

Course title		Civil and Business Law in International Trade						ECTS code		10.2.EM.KZ.829	
								ECTS credits		3	
Name of unit administrating study		OTHER		Field of study		MSG**		Field of specialisation		IB;	
Teaching staff		Bartłomiej Gliniecki, Ph.D.									
Number of hours											
Lectures	30	Classes	0	Tutorials	0	Laboratory	0	Seminars	0	Language classes	0
Forma aktywności								Year&Type of studies*		2 SS1,	
Hours with the participation of the academic teacher (including office hours, exams, others):								Semester:		3,	
Hours without the participation of the academic teacher (student's self-study, homeworks):								Type of course:		obligatory	
Total number of hours:						0		Language of instruction:		English	
Teaching form		in-class learning									
Teaching methods		Lectures including multimodal presentations, E-learning,									
Prerequisites (required courses and introductory requirements)											
Required courses		Fundamentals of law.									
Introductory requirements		Essential knowledge of legal system and economics.									
Assessment method, forms and criteria											
Assessment method		Exam									
Assessment criteria		<p>The exam will have a form of a descriptive answer freely composed by a student to a given question or a problem. To pass the exam with a satisfactory note it is required to give a generally correct and complete answer on average to at least 50% of questions. To pass the exam with a good note it is required to give in most a correct and complete answer on average to at least 70% of questions. To pass the exam with a very good note it is required to give an absolutely correct and complete answer on average to at least 90% of questions.</p> <p>The exam in second term may have an oral form.</p>									
Course objectives											
<p>Student has essential knowledge of mutual influences between economics and business and civil law. He/she knows basics and essential concepts referring to business and civil law in international trade. Student is aware of the influence of international legal regulations (including European and local legal acts) on trade and running business in international dimension. They name differences, especially point out pros and cons, between various legal forms of running business. Students describe main body elements and legal framework of typical contracts concluded in international trade relations. They shall know basic legal conditions of running business in Poland and refer them to conditions in their home countries.</p> <p>Student is able to choose the optimal legal form of running business depending on its branch, scope and economic conditions. He/she is capable of choosing appropriate contractual instruments depending on business needs of the enterprise. He/she estimates legal and economic risks related to running business in international dimension. Student predicts potential dangers arising from performance or non-performance of international contracts.</p> <p>Students are aware of the fact that legal regulations vary from country to country and they may be amended over time, hence he has to constantly improve his knowledge. Students are aware of distinctions between international legal systems and cultures and their influence on contracts concluded with parties from different parts of the world. They aim to compose a balanced contract body taking into account a possibility of odd legal consequences despite equal contract wording. Students appreciate international treaties related to commercial contracts and their role in approaching parties from different legal systems.</p>											
Learning outcomes											
Knowledge		MSG1_W01		Student has fundamental knowledge in the field of economics and its significance in the system of sciences, including related disciplines of science.							
		MSG1_W02		Student knows fundamental terminology and has fundamental and clarified knowledge in the field of international business relations and complementary disciplines.							
		MSG1_W16		Student knows principles of concluding and business transactions on international market.							

Verification of learning outcomes - Knowledge

Outcomes	written exam	oral exam	test	essay/paper /portfolio	tasks/ homeworks	individual presentation	group presentation	classroom activities	classroom discussion	individual project	group project
MSG1_W01	X	X									
MSG1_W02	X	X									
MSG1_W16	X	X									
Skills	MSG1_U02	Student utilizes fundamental theoretical knowledge in practice with reference to economic entities on international market with particular consideration of the EU market (in connection with selected specialty in the field of international business relations).									
	MSG1_U06	Student uses knowledge to take up new challenges, solve dilemma which appear in business activity and solves business problems.									
	MSG1_U11	Student identifies selected types of risks connected with international activity of companies and determines their consequences correctly.									
	MSG1_U12	Student concludes and carries out business transactions on international market, selects and applies appropriate form of settlement, analyzes and assesses the course of business transaction.									

Verification of learning outcomes - Skills

Outcomes	written exam	oral exam	test	essay/paper /portfolio	tasks/ homeworks	individual presentation	group presentation	classroom activities	classroom discussion	individual project	group project
MSG1_U02	X	X									
MSG1_U06	X	X									
MSG1_U11	X	X									
MSG1_U12	X	X									
Attitudes	MSG1_K01	Student knows limitations of own knowledge and skills and understands the need of life-long learning and supplementing acquired knowledge and skills; indicates trends of own development and learning.									
	MSG1_K04	Student identifies correctly and solves dilemmas referring to carried out profession.									
	MSG1_K07	Student is aware of importance of conduct in working life in professional, ethical way respecting diversity of views and cultures; is aware of corporate social responsibility.									

Verification of learning outcomes - Attitudes

Outcomes	written exam	oral exam	test	essay/paper /portfolio	tasks/ homeworks	individual presentation	group presentation	classroom activities	classroom discussion	individual project	group project
MSG1_K01	X	X									
MSG1_K04	X	X									
MSG1_K07	X	X									

Course contents

1. The scope of civil and business law
The role of private law in trade
Sources of civil and business law in international trade
2. Running business in Poland and abroad
Legal requirements of starting a business
Legal criteria of determining the place of business
Legal entities (vehicles) for running business - natural persons, partnerships & companies, foundations and other
3. Legal vehicles for placing investments abroad

Directly
 Forms of commercial representation
 Branch office
 Subsidiary companies
 Joint-venture
 4. Transformations of companies
 Transformation capabilities of companies
 Consequences of transformation
 Cross-border transformations
 5. Conclusion and execution of contracts in international trade
 Legal framework of international contracts
 Contract formation
 Typical body elements of contracts
 Legal consequences of event of default
 Types of contractual security measures
 6. Contract for international sale of goods according to the CISG
 The concept of "goods" and the scope of the Convention
 The offer and contract formation
 Obligations of the seller
 Obligations of the buyer
 Event of default
 Transfer of risk according to the CISG and Incoterms 2010 rules
 7. The role of intellectual property in the contemporary international trade
 The concept of intellectual property rights and their economic meaning
 Protection of IPR as a matter of discussion between WTO member-states
 Contemporary international trade and IPR - challenges and trends
 8. International commercial arbitration
 Arbitration as an alternative legal method of dispute resolution
 Pros and cons of arbitration
 Rules of arbitration proceeding

Recommended reading lists

(a)
 The Polish Law Collection. Business Law / Gen. ed. Danuta Kierzkowska.
 Encyclopedia of law and economics. Vol. 2 Civil law and economics / ed. by Boudewijn Bouckart, Gerrit De Geest.
 (b)
 Pazdan M. (red.), Międzynarodowe prawo handlowe, Warszawa 2006
 J. Ciszewski (red.), Polskie prawo handlowe, Warszawa 2011
 R. August, International Business Law. Text, cases, and readings, 2004

Contact

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* SS1- undergraduate studies * SS2 - graduate studies * SDang - doctoral studies

** MSG - International Economic Relations