

MINISTRY OF EDUCATION AND SCIENCE OF UKRAINE
SIMON KUZNETS KHARKIV NATIONAL UNIVERSITY OF ECONOMICS

Syllabus
of the academic discipline
"ECONOMIC LAW"
for full-time students of subject area
0306 "Management and Administration"

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Syllabus of the academic discipline "Economic Law" for full-time
S 98 students of subject area 0306 "Management and Administration"
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The thematic plan of the academic discipline with its content is presented according to the modules and themes. Plans of lectures, practical studies and seminars, questions for independent work, tasks for consolidation of knowledge and a system of students' knowledge assessment are given.

Recommended for full-time students of subject area 0306 "Management and Administration".

Introduction

A fundamental change in economic relations in Ukraine has made necessary the revision of the current legislative framework, its renovation and adaptation to new economic conditions. Economic laws governing the production, trading activity of economic entities, i.e. economic relations, undergo the greatest changes. In this regard, the requirements to future professional economists are high concerning the knowledge of the fundamentals of business law and the skills in applying the rules of economic legislation to the economic daily practice.

The subject "Economic Law" is based on the knowledge students gained in the study of the academic discipline "Law".

"Economic Law" is a compulsory academic discipline which is studied in accordance with the educational plan of specialists training for the academic qualification "Master" in subject area 0306 "Management and Administration" for full-time students.

The goal and objectives of the academic discipline "Economic Law" are:

- to give students theoretical knowledge about the basic concepts and institutions of Economic Law, economic activity, economic relations, economic obligations, business contracts, business liability, antitrust-competitive regulation, legal management regimes in selected areas;

- to form students' practical skills in:

- self-study and the use of acts of economic legislation and literature on economic law;

- independent solving of problems which arise in the application of economic laws;

- the development of legal instruments used in practical legal activities (constituent and internal documents of business organizations, contracts, claims etc).

1. Description of the Academic Discipline

Index name	Subject area, training direction academic qualification	Academic discipline characteristics
		for full-time students
Number of credits: 4	Subject area: 0306 "Management and Administration"	Compulsory
Content modules: 1		
Total number of hours: 144	Training directions:	Year of study
		1st
		Semester
		2nd
		Lectures
		18 hours
		Practical (seminar):
		16 hours
Number of hours per week: class work: 4; independent work: 12	Academic qualification: Master	Independent work:
		110 hours
		The type of control:
		test

The ratio of classroom hours to independent and individual work is 30 % for full-time study.

2. The Goal and Objectives of the Academic Discipline

The goal of the academic discipline "Economic Law" is the consistent formation of students' knowledge of the main issues of the theory and practice of application of norms of economic law in the course of economic activity. To achieve the goal the following **objectives are set**:

- the study of business law of Ukraine;
- familiarization with the current Ukrainian economic legislation;

acquiring the skills in working with business regulations;
the application of the acquired knowledge to solving practical problems and practical situations in the field of legal regulation of economic relations.

The **subject** of the academic discipline "Economic Law" is social relations in the sphere of economic activity.

Students begin studying this discipline after listening to most academic disciplines of the humanities and professional cycles. The theoretical and methodological bases of studying this discipline are such subjects as: "Law", "Economy of Enterprises". In the process of learning, students get the necessary knowledge during the lectures and practical exercises. The most difficult questions are brought up for consideration and discussion during the seminars. Independent work of students is also of great importance in the process of learning and consolidation of knowledge. All types of classes are developed in accordance with the credit-modular system of the educational process organization.

As a result of studying the discipline the student should **know:**

- the subject, methods, objectives of economic law;
- the scope of economic legislation;
- the order and essence of legalization of business entities;
- the current organizational and legal form of economic activity;
- stock exchange, bank and foreign economic activity;
- remedies for unfair competition;
- the procedure, forms and consequences of control of economic activities;
- the grounds and procedure for bringing businesses to responsibility for violation of economic law;

be able to:

competently use theoretical knowledge of business law to solve specific business problems of the economic and legal practice: carry out problem tasks, prepare necessary documents and perform other work related to the legal aspects of business entities.

In the process of teaching the main attention is paid to students' mastery of the professional competencies presented in Table 2.1.

