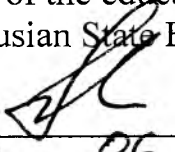


Educational institution
"Belarusian State Economic University"

APPROVED

Rector of the educational institution
"Belarusian State Economic University"


"29" 06 2021
Registration № 4878/21

LEGAL REGULATION OF THE SECURITIES MARKET
The Curriculum of the Educational Institution of Higher education in academic
discipline for the specialty
1-24 80 01 "Jurisprudence"

2021

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)

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RECOMMENDED FOR APPROVAL:

Department of Civil Law Disciplines of the Belarus State Economic University
(Protocol No. *12* April 2021);

Scientific and Methodological Council
(Protocol No. *5* May 2021)

Explanatory Note

Objectives and Tasks of teaching and learning

The most important element of a market-oriented economy is the stock market. Since it is the securities market with the accompanying system of financial institutions that is the most important sphere for the implementation of property relations, the formation of sources of economic growth, concentration, as well as the distribution of investment resources. It serves as the best and most affordable source of financing for the economy. The securities market is closely connected with all other markets: commodity (through bills of lading, commodity futures, options); natural resources (bonds, mortgage sheets); real estate (via privatization checks); cash (with the help of bills, bonds, certificates of deposit). Thus, familiarization with the legal regime of securities is a necessary component of the training of lawyers,

The complication of financial mechanisms that ensure the modern economic turnover led to the emergence of new types of securities in the Republic of Belarus, which, in turn, led to the formation of a system of legal norms, significant in volume, and, accordingly, their study requires an integrated approach. The foregoing determines the content of the proposed academic discipline, which implies familiarization with the norms of different industry affiliations that regulate relations in the aforementioned area. Thus, the presented program is built taking into account the established requirements and is based on the current state of legal science and the regulatory framework. The curriculum of the academic discipline "Legal regulation of securities" was developed for undergraduates,

Purpose of teaching of the academic discipline "Legal regulation of the securities market" consists in the formation of undergraduates' understanding of the legal support of the securities market as a special market segment, the development of systemic ideas about the legal foundations of economic and entrepreneurial activity in the stock market in modern conditions, as well as the acquisition of skills for legal support in the specified area.

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

- to reveal the concept of "security" taking into account the modern realities of the Republic of Belarus;

- to investigate the system of subjects of the securities market and their legal status;

- deepen theoretical knowledge and acquire practical skills related to activities in the securities market;

- study the conditions and procedure for making transactions with securities in the Republic of Belarus;

- get acquainted with the law enforcement practice of courts and professional participants in the securities market;

learn how to analyze documents that formalize the turnover and issue of securities in the Republic of Belarus.

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:

SK-3 - is able to apply knowledge about the categories and tools of legal regulation of the securities market in the course of scientific research, scientific and educational and other professional activities.

As a result of studying the discipline "Legal regulation of the securities market", the student must:

know:

obligatory details of various types of securities;
the procedure for preparing and conducting the issue of securities;
peculiarities of the legal regime of certain types of securities;
the specifics of the performance and execution of various transactions with securities in the conditions of Belarus;

basic rights and obligations of professional participants in the securities market;

forms and methods of protecting the rights and legally protected interests of the subjects of the securities market.

be able to:

provide legal support for activities in the securities market;
to carry out a legal examination of the texts of transactions, issue prospectuses and other regulations that mediate activities in the securities market;
to professionally and competently apply regulatory material in solving specific problems arising in the framework of the functioning of the securities market;

navigate law enforcement issues;
resolve organizational issues related to the activities of professional participants in the securities market at the proper legal level.

have skills:

independent orientation in the current legislation in the field of regulation of the legal regime of the securities market;

analysis of the existing law enforcement activity in the field of issue and circulation of securities in the Republic of Belarus;

drawing up the main acts that formalize the activities in the securities market.

Interdisciplinary communication.

The content of the academic discipline "Securities Market" is interconnected with the academic disciplines of the state component of the training of masters - "State regulation of economic activity", "Actual problems of the theory and practice of the application of civil legislation", as well as subjects of the university component such as "Corporate law", and is based on the knowledge gained during

the study of academic disciplines "General theory of state and law", "Civil law" and "Commercial law".

In accordance with the curriculum of the specialty 1-24 80 01 "Jurisprudence", the curriculum is designed for 108 hours, of which classroom - 36, including 16 lectures and 20 - practical lessons. The form of the current certification is the test.

COURSE CONTENT

Topic 1. The concept and regulatory framework for the regulation of the securities market in the Republic of Belarus

Concept, goals, functions, structure of the securities market, its place in the market economy. Primary and secondary securities market. Infrastructure of the securities market. The history of the emergence and development of the securities market in Belarus.

The system of legislative acts regulating public relations in the securities market. Corporate Acts as Sources of Regulatory Regulation of the Securities Market.

Topic 2. Legal status of subjects of the securities market

The concept of the subject (participant) of public relations in the securities market. Classification of subjects of the securities market. Public law entities as participants in the stock market. Individuals and legal entities as participants in the securities market.

