

<b>Module Title:</b>	Regulatory Affairs and Legislation
<b>Language of Instruction:</b>	English
<b>Credits:</b>	10
<b>NFQ Level:</b>	8
<b>Module Delivered In</b>	No Programmes
<b>Teaching &amp; Learning Strategies:</b>	Lectures - communication of knowledge and ideas from lecturer to student. Problem Solving Exercises - students will work as part of a team to resolve various theoretical legal problems. Class Discussion/Debate - Students will be encouraged to participate actively in class which will develop their analytical and communication skills. E-Learning - It is envisaged that the module will be supported by online learning materials. Self-Directed Independent Learning - an emphasis on independent learning will develop strong and autonomous work and learning practices.
<b>Module Aim:</b>	The aim of this module is to provide students with a comprehensive introduction to the Irish legal system and a sound working knowledge of aspects of procedural and substantive law applicable to the brewing and distilling industry.

Learning Outcomes	
<i>On successful completion of this module the learner should be able to:</i>	
LO1	Demonstrate a sound understanding of the basic structure of the Irish legal system, sources of law and the structure of government
LO2	Describe and explain the fundamental principles of contract law, sale of goods law, health and safety and employment law
LO3	Describe and explain the main features of the Irish and European Union administrative and legislative systems, intellectual property law, and the regulatory regime applicable to the brewing and distilling industry
LO4	Demonstrate a thorough understanding of national and EU competition policy in respect of distribution, pricing, and other agreements which may have an anti-competitive effect
LO5	Identify and distinguish between the various branches of commercial law, and demonstrate a clear understand of the salient features of each
LO6	Apply theoretical knowledge to common problem scenarios to produce reasoned solutions
LO7	Access and utilize both paper and electronic sources of legal information for research purposes
LO8	Evaluate the efficacy of applicable legal rules and identify desired reforms for communication to the relevant authorities

Pre-requisite learning
<b>Module Recommendations</b> <i>This is prior learning (or a practical skill) that is recommended before enrolment in this module.</i>
No recommendations listed
<b>Incompatible Modules</b> <i>These are modules which have learning outcomes that are too similar to the learning outcomes of this module.</i>
No incompatible modules listed
<b>Co-requisite Modules</b>
No Co-requisite modules listed
<b>Requirements</b> <i>This is prior learning (or a practical skill) that is mandatory before enrolment in this module is allowed.</i>
No requirements listed

## Module Content & Assessment

### Indicative Content

#### THE IRISH LEGAL SYSTEM (10%)

• Definition and Classification of Law • Sources of Irish Law • Common Law and Precedent • Legislation – Types and Legislative Process • Constitution – Separation of Powers and Fundamental Rights • EU Law – Sources and Institutions

#### THE LAW OF CONTRACT (10%)

• Formation of Contracts • Contract Terms • Validity and Enforceability of Contracts • Discharge of Contract • Remedies for Breach of Contract • E-Commerce and Electronic Contracts • Insurance Contracts and Principles of Indemnity • Sale of Goods and Supply of Services • Unfair Terms Regulations

#### TORT LAW and HEALTH AND SAFETY LAW (15%)

• Negligence Simplex and Vicarious Liability • Negligent Misstatement • Professional Negligence and Disclaimers • Liability for Defective Products • Passing off • Remedies • Common Law and Statutory Health and Safety Obligations • Occupiers' Liability

#### DOMESTIC AND EUROPEAN UNION REGULATORY REGIME (15%)

• Licensing Requirements for Brewing and Distilling • Consumer Protection Law and Applicable Voluntary Domestic Codes • Advertising Standards • Labelling Requirements • Traceability • Food and Beverage Safety Management Systems • HACCP

#### INTRODUCTION TO COMPANY LAW (10%)

• Different Forms of Business Organization (Sole Traders, Partnerships, Companies Limited by Shares, Private Companies Limited by Guarantee, Public Limited Companies) • Membership and Share Capital of a Company • Separate Legal Personality • Corporate Authority and Corporate Capacity • Corporate Borrowing • Directors' Duties and Obligations • Financial Structure and Regulation of Companies

#### DATA PROTECTION LAW (10%)

• Statutory Basis for Data Protection Law • Data Controllers and Data Processors • Legal Obligations of Data Controllers • Rights of Data Subjects • Data Protection Rules • Direct Marketing • Transfers Abroad • Data Security Breach Code of Practice

#### INTELLECTUAL PROPERTY LAW (10%)

• The Law of Patents and Allied Rights • The Law of Copyright and Related Rights • The Law of Trademarks and Allied Rights • Intellectual Property Rights in Data and Information • Unfair Competition • Trade Secrets • Enforcement and Remedies

#### EMPLOYMENT LAW (10%)

• The Contract of Employment (Overview, Formalities, Express and Implied Terms, Variation of Terms, etc) • Protective Legislation • Equality Claims • Unfair Dismissal • Requirement for Fair Procedures • Workplace Bullying

#### INTRODUCTION TO IRISH AND EU COMPETITION POLICY (10%)

• Introducing and operating an effective competition law compliance programme in order to avoid breaches of domestic or EU competition law, in particular: directly or indirectly fixing purchase or selling prices or any other trading conditions; limiting or controlling of production, markets, technical development, or investment; sharing markets or sources of supply; applying dissimilar conditions to equivalent transactions with other trading parties which place them at a competitive disadvantage; making the conclusion of contracts subject to acceptance by the other parties of supplementary obligations which, by their nature or according to commercial usage, have no connection with the subject of such contracts; abusing a dominant position on a particular market

Assessment Breakdown	%
Continuous Assessment	40.00%
End of Module Formal Examination	60.00%

### Continuous Assessment

Assessment Type	Assessment Description	Outcome addressed	% of total	Assessment Date
Other	A written unseen or "take home" examination which will be given in term one and will require candidates to apply their knowledge and problem-solving skills in answering one or more essay and/or problem question(s). The answer(s)/solution(s)/findings may be presented in writing, orally, or both.	1,2,7	10.00	Sem 1 End
Other	A written unseen or "take home" examination which will be given in term one and will require candidates to apply their knowledge and problem-solving skills in answering one or more essay and/or problem question(s). The answer(s)/solution(s)/findings may be presented in writing, orally, or both.	1,2,3,5,7	10.00	n/a
Other	A written unseen or "take home" examination which will be given in terms one or two and will require candidates to apply their knowledge and problem-solving skills in answering one or more essay and/or problem question(s). The answer(s)/solution(s)/findings may be presented in writing, orally, or both.	1,2,3,5,6,7	10.00	n/a
Other	A written unseen or "take home" examination which will be given in terms one or two and will require candidates to apply their knowledge and problem-solving skills in answering one or more essay and/or problem question(s). The answer(s)/solution(s)/findings may be presented in writing, orally, or both.	1,2,3,5,6,7	10.00	n/a

No Project

No Practical

End of Module Formal Examination				
<i>Assessment Type</i>	<i>Assessment Description</i>	<i>Outcome addressed</i>	<i>% of total</i>	<i>Assessment Date</i>
Formal Exam	n/a	1,2,3,4,5,6,7,8	60.00	End-of-Semester

**SETU Carlow Campus reserves the right to alter the nature and timings of assessment**

**Module Workload**

<b>Workload: Full Time</b>		
<i>Workload Type</i>	<i>Frequency</i>	<i>Average Weekly Learner Workload</i>
Lecture	Every Week	2.00
Independent Learning Time	Every Week	6.00
Total Hours		8.00

