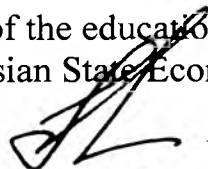


Educational institution
"Belarusian State Economic University"

APPROVED

Rector of the educational institution
"Belarusian State Economic University"



"29" 06 2021
Registration № 187921

STATE REGULATION OF ECONOMIC ACTIVITIES

The Curriculum of the institution of higher education in the academic discipline for
the specialty
1-24 80 01 "Jurisprudence"

The Academic Program 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)

COMPILED BY:

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RECOMMENDED FOR APPROVAL:

Department of Civil Law Disciplines of the Educational Institution "Belarusian State Economic University"

(Minutes No. 12 dated 25 May 2021);

Scientific and Methodological Council of the educational institution "Belarusian State University"

(Minutes No. 5 from 2021)

Explanatory note

Objectives and Tasks of teaching and learning

The academic discipline "State regulation of economic activity" involves a systematic presentation of the foundations of state and legal impact on economic processes in the Republic of Belarus and includes the study of institutions of various branches of law (civil, administrative, financial, etc.) aimed at regulating public relations in the field of organization and carrying out business activities. The difficulty of mastering the proposed academic discipline is due to the fact that the regulatory framework, which forms the basis of legitimate business and economic activity in the Republic of Belarus, includes many regulatory legal acts adopted at different times and different in their legal force. In addition, there is ambiguity and law enforcement in this area.

Purpose of teaching of the academic discipline "State regulation of economic activity" consists in obtaining by undergraduates knowledge about the basics of legal support of economic and entrepreneurial activity in modern conditions, the means and forms of state influence on this area, as well as in the formation of practical skills in the field of analysis, application and use of appropriate legal regulations.

This goal is achieved by solving the following tasks. The tasks facing the study of the academic discipline:

- to study, as a single systemic entity, the current legislation regulating the procedure for carrying out economic and entrepreneurial activities in Belarus;

- to master the basic concepts and institutions of civil, as well as some other branches of law that regulate public relations in this area;

- understand the system of state bodies that carry out state regulation in the economic sphere;

- to gain knowledge about the forms and methods of state regulation of economic activity;

- to develop skills in drafting documents that function in the entrepreneurial sphere (contracts, claims, statements of claim, etc.);

- get acquainted with the law enforcement practice of courts for resolving disputes in economic activities.

The structure of the curriculum and the teaching methodology of the academic discipline take into account the new results of legal research and the latest achievements in the field of pedagogy and information technology, orienting students to acquire the appropriate professional competencies:

- UK-1. Able to analyze problems, patterns and trends in the development of legal science, apply in scientific and practical research the main

methods of scientific knowledge in independent research activities, generate and implement innovative ideas;

- SC-9. Able to demonstrate an understanding of the role of state regulation of modern economic legal relations, to use the scientific and legal knowledge on this issue to solve a wide range of professional theoretical and practical problems.

As a result of studying the discipline "State regulation of economic activity", students must:

know:

legal basis for organizing entrepreneurial activity in the Republic of Belarus; powers of state bodies to regulate economic activity; principles and procedure for interaction between public and private legal entities in the field of economic relations; forms and methods of state regulation of economic activity and methods of their legal mediation; the specifics of the implementation of lawful activities in certain areas of the economy.

be able to:

provide legal support for the activities of state bodies and organizations in the economic sphere; solve specific problems of an economic and legal nature.

have skills: self-orientation in the current economic legislation; analysis and commenting on normative acts - the constitution, laws, as well as decisions of local authorities and administration of the Republic of Belarus and court decisions.

Interdisciplinary communication. The content of the discipline "State regulation of economic activity" is interconnected with such an educational discipline of the state component of the training of masters as "Actual problems of the theory and practice of the application of civil legislation", and is also based on the knowledge gained in the course of studying the disciplines "General theory of state and law", "Civil Law" and "Commercial Law".

In accordance with the curriculum of the specialty 24 80 01 "Jurisprudence", the curriculum is designed for 108 hours - in total, including 36 classroom hours, including 16 lectures and 20 - seminars. The form of the current certification assumes an exam.