Issuers. Intermediaries, organizations serving the securities market. Investors. Bodies of state regulation and supervision.

Professional activity in securities and its types. Professional participants in the securities market. Licensing of professional activities in securities. The procedure for attestation of specialists in the securities market, extension of the validity period of certificates.

Banks in the securities market. Legal status of RUE "Republican Central Securities Depository". The National Bank of the Republic of Belarus as a subject of the securities market.

Topic 3. Concept and classification of securities

The concept and essence of a security. Economic and legal content of the security. Properties and functions of the security. Forms of securities issue. The problem of uncertified securities. Signs of a security. A person liable for a security.

Classification of securities. Classes, types, categories of securities. Corporate securities. Government securities. Local government and government securities. Issue and non-equity securities. Cash, title, investment and privatization securities. Bearer, registered and order securities. Negotiable, non-negotiable securities.

Exercise of the rights of the owner of the security.

Topic 4. Concept, types and legal regulation of operations with securities in the Republic of Belarus

The concept and essence of operations with securities. Types of transactions with securities. General requirements for the conclusion and execution of transactions with securities in accordance with the legislation of the Republic of Belarus.

Features of transactions by professional participants in the securities market, execution, registration and storage of contracts.

The subject of depository activities, clients of the depository. Functions of second-level depositories and central depository. Services provided to issuers and owners of securities. Restrictions on the activities of the depository for transactions with securities. Peculiarities of depository operations related to the transfer of securities as collateral, to trust management, when making transactions between residents and non-residents. Blocking of securities.

Secondary circulation, accounting procedure, settlements and storage conditions for securities.

Taxation of income from securities: objects of taxation, rates, benefits.

Topic 5. Legal regime of promissory notes and equity securities in the Republic of Belarus

Shares and their types. Nominal and bearer, cumulative and convertible, shares of labor collectives, monophonic and polyphonic. Rights certified by the share. Dividend. Stock profitability. Stock capitalization. Splitting and consolidation of shares. Terms and conditions for the issue of shares and bonds in the Republic of Belarus. Sources and forms of payment of income on shares and bonds.

Transactions with shares. Shareholder register. Features of transactions with shares of closed joint stock companies. Requirements for transactions related to the acquisition of large blocks of shares. The procedure for calculating and paying dividends (interest) on shares.

Bonds and their types. Methods for calculating and paying income on bonds. Convertible and non-convertible bonds. The procedure for issuing bonds in the Republic of Belarus.

Mandatory reporting (information disclosure) by securities issuers: composition, frequency, timing.

Characteristics of a bill as a security, its properties. Types of bills. Promissory note and bill of exchange. The rights of the holder of the bill. Features of the implementation of the rights of the holder of a bill. Protest in non-acceptance. A protest of non-payment. Operations with promissory notes in the Republic of Belarus.

Topic 6. Legal regime of non-equity and derivative securities in the Republic of Belarus

Commodity regulatory securities. Double warehouse certificate. Bill of lading. Essence and scope.

The concept and essence of a mortgage. Types of mortgages in the Republic of Belarus. The procedure for issuing mortgages in the Republic of Belarus. Operations with mortgages. Transfer of rights under a mortgage. Pledge of a mortgage. Cancellation of a mortgage. Exercise of rights under a mortgage.

Certificate of Deposit and Savings Certificate. Bearer bank passbook. Receipt.

Derivative securities. Economic and legal characteristics of the issuer's futures, options and options. Issue and transactions with derivative securities in the Republic of Belarus.

Topic 7. Legal regime of government securities in the Republic of Belarus

Government securities, securities of the National Bank of the Republic of Belarus, securities of administrative-territorial units. Types of local bonded loans in the Republic of Belarus, the purpose of their issue.

Government bonds, their types, terms of issue and circulation. Government short-term and long-term bonds. Bonds denominated in Belarusian rubles and foreign currency. The procedure for organizing the issue, circulation and redemption of government bonds. Placement of bonds among individuals. Placement of bonds among legal entities by direct sale. Placement of bonds among legal entities by selling them at an auction held by the National Bank of the Republic of Belarus. Placement of bonds through the Belarusian currency and stock exchange. Early redemption and exchange of bonds.

A bill issued on behalf of the Republic of Belarus and an administrative-territorial unit. Fundamentals of bill circulation in the Republic of Belarus. Privatization securities, peculiarities of their circulation on the securities market of the Republic of Belarus. Issue of government securities of the Republic of Belarus to external financial markets.

Topic 8. Legal status of the currency and stock exchange in the Republic of Belarus

The legal status of the stock exchange, its tasks, functions in accordance with the legislation of the Republic of Belarus. Organizational and legal form of the currency and stock exchange of Belarus, its founders and participants, structure. The mechanism for creating and managing a stock exchange. Establishment of an exchange. Exchange charter. Categories of founders and shareholders of the exchange. Exchange member status. The concept of real and associated members of the exchange. Temporary and permanent members of the exchange, their rights. Participation in the exchange of commercial banks. Exchange property. Sources of formation of exchange money. The authorized

capital of the exchange, the procedure for its formation. Forms of a shareholder's contribution to the authorized capital of the exchange. The exchange's rights to increase (decrease) the authorized capital. Derivatives market section.

