

6.5 Legal Environment for Irish Business

Programme Code	Programme Title	Delivery
IB601	Certificate in Business for International Learners	Mandatory

Module Title (short)	Law
Module Title (full)	Legal Environment for Irish Business

Module Code	IBL001	NFQ Level	6	ECTS Credits	5
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Module Co-ordinator	Timothy McNulty
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Module Objective	The aim of this module is to provide international learners with an appreciation of similarities and differences between Irish and European law affecting the business environment, and to enhance their ability to comply with key aspects of Irish law which impact on the conducting of business in and with Ireland.
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Legal Environment for Irish Business Module Learning Outcomes:	Aligned Module Content	Aligned Assessment
<i>On successful completion of this module learners will be able to:</i>	Sessions	
LEB MLO 1: Discuss key elements and sources of Irish Law for business: constitutional, statute, company, EU and common law	1, 2, 3, 4	In class test & Mid Term Exam*
LEB MLO 2: Discuss the basis and main tenets of Irish contract law	8, 9	Final Exam
LEB MLO 3: Identify the main provisions of insider trading law in Ireland	6	Final Exam
LEB MLO 4: Identify the duties associated with agency in international commerce	5	Mid Term Exam
LEB MLO 5: Summarise the main provisions of legislation protecting the Irish consumer	10	Final Exam
LEB MLO 6: Identify the range of torts relevant to business organisations	7	Final Exam

*Separate aspects of Learning Outcome(s) number(s) 1, 2 & 3 as indicated above will be assessed in the in-class test and the mid term exam.

Pre-requisite Learning**Module Recommendations**

This is prior learning (or a practical skill) that is strongly recommended before enrolment in this module. You may enrol in this module if you have not acquired the recommended learning but you will have considerable difficulty in passing (i.e. achieving the learning outcomes of) the module. While the prior learning is expressed as named ISB module(s) it also allows for learning (in another module or modules) which is equivalent to the learning specified in the named module(s).

No recommendation listed

Requirements

This is prior learning (or a practical skill) that is mandatory before enrolment in this module is allowed. You may not enrol on this module if you have not acquired the learning specified.

Learners must have:

- English language level at least equivalent to Council of Europe Framework (CEF) B2+
- Accumulated a minimum of 60 ECTS in Business related disciplines

Co-requisites

No co-requisites listed

Indicative Content

Session 1. **Sources of Irish and E.U. law:** Irish Constitution; Irish statute and common law; structure of the Irish legal system; common legal terminology relevant to business

Session 2. **European law:** supremacy of community law; regulations, directives and decisions; development of competition law

Session 3. **Irish Company Law:** company formation and constitution; company management and administration with respect to directors' duties, company secretaries and auditors; directors' liability

Session 4. **Company Liquidation:** The Companies Act; voluntary liquidation; court liquidation; fraudulent and reckless trading

Session 5. **Agency:** duties of an agent in international commerce as it pertains to contract and partnership law

Session 6. **Insider Trading Legislation:** recent corporate offences and enforcement, encompassing European directives and changes to the Irish Companies Acts and Market Abuse rules; Takeover Panel Acts; penalties for insider trading

Session 7. **Tort:** the nature of tort; the nature of negligence; passing off and injurious falsehood in business; liabilities and remedies for tortious behaviour; measures to prevent business tort; terminology commonly used in the law of tort

Session 8. **Contract Law 1:** the nature and essentials of a valid contract and the importance of contractual terms and conditions

Session 9. **Contract Law 2:** factors influencing the enforceability and unenforceability of contracts; duress and undue influence; contractual frustration, remedies for breach of contract

Session 10. **Consumer Protection:** key sources of consumer protection law; development of consumer protection legislation in Ireland and Europe (common law and European); Sale of Goods Act; Supply of Services Act; liability; institutions involved in resolving disputes; consumer protection in e-commerce

Exam Preparation: Syllabus overview, learning objectives reviewed, exam technique, study methods

Assessment Breakdown

Type	Weighting	Outcomes Addressed	Assessment Date
In class Test	15%	1	Week 3
Mid-term Examination	30%	1, 4	Week 7
Final Examination	55%	2, 3, 5, 6	Week 14

Workload

Type	Description	Frequency
Lecture	2 X 1.5 hour lectures	Weekly
Group Table Quizzes addressing case law and essential principles	These provide a format for periodic revision	Every 2-3 weeks (four in total)
Library	Self and tutor-directed reading of course material and recommended texts	Ongoing
Independent learning	Self-directed learning and revisions	Ongoing
Average Weekly Contact Hours:		3
Estimated Total Average Weekly Learner Workload (both contact & non-contact hours):		8

Teaching and Learning Strategy

Throughout the module, bi-weekly sessions – each of one and a half hours - comprise a mixture of formal lecture input, small group discussion and interactive seminar tasks. This is greatly facilitated by the small class size at ISB. Tasks focus on mutual learning and reflection and all participants are expected to contribute. Various legal case studies, quizzes, simulations and group activities lead students to learn from each other and through deduction and reflection as well as from the lecturer’s presentations.

Video materials, handouts and lecture notes are made available on the e learning portal to support student learning.

Students are also directed to a wide range of independent learning opportunities including online databases, local and national media, the courts, the European Commission and websites.

Assessment Strategy

Both formative and summative assessment is used in this module.

The formative element will consist of a series of individual and group tasks aimed at “tangibilising” key elements of the teaching programme. These exercises will include quizzes, role-

play, simulations, in-class projects and student responses to taught materials.

In common with other group assignments throughout the programme, team exercises in this module will always involve a mix of nationalities, reinforcing the programme objective of giving learners experience of working collaboratively in multicultural business environments. Feedback for individual and group exercises is provided immediately.

The summative assessment takes the form of one in-class test (1hr) in week 3 of the semester and two two-hour closed book written examinations, the first undertaken at mid-term and the second at the end of the semester.

Detailed feedback is provided after in-class test and the mid-term examination to assist students in understanding how they have performed and how they might improve for the final examination.

Facilities and Resources

All classrooms have full computer facilities including overhead projector, document camera, internet connection and speakers, which allow a wide range of media to be used in class. Students also have access to a dedicated IT room with PC's, internet and printing facilities, school-wide Wi-Fi library, resource room, e-learning portal and online databases. Finally, students have regular and easy access to the lecturers on this module who can be contacted in person or through a school-specific email address.

Reading Lists and Other Resources

MacDonnell, V. *An introduction to Business Law*, Chartered Accountants Ireland, Dublin, 2010

Murphy, E. *Business & Company Law for Irish Students*, Gill & McMillan, Dublin, 2004

Doolan, B. *Principles of Irish Law*, 8th Ed., Gill & McMillan, Dublin, 2011