

**ALLAMA IQBAL OPEN UNIVERSITY ISLAMABAD
(Department of Business Administration)**

BUSINESS AND LABOUR LAWS (8514)

CHECKLIST

SEMESTER: SPRING 2014

This packet comprises the following material:

1. Text Books (two)
2. Course Outlines
3. Assignment No. 1, 2
4. Assignment Forms (2 sets)

Please contact at the address given below, if you find anything missing in the packet.

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WARNING

1. **PLAGIARISM OR HIRING OF GHOST WRITER(S) FOR SOLVING THE ASSIGNMENT(S) WILL DEBAR THE STUDENT FROM AWARD OF DEGREE/CERTIFICATE, IF FOUND AT ANY STAGE.**
2. **SUBMITTING ASSIGNMENTS BORROWED OR STOLEN FROM OTHER(S) AS ONE'S OWN WILL BE PENALIZED AS DEFINED IN "AIOU PLAGIARISM POLICY".**

Course: **Business and Labor Laws (8514)**
Level: **M.Com**

Semester: **Spring 2014**
Total Marks: **100**
Pass Marks: **50**

ASSIGNMENT No. 1

- Q. 1 Make a comparative study of the following: (20)
- (a) Agreement and Contract
 - (b) Discharge of Contract and Breach of Contract
- Q. 2 (a) Discuss various provisions related to formation of contract in law of sales goods.
(b) Write a short note on sale by auction. (20)
- Q. 3 Discuss in detail various features of partnership that distinguish it from other forms of business organizations. (20)
- Q. 4 Explain the various steps involved in the formation of a public limited company according to Companies Ordinance 1984. (20)
- Q. 5 Write short notes on the following: (20)
- (a) Allotment of shares
 - (b) Transfer of shares
 - (c) Transmission of shares
 - (d) Promoters

GUIDELINES FOR ASSIGNMENT # 1

You should look upon the assignments as a test of knowledge, management skills, and communication skills. When you write an assignment answer, you are indicating your knowledge to the teacher:

- Your level of understanding of the subject;
- How clearly you think;

- How well you can reflect on your knowledge & experience;
- How well you can use your knowledge in solving problems, explaining situations, and describing organizations and management;
- How professional you are, and how much care and attention you give to what you do.

To answer a question effectively, address the question directly, bring important related issues into the discussion, refer to sources, and indicate how principles from the course materials apply. The student must also be able to identify important problems and implications arising from the answer.

For citing references, writing bibliographies, and formatting the assignment, APA format should be followed.

ASSIGNMENT No. 2

Total Marks: 100

Pass Marks: 50

This assignment is a research-oriented activity. You are required to obtain information from a business/commercial organization and prepare a report of about 1000 words on the issue allotted to you to be submitted to your teacher for evaluation.

You are required to select one of the following issues according to the last digit of your roll number. For example, if your roll number is P-3427180 then you will select issue # 0 (the last digit): -

ISSUES:

0. Discuss in detail the contents of partnership deed of any firm selected by you.
1. Select any partnership organization and discuss various issues related to its Dissolution and settlement of accounts.
2. Select any organization and analyze how the provisions of companies ordinance are applied there.
3. Select any case related to breach of contract of sales of goods and discuss the consequences of such breach.
4. Discuss in detail the contents of prospectus or statement in lieu of prospectus of any public limited company selected by you.
5. Select any private limited company and guide it how it can convert its status from private limited company to public limited company.
6. Select any organization and study how its employees are benefiting from employees' Old Age Benefits Act.
7. Select any organization and analyze the role of unions in wage determination.
8. Study the health and safety measures taken by any organization selected by you.
9. Study the prospectus of any company and prepare a critical report as company law expert.

The report should follow the following format:

1. Title page
2. Acknowledgements
3. An abstract (one page summary of the paper)
4. Table of contents
5. Introduction to the issue (brief history & significance of issue assigned)
6. Practical study of the organization (with respect to the issue)
7. Data collection methods
8. SWOT analysis (strengths, weaknesses, opportunities & threats) relevant to the issue assigned
9. Conclusion (one page brief covering important aspects of your report)
10. Recommendations (specific recommendations relevant to issue assigned)
11. References (as per APA format)
12. Annexes (if any)

GUIDELINES FOR ASSIGNMENT # 2:

- 1.5 line spacing
- Use headers and subheads throughout all sections
- Organization of ideas
- Writing skills (spelling, grammar, punctuation)
- Professionalism (readability and general appearance)
- Do more than repeat the text
- Express a point of view and defend it.

