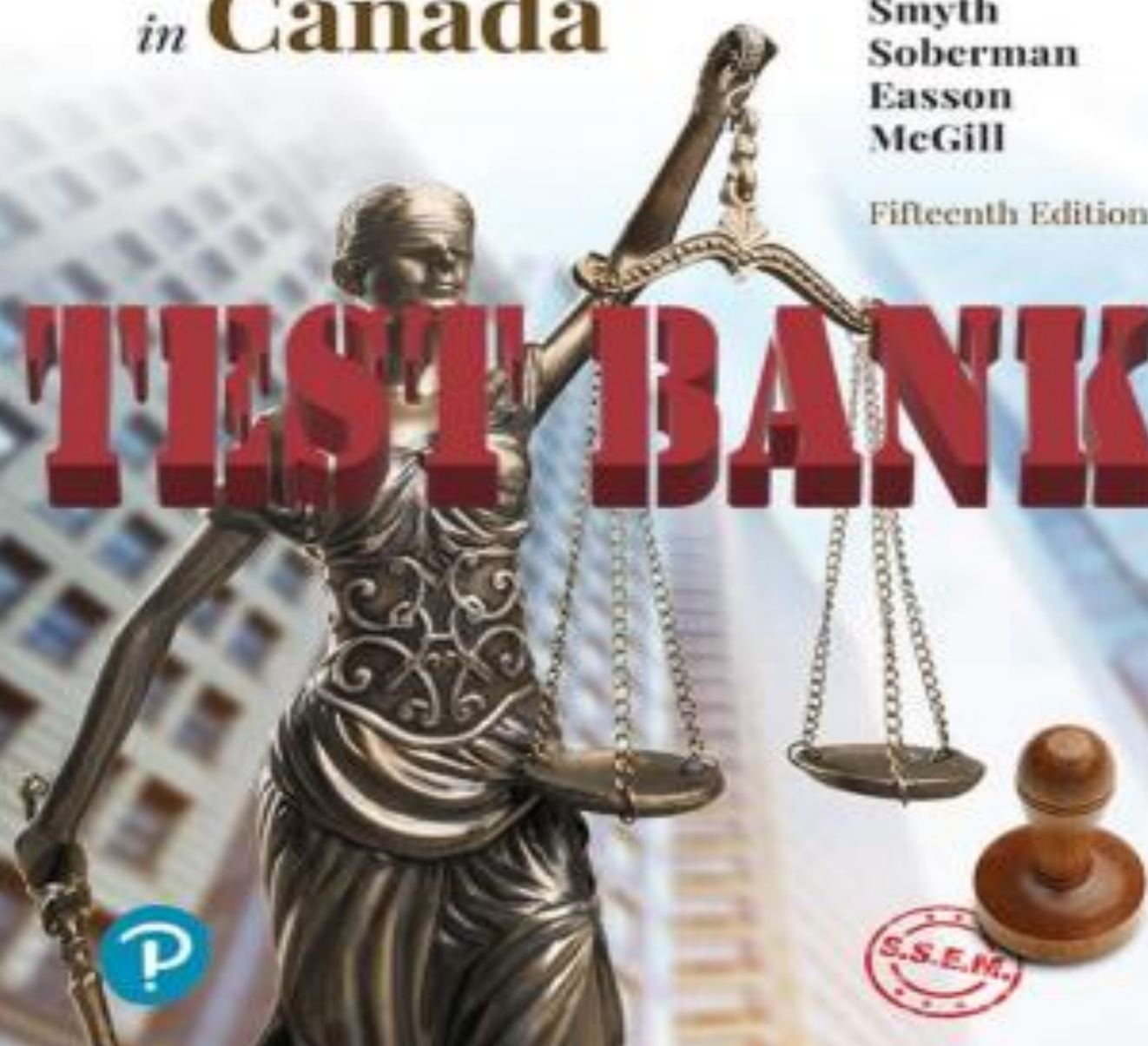


*The* **Law and Business**  
**Administration**  
*in* **Canada**

Smyth  
Soberman  
Easson  
McGill

Fifteenth Edition

**TEST BANK**



Ch 1

- 1) A simple definition of law would be misleading because law is so
- a. bound up with the rule of law.
  - b. diverse and complex.
  - c. difficult to define.
  - d. none of the above
  - e. all of the above