COURSE CONTENT

Topic 1. Legal forms of public organization of economic activity

The concept of entrepreneurial and economic activity: the relationship between them. Economic activity and business relations. Classification of economic relations. Organizational-economic and economic-managerial relations. Signs of entrepreneurial activity.

The mechanism of state legal regulation of economic activity. Principles of legal regulation of economic activity: the principle of economic freedom; the principle of social orientation of state influence on entrepreneurial activity; pluralism of forms, of ownership and their equality; the principle of legality; the principle of equality of subjects of entrepreneurial activity; the principle of the complexity of state influence on economic relations by combining private-legal and administrative-organizational mechanisms. Forms and methods of state legal regulation. A combination of administrative (direct) and economic (indirect) methods of legal impact on the field of entrepreneurial activity. State control and supervision over the procedure for carrying out entrepreneurial activities.

The system of state bodies that regulate entrepreneurial activity. Bodies of general and special competence. Interdepartmental coordination commissions.

System of economic legislation. General characteristics and classification of normative legal acts regulating entrepreneurial activity. The value of the Constitution of the Republic of Belarus as a source of legal regulation of economic activity. Laws, decrees, decrees and orders of the President of Belarus, decisions of the Government of the Republic of Belarus, acts of ministries, the National Bank, decisions of the plenums of the Supreme Economic and Supreme Court and other sources of economic

Topic 2. Registration and licensing as methods of state legal regulation of economic activity.

The concept, essence and legal characteristics of administrative procedures that ensure the legality of entrepreneurial activity. Principles of administrative procedures: priority of human rights and freedoms; legality and validity; equality; availability and openness; proportionality and economy.

State registration procedure: concept, essence, main stages. Registration of entrepreneurs. Registration of property and property rights; Registration of transactions.

Licensing concept. Licensing process. Certification and accreditation.

The procedure for placing government orders. The concept and essence of the state order. State needs. Government customers. The procedure for placing a state order. Competition for the placement of a state order. Legal liability for non-fulfillment or improper fulfillment of a state order.

Topic 3. Legal status of persons engaged in economic activities

Business entities. Grounds and procedure for restricting the right to engage in entrepreneurial activity. Persons who do not have the right to carry out entrepreneurial activities. Legal status of persons engaged in entrepreneurial activity. Entrepreneurship without the formation of a legal entity.

Legal entities as subjects of entrepreneurial activity. Commercial legal entities. Constituent documents and their content. The procedure for creating a commercial legal entity. Termination of the activities of economic organizations. Grounds and procedure for reorganization and liquidation of business entities. Satisfaction of creditors' claims.

Business companies and partnerships. Full and limited partnership. Management and conduct of business in partnerships. Limited liability company, additional liability company. Open and closed joint stock companies. The property of the joint stock company. Management and control bodies in joint stock companies. Features of business entities with state participation.

The concept of a production cooperative. Types of production cooperatives. Production cooperative property. Rights and obligations of members of a production cooperative. Management and control bodies of a production cooperative.

Unitary enterprises: concept and types. Private and state unitary enterprises. A unitary enterprise based on the right of economic management. Unitary enterprise based on the right of operational management (state enterprise).

Commercial organizations with foreign investment. Statutory fund of commercial organizations with foreign investments. The procedure for the implementation of economic activities by organizations with foreign investments.

Non-profit organizations. The right of non-profit organizations to conduct business.

Associations (unions, associations) of legal entities. The principles of the creation and operation of associations. Withdrawal from the association.

Legal status of subdivisions of economic organizations. Representative offices and branches.

Public law formations (the Republic of Belarus and administrative-territorial units) as subjects of economic activity.

Topic 4. Legal regulation of investment activities

Concept and forms of investment activity. Legal regime of national and foreign investments in the Republic of Belarus. Forms and methods of state regulation of investment activities. The system of state regulatory bodies in the field of investment.

Foreign investments in the territory of the Republic of Belarus. Legal and organizational guarantees for a foreign investor. The procedure for concluding and maintaining investment, concession and other agreements of an investment nature with the state.

Contractual forms of investment activities in the Republic of Belarus. Investment agreement. Concession agreement.

Non-contractual forms of investment activity. Production sharing agreement. Investment funds.

