

The Academic Programme is based on the curriculum for Masters with a term of study of 1 year in the specialty 1-24 80 01 Jurisprudence (Profiling Legal Support of Economic Activities), reg. № _ of «___» _____ 2021.

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PROGRAMME RECOMMENDED FOR APPROVAL

By the Department of Civil Legal Disciplines of the Educational Institution "Belarus State Economic University"
(protocol № _ of «___» _____ 2021);

by the Scientific and Methodological Council of the Educational Institution "Belarus State Economic University"

(protocol № ___ of «___» _____ 2021).

EXPLANATORY NOTE

Objectives and tasks of teaching and learning

“Business Law” is an academic discipline intended for studying at the second level of higher education by Master students of the Belarus State Economic University. The education programme is a system of summarized information on the legal regulation of business activities taking into consideration international standards and contemporary practice in this field.

Business law is a set of legal norms and principles regulating the organization, conduct and termination of business activities in the state and abroad.

The academic discipline "Business Law" studies the principles, methods and forms of legal regulation of business (economic, commercial) activities, the legal status of business entities, the legal regime of property, the procedure for creating, operating and terminating business activities of legal entities and individuals, contractual relationships, competition, countering monopolistic activity, protection of intellectual property.

Studying the discipline "Business Law" is important for the training of highly qualified specialists in the field of management of economic processes. The successful implementation of business management in the context of the development of market relations, the economic crisis, ensuring the rule of law in legal relations in this area, makes it necessary to understand the international legal mechanism for regulating the implementation of entrepreneurial activities by small and medium-sized businesses, its structure and international best practices in this area.

Acquiring knowledge in the sphere of legal regulation of business should ensure the following tasks solutions: effective management of existing business development, creation of new business entities, ensuring sustainable development of the organization for the future, using modern business management methods, developing and implementing business plans for the organization's growth and competitiveness, analysis and monitoring of the financial condition of the international business entity.

The Educational Programme for the discipline "Business Law" is designed taking into account international legal acts and domestic legislation and the practice of its application. Master students will be able to learn all of this during lectures, seminars and individual work.

The Educational Programme is developed on the basis of a competent approach, the requirements for the formation of competencies formulated in accordance with the requirements of the Educational Standard of the Republic of Belarus for the specialty 1-24 80 01 "Jurisprudence".

The academic discipline is based on competencies acquired by the Master students earlier when studying the following disciplines: "Civil Law", "Commercial Law", "International Private Law", etc.

The purpose of the discipline is the formation of knowledge, skills and professional competencies on the basics of of international legal acts and legislation

regulating entrepreneurial activity, the skills and abilities to apply it in solving specific practical situations, developing and consolidating universal, professional and social-personal competencies.

The main objectives of the discipline are:

- formation of an understanding of the legal mechanism (system) of regulation of economic and financial (business) processes at the international and domestic levels;

- acquiring the necessary knowledge in the legal regulation of the establishment, reorganization, liquidation of business entities, termination of their activities, organization of contractual work, legal regulation of accounting as a source of legally relevant information for making management decisions in the field of business, developing competition and countering monopolistic activity in the economy at the international and domestic levels;

- being able to analyze and interpret international documents and domestic normative legal acts, to apply them in practice.

The implementation of the objectives of the discipline "Business Law" will help Master students to develop skills to navigate the complex issues of business organization, to give a legal assessment of the economic entity activities, as well as that of counterparties at the domestic and international levels.

As a result of studying the academic discipline, Master students should consolidate and develop the following competencies provided for by the curriculum:

- SK-5. Be able to demonstrate understanding of the essence of mediation as an alternative way of resolving conflicts of a private law nature, knowledge of principles and procedures for conducting mediation, and also be able to apply the acquired knowledge, skills and abilities in scientific, teaching and practical activities.

To acquire universal professional and social competencies as a result of studying a discipline, a Master student must:

know:

- peculiarities of international practice of the foundation and running various organizational and legal forms of entrepreneurial activities;

- essence of the concept of "monopolistic activity" and the system of anti-monopoly counteraction taking into consideration the international practice;

- peculiarities of the civil contract application in international business;

- nature, purpose, types and application of sale contracts in international business;

- essence of the legal status of the property of a business entity at the international level;

- essence of accounting and reporting, the legal significance of accounting information for making management decisions in business;

- peculiarities of international legal regulation of foreign economic activity;

- peculiarities of international protection of intellectual property.

be able to:

- analyze the international legal regulation of foundation and running a

business entity with and without a legal entity;

- defend the interests of the economic entity in case of debtor's bankruptcy;
- evaluate competitor's activity from the point of view of antitrust legislation;
- apply legal contracts in business activities;
- draw up contracts in the light of the interests of a specific business entity;
- develop, execute and apply in practice contracts;
- practically apply in practice the best international experience.