WORKSHOPS

The workshop presentations provide you an opportunity to express your communication skills, knowledge & understanding of concepts learned during practical study assigned in assignment # 2.

You should use transparencies and any other material for effective presentation. The transparencies are not the presentation, but only a tool; the presentation is the combination of the transparencies and your speech. Workshop presentation transparencies should only be in typed format.

The transparencies should follow the following format:

- 1) Title page
- 2) An abstract (one page summary of the paper)
- 3) Introduction to the issue (brief history & significance of issue assigned)
- 4) Practical study of the organization (with respect to the issue)
- 5) Data collection methods
- 6) SWOT analysis (strengths, weaknesses, opportunities & threats) relevant to the issue assigned
- 7) Conclusion (one page brief covering important aspects of your report)
- 8) Recommendations (specific recommendations relevant to issue assigned)

GUIDELINES FOR WORKSHOP PRESENTATION:

- Make eye contact and react to the audience. Don't read from the transparencies or from report, and don't look too much at the transparencies (occasional glances are acceptable to help in recalling the topic to cover).
- A 15-minute presentation can be practiced several times in advance, so do that until you are confident enough. Some people also use a mirror when rehearsing as a substitute for an audience.

WEIGHTAGE OF THEORY & PRACTICAL ASPECTS IN ASSIGNMENT # 2 & WORKSHOP PRESENTATIONS

Assignment # 2 & workshop presentations are evaluated on the basis of theory & its applicability. The weightage of each aspect would be:

Theory:	60%
Applicability (practical study of the organization):	40%

**BUSINESS AND LABOUR LAWS
COURSE OUTLINE (8514)**

Unit-1 Introduction to Law and Law Governing Contracts

- 1.1 Origin of the Contract
- 1.2 Definition of Contract
- 1.3 Communication, Acceptance and Revocation
- 1.4 Essentials of a Valid Contract
- 1.5 Performance of the Contract
- 1.6 Discharge of Contract
- 1.7 Breach of Contract
- 1.8 Damages of Breach of Contract
- 1.9 Indemnity and Guarantee
- 1.10 Contract of Bailment
- 1.11 Contract of Agency

Unit-2 Law of Sales of Goods

- 2.1 Definitions
- 2.2 Formation of the Contract.
- 2.3 Effects of the Contract
- 2.4 Performance of the Contract
- 2.5 Rights of Unpaid Seller against the Goods.
- 2.6 Sale by Auction
- 2.7 Breach of Contract

Unit-3 Partnership Law

- 3.1 Definitions in Partnership Law
- 3.2 Types of Partnership

- 3.3 Essential Elements of a Partnership
- 3.4 Registration of Partnership Firms
- 3.5 Partnership Becoming Illegal
- 3.6 Partnership Distinguished from Company
- 3.7 Partnership Distinguished from Private Company
- 3.8 Partnership Distinguished from Co-Ownership
- 3.9 Partnership Agreement
- 3.10 Rights and Liabilities of the members of a Partnership Firm
- 3.11 Personal Profits Earned by Partners
- 3.12 The Property of the Firm
- 3.13 Implied Authority of a Partnership
- 3.14 Principle of Holding Out
- 3.15 Minor as a Partner
- 3.16 Reconstitution of a Firm
- 3.17 Dissolution of Partnership and Settlement of accounts on Dissolution
- 3.18 Rights and Obligations of Partners after Dissolution of Partnership

