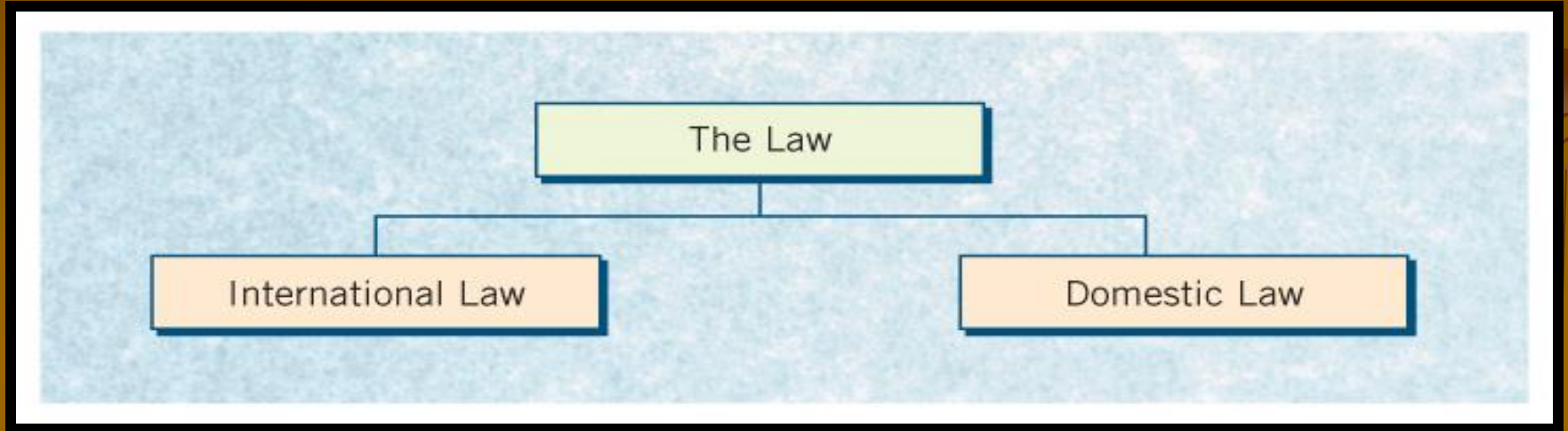


Categories of Law



The Law



The broadest categories of law are International Law and Domestic Law

International Law



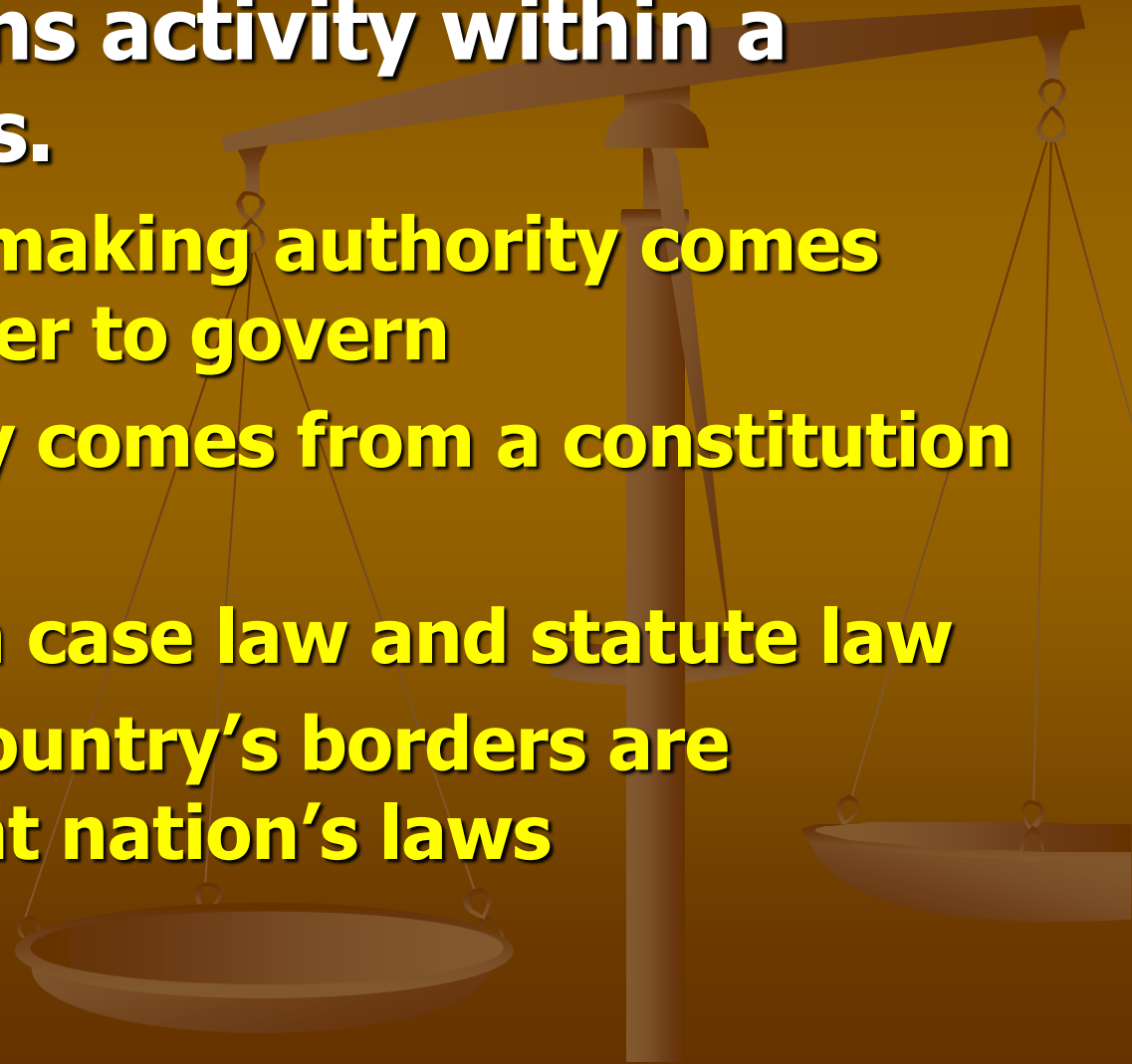
Includes laws that govern independent nations in their relationships with one another.

- **Created by custom**
