

DALHOUSIE LAW SCHOOL

FISHERIES LAW

Fall Term, 2009

SYLLABUS

Welcome to Fisheries Law. This seminar is designed to acquaint students with the public and private law aspects of fishing and fishery management in Canada. While the central focus is on law and the regulatory framework, questions of policy frequently arise for discussion. The class is taught by a combination of questioning, seminar and lecture. Problems unique to fisheries regulation and methods of fishery management will be discussed to set the context in which the law operates. International considerations, constitutional problems, fisheries legislation, the interplay between private rights and public rights, and problems of enforcement and environmental protection will be the central topics discussed.

Administrative

Fisheries Law (Law 2020)

2 Credit Hours

Instructor: Will Moreira

Phone: 420-3346

Fax: 420-1417

Email: wmoreira@smss.com

Monday 5:00 to 7:00 pm, room 207

Academic

Readings for each class will primarily be from the casebook which can be obtained from the Materials Room. Please obtain on line a print of the Fisheries Act. There may also be additional material provided from time to time which will be distributed in class.

Evaluation

Evaluation is two written assignments, a brief (15-20 minute) presentation of the main themes of the second assignment and class participation.

COURSE MARK

Assignment #1 (mid term)	30%
Assignment #2 (end term)	45%
Presentation of Assignment Topic to Class	15%
Class Participation	10%
TOTAL	100%

Please refer to and carefully read the sections on Plagiarism and on Requests for Accommodation, which are on page 2.

The Course Schedule, which is subject always to unexpected and maybe last-minute changes, may be found on page 3.

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PLAGIARISM:

All students in this course must read

- the University policies on plagiarism and academic honesty referenced in the Policies and Student Resources sections of the plagiarism.dal.ca website, and
- the Law School policy on plagiarism, as set out in
 - o the law school regulations (available in hard copy from the Associate Dean's office and online at http://law.dal.ca/current_students/course_selectin_materials/regulations_handbook/ or
 - o the Orientation Handbook (provided to all first year students and available online at http://law.dal.ca/files/first_year_handbook_2005-06_%28PDF%29.pdf).

Any paper or assignment submitted by a student at Dalhousie Law School may be checked for originality to confirm that the student has not plagiarized from other sources. Plagiarism is considered a serious academic offence which may lead to loss of credit, suspension or expulsion from the law school, or even revocation of a degree. It is essential that there be correct attribution of authorities from which facts and opinions have been derived. Prior to submitting any paper or other assignment, students should read and familiarize themselves with the policies referred to above.

Ignorance of the policies on plagiarism will not excuse any violation of those policies.

Students with Special Needs/Requests for Accommodation

Professor Pothier is the faculty advisor to students with disabilities. Students wishing to discuss in-class accommodation or in-class study assistance needs should see Professor Pothier.

Students seeking special accommodation with regard to any aspect of course evaluation (including exam deferrals and extensions to deadlines) must make an application to the Studies Committee. Academic regulations require such requests to be made as soon possible and, in any event, no later than the date on which the exam is to be written or the paper or other assignment is to be submitted. Students should contact Associate Dean Michael Deturbide or Assistant Dean Elizabeth Hughes for more information about requests for accommodation and about the Studies Committee process.

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COURSE SCHEDULE

Monday September 14	Introduction to Course Session 1 Industry Overview and Policy Considerations Readings – Chapter 1 of Casebook
Monday September 21	Session 2 International Issues Readings – Chapter 2 of Casebook
Monday September 28	Session 3 Constitutional Issues Habitat Protection Readings – Chapters 3 and 4 of Casebook FIRST ASSIGNMENT ISSUED
Monday October 5	No class – Instructor Away
Monday October 12	Thanksgiving – No Class
Monday October 19	Session 4 Licensing Aboriginal Fisheries Readings – Chapters 5 of Casebook, brief review of Chapter 6
Monday October 26	Session 5 Aboriginal Fisheries Readings – Chapter 6 of Casebook FIRST ASSIGNMENT DUE SECOND ASSIGNMENT TOPICS IDENTIFIED
Monday November 2	Session 6 Enforcement FIX SCHEDULE FOR STUDENT PRESENTATIONS Readings – Chapter 7 of Casebook
Monday November 9	Session 7 Private Rights/Remedies Aquaculture Readings – Chapters 8 and 9 of Casebook
Monday November 16	STUDENT PRESENTATIONS
Monday November 23	STUDENT PRESENTATIONS
Monday November 30	STUDENT PRESENTATIONS
Monday December 7	STUDENT PRESENTATIONS (If Necessary) SECOND ASSIGNMENT DUE