

**UNIVERSITY OF WESTERN ONTARIO
MANAGEMENT AND ORGANIZATIONAL STUDIES
COURSE MOS 3306B
AVIATION LAW
WINTER 2012**

Thursdays, 7:00 p.m. – 10:00 p.m., Room 3026, Social Science Centre

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COURSE DESCRIPTION:

Management and Organizational Studies – Aviation Law 3306B is an introduction to the law governing aviation in Canada and abroad. The objectives of the course are to provide students with a basic knowledge of the sources of aviation law and to give students an understanding of certain substantive and procedural aspects of aviation law.

The class meets one time per week for up to three hours.

COURSE READINGS

Written Material

- (1) *Course Materials – Aviation Law* (required, available in the University Book Store)
- (2) *Aeronautical Information Manual* (required, available
<http://www.tc.gc.ca/publications/en/tp14371/pdf/hr/tp14371e.pdf>)

Statutes (selected provisions of the following statutes as assigned by the instructor and listed in the Course Reading List)

- (1) *Aeronautics Act* R.S.C., 1985, c. A-2
<http://laws.justice.gc.ca/en/showtdm/cs/A-2>
- (2) *Canada Border Services Agency Act* S.C. 2005, c. 38
<http://laws.justice.gc.ca/en/showtdm/ca/C-1.4>

Statutes (cont.)

- (3) *Canada Transportation Act* S.C. 1996, c.10
<http://laws.justice.gc.ca/en/showtdm/cs/C-10.4>
- (4) *Canadian Air Transport Security Authority Act* S.C. 2002, c.9, s.2
<http://laws.justice.gc.ca/en/showtdm/cs/C-11.2>
- (5) *Canadian Charter of Rights and Freedoms*
<http://laws.justice.gc.ca/en/charter/index.html>
- (6) *Canadian Transportation Accidents Investigation and Safety Board Act* S.C. 1989, c.3
<http://laws.justice.gc.ca/en/showtdm/cs/C-23.4>
- (7) *Carriage By Air Act* R.S.C. 1985, c.C-26
<http://laws.justice.gc.ca/en/showtdm/cs/C-26>
- (8) *Civil Air Navigation Services Commercialization Act* S.C. 1996, c.20
<http://laws.justice.gc.ca/en/showtdm/cs/C-29.7>
- (9) *Constitution Act (1867)*, sections 91 and 92
<http://laws.justice.gc.ca/en/const/index.html>
- (10) *Criminal Code of Canada* R.S.C., 1985, c. C-46
<http://laws.justice.gc.ca/en/showtdm/cs/C-46>
- (11) *Customs Act* R.S.C. 1985, c.1 (2nd Supp.)
<http://laws.justice.gc.ca/en/showtdm/cs/C-52.6>
- (12) *Immigration and Refugee Protection Act* S.C. 2001, c. 27
<http://laws.justice.gc.ca/en/showtdm/cs/I-2.5>
- (13) *Transportation Appeal Tribunal of Canada Act* S.C. 2001, c. 29
<http://laws.justice.gc.ca/en/showtdm/cs/T-18.5>

Regulations

- (1) *Canadian Aviation Regulations (CARs)* S.O.R./2000-111
<http://laws.justice.gc.ca/en/showtdm/cr/SOR-96-433>
- (2) *Canadian Aviation Security Regulations* S.O.R./96-433
<http://laws.justice.gc.ca/en/showtdm/cr/SOR-2000-111>

Other

- (1) The Transportation Safety Board
<http://www.tsb.gc.ca/eng/index.asp>
- (2) International Civil Aviation Organization (ICAO)
<http://www.icao.int/>
- (3) International Air Transport Association (IATA)
<http://www.iata.org/index.htm>
- (4) NAV Canada
<http://www.navcanada.ca>
- (5) “Warsaw Convention”
<http://www.iata.org/NR/ContentConnector/CS2000/Siteinterface/sites/legal/file/warsaw.pdf>

This list of statutes, regulations and other material is for reference purposes only to provide access to material as assigned by the instructor. Students are responsible for completing all assigned readings and are to be prepared to discuss such material in class.

METHODS OF EVALUATION(1) Course Grading

Mid-term Test (Thursday, February 16, 2012)	30%
Group Presentation (as assigned)	30%
Class Participation	10%
Final examination (held during the April examination period)	30%

(2) Class Participation

Students are expected to have completed all assigned readings in a timely fashion and be prepared to discuss such material in class. Students will be challenged to discuss and debate with the instructor and their fellow students the results of various cases studied.

(3) Group Presentation

Students will be broken down into small groups and each group will be required to prepare a paper and presentation on a Canadian Aviation Regulation of their choice. These groups will be established and the topic assigned to each group on Thursday, January 19, 2012.

It is expected that the presentation will involve each member of the group, such presentation to take approximately 30 minutes with an additional 10 minutes being allowed for questions and discussion.

A paper will be submitted by the group, which will demonstrate the group's critical reading and research skills and their ability to prepare a concisely written commentary on the assigned topic. The paper shall be a minimum of 1500 and a maximum of 2000 words. The paper must be handed in at 7:00 p.m. on the day that the presentation is to be made. If the paper portion of the presentation is not available when due, a mark of zero will be assigned for that portion of the task.

