

**ASSOCIATION OF CANADA LANDS SURVEYORS - BOARD OF EXAMINERS
WESTERN CANADIAN BOARD OF EXAMINERS FOR LAND SURVEYORS
ATLANTIC PROVINCES BOARD OF EXAMINERS FOR LAND SURVEYORS**

**SCHEDULE II / ITEM 6
BUSINESS: LAW, ADMINISTRATION AND ECONOMICS**

February 2000
(1990 Regulations)
(Closed Book)

This examination consists of **13** questions on **2** pages

Time: 3 hours

Marks

1.	What are the duties of the officers of a publicly traded corporation? What situations might a professional surveyor find compromising as an officer of a publicly traded corporation? What situations might a professional surveyor employed as a civil servant at the municipal, provincial or territorial or federal level find compromising?	14
2.	Small business, it has been said is the backbone of the economy. State three reasons why this might be true. Describe what forces may enhance the small business climate and what forces may hinder this same climate?	7
3.	In what situation might a surveyor find himself liable for professional negligence towards a person to whom he has no contractual or fiduciary obligation?	4
4.	Two Canada Lands Surveyors residing in Iqaluit, Nunavut wish to join forces to form a legal entity under which to practice legal land surveying. What choices are open to them to form this legal entity? Provide a 'model' that could form a work plan for this new surveying entity. What items should they include and list possible employee, tax and legal requirements?	18
5.	What steps should you take to ensure you are as prepared as possible for a court case where your role will be that of an expert witness?	8
6.	What three categories of remedy are available to the injured party of a breached contract? In what circumstances does each remedy apply?	6
7.	Give three examples of situations that would constitute conflicts of interest for a director of a corporation.	6
8.	What are the necessary ingredients for a legal contract? How may a contract be discharged? Under what circumstances would a party to a contract be released from his or her obligations?	7

9.	Define each of the following terms as it pertains to business law in Canada. a) Order In Council b) garnishee c) appellant d) prospectus e) secured creditor f) power of attorney	12
10.	What must be proven in order to establish that a tort has occurred?	3
11.	Canada is a trading nation. Discuss the effect of our currency relative to other currencies on the effect of exports in both the resource and the manufacturing sectors.	8
12.	Distinguish between the roles and duties of an agent and an independent contractor.	4
13.	Show by example what the courts may consider to be an “implied term” in a contract.	3