

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

COURSE	LAW 315 Business Associations
UNIT VALUE	2.0 (4 hours of instruction per week)
INSTRUCTOR	Mark Gillen
TERM OFFERED	Fall 2023
CLASS TIMES	See Schedule
PREREQUISITES/COREQUISITES	LAW 315 does not satisfy the JD/JID requirement for LAW 315I Transsystemic Business Associations, JD/JID student must register in LAW 315I LAW 315 is a required pre- or corequisite for LAW 349 BLC LAW 315 is a required prerequisite for LAW 346A Corporate Taxation LAW 315 is a recommended (not required) pre or corequisite for LAW 313 Securities Regulation, LAW 346A First Nation Taxation & LAW 346B International Taxation

COURSE DESCRIPTION

The course looks at alternative forms of association for carrying on business (including not-for-profit business activities) with particular emphasis on partnerships and corporations. It briefly looks at agency law and sole proprietorship. It will examine partnerships, limited partnerships, limited liability partnerships and corporations in somewhat more detail. Time permitting it will briefly consider other forms of association that **may** include business trusts, co-operatives, societies, unincorporated associations, social enterprise, franchises, and joint ventures.

COURSE OBJECTIVES

Students should be able to:

- 1. Base Knowledge:** Demonstrate an understanding of material covered in the course by answering short, matching, true/false, or multiple-choice questions on a mid-term quiz and/or final exam. For an on-line version of the course this objective will be assessed either by one or more open-book mid-term tests with questions that will require use of the knowledge or will be assessed indirectly by a fact-based open-book mid-term test or assignment and an open-book final exam based on the application objective noted immediately below, or a combination of these forms of evaluation.
- 2. Application**
 - (i) Identify Issues:** Identify agency, sole proprietorship, partnership, corporate law or other form of association issues in a given fact situation;
 - (ii) Set Out the Law:** State, with supporting statutory and/or case authority, a reasonable view of the law on the issues;
 - (iii) Apply the Law to the Facts:** Apply the law to the facts to give advice as to:
 - (a) the steps that will have to be taken in a transaction; and/or
 - (b) what rights or remedies a particular person may have and what their chances of successfully enforcing those rights and obtaining those remedies would be; and/or
 - (iv) Discuss Policy:** Discuss the reasons for the law, how the policy applies in the given fact situation, and whether the law is appropriate to deal with the given fact situation.
- 3. Policy:** Demonstrate an understanding of the broader social context in which businesses operate as it relates to the social responsibilities of business organizations, the effectiveness of business organizations in their production and/or service activities, and the role of the lawyer in advising business organizations in consideration of this broader social context by **(i)** answering an essay question on an exam; and/or **(ii)** noting the broader social context and/or role of the lawyer in responding to other questions on an exam.

TEACHING METHODOLOGIES

Achievement of the “knowledge” objective noted above will be based primarily on the readings for the course. **Students will be expected to read through ALL the materials for the course (roughly 630 pages of the *Notes on Business Associations* including roughly 260 pages of statutory materials) (covering the entire course syllabus).** The classes will consist of a combination of lecture and problem analysis. Sample problems will be the primary approach to learning the “application” objective noted above.

EVALUATION

The evaluation in the fall of 2023 will be by way of:

- (i) one or more closed-book quizzes with short, matching, true/false or multiple-choice questions and/or an open-book mid-term assignment counting for a total of 40% of the final mark; and
- (ii) a final open-book exam that will count for 60% of the final mark.

ACADEMIC INTEGRITY

Attention is drawn to the University's [Policy on Academic Integrity](#)

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, law.studentservices@uvic.ca