- **Nations sign treaties and are considered binding as law (Extradition, NATO, and NAFTA)**
- **Some organizations have international legal status (UN and International Courts)**
- **Difficult to enforce international law**

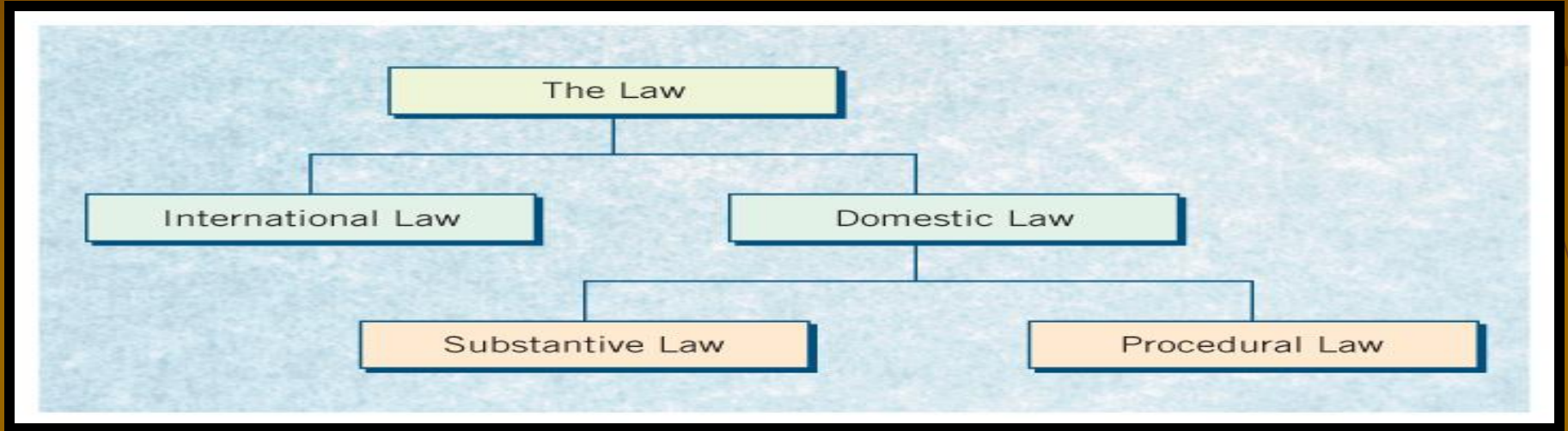
Domestic Law

Law that governs activity within a nation's borders.

