd Edition by J. Paul Salembier (Author), Published by LexisNexis

\*a copy of the supplemental readings from this textbook can be accessed through the university library\*

### **EVALUATION**

Standing in a course is determined by the course instructor, subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

<b>Description</b>	<b>Percentage</b>	<b>Due</b>
Class Attendance and Participation	10%	You will be graded for class attendance and participation, which includes attendance, active engagement and participation in class discussions. You are expected to attend all classes although you may miss one without penalty. The assessment for class attendance and participation is both a qualitative and quantitative assessment and seeks to recognize, among other factors, a student's overall contribution to the fostering of a respectful, collegial and hardworking class for the advancement and learning of the course materials.
Quizzes x 2	20%	Quizzes 1 & 2 at Weeks 5 and 8 will test comprehension of material from assigned required materials and lectures in a true/false, multiple choice, and matching format. More details to follow in class and on Brightspace.
Mid-term Reflection Paper	25%	More information will follow in class and on Brightspace; due <b>Tuesday March 28, 2023 at 11:59pm.</b>
Final Take Home Exam	45%	More information will follow in class and on Brightspace; due <b>Thursday April 27, 2023 at 11:59pm.</b>
Total	100%	

## **All components must be successfully completed in order to get a passing grade**

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

Missed quizzes will result in a grade of zero on the quiz **unless** an alternate arrangement has been made prior to the quiz date or in the case of emergency (as determined by the instructor).

All late assignments as well as the Take-home Final Exam will be penalized by 10% of the assignment/Exam grade per day up to a two-day, 20% maximum unless an extension has been arranged with the instructor prior to the due date or in the case of emergency (to be determined by the instructor).

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).

### **GENERAL COURSE GUIDANCE**

1. **BE PREPARED.** Check Brightspace every week to find out what you are required to do that week. Make sure you do the readings in advance of all classes so you are prepared for discussion.
2. **RESPECT.** Class discussions may be lively, and we will disagree about ideas, but we must stay cordial and respectful of each other and preserve the dignity of our class culture. Neither personal insults, nor any sexist, racist, classist, ableist, homophobic, transphobic, or otherwise oppressive commentary (including perspectives that denigrate neurodiversity) will be permitted whatsoever.
3. **REACHING THE PROFESSOR:** If you need to reach the Professor, you may send an email to FaizaAhmedHassan@cunet.carleton.ca and all efforts will be made to respond to your email within 48 hours. If you do not hear back within that time frame, please email again. Please include the course code LAWS 3005 in the subject line.

**SCHEDULE**

<b>SCHEDULE of TOPICS &amp; WEEKLY READINGS</b>	
<b>Week 1:</b> <b>Introduction</b> January 10, 2023	Review of course outline and evaluation methodology.
<b>Week 2:</b> <b>What is Regulatory Law? Rule of Law (1)</b> January 17, 2023	<b>Required Materials:</b> <ul style="list-style-type: none"> <li>• Jack Watson, <a href="#">You Don't Know What You've Got 'Til It's Gone: The Rule of Law in Canada - Part I, 2015 CanLIIDocs 56</a></li> </ul> <b>Supplemental Materials:</b> <ul style="list-style-type: none"> <li>• Regulatory Law and Practice pg. 8-14</li> </ul>
<b>Week 3:</b> <b>What is Regulatory Law? Rule of Law (2)</b> January 24, 2023	<b>Required Materials:</b> <ul style="list-style-type: none"> <li>• Jack Watson, <a href="#">You Don't Know What You've Got 'Til It's Gone: The Rule of Law in Canada - Part II, 2015 CanLIIDocs 80</a></li> </ul> <b>Supplemental Materials:</b> <ul style="list-style-type: none"> <li>• Regulatory Law and Practice - Chapter 4</li> <li>• <a href="#">Rule of Law Matters Podcast - Season 1, Episode 1: Introduction to the Rule of Law</a></li> </ul>
<b>Week 4:</b> <b>How Regulations Are Made</b> January 31, 2023	<b>Required Materials:</b> <ul style="list-style-type: none"> <li>• <a href="#">How new laws and regulations are created (Department of Justice)</a></li> <li>• <a href="#">Guide to Making Federal Acts and Regulations – Part 3</a></li> </ul> <b>Supplemental Materials:</b> <ul style="list-style-type: none"> <li>• Regulatory Law and Practice - Chapter 6</li> </ul>
<b>Week 5:</b> <b>Interpreting Regulations</b> February 7, 2023	<b>Quiz # 1:</b> <ul style="list-style-type: none"> <li>• What is Regulatory Law Parts 1 and 2</li> </ul> <b>Required Materials:</b> <ul style="list-style-type: none"> <li>• <a href="#">Interpretation Act (R.S.C., 1985, c. I-21)</a></li> <li>• <a href="#">Interpretation Act, R.S.O. 1990, c. I.11</a></li> </ul>