To protect against loss of a written assignment, students are advised to keep a duplicate copy of the assignment as submitted, and to retain his or her rough notes until final grades in the course have been determined.

(4) Examinations

The format for the both the mid-term test and the final examination may include multiple-choice, short answer and short essay answers, or any combination thereof.

The mid-term examination to be written on Thursday, March 1, 2012 will cover assigned readings, lectures, guest speaker's material and class discussion from class 1 through class 6 inclusive.

The final examination to be written during the April final examination period will cover assigned readings, lectures, guest speaker's material, group presentation material and class discussion for all of the material covered during the course from class 1 through to and including class 12.

ACADEMIC OFFENCES

Scholastic Offences are taken seriously and students are directed to read the appropriate policy, specifically, the definition of what constitutes a Scholastic Offence, at the following Web site: <http://www.uwo.ca/univsec/handbook/appeals/scholoff.pdf>.

- (A) required papers may be subject to submission for textual similarity review to the commercial plagiarism detection software under license to the University for the detection of plagiarism. All papers submitted for such checking will be included as source documents in the reference database for the purpose of detecting plagiarism of papers subsequently submitted to the system. Use of the service is subject to the licensing agreement, currently between The University of Western Ontario and Turnitin.com.

- (B) computer-marked multiple-choice test and/or exams may be given, and software might be used to check for unusual coincidences in answer patterns that may indicate cheating.

CLASSROOM MANAGEMENT

It is expected that students will have read all assigned material prior to such material being covered in class and that the student will be prepared to discuss such material as required. It is also expected that students will give their undivided attention during class. To achieve this objective and to avoid unnecessary interruptions, all cell phones are to be turned off during class, no ipods or other personal devices are permitted. During class, students are not permitted to send text messages, use e-mail or use laptop computers for purposes other than related to class material.

ACADEMIC INTEGRITY

Integrity is what we do, what we say, and what we say we do.

- Don Galer

Character is doing the right thing when nobody's looking.

- J.C. Watts

ACCESSIBILITY

DAN Management and Organizational Studies strives at all times to provide accessibility to all faculty, staff, students and visitors in a way that respects the dignity and independence of people with disabilities. Please contact the course instructor if you require material in an alternate format or if you require any other arrangements to make this course more accessible to you. You may wish to contact Services for Students with Disabilities (SSD) at 661-2111 #82147 for any specific questions regarding an accommodation. More information about "Accessibility at Western" is available at: <http://accessibility.uwo.ca>.

GENERAL INFORMATION

If, on medical or compassionate grounds, you are unable to meet your academic responsibilities, i.e., unable to write term tests or final examinations or complete course work by the due date, you should follow the instructions listed below. You should understand that academic accommodation will not be granted automatically on request. You must demonstrate that there are compelling medical or compassionate grounds that can be documented before academic accommodation will be considered. Read the instructions carefully. In all cases, action must be taken at the earliest possible opportunity, preferably prior to the scheduled examination, test or assignment.

1. Check the course outline to see if the instructor has a policy for missed tests, examinations, late assignments or attendance. The course outline should include the preferred method of contact (e-mail, phone, etc.).
2. Inform the instructor prior to the date of the scheduled time of the test or examination or due date of the assignment. If you are unable to contact the instructor, leave a message for him/her at the department office.
3. Bring your request for accommodation to the Academic Counselling Office, Room 2105, Social Science Centre, telephone 519 661-2011 or fax 519 661-3384. Be prepared to submit documentation of your difficulties.
4. If you decide to write a test or an examination you should be prepared to accept the mark you earn. Rewriting tests or examinations or having the value of the test or examination reweighted on a retroactive basis is not permitted.

TERM TESTS and MID-TERM EXAMS

1. If you are unable to write a term test, inform your instructor (preferably prior to the scheduled date of the test). If the instructor is not available, leave a message for him/her at the department office.
2. Be prepared, if requested by the instructor, to provide supporting documentation (see below for information on acceptable forms or documentation). Submit your documentation to the Academic Counselling Office.
3. Make arrangements with your professor to reschedule the test.
4. The Academic Counselling Office will contact your instructor to confirm your documentation.

FINAL EXAMINATIONS

1. You require the permission of the Dean, the instructor, and the Chair of the department in question to write a special final examination.
2. If you are unable to write a final examination, contact the Academic Counselling Office in the first instance to request permission to write a special final examination and to obtain the necessary form. You must also contact your instructor at this time. If your instructor is not available, leave a message for him/her at the department office.
3. Be prepared to provide the Academic Counselling Office and your instructor with supporting documentation (see below for information on documentation).
4. You must ensure that the Special Examination form has been signed by the instructor and Department Chair and that the form is returned to the Academic Counselling Office for approval without delay.

Note: Make sure you know the date, time and location of the special examination. For more information see [Examinations - Common Situations](#).