Participants in exchange trading. Traders and market traders.

The concept and signs of an exchange transaction. Types of exchange transactions with securities. General principles for concluding exchange transactions with securities.

Clearing activities of the exchange. Organization of execution and execution of transactions for the purchase and sale of securities. The mechanism of centralized mutual settlements within the exchange securities market. Automation of exchange operations. The content of exchange disputes and the ways of their resolution. A simple hard bargain. Report and deport operations. A simple deal with a premium. Shelving deals. Pyramids. Margin. The essence of operations with options. Futures transactions.

Topic 9. State regulation of the securities market.

Goals and objectives of state regulation of the securities market. The main directions of regulation of the securities market. State policy and features of state regulation of the securities market. Organizational and legal instruments of state regulation of the securities market.

The system and competence of state bodies in the field stock market regulation.

Self-regulatory organizations of professional participants in the securities market: their functions, tasks, organizational forms, sources of funding.

Topic 10. Supervision and control over the functioning of the securities market.

Tasks, functions and rights of the republican body that supervises and controls the securities market.

The procedure for conducting inspections: tasks, organization, rights of the inspected and the inspector. Registration and implementation of verification materials.

Offenses in the field of issue and circulation of securities. Types of legal responsibility. The procedure for bringing to legal responsibility for offenses in the sphere of the functioning of the stock market.

EDUCATIONAL-METHODOLOGICAL MAP OF THE EDUCATIONAL DISCIPLINE "LEGAL REGULATION OF THE SECURITIES MARKET"

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	Seminars	Laboratory exercises	Controlled independent work				
						LC	PZ / SZ			
1	2	3	4	5	6	7	8	9	10	
1	The concept and regulatory framework for the regulation of the securities market in the Republic of Belarus	2		2					[1, 2, 3, 5, 7]	Oral survey
2	Legal status of subjects of the securities market	2					2		[2, 3, 16, 21]	Oral survey
3	Concept and classification of securities	2					2		[1, 2, 5, 8, 9, 30]	Oral questioning, solving practical situations
4	Concept, types and legal regulation of operations with securities in the Republic of Belarus	2		2					[1, 2, 3, 17, 24]	Oral survey

5	Legal regime of promissory notes and equity securities in the Republic of Belarus	2		2				[3, 23, 24, 31]	Oral survey
6	Legal regime of non-equity and derivative securities in the Republic of Belarus						2	[1, 2, 4, 10, 11, 12, 25, 32]	Oral survey Solution of practical situations, preparation of legal documents
7	Legal regime of government securities in the Republic of Belarus	2					2	[1, 2, 3, 20, 27]	Oral survey
8	Legal status of the currency and stock exchange in the Republic of Belarus	2		2				[2, 3, 14, 15, 16, 26]	Oral survey
9	State regulation of the securities market.	2					2	[1, 3, 5, 6, 19, 18]	Oral questioning, solving practical situations
10	Supervision and control over the functioning of the securities market.			2				[1, 2, 3, 15]	Oral survey
	Total	16		10			10		test

Educational-methodical map of the academic discipline

Methodical recommendations on the organization of independent work of students in the discipline "Legal regulation of the securities market"

In mastering the knowledge of the academic discipline, an important stage is the independent work of undergraduates. The recommended time budget for independent work is on average 2.5-3 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, search for it 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 training according to specially developed plans with the study of basic and additional literature;
- preparation for the implementation of diagnostic forms of control (oral questioning, solving practical situations etc.);
- preparation for the test.

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 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 of master's students

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

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's students

within the discipline

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 abstracts and essays.
2. Analysis of legislation and its implementation

Control over independent work of master's students

1. The quality of the work of undergraduates with practical materials is controlled in l classes in the form of interview, individual tasks.
2. The abstract is presented in the form of a presentation.
3. Abstracts and essays are reviewed and evaluated by the teacher.

The assessment of the activity of master's students is carried out according to the results of:

- checking of abstracts;
- interview in the classroom;
- monitoring of tests (open and closed type test).

The study of the discipline is based on the knowledge gained in the study of other legal disciplines, including the disciplines "Civil Procedure", "Civil Law", "Labor Law."

To study discipline, the following knowledge and skills are necessary:

Knowledge: in the sphere of civil, family, labor legal relations, procedural legal relations.

Skills: to apply acquired knowledge in practice, operate with terminology material, assimilate theoretical material independently, participate in discussions and formulate their own conclusions and proposals.

Regulations and legislation

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13. On the ratification of the Convention on the Protection of Investor Rights: Law Rep. Belarus, November 11, 1997 No. 78-3 // STANDARD. Legislation of the Republic of Belarus [Electronic resource] / Nat. center of legal inform. Rep. Belarus. - Minsk, 2019.

14. On currency regulation and currency control: Law of the Rep. 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.

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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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</i></p> <p><i>Зав. кафедрой философии</i></p> <p><i>А.А. Павлов</i></p>	N/2 от 25.05.21

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