Features of investment in the construction of facilities. Privatization and other acquisition of state property objects by the investor. Implementation of investments in the territory of medium, small urban settlements, rural areas. Implementation of investments by the residents of the Park of High Technologies. Making investments in the territory of free economic zones (including the legal regime of a free customs zone)

Topic 5. State-legal regulation of competition and restriction of monopolistic activities

Competition concept. Legal measures to maintain and develop competition. Sources of legal regulation of competition. Relationship between competition law and antitrust law. Unfair competition. Forms of unfair competition. Responsibility for Unfair Competition.

Monopoly concept. Types of monopolies. Legal and artificial monopolies. State monopoly. Extreme monopoly. Natural monopoly. Features of the legal status of subjects of natural monopoly. State bodies exercising antimonopoly regulation. Methods of antimonopoly regulation: control over the actions (inaction) of economic entities that occupy a dominant position in the market; compulsory reorganization of business entities; control over the creation, reorganization, liquidation of economic entities; control over the acquisition of shares, shares of participation interests in the authorized capital of economic entities; control over transactions of monopoly enterprises. Public control over compliance with antitrust laws.

Monopolistic activity, its forms and subjects. Abuse of a dominant market position. Determination of the dominant position in the market. The state register of economic entities occupying a dominant position in the commodity markets (republican or regional). Coordinated actions of business entities leading to restriction of competition. Business agreements that restrict competition.

Adoption by government bodies of acts and performance of actions leading to restriction of competition. The procedure for their appeal.

Responsibility for violation of antitrust laws.

Topic 6. State legal regulation of advertising activities

The concept and meaning of advertising. Legal and regulatory framework for advertising. Subjects of public relations in the field of advertising. Conditions for the legality of advertising information: direct recognition, reliability, conscientiousness, ethics, openness.

Types of advertising. Features of the legal regime of certain types of advertising. Outdoor advertising. Advertising in the media. Transport advertising. Advertising on marked post items. Advertising in the reference service. Advertising of medicines. Advertising of cosmetics, food products, vitamins and other food supplements. Advertising of alcoholic beverages. Advertising of

tobacco products. Advertising of financial, banking, insurance and investment services.

Bodies exercising state administration in the field of advertising activities. Responsibility for violation of advertising legislation. Counter advertising.

Topic 7. State-legal regulation of quality assurance of products, works, services.

The concept of the quality of products, works, services. Safety of goods. Methods of state legal regulation in the field of ensuring the quality of products, works and services. Technical, organizational, economic and legal means of ensuring the quality of products, works and services.

Private law methods of ensuring the quality of goods. Technical conditions. Warranty period. Life time. Legal protection of the subjects of contractual relations from the consequences of the transfer of low-quality products, performance of work, provision of services. The procedure for accepting goods in terms of quality.

Public law ways to ensure the quality of goods. Technical regulation and standardization. Technical normative legal acts. Technical regulations, codes, standards.

Conformity assessment of products, works, services to the requirements of technical regulatory legal acts. Accreditation and confirmation of conformity. Forms of conformity confirmation: certification, declaration of conformity. Mandatory and voluntary certification. Certification procedure. Certificate of conformity. Competence certificate. Declaration of Conformity.

Ensuring the uniformity of measurements. Metrological service. State metrological supervision and metrological control over measuring instruments.

State supervision over compliance with the requirements of legislation in the field of quality assurance of products, works and services, responsibility for its violation.

Topic 8. State legal regulation of insurance activities

The concept and meaning of insurance. Insurance activity. Sources of legal regulation of insurance activities. Forms and types of insurance. Property and personal insurance. Voluntary and compulsory insurance. Co-insurance, double insurance and reinsurance.

Subjects of insurance activities. Insurance, reinsurance companies and their subsidiaries. Associations of insurers. Insurance brokers and insurance agents. Policyholder (Policyholder) Beneficiary (Beneficiary) and Insured Person.

The system of state bodies that carry out state regulation and control in the field of insurance. Forms and methods of implementation of state policy in the field of insurance. Public legal obligations of insurance organizations.

Conditions for the creation and licensing of insurance organizations in the Republic of Belarus. The legal regime of monetary funds of insurance organizations. Preventive Insurance Fund.

Topic 9 State regulation of innovation activity

The concept of innovation. Essence, content and principles of innovation policy. The system of government bodies that regulate innovation. Functions of the state in relation to the field of innovation. Methods of state regulation of innovation.