The teaching content of the discipline is presented in the form of relatively independent enlarged didactic units. The content of the topics is based on the competencies acquired earlier by Master students when studying general professional disciplines "Civil Law", "Commercial Law", "International Public Law" "International Private Law", etc.

The main teaching methods that meet the goals of studying the academic discipline are:

elements of problem-based learning (problem presentation, variable presentation, partial search method) implemented during lecture courses;

elements of training and research activities, adoption of a creative approach, implemented during seminars and independent work.

Criteria approved by the Ministry of Education of the Republic of Belarus are used to assess the educational achievements of Master students.

Total hours on discipline –108 hours. 36 classroom hours are given for the study of the discipline: 20 hours for lectures, 16 hours for seminars. Form of knowledge assessment – credit.

The discipline is theoretical and practically oriented, hence the classroom hours are evenly divided into lecture and seminar classes.

The sequence of studying topics corresponds to the sequence of teaching similar academic disciplines for Master students in legal specialties, built on the principle of increasing and broadening of knowledge.

EDUCATIONAL MATERIAL CONTENT

THEME 1. LEGAL SUPPORT OF BUSINESS. LEGAL REGULATION OF BUSINESS ACTIVITIES

The concept of legal business regulation at international and national levels. The concept and signs of business activities. The subject of legal regulation in business. Legal relations in business, their classification. Principles and methods of legal regulation of business legal relations. Forms and methods of international regulation of business activities and Belarusian sources of legal regulation of business activities, codified legislation, laws, decrees, decisions, orders of the government, ministries and departments, resolutions of organizations as sources of business legal regulation. International treaties as sources of legal regulation of business activities.

THEME 2. THE LEGAL STATUS OF BUSINESS ENTITIES

The concept and types of business entities. Forms of entrepreneurial activity: individual entrepreneurial activity, commercial activity of a legal entity. Legal forms of state participation in business: international experience. The concept of a legal entity, the organizational and legal forms of a legal entity. Commercial organizations. The formation of a legal entity. The procedure for state registration of business entities: international experience. Documents required for state registration of business entities without and with the formation of a legal entity. Termination of business activities of a legal entity. International classification of legal entities. The concept of economic societies, organizational and legal forms, founders, constituent documents, statutory fund, rights and obligations of founders, their responsibility. Full and limited partnership. Unitary enterprise. Public and religious organizations, consumer and production cooperatives. Associations of legal entities.

THEME 3. BUSINESS CONTRACTS

The concept and peculiarities of the business contracts. General characteristics of business contracts. Mandatory signs of civil (business) contracts. Peculiarities of business contracts (subject composition, purposes of conclusion of contracts). Form of business agreement. The content of the contract. The usual, substantial and random terms of the contract. Unilateral, bilateral (mutual), multilateral, consensual, real, preliminary, basic, free, binding agreements. The method and

procedure for entering into business contracts: international experience. The grounds and procedure for changing the business contract. Extension of the contract. Invalidity of business contracts. Sale contracts. Supply contracts. Supply contracts for state needs. Contracting agreements. Real Estate Purchase Contracts. The international contract of sale of the enterprise. Work agreements. Contract for the construction work. Contract for the implementation of research, development and technological works. The contract of paid services. Transportation contracts. Expedition contracts. Loan agreements. Bank account agreements. Insurance contracts.

THEME 4. LEGAL REGULATION OF THE BUSINESS ENTITY PROPERTY

The concept of ownership The right of ownership as the basis of entrepreneurial activity. The concept and types of property of business entities. State property. Private property. Individuals as owners in business legal relations. Property of a legal entity. Acquisition of the property right. Making or creating things. The acquisition of property rights as a result of the transaction. The transfer of ownership in the framework of inheritance in accordance with the will or law. Transfer of authorized capital by the founders. Succession. Termination of ownership. Alienation by the owner of the property to others. Owner disclaimer of ownership. Death or destruction of property. Forced withdrawal of the property from the owner. Subject rights. Rent rights. Types of rent.

