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| Lecture #: 11 | Lecture title: Overview of the Law |

The common law system is applied in every Canadian province except Quebec. It was there since law was introduced from Britain, and it is made from judgements. The system of law in Quebec is the civil law system, which was based on the French legal history. Its main source is Quebec Civil Code, judgements are the second choice.

Civil law is identified by anything that is not defined as criminal law. The criminal law is governed by common law across all provinces. Civil law includes tort law and contract law. Tort law ensures the redress of civil wrongs. Tort law does not seek to punish wrongs, but to compensate the victim of wrongs. There are two types of torts: intentional torts and negligence intentional torts, the latter one covers all human activities. To define a negligence action, four elements are judged: a duty of care, breach of duty of care, causation, and damage reasonably foreseeable. Negligent misrepresentation is also a civil causes of action.

Since January 2004, when the limitations Act 2002 came into force, a claim will not be dealt with after two years from the day when the claim was discovered. After 15 years from the act on which the claim is based, nothing will be done even if there is a claim. The two years count from the day the person with the claim first know or the reasonable person with the abilities and in the circumstances first ought to know the injury, loss, or damage occurred.