

Chapter 1: Foundations of Business Law in Canada

True or False

1. The only purpose of law is to resolve disputes peacefully. (p. 6) **F**
2. The rule of law means that government officials must obey the law. (p. 6) **T**
3. Businesses often include a provision in their contracts that the contract is to be interpreted according to the "rule of law." (p. 6) **F**
4. Once a good legal risk management plan is in place, a business should not need further legal advice. (p. 2) **F**
5. To achieve predictability, our common law system requires courts to make decisions in accordance with precedent. (pp. 6-7) **T**
6. Precedent is codified law, passed by the legislature. (p. 7) **F**
7. Unlike the judiciary, legislatures are the elected arms of government and are accountable to voters. (pp. 9, 13) **T**
8. Provided that a legislature acts in accordance with the constitution, it can override the common law by using clear language in a statute. (p. 14) **T**
9. Like statutes, regulations must be approved and passed by the legislature. (p. 12) **F**
10. The federal government has jurisdiction over interprovincial trade and commerce. **T**
11. The provincial governments have residual powers to make laws for all matters that do not fall specifically within federal jurisdiction. (pp. 10-11) **F**
12. The doctrine of paramountcy applies where there is a contradiction between a federal law and a provincial law. (p. 12) **T**
13. The Charter ensures that the majority rules, and therefore strengthens the central principle of democracy. (p. 15) **F**
14. Provincial governments create municipalities and pass statutes that delegate specific powers to municipal governments. (p. 11) **T**
15. Administrative agencies may be called tribunals, boards, or commissions. (p. 21) **T**
16. The statute that creates an administrative tribunal generally determines its powers and its rules of procedure. (pp. 21-22) **T**
17. Challenging the substance of a tribunal decision is called "judicial review." (p. 22) **T**
18. The majority of judges in Canada apply common law rules and interpret statutes/legislation. (pp. 6-7) **T**
19. The doctrine of judicial precedent applies to the civil law system. (p. 6) **F**
20. The sources of law in Canada are the Constitution, statutes, regulations, common law, and by-laws. (p. 7) **F**

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RS Peters



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