Unit-4 Law Governing Companies-I

- 4.1 Introduction to Companies Ordinance, 1984
- 4.2 Company Courts
- 4.3 Corporate Law Authority
- 4.4 Registration of Company
- 4.5 Memorandum of Association
- 4.6 Name of Company
- 4.7 Registered Office
- 4.8 Object
- 4.9 Capital Clause of Memorandum
- 4.10 Articles of Association
- 4.11 Promoters
- 4.12 Contracts
- 4.13 Prospectus
- 4.14 Commission, Discount and Premium
- 4.15 Allotment of Shares
- 4.16 Commencement of Business
- 4.17 Membership
- 4.18 Share Capital
- 4.19 Shares and Certificates
- 4.20 Transfer and Transmission of Shares
- 4.21 Directors
- 4.22 Chief Executive

Unit-5 Law Governing Companies-II

- 5.1 General Meetings
- 5.2 Meetings of Directors
- 5.3 Secretary
- 5.4 Dividend
- 5.5 Auditor
- 5.6 Managing Agents
- 5.7 Investment by Company
- 5.8 Debentures
- 5.9 Private Companies
- 5.10 Guarantee Company
- 5.11 Unlimited Company
- 5.12 Accounts
- 5.13 Inspection
- 5.14 Annual Return
- 5.15 Winding up by Court
- 5.16 Winding up of Companies
- 5.17 Contributors and Creditors
- 5.18 Voluntary Winding up
- 5.19 Winding up of Unregistered Companies.
- 5.20 Reconstruction and Amalgamation.
- 5.21 Companies Established Outside Pakistan
- 5.22 Official Liquidator

Unit-6 Laws Governing Establishment of Factories

- 6.1 Definitions Pertained to the Factories Act. 1934
- 6.2 Exemption from Certain Provisions of the Act
- 6.3 Inspectors and their Powers
- 6.4 Certifying Surgeons
- 6.5 Health and Safety
- 6.6 Disposal of Wastes and Effluents
- 6.7 Artificial Humidification
- 6.8 Vaccination and Inoculation
- 6.9 Holidays with Pay and Provisions of the Act for Worker
- 6.10 Special Provisions for Adolescents and Children
- 6.11 Penalties and Procedure
- 6.12 Penalty for Contravention of Act and Rules
- 6.13 Display of Factory Notices
- 6.14 Publication of Rules
- 6.15 Protection to Persons Acting under this Act.

Unit-7 Laws Governing Industrial Employment and Industrial Relations

- 7.1 Trade unions and Freedom of Associations
- 7.2 Application for Registration and Requirements.
- 7.3 Certificate of Registration and its Cancellation
- 7.4 Power and Functions of Registrar
- 7.5 Collective Bargaining Agents.
- 7.6 National Industrial Relations Commission and its Powers.
- 7.7 Joint Consolation Conciliation and Mediation
- 7.8 Wage Commission and Fixation of Wages
- 7.9 Powers and of the Wage Commission.
- 7.10 Penalties and Procedure.
- 7.11 Penalty of Committing Breach of Settlement.
- 7.12 Penalty of Embezzlement of Misappropriation of Funds.
- 7.13 Indemnity and Powers to Make Rules.

Unit-8 Employees Old Age Benefits Act, 1976 –I

- 8.1 Employees Old-Age Benefits Contribution Rules, 1978
- 8.2 Employees Old-Age
- 8.3 Benefits General Regulations, 1980
- 8.4 Insured Persons, Board or Trustees, Powers, Functions, and Terms of Office of Members.
- 8.5 Employees Old-age Benefits Determination or Wages for Computation of Contribution Regulation, 1980.
- 8.6 Employees Old-Age Benefits Determination of Complaints, Questions, and Disputes Regulations 1980.

Unit-9 Employees Old Age Benefits Act, 1976 – II

- 9.1 Employees Old Age Benefits Institution and Certificate of Authority and Proof of Age, Payment of Contributions and Liability of Employer.
- 9.2 Offenses and Penalties
- 9.3 Finance and Audit.
- 9.4 Employees Old-Age Benefits, Old Age Pension, Old Age Grant Widows, Pension, Invalidity Provision, Benefit Claims and Benefits, Extinguishment of Benefits.

Recommended books:

Saeed K. A. (2010). *Company Law*. Lahore: Khawaja & Khawaja Publishers.

Amin Q. A. (2010). *Business Law*. Islamabad: National Book Foundation.

Cheema, K. M. (2010). *Business Law*. Lahore: Syed Mobin Mahmood & Co.