The system of normative legal acts governing innovation. Agreements in the field of innovation. Venture contracts. Legal status of venture capital organizations.

**EDUCATIONAL-METHODOLOGICAL MAP OF THE EDUCATIONAL
DISCIPLINE "STATE
REGULATION OF ECONOMIC ACTIVITIES "
FOR DAY FORM OF THE SECOND LEVEL OF HIGHER EDUCATION (MA)**

№	Section title, topics	Number of classroom hours						Other	Knowledge control form
		Lectures	Practical lessons	Seminar) classes	Laboratory exercises	Number of hours of CPD			
						LC	PZ (SZ)		
1	2	3	4	5	6	7	8	9	
one	Legal forms of public organization of economic activity	2					2	[1, 2, 10, 11]	Oral survey Preparation of abstracts
2	Registration and licensing as methods of state legal regulation of economic activity.	2					2	[2, 10, 11]	Oral survey
3	Legal status of persons carrying out economic activities	2	2					[2, 10, 11]	Oral questioning, solving practical situations
4	Legal regulation of investment activities	2	2					[2, 10, 11]	Oral survey Solution of practical situations, preparation of legal documents offset
5	State legal regulation of competition and restriction of monopolistic activities	1	1				2	[2, 10, 11]	Oral survey
6	State legal regulation of advertising activities	1	1				2	[2, 10, 11]	Oral questioning, solving practical situations

7	State legal regulation of ensuring the quality of products, works, services	2	2					[2, 10, 16, 36]	Oral survey, written work
8	State legal regulation of insurance activities	2	2					[1, 2, 3, 10, 26, 28]	Oral questioning, problem solving
9	State regulation of innovation activity	2	2					[1, 2, 10, 26, 32]	Oral survey. Building logic circuits, solving problems
	Total hours	16	12				8		exam

Educational-methodical map of the academic discipline

Methodical recommendations on the organization of independent work of students in the discipline "State regulation of economic activity"

In mastering the knowledge of the academic discipline, an important stage is the independent work of students. It is recommended that a time budget for independent work is on average 2-2.5 hours for a 2-hour classroom lesson.

The main areas of student independent work are:

- initially detailed acquaintance with the curriculum of the academic discipline;
- familiarization 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;
- studying and expanding the lecture material of the teacher through special literature, consultations;
- preparation for practical exercises according to specially developed plans with the study of basic and additional literature;
- preparation for the implementation of diagnostic forms of control (oral questioning, abstracts, solution of practical situations etc.);
- preparation for the exam.

ORGANIZATION OF INDEPENDENT WORK OF MASTERS (SRS)

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 includes:

- analysis of material for classes;
- application of legislation to specific practical situations;
- preparation for interview;
- preparation of abstracts and essays.

Creative problem-oriented independent work (TSR) focused on the development of intellectual skills, a complex of universal (general cultural) and professional competencies, increasing creative potential and practical skills, includes the following types of work:

- search, analysis, structuring and presentation of information;
- work on a practical situation.

Content of independent work of undergraduates by discipline

1. Work with the materials of lectures and practical classes: repetition of materials, preparation for classes, independent search for additional information (in accordance with the topic of classes).
2. Work on the preparation of abstracts and essays.
2. Analysis of legislation and practice of its application

Control of independent work

1. The quality of work of undergraduates with practical materials is controlled in practical classes in the form of surveys, individual assignments.
2. The defense of the abstract is carried out in the form of a presentation.
3. Abstracts and essays are checked and graded by the instructor.

The assessment of the current progress of undergraduates is carried out according to the results:

- checks execution of abstracts;
- oral / written monitoring in the classroom;
- execution of current control tests (test tasks of open and closed type).

The study of the discipline is based on the knowledge gained in the study of disciplines of a substantive and procedural legal nature, including the disciplines "Civil Procedure", "Civil Law", "Labor Law".

To study this academic discipline, the following knowledge and skills are required, formed by the previous disciplines:

Knowledge: knowledge is needed in the field of material branches of law governing civil, family, labor legal relations, procedural legal relations.

Skills: to apply the acquired knowledge in practice, to operate with terminological material, to assimilate theoretical material on their own, the ability to participate in discussions and formulate their own conclusions and proposals.

