



# ADMS | Advanced Diploma in Management Studies Programme

Course Name	: Business Law
Course Code	: 69
Basic Course / Optional Course / Compulsory Course	: Basic Course
QF Level	: 4
No. of QF Credit	: 9
Mode of Tuition	: Sectional approach
Class Contact Hours	: 30 hours

## Brief Course Description

This course is to deliver students the fundamental knowledge of business law applicable to the HKSAR. It enhances students' understanding of different legal aspects in Hong Kong.

## Objective

The course introduces students to the salient features of the Hong Kong legal system, general principles of contract, sale of goods, agency, partnership and companies.

## Course Intended Learning Outcomes (CILO)

Upon completion of the course, students should be able to:

CILO 1: define the sources of Hong Kong law and characteristics of the Hong Kong legal system;

CILO 2: explain the general principles of contract law in a business context and apply the principles to different situations;

CILO 3: apply the legal principles in relation to the law of agency;

CILO 4: apply the legal principles under Sale of Goods Ordinance;

CILO 5: describe the characteristics, formation, management and dissolution of partnership under the Partnership Ordinance; and

CILO 6: describe the characteristics, financing and management of companies registered under the Companies Ordinance.

## Measurement of Learning Outcomes

1. Individual assignment is used to evaluate students' ability to describe the general legal principles of contract law, law of agency and Sale of Goods Ordinance (SOGO) in a business context. [CILO 2, 3, 4]
2. Mid-term test is arranged to assess students' ability to explain the general legal principles of contract law. [CILO 2]
3. A final examination is arranged to assess students' overall ability to apply the legal principles in relation to the contract law, law of agency, Sale of Goods Ordinance and understanding of the features of partnerships and companies in real business situations. [CILO 1, 2, 3, 4, 5, 6]

## Indicative Content

### 1. The Hong Kong Legal System

Sources of Hong Kong Law: The Basic Law, Common Law. Equity, Legislation, Chinese Customary Law.

The Law Courts: Court of Final Appeal, High Court (Court of Appeal and Court of First Instance), District Court, Magistrates' Courts, Tribunals.

The Lawyers: Barristers and Solicitors.

The Doctrine of Judicial Precedent or Stare Decisis, Ratio Decidendi and Obiter Dicta.

### 2. Contract

Offer and Acceptance, Consideration and Intention to Contract.

Express Terms, Implied Terms, Exemption Clauses.

Formality, Misrepresentation, Duress and Undue Influence, Illegality, Incapacity, Mistake.

Privity of Contract, Frustration, Breach, Remedies.

### 3. Agency

Creation of Agency, Authority of Agents, Relations between Principals and Third Parties, Relations between Agents and Third Parties, Duties and Rights of Agents, Termination of Agency.

#### 4. Sale of Goods

Sale and Agreement to Sell, Capacity, Formalities, Types of Goods, Conditions and Warranties, Transfer of Property as between Seller and Buyer, Transfer of Title, Rights of Unpaid Seller against the Goods, Remedies of Seller and Buyer.

#### 5. Partnership

Definition and Nature of Partnership, The Firm Name, Registration of Business, Legal Actions by and against Firms, Formation of Partnership, Types of Partners, Partners and Third Parties, Relations of Partners to One Another, Partnership Property, Dissolution of Partnership, Consequences of Dissolution.

#### 6. Companies

The Concept of Legal Personality, The Concept of Limited Liability, Advantages and Disadvantages of Incorporation, Types of Companies, Procedure to obtain Registration of a Limited Company.

### **Teaching Method / Class Activities**

Lectures are used to introduce the topics. Class discussions and case studies are used to illustrate the practical application of each key skill and to facilitate students' learning.

### **Weighting of Assessments:**

Individual Assignment	20%
Mid-Term Test	20%
Final Examination	60%
Total	100%

### **Textbook**

Srivastava, D. K., 2017. *Business law in Hong Kong*. 5th ed. Hong Kong: Sweet & Maxwell.

**NOTIONAL LEARNING HOURS (NLHs) AND QF CREDIT OF THE COURSE**

		Learning outcomes	Contact hours (a)	Self-study hours (b)	Total hours (a+b)
<b>Learning and teaching activity</b>					
1	Lecture	CILO1,2,3,4, 5,6	24.5	49	73.5
2	Tutorial				
3	Practical work (laboratory, workshop, etc.)				
4	Online, distance and blended learning				
5	Internship / placement / fieldwork				
6	Others				
<b>Assessment</b>					
7	Exercise (Individual assignment)	CILO 2,3,4	5	10	15
8	Project				
9	Test / examination / assessment activities	CILO 1,2,3,4,5,6	2.5		2.5
10	Others				
Total NLHs					91
QF credit = Total NLHs/10					9