- **Nation's law making authority comes from the power to govern**
- **Power usually comes from a constitution or monarchy**
- **Includes both case law and statute law**
- **All within a country's borders are subject to that nation's laws**



Divisions of Domestic Law

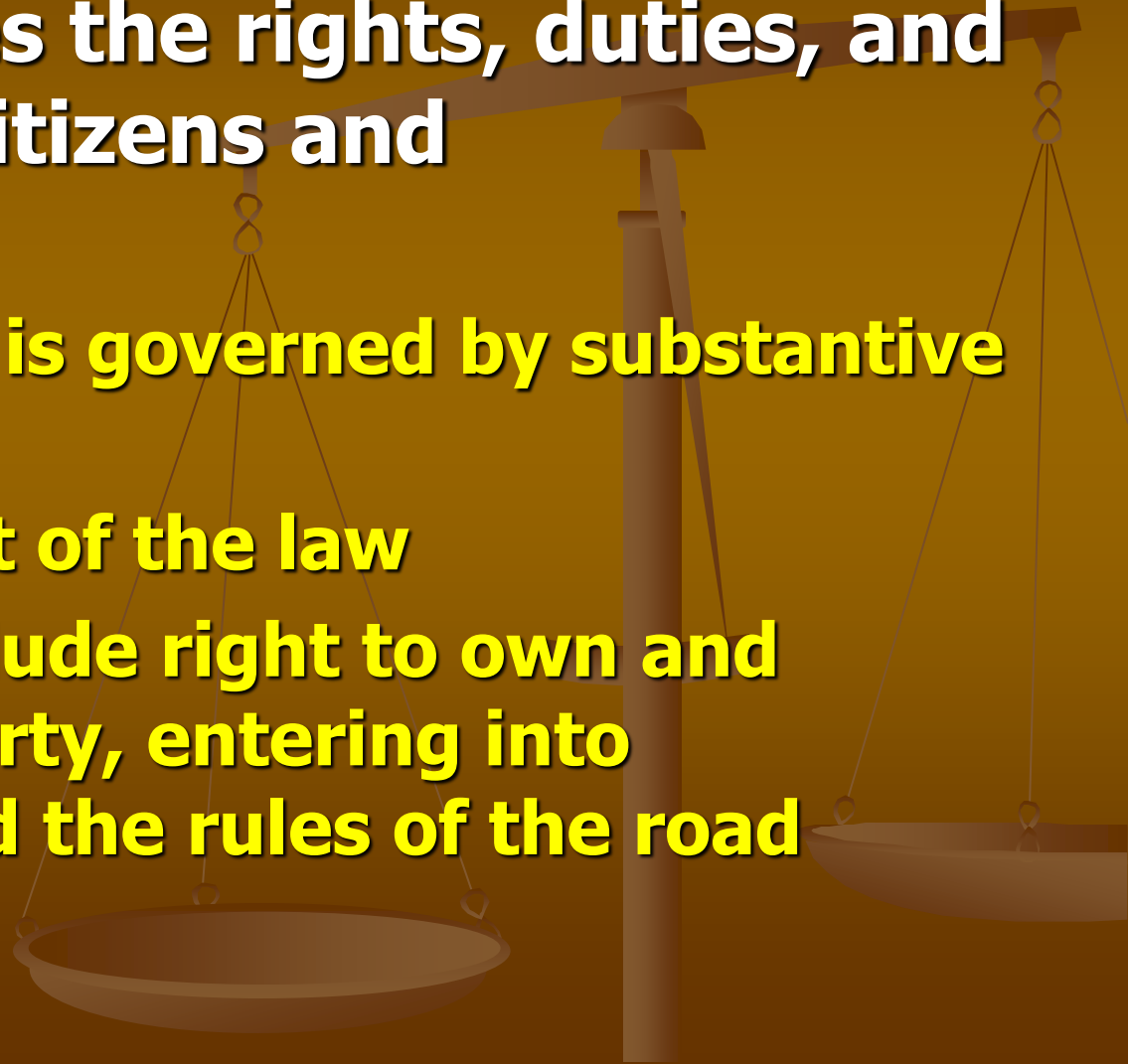


Domestic Law is divided into substantive and procedural law

Substantive Law

Law that defines the rights, duties, and obligations of citizens and government.