Answer: b

Diff: 2

Type: MC

Topic: The Role of Law

Skill: Recall

- 2) We need to have law because it
- a. regulates individuals' interactions with one another.
  - b. gives the government the power to act for the benefit of society in general.
  - c. provides an element of certainty in determining contractual and property rights.
  - d. protects persons, property, and society, and prohibits conduct that society believes is harmful.
  - e. all of the above

Answer: e

Diff: 2

Type: MC

Topic: The Role of Law

Skill: Recall

- 3) The fact that laws that appear to be unjust must still be obeyed suggests that

- a. justice is merely the result of the influence of ethics.
- b. justice is merely a product of social morals.
- c. there is a difference between good laws and bad ones.
- d. in reality, we must think of justice as nothing more than the result of our legal system.
- e. those who make the laws just do not care.

Answer: d

Diff: 3

Type: MC

Topic: The Role of Law

Skill: Applied

4) The Canadian legal profession is organized on a provincial basis with each province having its own “bar” society. However, a member of any provincial bar may appear before

- a. the House of Lords in England.
- b. the International War Crimes Tribunal.
- c. the Supreme Court of Canada.
- d. any Human Rights Tribunal in any province.
- e. any Landlord and Tenant Board Tribunal in any province.

Answer: c

Diff: 3

Type: MC

Topic: Legal Risk Management

Skill: Recall

5) Joe hired Julie, a lawyer, to defend him on assault charges. At their first meeting he told her the details concerning his involvement in the assault. After a dispute between Joe and Julie in relation to legal fees, Joe decided to retain a new

lawyer. The police attended at Julie's office to ask her questions concerning what Joe told her about the assault. In these circumstances

- a. the solicitor/client privilege does not allow Julie to reveal any communications she had with Joe without his approval.
- b. given that the solicitor/client relationship has ended, Julie is at liberty to disclose the information.
- c. the solicitor/client privilege does not extend to admissions by clients of wrongdoing so communications must be disclosed.
- d. Julie is at liberty to disclose any information in relation to the dispute with Joe over fees but not in relation to communications about the assault.
- e. the *Canada Evidence Act* permits Julie to disclose any information once the retainer has ended.

Answer: a

Diff: 3

Type: MC

Topic: Legal Risk Management

Skill: Applied

6) A compliance officer employed by a business for purposes of monitoring legislative requirements applicable to the business ensures

- a. that outside counsel are hired by the business on a general retainer basis to respond to urgent matters.
- b. that the business complies with all regulatory and legislative requirements to avoid claims, fines and other possible penalties or sanctions.
- c. that probationary employees are screened and monitored appropriately by the business in the 90 day period.
- d. that the business pays outstanding fines.
- e. that someone attends on all Small Claims Court matters where outside counsel are not required.

Answer: b

Diff: 3

Type: MC

Topic: Legal Risk Management

Skill: Applied

- 7) When we say that the law is part of every facet of business, we mean that
- a. it is central to business interaction with customers, suppliers, competitors, and government.
  - b. business cannot succeed without understanding the law.
  - c. it outlines what we do, how to do it, and what not to do.
  - d. the failure of businesses to comply with the law may result in criminal, regulatory, and/or civil liability.
  - e. all of the above

Answer: e

Diff: 2

Type: MC

Topic: Law and Business

Skill: Recall

- 8) Effective operation of a business requires that business managers
- a. rely on lawyers to form the right questions and answers for legal issues.
  - b. do not have to become experts in the activities of their businesses.
  - c. simply rely on the decisions made by those in authority above them.
  - d. do not have to familiarize themselves with the law.
  - e. must know the law and must understand the legal risks associated with the everyday choices that they make.

Answer: e

Diff: 2

Type: MC

Topic: Law and Business

Skill: Recall

9) A risk management plan

- a. does not require regular revision.
- b. does nothing to promote the better conduct of a business.
- c. is only necessary in sophisticated businesses.
- d. does not necessarily involve a lawyer in every part of the overall plan.
- e. helps a business to identify and anticipate potential legal liability.

Answer: e

Diff: 2

Type: MC

Topic: Law and Business

Skill: Applied

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