

Module	Business Law and Ethics
Course code	BABH-BLE
Credits	10
Important notes	Available to students who have completed some Basic Management Module or Similar Tuition
Allocation of marks	40% Continuous Assessment 60% Final Examination

Module aims and objectives

This aim of this module is to develop an understanding and knowledge of the general principles of Irish law as it relates to business. The learner is introduced to the effect, influence and impact of law in business and, upon completion, they are able to apply relevant law to practical business situations.

The module instils in the learner a knowledge and understanding of company law as well as a broad understanding of the rights and obligations of employees and employers as they relate to business. The learner can analyse the strategic importance of ethics to business. The learner can evaluate common ethical problems faced by businesses and display how these can be resolved ethically. The learner understands the importance of culture in setting the ethics framework for managers and employees and can evaluate the role of regulatory forces in the ethical question.

Minimum intended module learning outcomes

On successful completion of this module, learners are able to:

- (i) Discuss the importance of law to the operation of business in Ireland
- (ii) Describe the essential aspects of the law of contract, negligence and employment law and their impact on businesses and to be able to apply the core principles in a practical manner
- (iii) Explain the legal structure of business, including limited liability and the full life cycle of business from formation to winding up
- (iv) Explain the role of ethics in business and identify ethical issues and their resolution in a business / organisational context
- (v) Recognise the ethical concerns in situations faced by managers at all levels of business organisations, and analyse these situations and present solutions while reflecting on one's own ethical values and standards.

Module content, organisation and structure

An Introduction to the Irish Legal System.

- The Sources of Law
- The Court System, including the up to date structure of the Irish Court system

Contract Law

- Formation of contract: offer, acceptance, consideration and intention to create legal relations
- Terms of a contract, exclusions clauses
- Void, voidable and illegal contracts: understanding the difference
- Discharge of a contract: performance, breach, agreement and frustration
- Remedies for breach of contract
- Obligations under the Sale of Goods and Supply of Services Legislation

Law of Tort

- The law of negligence, including negligent misstatement
- Obligations under the Occupier's Liability Legislation

Employment Law

- Introduction to employment law
- Overview of individual employment legislation
- Employment equality
- Unfair and wrongful dismissal

Business Law

- The law of agency including commercial agents

Company Law

- Forms of business: partnerships, sole traders, private limited companies, public limited companies
- Directors' duties
- Restriction and disqualification of directors
- Insolvency: receivership, liquidations, examinership
- Introduction to EU Law
- Sources of EU law and structures of the EU
- Free movement of workers, goods and services

Business Ethics

- Defining ethics in business
- Arguments for and against business ethics
- Ethics and the law
- business and social responsibility
- Government regulation

Ethical Theories

- Utilitarianism: rights and duties
- Justice and fairness
- Virtue ethics

Ethics and the Employee

- Common ethical problems - discrimination, bullying and harassment
- Conflicts of interest
- Use and misuse of corporate resources
- Whistle blowing
- Ethical decision-making process
- Moral awareness and moral judgement
- Barriers to good ethical judgement

Corporate Social Responsibility

- The business case for CSR and criticisms
- Stakeholder Theory of the firm
- Corporate citizenship and corporate accountability
- Corporate governance
- Responsibilities of directors
- Corporate governance in the EU
- Codes of best practice

Ethics and the Employer

- Managing stakeholders
- Ethics and the consumer (conflicts of interest, product safety, advertising); ethics

- and employees
- Ethics and shareholders
- Organisational ethics
- Developing, changing and communicating ethics

Global Business Ethics

- Cultural diversity - recognising international differences
- The Multi-National Corporation (MNC)
- UN Global Compact

[Reading lists and other information resources](#)

Primary Reading

Byrne, R. and McCutcheon, P. (2016) *The Irish Legal System*. Dublin: Bloomsbury.

Crane, A. (2020) *Business Ethics*. Oxford: Oxford University Press.

Murphy, E. (2014) *Business and Company Law for Irish Students*, 2nd Edition. Dublin: Gill and Macmillan.

Donovan D. (2016) *Employment Law*, 2nd Edition. Dublin: Round Hall Nutshells.

Courtney T. (2016) *The Law of Companies*, 3rd Edition. Dublin: Bloomsbury.

Secondary Reading

Blowfied, M. and Murray, A. (2019) *Corporate Social Responsibility*. Oxford: Oxford University Press.

Byrne, R. and McCutcheon, P. (2016) *The Irish Legal System*. Dublin: Bloomsbury

Clarke, R. (2016) *Contract Law in Ireland*, 8th Edition. Dublin: Round Hall.

Courtney, T. (2016) *The Law of Companies*, 4th Edition. Dublin: Bloomsbury.

Cox, N., Corbett, V. and Ryan, D. (2020) *Employment Law in Ireland*, 2nd Edition. Dublin: Round Hall.

Holmes M. (2017) *EU Law*. Dublin: Round Hall Nutshells.

Farry, M. (2016) *Concise Contract Law*, 2nd Edition. Dublin: Blackhall Press.

McDermott (2017) *Contract Law*, 2nd Edition. Dublin: Bloomsbury.

Murphy, E. (2015) *Make that Grade: Irish Company Law*, 4th Edition. Dublin: Gill and Macmillan.