- **Your conduct is governed by substantive law**
- **Is the content of the law**
- **Examples include right to own and protect property, entering into contracts, and the rules of the road**



Procedural Law



Law that prescribes the methods of enforcing the rights and obligations of substantive law.

- **Ensures that all citizens are treated fairly**
- **Ensures that neither the police or courts act arbitrarily**
- **Examples include proper procedures to gather evidence, requirements for lawful arrest, and trial procedures**

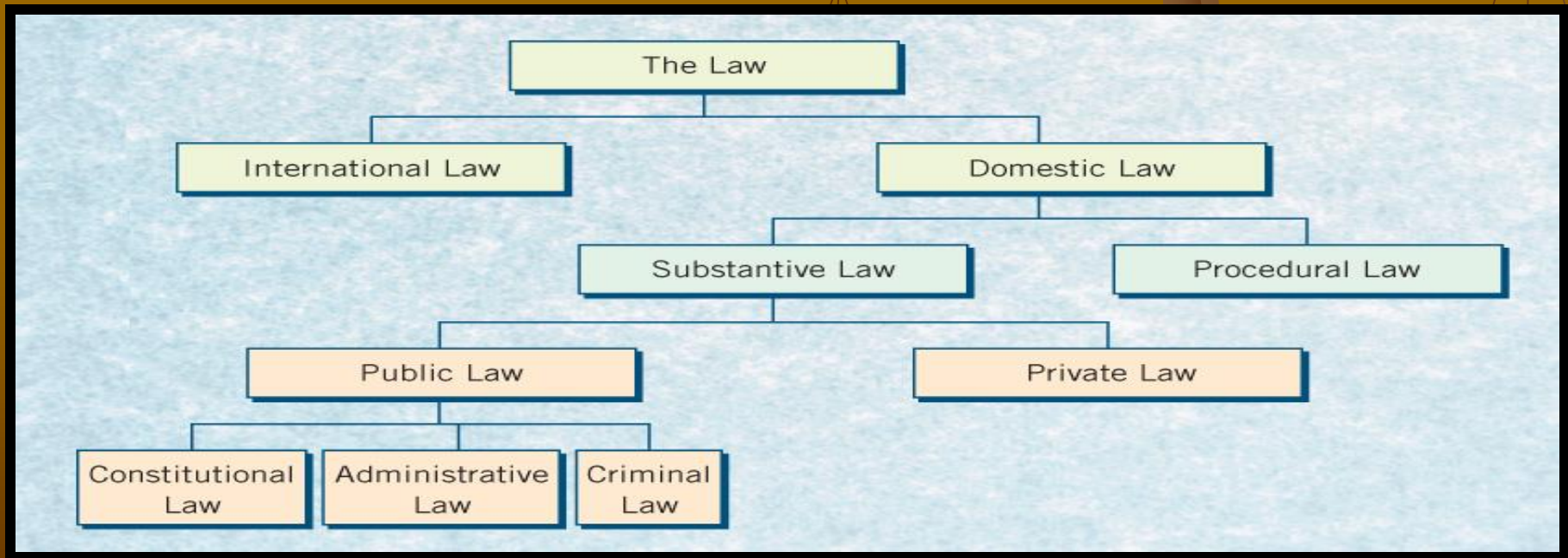
Divisions of Substantive Law

**Substantive law is divided
into Public and Private
law**



Divisions of Substantive Law

Public Law



Public Law



Regulates the relationship between government and its citizens

Three categories of public law:

- 1) Administrative Law**
- 2) Criminal Law**
- 3) Constitutional Law**

Types of Public Law



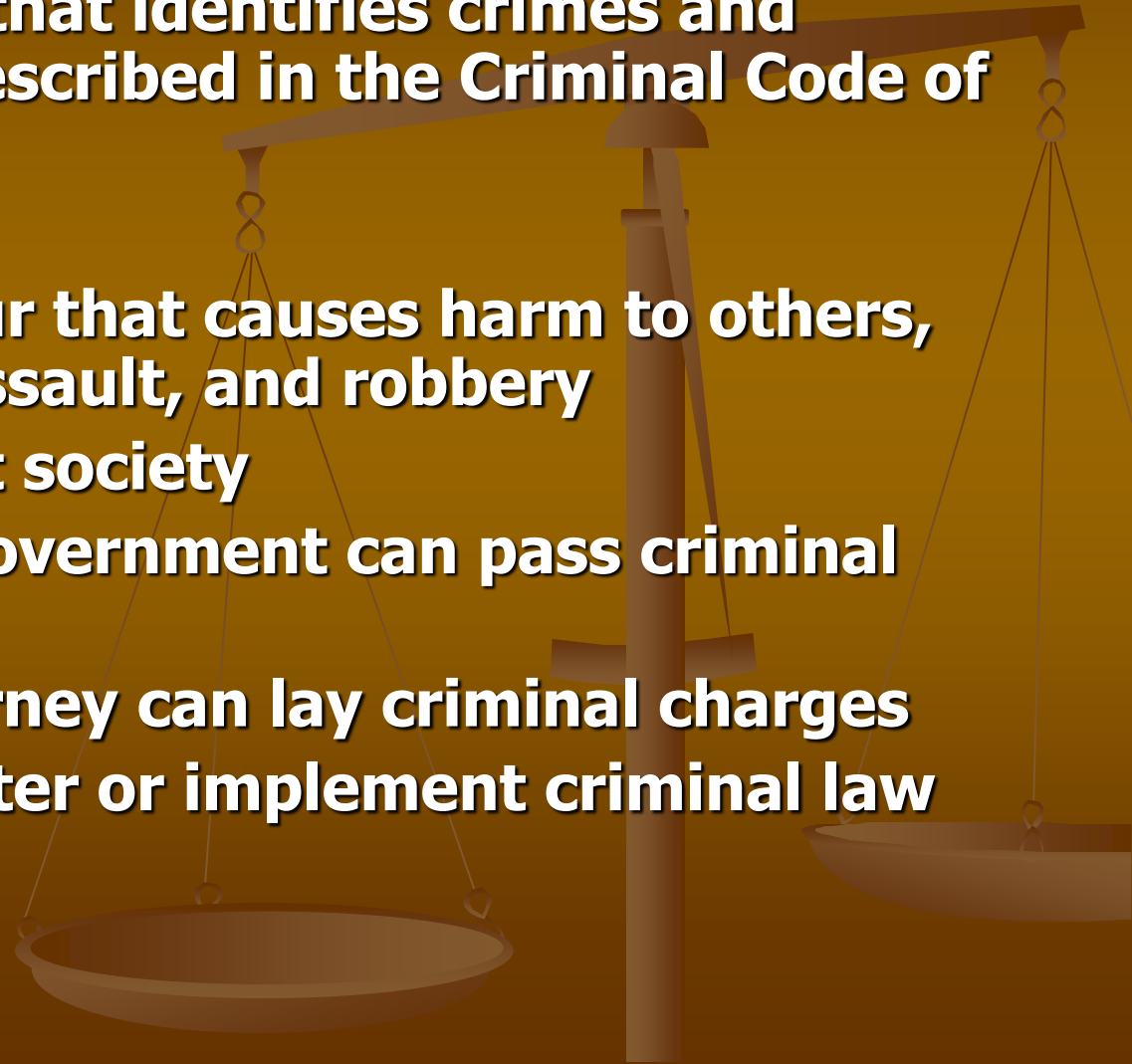
Administrative Law – Law related to the relationship between people and government departments, boards, and agencies

Examples: Liquor Control, Worker's Compensation, Social Assistance, and Health and Safety

Types of Public Law

Criminal Law – Law that identifies crimes and punishments as described in the Criminal Code of Canada

