

# Law for Practising Managers

MNGT 4191

(Elective)

Saul Fridman

Session 1, 2007

Class Dates: 28-30 April; 1, 3-6 May

Examination: 13 June 2007

Payment Due: 30 March 2007

## Course aims / objectives:

- To provide students with an understanding of the implications and functioning of the rule of law
- To provide students with a working knowledge of how the legal system operates in Hong Kong and other important and comparative jurisdictions (notably the US, UK, EU and Australia)
- To demystify legal advocacy and jargon in a manner that will enable managers to make more effective use of the law and legal principles in their daily working lives
- To enable students to analyse facts by the application of legal principles, apply those principles in a rational and coherent manner, and articulate that process intelligently
- To ensure that students will be able to identify legal issues and work confidently and effectively with legal professionals
- To produce, in students, an ability to appreciate and manage legal and other risk

## Assessment:

Group project (assignment 1)	20%
Individual project (assignment 2)	20%
Final examination	60%

## Course details / modules:

The following is a general outline of the course. Depending on circumstances, topics may be reshuffled or modified. Readings labelled 'course pack' can be found in the course pack.

### Day 1: Saturday, 28 April 2007 (2.00pm – 8.00pm)

- Introduction to Legal System
- Introduction to Regulatory Framework
- Introduction to Liability for the Actions of Others and Statements

### Day 2: Sunday, 29 April 2007 (10.00am – 7.00pm)

- Contracts (i): Formation of Contracts
- Contracts (ii): Enforceability of Contracts

### Day 3: Monday, 30 April 2007 (7:00pm – 10:15pm)

- Contracts (iii): Terms of Contract and Performance
- Contracts (iv): Performance, Discharge and Remedies Firms in competitive markets

### Day 4: Tuesday, 1 May 2007 (7:00pm – 10:15pm)

- Contracts (v): Contracts for the Sale and Supply of Goods and Services, and eContracts
- Contracts (vi): Vitiating Factors such as Duress and Undue Influence

### Day 5: Thursday, 3 May 2007 (7:00pm – 10:15pm)

- Tort (i): Liability in Tort
- Tort (ii): Liability for Negligence
- Tort (iii): Liability for Negligent Statements and Misrepresentation

**Day 6: Friday, 4 May 2007****(7:00pm – 10:15pm)**

- Intellectual Property
- Personal data and privacy protection

**Day 7: Saturday, 5 May 2007****(2.00pm – 8.00pm)**

- Company Law (i): Introduction
- Company Law (ii): Formation and operation
- Company Law (iii): Piercing the Veil of Incorporation
- Company Law (iv): Shareholder Rights and Corporate Governance

**Day 8: Sunday, 6 May 2007****(10.00am – 7.00pm)**

- Company Law (v): Power and Duties of Directors
- Company Law (vi): Raising and Maintenance of Capital
- Company Law (vii): Schemes and Liquidation
- Company Law and Securities Regulation Reform
- Course Revision and Exam Preparation

**Course materials and text/s:****Course Materials**

Detailed outlines of topics to be considered and lecture materials will be circulated in due course, along with instructions for coursework Assignments.

**Recommended Course Text**

Srivastava, D.K. (2002) *Business Law in Hong Kong*, Thomson/Sweet & Maxwell Asia

**Supplementary References**

Additional references and reading materials will be given to students with course materials. Lecture Slides  
Hardcopies of lecture slides will be distributed so that you can save writing time during class and concentrate more on discussions.

**Instructor details:**

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Saul Fridman is Senior Lecturer in Law at the University of Sydney as well as an adjunct member of the AGSM Faculty. He teaches in both the full-time as well as executive MBA programs at the AGSM.

Saul has given seminars in corporate law at the Faculty of Law, Hong Kong University and has also taught at: The Australian National University, Australian Defence Force Academy, University of New South Wales, Bond University, Université de Paris, Pantheon-Sorbonne 1, University of Toronto and the University of Western Ontario. He is a participating member of the Corporations Law Committee of the Australian Institute of Company Directors. Saul teaches courses in Corporate Law, Corporate Governance, Corporate Finance, Contracts, Insolvency, Sport Law and Business Law.

Saul's published work includes *Cases and Materials on Corporations and Associations Law* (9th ed. Sydney: LexisNexis, 2003), *Drugs, Sport and the Law* (Brisbane: Scribblers Press, 2001), *Sport in Halsbury's Laws of Australia* as well as numerous articles on subjects dealing with corporate governance, insolvency law, contracts, trade practices and sport law.

Saul is a graduate of the University of Western Ontario (LL.B.) and Oxford University (B.C.L.) and has practiced both as a barrister and a solicitor in Toronto, Canada, the UK and Australia. He is admitted as a barrister and solicitor in Ontario, England and Wales and the Australian Capital Territory. He is also a Barrister of the High Court of Australia.