

FACULTY OF LAW, UNIVERSITY OF VICTORIA
2023-2024 COURSE REGISTRATION - PRELIMINARY COURSE INFORMATION (PCIS)¹

COURSE	LAW 301 The Administrative Law Process
UNIT VALUE	2.0 Units (4 hours of instruction per week)
INSTRUCTORS	Kathryn Chan
TERM OFFERED	Fall 2023
CLASS TIMES	See Schedule
PREREQUISITES/COREQUISITE	LAW 301 is a required course for the UVic JD Degree.

BRIEF COURSE DESCRIPTION

Administrative law deals with the relationships between different branches of the state. It charts the delivery of government services and the attendant rights and interests of persons and other legal entities as recipients of those services. It is a set of principles and rules that determine how courts supervise the decisions of governmental bodies acting under (mostly) statutory powers to ensure that their dealings with their constituencies comply with the law. The course explores the various reasons courts review such decisions and also considers the varying standards of review they apply in different contexts. The course also considers administrative law in social context, examining the impact of its doctrine on diversity and equity issues. The course is a staple of public law and serves as a foundation for more specialized study in numerous other areas including immigration, labour, freedom of information and human rights law.

Specific subject matters to be covered include:

- (1) The nature and scope of administrative regulation in Canada.
- (2) The constitutional foundations of administrative law; and
- (3) Judicial control of administrative decision-making through judicial review of administrative action, including:
 - procedural requirements for administrative decision/making and the grounds for judicial review of administrative decisions on the basis of failure to meet the requisite standards of procedural fairness;
 - substantive review of administrative decisions on the basis of errors of fact, law, and jurisdiction or errors in the exercise of administrative discretion.

EXPECTED EVALUATION METHODOLOGY (SUBJECT TO CHANGE)

Evaluation will be based on

- 1) an optional written assignment based on the course materials worth 35% of the course grade for students who complete it;
- 2) a three-hour, limited open-book exam worth either 65% or 100% of the course grade.

June 2023

¹ The information in this document is provided for course registration purposes only and is **subject to change**. More detailed course information about course content and evaluation will be provided upon the commencement of the course. Students seeking additional information about the course prior to its commencement may contact the instructor or, if no instructor is listed, the Manager of Academic Administration and Student Services (lawmaass@uvic.ca).