



SCHOOL OF LAW

Year 2019-20 Term 1

COURSE CODE: LGST 101

COURSE TITLE: BUSINESS LAW

COURSE INSTRUCTOR: ASSOC PROF WARREN CHIK

A. COURSE DESCRIPTION

This is an introductory course designed to help non-law students acquaint themselves with the framework of Singapore's legal system and to understand the legal environment within which businesses operate. A substantial part of the course is dedicated to the study of contract law principles, as the making and performance of contracts form the rudiment of all businesses. Students will also be introduced to the law of torts and will, in particular, learn the essentials of the tort of negligence. Other legal areas and concepts that may be taught at the instructors' discretion include privity of contract, agency, business torts, commercial crime, e-commerce law, law of business organizations, intellectual property and regional or international aspects of doing business.

Upon completion of the course, students should:

- Understand the framework of the Singapore legal system;
- Understand and be able to apply the methodology of basic legal reasoning;
- Be able to identify key legal issues arising from commercial transactions and apply the principles learnt to address such issues; and
- Be able to better manage legal risks in the business context.

B. PRE-REQUISITE/ CO-REQUISITE/ MUTUALLY EXCLUSIVE COURSE(S)

None.

C. RECOMMENDED TEXT AND READINGS

- George Shenoy and Loo Wee Ling (gen. ed.), *Principles of Singapore Business Law* (2nd Edition, Cengage Learning, 2013) [NB the 3rd Edition may be available in 2019, please check with the bookstore/publisher before purchasing]
- Supplemental readings, exercises and course assignments may be provided to the students through eLearn or as hand-outs from time to time.

Legal Resources Available Online as Reference Materials

Free access to Singapore statutes and cases is available to SMU students through the database known as LawNet. The hyperlink to LawNet can be found under the “Law Databases” column on the SMU Library’s Law Research Navigator at: <http://researchguides.smu.edu.sg/Law>. There are many other useful digital databases and resources available in the library. Free access to local statutes, cases and legal updates/news may also be found at <https://sso.agc.gov.sg/> and www.singaporelawwatch.sg.

D. ASSESSMENT METHOD

Class Participation	10%
Group Project	
Oral presentation (graded individually)	10%
Written presentation (graded as a group)	20%
Mid-term Test	10%
Final Examination	50%

No questions from past year papers or published test banks will be used verbatim for the graded continuous assessments and examinations in this course.

E. COURSE METHODS

The course will be conducted in seminars of 3 hours of instruction with a mid-seminar break of 15 minutes (in addition to the 3 hours).

Class Participation

Each student will be assessed on his/her participation in class. The emphasis is on the quality of participation. Students should prepare themselves adequately by reading assigned materials beforehand in order to benefit fully from the seminars. Active participation will provide a vibrant and interactive environment conducive for learning.

Group Project

Students will usually be grouped into teams of 4-5 persons for the group project. The instructor will inform the students whether the groups will be randomly assigned or whether the students are free to form their own groups. A typical project will require students to study and analyse a hypothetical situation and present in class the legal issues, arguments, opinions and conclusions. Sometimes, an essay or an important decision may be assigned instead of a hypothetical. The written report should be handed in to the instructor either prior to or at the start of the oral presentation.

As always, plagiarism is strictly forbidden and all materials and ideas gleaned from other sources should be appropriately attributed.

Mid-Term Test

A mid-term, open-book test will be held midway through the course. The duration of the test is usually 1 to 1½ hours.

Final Examination

The final examination is a 2-hour open book examination. The paper comprises hypothetical and/or essay questions. The use of mobile phones, laptops and communication devices is not permitted during the examination.

ACADEMIC INTEGRITY

All acts of academic dishonesty (including, but not limited to, plagiarism, cheating, fabrication, facilitation of acts of academic dishonesty by others, unauthorized possession of exam questions, or tampering with the academic work of other students) are serious offences.

All work (whether oral or written) submitted for purposes of assessment must be the student's own work. Penalties for violation of the policy range from zero marks for the component assessment to expulsion, depending on the nature of the offence.

As a reminder on how to avoid plagiarism, students are encouraged to refer to this Library guide at: <https://library.smu.edu.sg/elearn>

When in doubt, students should consult the instructor of the course. Details on the SMU Code of Academic Integrity may be accessed at http://oasis.smu.edu.sg/Documents/Downloads/DOS-WKLSWC/code_of_academic_integrity.pdf#search=ACADEMIC%20INTEGRITY

Accessibility

SMU strives to make learning experiences accessible for all. If you anticipate or experience physical or academic barriers due to disability, please let me know immediately. You are also welcome to contact the university's disability services team if you have questions or concerns about academic provisions: included@smu.edu.sg. Please be aware that the accessible tables in our seminar room should remain available for students who require them.

G. LIST OF TOPICS (and sub-topics)

Week	Topic	Readings (TBA)
1	Introduction: Law & Business <ul style="list-style-type: none">▪ What is Law? Role of Law in Business?▪ The Singapore Legal System▪ Sources of Law in Singapore▪ Enforcement and Resolution of Disputes	
2	What makes a Contract? (1)	

<p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p>	<ul style="list-style-type: none"> ▪ Offer ▪ Acceptance <p>What makes a Contract? (2)</p> <ul style="list-style-type: none"> ▪ Consideration ▪ Intention to Create Legal Relations <p>What was agreed in the Contract?</p> <ul style="list-style-type: none"> ▪ Pre-contractual Statements ▪ Terms (express/implied) ▪ Relative Importance of Terms ▪ Exclusion and Limitation Clauses <p>What invalidates/vitiates a Contract? (1)</p> <ul style="list-style-type: none"> ▪ Misrepresentation ▪ Mistake ▪ Duress, Undue Influence & Unconscionability (in brief only) <p>What invalidates/vitiates a Contract? (2)</p> <ul style="list-style-type: none"> ▪ Illegality (focusing on restraint of trade only) ▪ Incapacity (in brief) <p>How is a Contract discharged?</p> <ul style="list-style-type: none"> ▪ Performance ▪ Agreement ▪ Breach ▪ Frustration <p>Mid-term break</p>	
<p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p>	<p>What are the remedies for breach of Contract?</p> <ul style="list-style-type: none"> ▪ Damages (including liquidated damages clauses) ▪ Injunction ▪ Specific Performance <p>Law of Negligence</p> <ul style="list-style-type: none"> ▪ The Nature of Torts ▪ The Tort of Negligence ▪ Negligent Misstatements <p>Law of Agency</p> <p>Capacity and Privity of Contract</p> <p>E-commerce Law</p>	

15	Revision Final Examination	
----	---	--

NB The Schedule and Timetable will be subject to change and additions by Week 2.

Emergency Preparedness for Teaching and Learning (EPTL)

As part of emergency preparedness, Instructors may conduct lessons online via the WebEx platform during the term, to prepare students for online learning. During an actual emergency, students will be notified to access the WebEx platform for their online lessons. The class schedule will mirror the current face-to-face class timetable unless otherwise stated.