Macmillan Law Masters

Business Law

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Business Law

Second Edition

Stephen Judge

Senior Lecturer, London Guildhall University

Law Series Editor: Marise Cremona

Senior Fellow, Centre for Commercial Law Studies

Queen Mary and Westfield College, University of London

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Preface to the Second Edition

The book is aimed at business studies students on undergraduate and equivalent courses as well as the business community.

It is almost impossible to define precisely the scope of a book on business law since no such thing exists – there is merely a heading embracing specific aspects of the law generally identified with business activities. And, as business activities cannot be closely defined since they extend to ‘any trade, profession or occupation’ (s.45, Partnership Act 1890), it is necessary to restrict artificially the scope of what is defined as a business activity to define the scope of business law.

The law in this book will be of central interest to specialists such as bankers, insurers, stockbrokers or debt factors, but it excludes the specific law that governs their particular professions’ specialised literature. Business law is largely concerned with the supply of goods and services, and the organisations that undertake this activity.

The book starts with an introduction to the background of the sources of law and resolving legal disputes, including arbitration and alternative dispute resolution (ADR). It continues with the identification and explanation of the law of obligations, with particular reference to contract and tort, before considering the different forms of business organisation and the nature of business assets, including their use as a security for loans. The book then looks at business contracts of agency, employment and the sale and supply of goods and services.

The book then considers consumer credit and methods of payment and has a section devoted to consumer protection, including competition law, since the protection of the consumer is the justification for interference in respect of mergers, monopolies and general restrictive practices. This is looked at from the point of view of English and Community law. Chapters on the law of personal and corporate insolvency conclude the volume.

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