**Professional competences which students get having mastered
the academic discipline "Economic Law"**

Competence code	Competence name	Competence constituents
EL* 1	The ability to make optimal economic decisions under conditions of uncertainty, risk and conflict	The ability to find sources of Economic Law
		The ability to define the concept and characteristics of economic activities
		To determine the main types and features of economic partnerships
EL 2	To research effective decisions using economic law sources	The ability to define the concept and general characteristics of state registration of economic entities
		The ability to determine the legal issues of natural persons-entrepreneurs
		The ability to define the concept and general characteristics of the legal regulation of licensing
		The ability to define the concept and general characteristics of the restriction of monopolies and competition protection
EL 3	To use normative legal acts for solving questions arising in the sphere of economic legal relations	The ability to define the concept and general characteristics of economic obligations
		The ability to define the concept and general characteristic of responsibility in economic law
		The ability to correctly qualify and make major business contracts
		The ability to use the knowledge in the field of economic law in practice

* Economic law

The structure of constituents of professional competences and their formation in the process of learning the academic discipline "Economic Law" in accordance with the National Qualifications Framework are presented in Appendix A.

3. The Syllabus of the Academic Discipline

Module 1

The General Issues of Economic Law

Theme 1. The notion of economic law

The concept and the subject of economic law.

The legal relationships, which are regulated by economic law. Classification of economic relations. The principles of economic law.

The system of economic law, its basic categories and institutions. The ratio of economic law and other branches of law. The ratio of public law regulation and private law regulation of economy relations.

The sources of economic law and their specifics. Classification of the sources of economic law.

Theme 2. The General Characteristics of Economic Activity

The concept, main features and principles of economy activity. Types of economy activity. The notion of entrepreneurship, its features and principles. Subjects of economic activity. Non-commercial activity of subjects.

Legislation regulating relations in the field of consumer protection. State protection of consumer.

Theme 3. The Legal Status of Economic Partnerships

The concept of the economy entity, its features and types.

Economic entities without registration of legal entity (natural person-entrepreneur).

Enterprises: the concept and types according to the legislation of Ukraine. Rights and obligations of founders and participants in enterprises. Constituent documents of enterprises. Branches and representation of the legal entity. Subsidiary enterprises, their legal status.

Economic partnership: the concept and types according to the legislation of Ukraine. Specific constituent documents of economic partnerships. Functions of the statutory fund. Specifics of foundation and functioning of economic partnerships of different kinds.

Associations of enterprises, their types and legal status.

The legal status of cooperatives.

Other organizational legal forms of business entities, their legal status according to the legislation of Ukraine.

Theme 4. The Legal Basis of Creation of Economic Entities and the Order of State Registration

The general characteristic of the legislation regulating the state registration of business entities.

The procedure and specifics of the state registration of a natural person-entrepreneur.

The specifics of registration of legal entities. Documents to be submitted for state registration of a legal entity. The terms of registration. The grounds and procedure of making changes in the constituent documents of legal entities. The state registrar and its competence. Documents which certify the right for entrepreneurial activity.

Theme 5. Termination of Legal Entities and Entrepreneurial Activity of Natural Persons-Entrepreneurs

The grounds and consequences of the cancellation of state registration of economic entities.

The specifics of termination of economic activities of natural persons.

Reorganization of a legal entity. Forms of reorganization.

The grounds and procedure of liquidation of solvent legal entities. Bankruptcy of economy entities: the concept, subjects, conditions of the bankruptcy proceedings. The proceedings in bankruptcy cases. The order of defining the creditors. The stages of the bankruptcy proceedings and their general characteristics. The procedure of reorganization. The consequences of declaring a debtor bankrupt.

Theme 6. Legal Regulation of Licensing Economic Activity

The notion, purpose and procedure of licensing certain types of economic activities. The law of regulation of such process.

Types of economic activity which should be licensed according to the relevant legislation. The terms of licensing, their specifics. The licensing bodies. The procedure and requirements to the document for obtaining the license. The form of the license. Renewal of the license.

Theme 7. Legal Regulation of the Restriction of Monopolies and Protection of Business against Unfair Competition

The purpose of legal protection of economic competition and prevention of unfair competition. The legal status of the Antimonopoly Committee of Ukraine.

Monopoly position and the procedure for its determination.

The concept and types of anticompetitive actions. The concept and types of unfair competition.

Legal methods of dealing with the violation of legislation on protection of economic competition. Liability for violation of the antimonopoly legislation and legislation on protection against unfair competition.

Theme 8. The General Characteristics of Economic Obligations

Types of economic obligations. The concept and the grounds for the emergence of economic obligations.

The concept, features and functions of the contract in economy activity. Classification of contracts in the economy sphere. The procedure for conclusion, making changes and cancellation of economy contracts. The content and form of economic contract. The grounds and consequences of recognition of contracts as not concluded or invalid.

Execution of contract obligations. Methods of ensuring execution of contract obligations. Liability for breach of contractual obligations in the economic sphere. Liability for failure to fulfill, improper performance of contractual obligations. Termination of contractual obligations.