THEME 5. LEGAL REGULATION OF BOOKKEEPING, ACCOUNTING AND REPORTING BUSINESS ACTIVITIES ANALYSIS

The concept of economic accounting, the essence and value. Operational accounting in business. Accounting in business. Statistical accounting in business. Measuring instruments used in economic accounting, their purpose. Legal regulation of accounting in the Republic of Belarus.

Standard chart of accounts for accounting, purpose, legal regulation of the application. Accounting policy of the economic entity, the legal status. The constituent elements of the accounting policies of the business entity. Basic requirements for the formation of accounting policies of the business entity. The subject, method and objects of accounting. Assets and liabilities as objects of accounting. Forms of accounting: memorial-order, journal-order, simplified and automated. Balance sheet. Legal regulation of financial statements. Analysis of

financial statements. International financial reporting standards and legislation on accounting and reporting.

THEME 6. LEGAL MEASURES TO SUPPORT COMPETITION AND COUNTER MONOPOLISTIC ACTIVITIES

The concept, meaning and legal support of fair competition at international and national levels. Forms of unfair competition and responsibility for it. The concept of monopolistic activity. Types of monopolistic activities. State monopoly. Natural monopoly. Emergency monopoly. Dominant position in the commodity market.

Methods of antitrust regulation. State control over the activities of business entities that hold a dominant position in the commodity market. Legislative measures for the reorganization and liquidation of economic entities dominating on the commodity market. State control over the creation, merger, accession, transformation, liquidation of economic entities. State control over transactions with shares, property share contributions to the property of cooperatives, shares of authorized funds of economic entities. Public control over compliance with antitrust laws.

Responsibility for violation of antitrust legislation.

THEME 7. LEGAL REGULATION OF ECONOMIC INSOLVENCY (BANKRUPTCY)

The concept and signs of economic insolvency (bankruptcy). Criteria for classifying business entities as economic insolvency (bankruptcy). Persons having the right to apply to the court with a statement about the economic insolvency (bankruptcy) of a debtor. Management in bankruptcy proceedings. The legal status of the crisis manager. Creditors meeting. Creditors Committee. The procedure for appointment (election) and the competence of the governing bodies in bankruptcy proceedings. Bankruptcy procedures. Extrajudicial bankruptcy proceedings. Debtor pre-trial recovery. Bankruptcy proceedings. Protective period, bankruptcy proceedings, settlement agreement. Simplified bankruptcy procedures. Liquidation proceedings.

THEME 8. LEGAL REGULATION OF INTELLECTUAL PROPERTY

The concept of intellectual property. Copyright and associated intellectual property rights. The concept, objects and subjects of copyright. The concept, objects and subjects of associated intellectual property rights. Industrial property rights: concept, objects and subjects.

Intellectual property in the system of international economic relations. International legal protection of intellectual property.

THEME 9. TRENDS AND PERSPECTIVES IN THE DEVELOPMENT OF LEGAL REGULATION OF BUSINESS

International trends and perspectives in the development of legal measures to stimulate the sale of goods, works, services.

Trends and perspectives in the development of legal regulation of entrepreneurial activity in the territory of rural areas and small urban settlements. Trends and perspectives in the development of legal regulation of competition and privatization of property, innovation management in the scientific and technical sphere, in the service sector (consulting, marketing, support of innovation projects, etc.).

Trends and perspectives in legal regulation of foreign economic activities.

TEACHING AND METHODOLOGICAL PLAN
EDUCATIONAL DISCIPLINE «BUSINESS LAW»
for full-time Master students
of the specialty 1-24 80 01 "Jurisprudence"

Number	Topic	Classroom hours						Other	Form of control
		Lectures	Practical workshops	Seminars	Laboratory practical	Independent work hours			
						L	P		
1	Legal support of business. Legal regulation of business activities	-	-			2	-	[1-13]	presentations
2	The legal status of business entities	2	-			2	2	[1-13]	presentations, review work
3	Business contracts	2	-			2	2	[1-13]	presentations, round table
4	Legal regulation of the business entity property	-	2			-	2	[1-13]	presentations, round table
5	Legal regulation of bookkeeping, accounting and reporting business activities analysis	-	-			2	2	[1-13]	presentations, review work
6	Legal measures to support competition and counter monopolistic activities	-	-			2	2	[1-13]	presentations, review work
7	Legal regulation of economic insolvency (bankruptcy)	-	-			2	2	[1-13]	presentations, review work
8	Legal regulation of intellectual property	-	2			2	-	[1-13]	presentations, round table
9	Trends and perspectives in the development of legal regulation of business	-	-			2	-	[1-13]	presentations
	Total	4	4			16	12		credit

INFORMATION AND METHODOLOGICAL PART***Guidelines for the organization of independent work
of Master students on academic discipline "Business Law"***

The independent work of Master students is an important step when gaining the knowledge on the discipline. Recommended budget of time for independent work is on average 2-2.5 hours for a 2-hour classroom session.