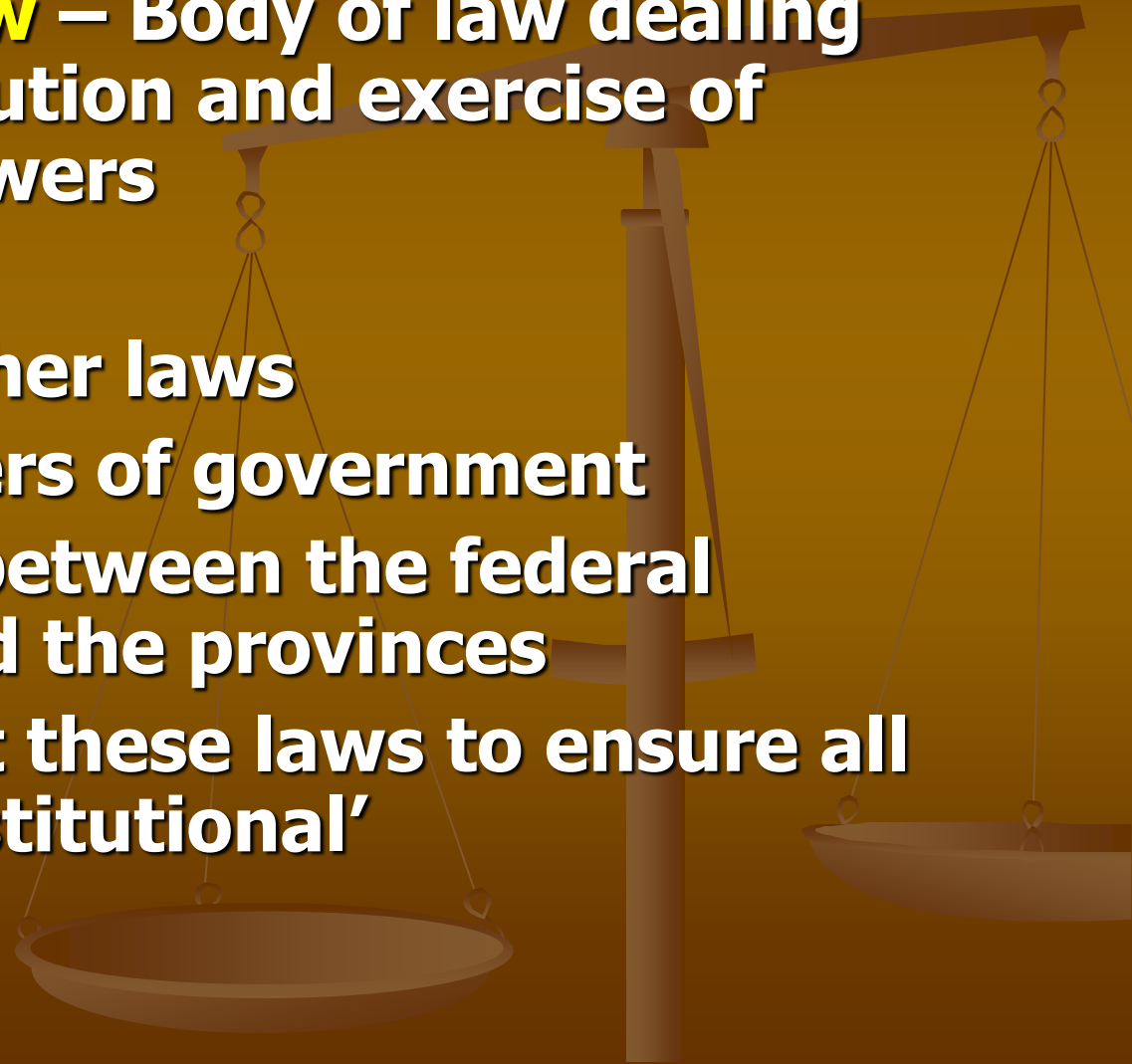
- Prohibits behaviour that causes harm to others, such as murder, assault, and robbery
- Crimes are against society
- Only the federal government can pass criminal legislation
- Only a crown attorney can lay criminal charges
- Provinces administer or implement criminal law