Regulations and laws

1. Constitution of the Republic of Belarus 1994 (with amendments and additions adopted at republican referenda on November 24, 1996 and October 17, 2004). - Minsk: Amalfeya, 2005. --- 48 p.
2. Civil Code of the Republic of Belarus: adopted by the House of Representatives on October 28. 1998: approved By the Council of the Rep. November 19, 1998: text as of July 17, 2018 // ETALON. Legislation of the Republic of Belarus [Electronic resource] / Nat. center of legal inform. Rep. Belarus. - Minsk, 2019.
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5. Banking Code of the Republic of Belarus: adopted by the House of Representatives on October 3. 2000: approved. By the Council of the Rep. 12 oct. 2000: text as of July 17, 2017 // STANDARD. Legislation of the Republic of Belarus [Electronic resource] / Nat. center of legal inform. Rep. Belarus. - Minsk, 2019.
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10. On foreign exchange regulation and foreign exchange control: Law of the Republic. Belarus, July 22, 2003 No. 226-3: as amended. dated 01/05/2016 // STANDARD. Legislation of the Republic of Belarus [Electronic resource] / Nat. center of legal inform. Rep. Belarus. - Minsk, 2019.

11. On mortgage: Law of the Republic. Belarus, June 20, 2008 No. 345-3 as amended. dated July 12, 2013 // STANDARD. Legislation of the Republic of Belarus [Electronic resource] / Nat. center of legal inform. Rep. Belarus. - Minsk, 2019.

12. On economic insolvency (bankruptcy): Law of the Republic. Belarus, July 13, 2012 No. 415-3 // STANDARD. Legislation of the Republic of Belarus / Nat. center of legal inform. Rep. Belarus. - Minsk, 2019.

13. On counteraction to monopolistic activity and the development of competition: Law of the Republic. Belarus, 12 Dec. 2013 No. 94-3 // STANDARD. Legislation of the Republic of Belarus / Nat. center of legal inform. Rep. Belarus. - Minsk, 2019.

14. On the securities market: Law of the Rep. Belarus, 5 January. 2015 No. 231-3 // STANDARD. Legislation of the Republic of Belarus / Nat. center of legal inform. Rep. Belarus. - Minsk, 2019.

15. On some issues of regulation of the securities market: Decree of the President of the Republic. Belarus, 28 Apr. 2006 No. 277 6 as amended. Decree of July 18, 2016 No. 272 // STANDARD. Legislation of the Republic of Belarus [Electronic resource] / Nat. center of legal inform. Rep. Belarus. - Minsk, 2019.

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24. On the legal regulation of the suspension of the activities of legal entities and individual entrepreneurs: Decision of the Constitutional Court of the Republic. Belarus, May 25, 2016 № P-1034 // ConsultantPlus: Belarus Technology 3000 [Electronic resource] LLC "YurSpektr", Nat. center of legal inform. Rep. Belarus. - Minsk, 2019

25. Conclusion of transactions for the purchase and sale of non-government securities in JSC "Belarusian Currency and Stock Exchange": Rules of the Open Joint Stock Company "Belarusian Currency and Stock Exchange", January 1. 2003 № 250 // ConsultantPlus: Belarus Technology 3000 [Electronic resource] LLC "YurSpektr", Nat. center of legal inform. Rep. Belarus. - Minsk, 2019

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Basic:

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CURRICULUM APPROVAL PROTOCOL

Academic subject title to be matched	Name of the Department:	Proposals for changes in the curriculum content of the higher education institution on an academic subject	The decision taken by the department that worked out the curriculum (mentioning the date and the protocol number)
Philosophy and methodology of science	Philosophy	<p><i>Утвержден и одобрен</i></p> <p><i>Зав. кафедрой философии</i></p> <p><i>П. П. Кудряков</i></p>	<p><i>N12</i></p> <p><i>25.05.21</i></p>

Additions and changes to the curriculum
for the ADDITIONS AND MODIFICATIONS TO THE CURRICULUM
_____ academic year

№	ADDITIONS AND MODIFICATIONS	Basis
1		

The curriculum is revised and approved at a meeting of the Department of Civil Law Disciplines (Protocol No. _____ 2021)

Head of Department
Doctor of Juridical Sciences, Professor

T.S. Taranova

CONFIRM
Dean Faculty of Law

A.N. Shklyarevsky