



International Diploma

in

Commercial Practice & Law

A Program for all business people, managers, owners and others who need to understand commerce and the commercial world, the essentials of business law, their legal responsibilities, and how to ensure that contracts, sales and commercial dealings are correctly conducted.



This interesting Program teaches about many aspects of commerce and elements of commercial law which all business and commercial people, and anybody with organisational responsibilities, need to understand. It is essential that business people understand laws relating to commercial activity, especially the law of contract and the law of tort, as failure to comply with the law can lead to civil or criminal actions, fines, loss of business or personal possessions, and imprisonment. This Program covers vital topics on legal transactions, ethical conduct and the best way to safely conduct the practice of business.

Course Outline

Module 1 - Commerce in the Modern World

- Economic systems and conditions, commerce, business, law, statute, commercial law, jurisdiction
- Products, goods, services, utilities, intellectual property, trade, money and banking
- Transport, methods and features, auxiliary services, hospitality and accommodation
- Insurance, risks and losses, communication, printing, electronic communication

Module 2 - Nature and Classification of Law

- Description of a “legal system”, sources of law, laws and legal systems in different countries
- Public, constitutional and criminal law, civil or private law, prosecutions and the burden of proof
- Commercial or business law, law of contract, formation of contracts, unwritten, written, void, voidable
- Elements of contracts, offer, acceptance, legal consequences, consideration, terms and conditions

Module 3 - Credit Transactions and Business Documents

- Transactions, credit, credit sales and purchases, cash flow and liquidity, working capital
- Types of credit, accounts, periods of credit, leasing, contract hire/rental, hire purchase, risks with credit
- Credit management, assessing applications, references, credit limits, credit control policy, customers
- Quotations, proformas, estimates, tenders, orders, invoices, receipts, statements of account, records

Module 4 - Legal Business Units and Ownership

- Sole trader businesses, registration and licencing, legal status, danger of unlimited liability
- Partnership firms, features, limited liability partnerships, partners, agreements, registration
- Companies, incorporation, shares, shareholders, limited liability, features, directors, ownership
- Memorandum of association, articles of association, companies limited by guarantee, guarantors

Module 5 - Financing of Companies and Law Relating to Company Directors

- Capital, revenue, expenditure, assets, liabilities, debtors, creditors, share capital, share certificates
- Acquisitions of shares, transfer of shares, shareholders' agreements, new shares issues
- Other methods of financing businesses, loans, lines of credit, bank overdraft, mortgages, debentures
- Company directors, registered office, annual returns, chairman, company secretary, legal duties, AGMs

Module 6 - Law of Tort Relating to Physical Products

- An "injury" in law, tort as a civil wrong, intentional, negligence and strict liability torts, the duty of care
- Products liability, privity of contract, tortious misrepresentation, fraud, breach of warranty, defects
- Burden of proof, the evidence, responsible parties, legal obligation, defences to products liability
- Consumer protection law, recovery for losses, negligence, harm, unsafe products, misconduct

Module 7 - Tort Law Relating to Services

- What services involve, types of services provided, service providers, tradesmen and professionals
- Defective services, duty of care by service providers, damages, claims for negligence and damages
- Direct, indirect and consequential loss, economic loss, non-visible financial loss, damage suffered
- Negligence in duty of care, negligent statements or misstatements, negligence by professionals

Module 8 - The Law of Agency

- Agency's role in business, how agency relationships arise, principal and agents, fiduciary relationship
- Types of agents, brokers, special agents, employees, independent contractors, bailees
- Creation of agency relationship, rights of an agent, duties of agents and principals to each other
- Termination of agency on agreement, lapse of time, in specified events, vicarious liability, bailments

Module 9 - Employment or Labour Law

- Employee responsibilities to employers, occupational health & safety, risk assessments
- Employer's obligations/duties to an employee, employer's duty of care, employer's liabilities in tort
- Employment contracts, contents, statute, custom, rules, agreements, trial periods, breaches of contract
- Statutory legislation, discrimination, equal opportunities, bullying, redundancy, legal actions

Module 10 - Principles and Law of Insurance

- Loss and losses, features of risks, insurance premiums, insurers and insurance cover, indemnity
- Insurance and law, proposals, insurance contracts, sum insured, utmost good faith, full disclosure
- Policy documents, proximate cause, underinsurance, subrogation, cover notes, certificates of insurance
- Types of insurance, compulsory, compensation, employers' liability, commercial, office, computer

Module 11 - Tort Liability for Premises

- Workplaces, property, occupiers, visitors, entrants, independent contractors, public liability insurance
- Premises liability, duty of care to lawful visitors, warning signs, features necessary to reduce liability
- Trespassers, easements, private and public nuisance, children, licensees, invitees, accidents
- Defences of premises liability, consent of the visitor, contributory negligence, exclusion of liability

Module 12 - Intellectual Property Protection

- Intellectual property, value, protection, rights, licencing agreements, franchising, international law
- Copyright, plagiarism, fraud, registration of copyrights, patents and trademarks, marks, signs, logos
- Industrial designs, geographical appellations, qualities, reputation and characteristics
- Infringement of IP rights, passing off, falsehood, breach of confidence, lawyers, computer data