Types of Public Law

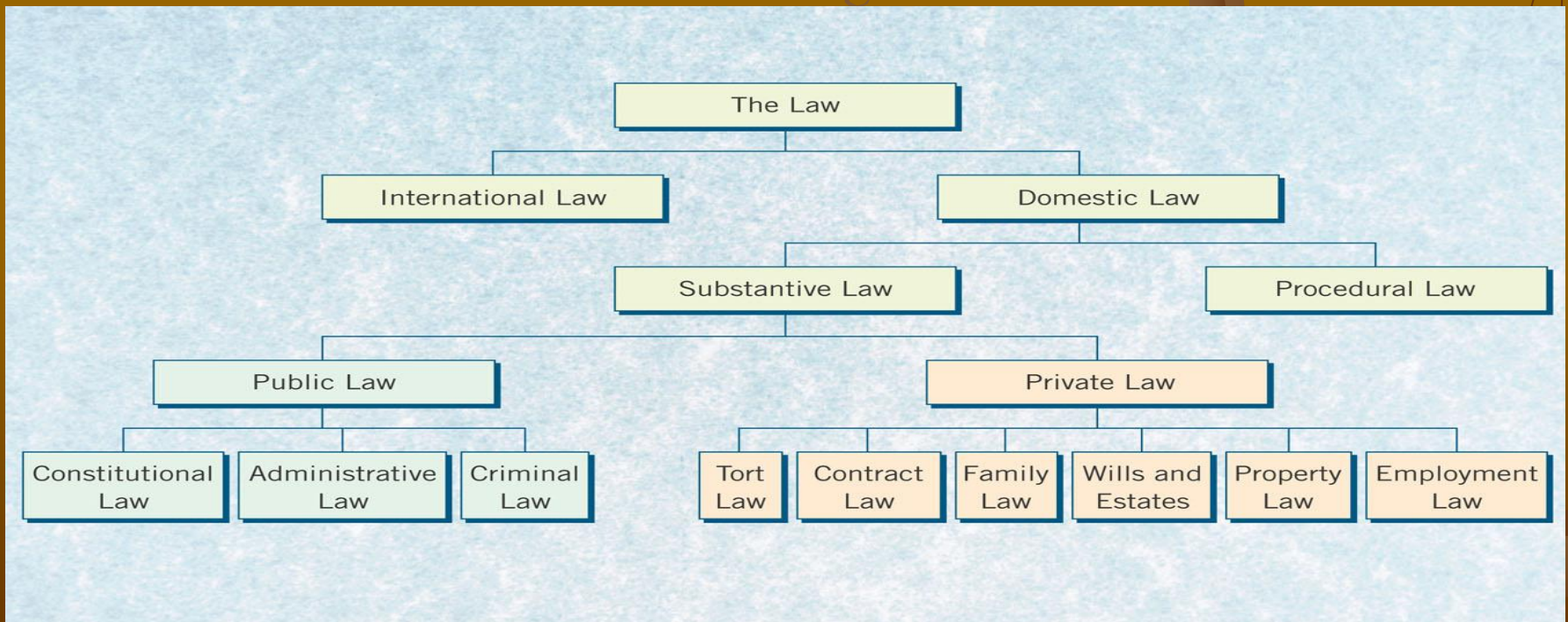
Constitutional Law – Body of law dealing with the distribution and exercise of government powers

- Overrides all other laws
- Limits the powers of government
- Divides power between the federal government and the provinces
- Courts interpret these laws to ensure all others are 'constitutional'