The main areas of independent Master student work are:

- initially detailed familiarization with the programme of the academic discipline;
- acquaintance with the list of recommended literature on the discipline as a whole and its sections, its presence in the library and other available sources, study of the necessary literature on the topic, selection of additional literature;
- study the lecture material by reading the special literature, holding consultations with the teacher, round tables;
- preparation for seminars according to specially developed plans with the study of basic and additional literature;
- preparation for the diagnostic forms of control (review works, etc.);
- preparation for a credit.

ORGANIZATION OF INDEPENDENT WORK OF MASTER'S STUDENTS

Independent work of Master students is aimed at deepening and consolidating of their knowledge and developing practical skills.

The independent work of Master students within the discipline "Business Law" includes:

- analysis of material for classes;
- application of legislation to specific practical situations;
- preparation for interview;
- preparation of presentations and review works.

Creative problem-oriented independent work of Master students

is focused on the development of intellectual skills, general cultural and professional competencies, creative potential skills.

It includes the following types of work:

- research, analysis, structuring and presentation of information;
- creative work on the practical situation.

Content of independent work of Master students within the discipline "Business Law"

1. Work with materials of lectures and practical classes: preparation for classes, self-search for additional information (in accordance with the topics of the classes).
2. Work on the preparation of review works and presentations.
2. Analysis of legislation and its implementation

Control over independent work of Master students

1. The quality of the work of Master students with practical materials is controlled during classes in the form of interview, individual tasks.
2. The individual tasks are presented in the form of a presentation.
3. Review works are evaluated by the teacher.

The assessment of the activity of Master students is carried out according to the results of:

- presentations evaluation;
- interview in the classroom
- review works evaluation.

LITERATURE

Legal instruments

- 1 United Nations Convention on Contracts for the International Sale of Goods of 1980.
- 2 Convention on the law applicable to international sales of goods of 1955.
- 3 Convention on the law governing transfer of title in international sales of goods of 1958.
- 4 Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters of 1965.
- 5 Convention Providing a Uniform Law on The Form of an International Will of 1973.

Literature

Primary:

1. Beatty, J.F. Essentials of Business Law / J.F. Beatty, S.S. Samuelson. – Boston: Cengage Learning, 2018.
2. Clarke, A. Principles of Property Law / A. Clarke. – Cambridge, 2020.
3. Contract Law : Principles and Context / Stewart A. [et al.]. – Cambridge, 2020.
4. Contract Law: Cases and Materials / Kenneth Y. [et al.]. – Cambridge, 2020.

Supplementary

5. Cross, F.B. The Legal Environment of Business: Text and Cases / F.B. Cross, Miller R. – Boston: Cengage Learning, 2016.
6. Mallor, J.P. Business Law : The Ethical, Global and E-Commerce Environment // J.P. Mallor, A.J. Barnes, A.W. Langvardt [et al.]. – New-York, 2017.
7. A Casebook on the Enforcement of Intellectual Property Rights // LTC Harms. – Geneva, 2018.
8. Encyclopedia Britannica [Electronic source]. – Mode of access : <https://www.britannica.com/>
13. Cheeseman, H. R., Business Law / H. R. Cheeseman. - New-York, 2014.

PROGRAMME AGREEMENT PROTOCOL

Title of discipline which approval is required	Department	Suggestions for changes to the programme content of educational institution of higher education	Decision made by the department that developed the programme (indicating the date and number of the protocol)
Philosophy and Methodology of Science	Department of Philosophy		

ADDITIONS AND CHANGES TO THE EDUCATIONAL PROGRAMME

_____/_____/_____ academic year

№ п/п	Additions and changes	Base

The programme is reviewed and approved at the department meeting

_____ (Department) (protocol № ____ of _____ 202_)

Head of Department
of the Civil Legal Disciplines

T.S.Taranova

APPROVED
Director of Institute
Master's studies

A.V.Belyaev
