

FACULTY OF LAW, UNIVERSITY OF VICTORIA
2023-24 COURSE REGISTRATION – PRELIMINARY COURSE INFORMATION SUMMARY¹

COURSE	LAW 301 The Administrative Law Process
UNIT VALUE	2.0 units (4 hours of instruction per week)
INSTRUCTOR	Tim Richards
TERM OFFERED	Spring 2024
CLASS TIMES	See Schedule
PREREQUISITES/COREQUISITES	LAW 301 is a required course for the UVic JD Degree and JD/JID Joint Degree (JD/JID may alternatively complete 301I Transsystemic Administrative Law.)

COURSE OBJECTIVES / BRIEF COURSE DESCRIPTION

Administrative decision making is a pervasive and essential element of the organization of our society and the means by which our governments achieve important collective values and goals. This course is a study of the nature of and rationales for these structures, and the legal rules and limits within which they function. Thus, the primary objectives of this course are to provide students with a theoretical, practical and critical understanding of

- the scope and nature of administrative decision making, and
- the principles of administrative law in Canada and the rationales that underlie these principles.

The central concerns of the course are:

- the nature and rationale of administrative structures and decision making;
- an examination of the inter-relationship between the judicial, legislative and executive branches of government with respect to regulatory and administrative action;
- the constitutional foundations of administrative law; and
- judicial oversight of administrative decisions on both substantive and procedural grounds.

The course will also address the structural issues in the design and operation of administrative decision-making and court review processes.

The course serves as a foundation for specialized study in numerous other areas of public law such as immigration, labour, environmental, financial regulation, freedom of information, social welfare and human rights law, to name only a few. Students should gain an ability to recognize and analyze administrative law problems using appropriate legal principles, relevant case law, and applicable statutory provisions.

Specific subject matters to be covered are:

- (1) The nature and scope of administrative decision making in Canada;
- (2) The constitutional foundations of administrative law;
- (3) Judicial supervision of administrative decision-making through judicial review of administrative action, including:
 - substantive review of administrative decisions;
 - procedural fairness of administrative review; and
- (4) The *Administrative Tribunals Act*, S.B.C. 2004 c. 45.

EXPECTED EVALUATION METHODOLOGY (SUBJECT TO CHANGE)

Students will likely be evaluated through the following assignments and exams.

Short Written Assignments:	5%
Research Assignment:	20%
Perspectives Assignment	15%
Take Home Final Exam:	<u>60%</u>
Total:	100%

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 Student Services (law.studentservices@uvic.ca)