

---

<b>COURSE:</b>	<b>LAWS 3205A – Consumer Law</b>
<b>TERM:</b>	<b>Fall 2014</b>
<b>PREREQUISITES:</b>	<b>LAWS 2201 or BUSI 2601</b>
<b>CLASS:</b>	<b>Day &amp; Time: Fridays, 11:35am to 14:25</b>
	<b>Room: Please check with Carleton Central for current room location</b>
<b>INSTRUCTOR: (CONTRACT)</b>	<b>Gilles LeVasseur</b>
<b>CONTACT:</b>	<b>Office: B442 Loeb Building</b>
	<b>Office Hrs: By appointment or after the class on Fridays</b>
	<b>Telephone: TBA</b>
	<b>Email: <a href="mailto:jlgilles.levasseur@sympatico.ca">jlgilles.levasseur@sympatico.ca</a>; Please use only your cmail (or Connect) account in the correspondence and LAWS 3205 in the subject line.</b>
	<b>Course website: Logon at <a href="https://culearn.carleton.ca">https://culearn.carleton.ca</a></b>

---

### ***Academic Accommodations***

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

**Pregnancy obligation:** write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

**Religious obligation:** write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

**Academic Accommodations for Students with Disabilities:** The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or [pmc@carleton.ca](mailto:pmc@carleton.ca) for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

### ***Plagiarism***

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original

source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at:  
<http://www.carleton.ca/studentaffairs/academic-integrity/>

### **Department Policy**

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://www.carleton.ca/law/student-resources/department-policies/>

---

### **General**

The purpose of this course is to provide a broad introduction to the Canadian consumer legal system and to the institutions, processes, rules and actors that comprise it. The goal is to situate the consumer law within its general social setting, practically and theoretically, and to examine the interrelationship between the aspirations and practices of each. The class will also look in detail at the participants and parties in the consumer law system, and in particular examine the mechanisms of accountability and control for these actors and their relative effectiveness. Current examples and reforms will be discussed throughout the course to highlight the pertinent issues and problems within the system.

### **Materials**

Required text:

*Consumer Law: Cases and Materials* by M.H. Ogilvie, 3<sup>rd</sup> ed., Toronto, Captus Press, 2007 - Available (new and used) at the Carleton University Bookstore or Haven Books, 43 Seneca Avenue, Ottawa (havenbooks.ca).

### **Web Site**

Course announcements, grades, and other materials will be posted on the course web site on cuLearn. To logon, go to <https://culearn.carleton.ca>. Only students registered in the course have access to the site; your Username and Password to sign on are the same as those for your cmail or Connect account.

### **Evaluation**

1. Midterm	30%
2. Written assignment	30%
3. December Examination	40%

#### **Explanation of evaluation scheme:**

1. The December exam will be held during the formal examination period (December 10 – 21); the exact

date, time and location will be announced by the Scheduling Office during the term.

2. The midterm will be written on **Friday, October 24, at 11:30 p.m. – 13:30 p.m.** It will be a closed book exam. Complete details will be provided before the midterm.

3. The details of the written assignment will be announced during term

4. **All components must be completed in order to get a passing grade.**

5. Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

**Please note:**

i) A medical certificate or other appropriate documentation must be provided to support any request to write a deferred examination or to hand in the assignment late.

ii) Both sections of the course write the same assignment and exams.

iii) The penalty for a late assignment is zero if past the due date.

## **Syllabus**

***Please note: Fall break is October 27 -31 – no class.***

The course syllabus will generally follow the topics as presented in the "Table of Contents" in the text. The general topics and the order in which they are presented are as follows (subject to some variations as required by time constraints):

1. Introduction – Chapter one
  2. Consumerism and the law – Chapter two
  3. Business and Government – Chapter three
  4. Products liability – Chapter four
  5. Private law and conflict of laws – Chapter five
  6. Contracts – Chapter six
  7. Sales of Goods – Chapter seven
  8. Consumer credit – Chapter eight
  9. Regulating credit – Chapters nine, ten and eleven
  10. Debt collection – chapters twelve, thirteen and fourteen
  11. Regulatory approaches – Chapter fifteen
  12. Small Claims Suits – Chapters sixteen
- Conclusion

**READING LIST**

The following list contains a selection of books concerning Consumer Law which are available at the MacOdrum Library. Although not required reading, students may find these books of use in preparing research papers and in researching topics of particular interest.

- Gordon Borrie and Aubrey L. Diamond, *The Consumer, Society and the Law*, 4th ed., (Penguin, 1981).
- Jamie Cassels and Craig Jones, *The Law of Large-Scale Claims*, (Irwin Law, 2005).
- Alistair M. Clarke, *Product Liability*, (Sweet and Maxwell, 1989).
- Cranston's *Consumers and the Law*, 3rd ed., (Butterworths, 2000).
- Michael Deturbide, *Consumer Protection Online*, (LexisNexis, 2006).
- C.R.B. Dunlop, *Creditor-Debtor Law in Canada*, 2nd ed. (Carswell, 1995).
- Dean F. Edgell, *Product Liability Law in Canada*, (Butterworths, 2000).
- G.H.L. Fridman, *The Sale of Goods in Canada*, 6th ed.(Carswell, 2006).
- Roy Goode, *Commercial Law*, 4th ed. (Lexis Nexis, 2009).
- Andrew Grubb (ed.), *Product Liability*, (Lexis Nexis, 2007).
- J.F. Kenkel and W.S. Chalmers, *Small Claims Litigation*, 4th ed., (Butterworths, 2002).
- Stanley J. Kershman, *Credit Solutions: Kershman on Advising Secured and Unsecured Creditors* 2nd ed. (Carswell, 2007).
- Elizabeth L. McNaughton and Parna Sahat, *A Guide to the Ontario Consumer Protection Act*, (LexisNexis, 2009).
- Johanna Niemi, Iain Ramsay and William C. Whitford (eds.), *Consumer Credit, Debt and Bankruptcy: Comparative and International Perspectives* (Hart, 2009).
- Laurence Olivo, *Debtor-Creditor Law and Procedure*, (Emond-Montgomery, 1999).
- Iain Ramsay, *Consumer Protection. Text and Materials*, (Weidenfeld and Nicolson, 1989).
- Iain Ramsay, *Consumer Law and Policy: Texts and Materials on Regulating Consumer Markets*, 3rd ed., (Hart, 2012).
- Stikeman, Elliott, *Competition Act and Commentary* (LexisNexis, 2012).
- S.M. Waddams, *Product Liability*, 5th ed., (Carswell, 2011).
- Roderick J. Wood, *Bankruptcy and Insolvency Law*, (Irwin Law, 2009).
- Marvin A. Zuker, *Ontario Small Claims Court Practice 2012*, (Carswell, 2011)