

Chapter 1 The Canadian Legal System

TRUE FALSE

1. Civil litigants have an automatic right of appeal to the Supreme Court of Canada.

Answer: False

Page: 2

Difficulty: Moderate

Skill: Applied

SHORT ANSWER

2. What rule applies when federal and provincial legislation have a direct operational conflict?

Answer: The federal legislation trumps the provincial legislation to the extent of the contradiction. This is called the doctrine of paramountcy.

Page: 1

Difficulty: Moderate

Skill: Applied

MULTIPLE CHOICE

3. Which of the following is a federal power under the Canadian Constitution?
- a. fisheries
 - b. management of hospitals
 - c. governance of the professions
 - d. contracts

Answer: a

Comment: The others are within provincial government jurisdiction.

Page: 1

Difficulty: Easy

Skill: Applied

Chapter 3 Ethical Considerations

TRUE FALSE

7. Codes of ethics have detailed lists of what professionals are prohibited from doing.

Answer: False Page: 15 Difficulty: Difficult Skill: Applied

Comment: Usually codes of ethics are written in general terms defining a vague threshold of acceptable behaviour. This is evident from the excerpts on page 15.

SHORT ANSWER

8. Name the four persons (or groups) professionals owe ethical duties to.

Answer: The public, client, employer, and profession.

Page: 15 Difficulty: Difficult Skill: Recall

MULTIPLE CHOICE

9. Which of the following is not real property?
- a. a timber cabin built on a concrete foundation
 - b. a mobile crane
 - c. a 60 m long timber pier
 - d. an airport runway

Answer: b

Comment: Real property includes land and anything physically attached to the land.

Page: 19 Difficulty: Easy Skill: Applied

Chapter 4 Property Law

TRUE FALSE

10. You have the legal right to prevent your neighbour from building a tall house that obstructs your view of the ocean.

Answer: False Page: 25 Difficulty: Moderate Skill: Applied

Comment: Property ownership does not include the right to a view over neighbouring land.

SHORT ANSWER

11. A mobile amusement ride is bolted to the ground so that it is stable during operation. Is the ride real property or personal property?

Answer: Personal property. If the purpose of the fixing is to better enjoy the item fixed, the act of fixing does not make the item real property.

Page: 22 Difficulty: Moderate Skill: Applied

MULTIPLE CHOICE

12. Your neighbour intends to dig a basement close to your property boundary. The neighbour wants to ensure lateral support to your land, and so installs ground anchors that extend under your land. Has the neighbour done anything wrong?

- a. no, the neighbour is complying with his duty to provide lateral support
- b. no, the neighbour is entitled to take reasonable steps to facilitate construction on his land
- c. yes, the neighbour's anchors are trespassing onto your land because you did not agree to them being installed
- d. yes, ground anchors stretch as they take load, and so your land will settle as this occurs; the neighbour has compromised lateral support to your land

Answer: c

Comment: The right to place items on or under another person's land must be established by contract.

Page: 24 Difficulty: Moderate Skill: Applied