

**FACULTY OF LAW, UNIVERSITY OF VICTORIA
2011-12 COURSE REGISTRATION - PRELIMINARY COURSE INFORMATION¹**

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| COURSE | Law 301 The Administrative Law Process |
| UNIT VALUE | 2.0 units (4 hours of instruction per week) |
| INSTRUCTOR | Mark Haddock |
| TERM OFFERED | Summer 2012 |
| CLASS TIMES | See schedule |
| PREREQUISITES/CO-REQUISITES | None |

COURSE OBJECTIVES/ BRIEF COURSE DESCRIPTION

The primary objective of this course is to provide students with an introduction to, and a solid understanding of, the primary principles of administrative law in Canada and the rationales that underlie those principles.

Central concerns of the course are the procedural rights of persons who are the subjects of administrative decision-making and the inter-relationship between the courts and the executive and administrative branches of government in the context of judicial review of administrative decisions on both procedural and substantive grounds. Consideration will also be given to structural problems in the design and operation of administrative decision-making processes.

The course serves as a foundation for specialized study in numerous other areas of public law such as immigration, labour, environmental, financial regulation, freedom of information, and human rights law, to name only a few. Students should gain an ability to recognize and analyze administrative law problems using appropriate legal principles, relevant case law, and applicable statutory provisions.

Specific subject matters to be covered are:

- (1) The nature and scope of administrative regulation in Canada.
- (2) Judicial control of administrative decision-making through judicial review of administrative action, including:
 - procedural requirements for administrative decision-making and the grounds for judicial review of administrative decisions on the basis of failure to meet the requisite standards of procedural fairness, including review on the basis of bias and lack of independence;
 - substantive review of administrative decisions on the basis of errors of fact, law, and jurisdiction or errors in the exercise of administrative discretion.
- (3) An overview of administrative law remedies and an introduction to the *Judicial Review Procedure Act*, R.S.B.C. 1996 c.241, and the *Federal Courts Act*, R.S., 1985, c. F-7.
- (4) The scope, application, and impact of the *Administrative Tribunals Act*, S.B.C. 2004 c. 45.

EXPECTED EVALUATION METHODOLOGY (SUBJECT TO CHANGE)

A mid-term exam worth 25% of the final grade is being considered as a possible evaluation method. Otherwise, there will be a final "open-book" examination in December worth 100% of the final grade.

January 4, 2012

¹ The information in this document is provided for course registration purposes only and is **subject to change**. More detailed course information about course content and evaluation will be provided upon the commencement of the course. Students seeking additional information about the course prior to its commencement may contact the instructor or, if no instructor is listed, the Manager of Academic Administration and Student Services (lawmaass@uvic.ca).