	<ul style="list-style-type: none"> <li>• <a href="#">Requirements for developing, managing and reviewing regulations</a> (Treasury Board of Canada Secretariat)</li> </ul> <p><b>Supplemental Materials:</b></p> <ul style="list-style-type: none"> <li>• Regulatory Law and Practice - Chapter 7</li> </ul>
<p><b>Week 6: Enforcement of Regulations</b> February 14, 2023</p>	<p><b>Required Readings:</b></p> <ul style="list-style-type: none"> <li>• <b>Ubaka Ogbogu</b>, <a href="#">Combatting Unlicensed Stem Cell Interventions through Truthful Advertising Law: A Survey of Regulatory Trends, 2016 CanLIIDocs 123</a></li> </ul> <p><b>Supplemental Materials:</b></p> <ul style="list-style-type: none"> <li>• Regulatory Law and Practice – Chapter 8</li> </ul>
<p><b>Week 7: No Class</b> February 20-24, 2023</p>	<p>Winter break. No classes.</p>
<p><b>Week 8: Regulating Technology</b> February 28, 2023</p>	<p><b>Quiz # 2:</b></p> <ul style="list-style-type: none"> <li>• How regulations are made</li> <li>• Interpreting regulations and</li> <li>• Enforcing regulations</li> </ul> <p><b>Required Readings:</b></p> <ul style="list-style-type: none"> <li>• <b>Moin A Yahya</b>, <a href="#">Cryptocurrencies and the Regulatory Challenge, Allan C. Hutchinson (London, U.K.: Routledge, 2022), 2022 CanLIIDocs 3240</a></li> <li>• <a href="#">Marietje Schaake: Regulating Technology   WIRED Briefings</a></li> </ul>
<p><b>Week 9: Regulating Technology – Robots &amp; Artificial Intelligence</b> March 7, 2023</p>	<p><b>Required Readings:</b></p> <ul style="list-style-type: none"> <li>• <b>Maria Aurora Nunez</b>, <a href="#">Artificial Intelligence, Machine Learning, Robots and a Regulatory Gap in Canada</a></li> <li>• <b>Kristen Thomasen</b>, <a href="#">Robots, Regulation, and the Changing Nature of Public Space, 2020 CanLIIDocs 3937</a></li> </ul> <p><b>Supplemental Materials:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Robot Regulation: What Is It and Why Does It Matter? with Ryan Calo</a></li> </ul>
<p><b>Week 10: Regulating Health – Egg Donors</b> March 14, 2023</p>	<p><b>Required Readings:</b></p> <ul style="list-style-type: none"> <li>• <b>Kathleen Hammond</b>, <a href="#">Not Worth the Wait: Why the Long-Awaited Regulations Under the AHRA Don't Address Egg Donor Concerns, 2022 CanLIIDocs 1258</a></li> </ul>

<p><b>Week 11:</b>  <b>Regulating Health - Homeopathy</b>          March 21, 2023</p>	<p><b>Required Readings:</b></p> <ul style="list-style-type: none"> <li>• Nadine Ijaz, <a href="#">Paradigm-specific risk conceptions, patient safety, and the regulation of traditional and complementary medicine practitioners: The case of homeopathy in Ontario, Canada.</a></li> </ul>
<p><b>Week 12:</b>  <b>Regulating Housing</b>          March 28, 2023</p>	<p><b>Midterm Paper Due</b></p> <p><b>Required Readings:</b></p> <ul style="list-style-type: none"> <li>• TBD</li> </ul> <p><b>Supplemental Materials:</b></p> <ul style="list-style-type: none"> <li>• Joseph Gyourko and Raven Molloy, <a href="#">Regulation and Housing Supply</a></li> </ul>
<p><b>Week 13:</b>  <b>Regulations and Reconciliation</b>          April 4, 2023</p>	<p><b>Required Readings:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Principles respecting the Government of Canada's relationship with Indigenous peoples – Department of Justice</a></li> <li>• <a href="#">Truth and Reconciliation Commission of Canada</a></li> </ul> <p><b>Supplemental Materials:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Healing a Nation Through Truth and Reconciliation   Chief Dr Robert Joseph   TEDxEastVan</a></li> </ul>
<p><b>Week 14:</b>          April 11, 2023</p>	<p><b>Final Class.</b></p>
<p><b>Week 15:</b>          April 27, 2023</p>	<p><b>Final take-home exam due.</b></p>

<b>Winter 2023 Sessional Dates and University Closures</b>	
<i>Please find a full list of important academic dates on the calendar website:</i> <a href="https://calendar.carleton.ca/academicyear/">https://calendar.carleton.ca/academicyear/</a>	
<b>January 9, 2023</b>	Winter term begins.
<b>January 20, 2023</b>	Last day for registration and course changes (including auditing) in full winter and late winter courses.
<b>February 20, 2023</b>	Statutory holiday. University closed.
<b>February 20-24, 2023</b>	Winter break. No classes.
<b>March 15, 2023</b>	Last day for academic withdrawal from full winter, late winter, and fall/winter courses.
<b>April 7, 2023</b>	Statutory holiday. University closed.
<b>April 12, 2023</b>	Winter term ends. Last day of full winter, late winter, and fall/winter classes.
<b>April 15-27, 2023</b>	Final examinations in full winter, late winter, and fall/winter courses will be held. Examinations are normally held all seven days of the week.
<b>April 27, 2023</b>	All final take-home examinations are due on this day.

## **University and Departmental Policies**

### **DEPARTMENT POLICIES AND REGULATIONS**

Please review the following webpage to ensure that your practices meet our Department’s expectations, particularly regarding standard departmental protocols and academic integrity requirements: <https://carleton.ca/law/student-experience-resources/>.

### **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: <https://carleton.ca/registrar/academic-integrity/>.

## **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**

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 accommodation regarding a formally-scheduled final exam, you must complete the [Pregnancy Accommodation Form](#).

### **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 [click here](#).

### **Academic Accommodations for Students with Disabilities**

[The Paul Menton Centre for Students with Disabilities](#) (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact 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 to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (if applicable).

### **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 where 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: <https://carleton.ca/equity/sexual-assault-support-services>



**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. Read more here:

<https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>.

For more information on academic accommodation, please visit:

<https://students.carleton.ca/services/accommodation/>.