

DALHOUSIE LAW SCHOOL

FISHERIES LAW

Fall Term, 2008

Welcome to Fisheries Law (LAWS 2020). 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.

Readings for each class will primarily be from the casebook which can be obtained from the Materials Room. There will also be additional material provided from time to time which will either be distributed in class or be made available on the Course Materials website (see page 3 of this Outline for instructions on accessing).

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%

Classes: Room 207. Mondays from 5:00 to 7:00 p.m. See attached schedule.

Instructor: David Henley

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Email: dhenley@smss.com

Office: Purdy's Wharf Tower 1, Suite 900. I do not maintain an office at the law school but can meet with students on Mondays after class, by phone or at my office by appointment.

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COURSE SCHEDULE

Monday September 8	Introduction to Course Session 1 Industry Overview and Policy Considerations Readings – Chapter 1 of Casebook
Monday September 15	Session 2 International Issues Readings – Chapter 2 of Casebook
Monday September 22	Professor away – No Class
Monday September 29	Session 3 Constitutional Issues Habitat Protection Readings – Chapters 3 and 4 of Casebook
Monday October 6	Session 4 Licensing Aboriginal Fisheries Readings – Chapters 5 of Casebook, brief review of Chapter 6 FIRST ASSIGNMENT ISSUED
Monday October 13	Thanksgiving – No Class
Monday October 20	Session 5 Aboriginal Fisheries FIRST ASSIGNMENT DUE Readings – Chapter 6 of Casebook
Monday October 27	Session 6 Enforcement SECOND ASSIGNMENT TOPICS IDENTIFIED FIX SCHEDULE FOR STUDENT PRESENTATIONS Readings – Chapter 7 of Casebook
Monday November 3	Session 7 Private Rights/Remedies Aquaculture Readings – Chapters 8 and 9 of Casebook
Monday November 10	STUDENT PRESENTATIONS
Monday November 17	STUDENT PRESENTATIONS
Monday November 24	STUDENT PRESENTATIONS
Monday December 1	STUDENT PRESENTATIONS SECOND ASSIGNMENT DUE

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ACCESSING COURSE MATERIALS FROM THE WEB

I will endeavour to post my class slides and materials in the Course Materials portion of the website. In order to access the information being placed on the web take the following steps:

Start at the Law Library Homepage (<http://www.library.dal.ca/law/>) then:

- a. Under Student Resources, click on the "Electronic Reserves" link.
- b. On the new page click the link for the course you are looking for.
- c. The new page should contain a list of course materials for each section. Click on the name of the material you are looking for and a printable PDF file will load.

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.