LATE ASSIGNMENTS

1. Advise the instructor if you are having problems completing the assignment on time (prior to the due date of the assignment).
2. Submit documentation to the Academic Counselling Office.
3. If you are granted an extension, establish a due date.
4. Extensions beyond the end of classes must have the consent of the instructor, the Department Chair and Dean. A Recommendation of Incomplete form must be filled out indicating the work to be completed and the date by which it is due. This form must be signed by the student, the instructor, the Department Chair, and the Dean's representative in the Academic Counselling Office.

SHORT ABSENCES

If you miss a class due to a minor illness or other problems, check your course outlines for information regarding attendance requirements and make sure you are not missing a test or assignment. Cover any readings and arrange to borrow notes from a classmate.

EXTENDED ABSENCES

If you are absent more than approximately two weeks or if you get too far behind to catch up, you should consider reducing your workload by dropping one or more courses. This must be done by the appropriate deadlines. (Refer to the Registrar's website for official dates.) The Academic Counsellors can help you to consider the alternatives. At your request, they can also keep your instructors informed of your difficulties.

DOCUMENTATION

- **Personal Illness:** If you consult Student Health Services regarding your illness or personal problem, you should request a Student Medical Certificate from the physician. Once your documentation has been assessed, the academic counsellor will inform your instructor that academic accommodation is warranted.
- If you were seen by an off-campus doctor, obtain a certificate from his/her office at the time of your visit. The off-campus medical certificate form must be used. <http://www.uwo.ca/univsec/handbook/appeals/medicalform.pdf>. The doctor must provide verification of the severity of the illness for the period in question. Notes stating "For Medical Reasons" are not considered sufficient.
- **In Case of Serious Illness of a Family Member:** Obtain a medical certificate from the family member's physician.
- **In Case of a Death:** Obtain a copy of the newspaper notice, death certificate or documentation provided by the funeral director.
- **For Other Extenuating Circumstances:** If you are not sure what documentation to provide, ask an Academic Counsellor.

Note: Forged notes and certificates will be dealt with severely. To submit a forged document is a scholastic offense (see below) and you will be subject to academic sanctions.

ACADEMIC CONCERNS

- You need to know if your instructor has a policy on late penalties, missed tests, etc. This information may be included on the course outline. If not, ask your instructor.

- You should also be aware of attendance requirements in courses such as Business and English. You can be debarred from writing the final examination if your attendance is not satisfactory.
- If you are in academic difficulty, check the minimum requirements for progression in your program. If in doubt, see your Academic Counsellor.
- If you are registered in Social Science courses but registered in another faculty (e.g., Arts or Science), you should immediately consult the Academic Counselling Office in your home faculty for instructions.

FAILED YEAR

Procedures for completing a [Waiver of the Progression Requirements](#) (DEADLINE IS JUNE 30). [Click here for BMOS Waiver of Progression Requirements.](#)

In your petition letter, you must address all of the following questions:

- What were the extenuating circumstances which contributed most significantly to your poor academic performance.) When did the problem(s) arise? Appropriate supporting documentation (eg. medical note from a doctor to document problems, or a letter from a family member or close personal friend to support compassionate grounds) must be submitted with the petition. If you need more information regarding the submission of appropriate documentation, please contact the Dean's Office.
- Answer the following questions:
 1. What attempts did you make at the time you were encountering problems that affected your academic performance to contact your instructors, Academic Counsellors, the staff in Student Development Centre (Learning Skills Counsellors), the Ombudsperson, or Student Health Services?
 2. What academic accommodation did you request at the time you were experiencing major problems that were affecting your academic performance?
 3. What steps did you take to minimize the impact on your academic work of the difficulties that you were encountering?
 4. Approximately what percentage of classes did you attend in each course?
 5. What assignments/tests/labs/quizzes/exams did you complete in each course?
 6. Please record the grades you received for assignments/labs/tests/quizzes/exams, etc in each course. If you failed to complete all the course requirements, explain and provide reasons.
 7. Please list the final grade earned in each course in which you were registered during the past academic year.
- Why do you think you would be successful in University-level academic studies, if your petition was granted?
- What are your academic goals?
 1. What is your long-term degree/program objective?
 2. In what specific program do you wish to register during the coming year?
 3. What specific courses do you wish to take during the coming year?

NOTE: In (b) and (c), do not list courses or programs for which you are not currently eligible. You must check the prerequisites for the program and courses you wish to take.

BMOS Grade Distribution Policy

(Approved by the BMOS Faculty as a whole at the Year-end meeting May, 2010 and reviewed by the Advisory Committee September 2010)

In order to maintain parity across sections and courses, and to ensure that uniform standards of performance are maintained within the BMOS Program, instructors will be expected to adhere to the following guidelines when submitting end of term marks. Where such guidelines are not followed, final course marks may be adjusted at the discretion of the Program Director prior to submission to the Registrar's office.

3300-4499 level courses; *Mean of between 70-75% for all sections of the same course taught by the same instructor in that semester; A's not to exceed 25 percent of all marks submitted; A's and B's not to exceed 70 percent of all marks submitted.*

These guidelines are waived in classes of fewer than 25 students. However, it is expected that instructors will establish a meaningful distribution reflecting the full range of student performance.