Divisions of Substantive Law

Private Law



Private Law



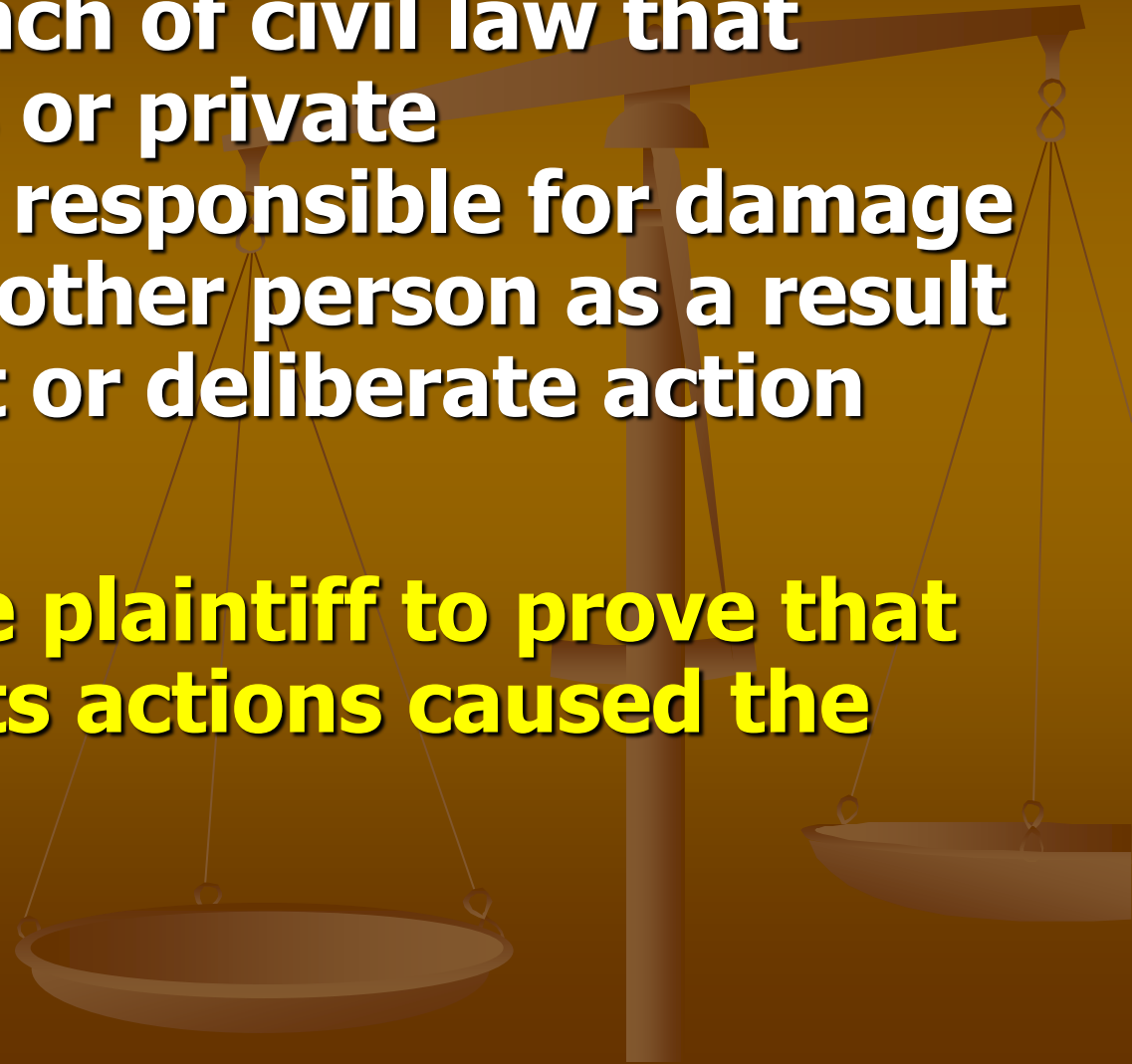
Law governing the relationships between private individuals and between individuals and organizations

- **Also known as civil or case law**
- **Excludes government organizations**
- **Regulates conduct and compensates who have been harmed by the wrongful actions of others**
- **Refers to torts (civil injuries), contracts, property law, and family law**

Types of Private Law

Tort Law – Branch of civil law that holds persons or private organizations responsible for damage they cause another person as a result of an accident or deliberate action

- **Onus is on the plaintiff to prove that the defendants actions caused the damage**



Types of Private Law



Contract Law – Branch of civil law that provides rules regarding agreements between people and businesses

Family Law – Deals with various aspects of family life including marriage, property division upon separation, and child custody

Types of Private Law



Wills and Estates (Estate Law) – Deals with the division of property after death including if a person dies without having a will

Property Law – Governs ownership rights in property including the buying and selling of real estate

Types of Private Law

Employment Law – Governs employer/employee relations including minimum age a person can work, restrict the number of hour required to work, and specify minimum wages

