Module Documentation

LAWL09001

Business Law

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LAWL09001 Business Law

Short Title	Business Law				
Full Title	Business Law				
Attendance	N/A		Discipline	380 LAW	
Coordinator	Deirdre McHugh		Department	Business	
Official Code	LAWL09001	NFQ Level	09	ECTS Credit	05

Module Description

The aims of this module are to provide an insight into the main features of the Irish legal system; to supply more detailed information about particular aspects of Irish law which are of relevance to businesses; to develop an appreciation of the legal implications of business decisions and relationships; to develop understanding of the European dimension to Irish law in the light of EC/EU membership and its dynamic nature.

Learning Outcomes

On completion of this module the learner will/should be able to

1. A fundamental knowledge of the principles of the Irish legal system and its connection with EC/EU membership.
2. The ability to interpret the key principles of Irish law as they apply in the business context.
3. The ability to interpret the role and impact of contract law and tort law in the business context.
4. The ability to recognise the relevance of employment law and data protection laws in the business environment.
5. Develop an ability to make decisions about the application of legal principles to problem situations.
6. Demonstrate an ability to find, analyse and apply relevant materials.
7. The ability to solve problems with reference to case law and legislation.

Module Dependencies

Prerequisite Modules

None

Corequisite Modules

None

Incompatible Modules

None

Indicative Syllabus

Introduction to the Irish Legal System: 10%

- The context: executive, legislative and judicial branches of State

– Basic principles of law: criminal and civil;

– The legal profession; the organisation of the court system, including first instance and appeals jurisdiction Enforcement of law: criminal and civil remedies

– Judicial review of decision-making tribunals

– Introduction to alternative dispute resolution.

Original sources of Irish law: 5%

– Common law, including the doctrine of precedent; statute law, including procedure for passing legislation, interpretation and secondary legislation;

– The Constitution, including constitutional rights and review.

EU Law 10%

– EU law as a source of Irish law

– The legal nature of the European Community and the European Union

– Main features of the Treaties establishing the EC/EU, including amendments; the main institutions of the EC/EU

– Direct legal effects of European law on Irish law; effect of enlargement of the EC/EU

Contract Law 25%

– Formation and terms of a contract; express terms, implied terms, conditions, warranties, exclusion clauses

– Offer, acceptance, invitation to treat, consideration;

– Factors vitiating a contract, misrepresentation, mistake; termination of a contract; law in relation to the formation and use of electronic contracts

– Saleand supply of goods and services, EC Directives and unfair contract terms, the role of the Director of Consumer Affairs.

Tort Law 25%

– What is a tort?

– Doctrine of vicarious liability;

– The tort of negligence

– Duty of care, standard of care, breach of a standard of care, causation

– Professional negligence; remedies.

Employment Law 25%

– Employment contracts; the distinction between employee and independent contractor, and the significance of this Distinction for tax purposes

– Terms and conditions of employment

– Client confidentiality and Data Protection Law

– Employment equality

– Dismissal.

CourseWork / Assessment Breakdown

CourseWork / Continuous Assessment	20 %
End of Semester / Year Formal Examination	80 %

Coursework Assessment Breakdown

Description	Outcome Assessed	% of Total	Assessment Week
Class Assessment Continuous Assessment	5,6,7	20	OnGoing

End Exam Assessment Breakdown

Description	Outcome Assessed	% of Total	Assessment Week
Final Exam Final Exam	1,2,3,4,5	80	End of Term

ACCS Mode Workload

Type	Location	Description	Hours	Frequency	Avg Wkly Wrkld

Total Average Weekly Learner Workload 0.00 Hours

Open Learning Mode Workload

Type	Location	Description	Hours	Frequency	Avg Wkly Wrkld

Total Average Weekly Learner Workload 0.00 Hours

Distance Learning Mode Workload

Type	Location	Description	Hours	Frequency	Avg Wkly Wrkld

Total Average Weekly Learner Workload 0.00 Hours

Part Time Mode Workload

Type	Location	Description	Hours	Frequency	Avg Wkly Wrkld

Total Average Weekly Learner Workload 0.00 Hours

Full Time Mode Workload

Type	Location	Description	Hours	Frequency	Avg Wkly Wrkld
Lecture	Lecture Theatre	Lecture	3	Weekly	3.00

Total Average Weekly Learner Workload 3.00 Hours

Online Learning Mode Workload

Type	Location	Description	Hours	Frequency	Avg Wkly Wrkld

Total Average Weekly Learner Workload 0.00 Hours

Module Resources

Module Book Resources

BPP (latest edition) Corporate and Business Law ACCA F4

Chartered Accountants Ireland, (latest edition) Law for Accountants (CAP1)

Module Alternate Book Resources

None

Module Other Resources

Barry, J. (ed.) (2000) *Practical Employment Law*Dublin: Round Hall Professional Publishing

Bradney, A., Cownie, F., Masson, J., Neal, A. & Newell, D. (2005) *How to Study Law.* 5 th

ed.London: Thomson - Sweet & Maxwell.

Byrne, R., and McCutcheon, P. (2001) *The Irish Legal System.* 4th ed.Dublin: Butterworths

Carolan, B. (2004) *EU Law for Irish Students.* Dublin: Gill & Macmillan

Clark, R. (2004) *Contract Law in Ireland*.Dublin: Thomson Round Hall

Faulkner, M. *Essentials of Irish Labour Law,* Dublin: Gill & Macmillan

Forde, M. (2001) *Employment Law.* 2 nd ed.Dublin: Round Hall

Friel, R. (2000) *The Law of Contract*.Dublin: Thomson Round Hall

Higgins, E. & Tatham, L. (2006) *Successful Legal Writing*. 1 st ed. London: Thomson – Sweet & Maxwell.

Hogan, G. and Whyte, G. (2003) *J.M. Kelly: The Irish Constitution*. 4 th ed.Dublin: Butterworths

Keenan, A., (current edition) *Essentials of Irish Business Law* Dublin: Gill & Macmillan

Knowles, J. & Thomas, P. (2006) *Effective Legal Research*. 1 st ed.London: Thomson – Sweet & Maxwell.

McMahon & Binchy, (2000) *Law of Torts*.Dublin: Butterworths

Quill, E. (2004) *Torts in Ireland*. 2 nd ed.Dublin: Gill & Macmillan

Richards, (2004) *Law of Contract*. 6 th ed. Longman

Module URLs

None

Additional Information

None

ISBN BookList

Book Details

Vaeni Mac Donnell 2010 *An Introduction to Business Law (Republic of Ireland)* Chartered Accountants Ireland
ISBN-10 1907214607 ISBN-13 9781907214608

Mary Faulkner 2013 *Essentials of Irish Labour Law* Gill & Macmillan Ltd
ISBN-10 0717152626 ISBN-13 9780717152629

Approval Information

School Approval by	Nicola Griffin on 13-11-2012
Academic Council on	31-05-2013

Programme Membership

Code	Intake Year	Programme Title
GA_BACCG_V09	200900	Postgraduate Diploma in Business in Accounting
GA_BACCG_V09	201500	Postgraduate Diploma in Business in Accounting