Theme 9. Responsibility in Economic Law

The concept and features of economic and legal responsibility. The functions of the economic and legal responsibility. The grounds for economic and legal responsibility. Debtor's delay. The delay by the creditor.

Forms of economic and legal responsibility: the concept, scope, procedure of implementation.

Penalties and operative-economic sanctions. The concept of administrative sanctions, their types.

4. The Structure of the Academic Discipline

From the very beginning of studying the academic discipline, each student should be familiarized with the syllabus of the academic discipline and forms of the educational process, as well as with the structure, content and scope of each of its training modules, types of control and methods of evaluation of the formed competences.

The educational process according to the syllabus of the academic discipline "Economic Law" is carried out in such forms as: lectures and practical lessons, students' self-study and current control.

Students learn the academic discipline through consistent and thorough elaboration of the educational modules. An educational module is a relatively independent unit of the academic discipline, which logically combines several elements of the academic discipline in the content and relationships.

The structure of the academic discipline "Economic Law" consists of one module (Table 4.1).

Table 4.1

The Structure of the test credit of the academic discipline

Theme	Number of hours			
	full-time students			
	total	Including		
lectures		practical lessons (seminars)	independent work	
Module 1. The general issues of Economic Law				
Theme 1. The Notion of Economic law	16	2	2	12
Theme 2. The General Characteristics of Economic Activity	16	2	2	12
Theme 3. The Legal Status of Economic Partnerships	16	2	2	12
Theme 4. The Legal Basis of Creation of Economic Entities and the Order of State Registration	16	2	2	12
Theme 5. Termination of Legal Entities and Entrepreneurial Activity of Natural Persons-Entrepreneurs	16	2	2	12
Theme 6. Legal Regulation of Licensing Economic Activity	16	2	2	12
Theme 7. Legal Regulation of the Restriction of Monopolies and Protection of Business against Unfair Competition	16	2	2	12
Theme 8. The General Characteristics of Economic Obligations	15	2	1	12
Theme 9. Responsibility in Economic Law	15	2	1	12
Preparation for the test	2	–	–	2
Total for all modules	144	18	16	110

5. The Themes of Practical Studies

Practical studies are a form of academic classes where a lecturer organizes a detailed consideration of separate theoretical principles of an academic discipline and forms skills and habits of their practical application through individual performance of the formulated tasks by a student. This kind of classes are based on the methodical material prepared beforehand. It includes previous control of knowledge, skills and habits of students, raising a general issue by the lecturer and discussing it with participation of students, carrying out and discussing tasks, doing control tasks, control, evaluation (Table 5.1).

Table 5.1

The list of themes of practical classes on the academic discipline "Economic Law"

Name of module	Themes of practical task (according to the modules)	Number of hours	Recommended literature
1	2	3	4
The General Issues of Economic Law	Theme 1. The Notion of Economic Law <i>Task: "Legal description of economic activity"</i>	1	Main: [1; 4; 25]. Additional: [26; 28; 30]
	Theme 2. The General Characteristics of Economic Activity <i>Task: "Legal entities as economy entities"</i>	1	Main: [1; 4; 10; 23; 25]. Additional: [30; 39; 40]
	Theme 3. The Legal Status of Economic Partnerships <i>Task: "The constituent documents of partnerships and their contents"</i>	1	Main: [1; 6; 10]. Additional: [30; 32; 37]
	Theme 4. The Legal Basis of Creation of Economic Entities and the Order of State Registration <i>Task: "The procedure and the stages of creation of legal entities"</i>	1	Main: [1; 11; 24]. Additional: [27; 30; 33; 39; 40]
	Theme 5. Termination of Legal Entities and Entrepreneurial Activity of Natural Persons-Entrepreneurs <i>Task: "Liquidation and reorganization as a form of termination of economy entities"</i>	1	Main: [1; 11; 24; 25]. Additional: [30; 40; 44]

Table 5.1 (the end)

1	2	3	4
	Theme 6. Legal Regulation of Licensing Economic Activity <i>Task: "The concept and the legal significance of the terms of licensing"</i>	1	Main: [1; 6; 19; 25]. Additional: [33; 34; 48]
	Theme 7. Legal Regulation of the Restriction of Monopolies and Protection of Business against Unfair Competition <i>Task: "Liability for violation of antimonopoly legislation and legislation on protection against unfair competition"</i>	2	Main: [1; 2; 12; 13]. Additional: [41; 43; 45]
	Theme 8. The General Characteristics of Economic Obligations <i>Task: "The content and form of an economic contract"</i>	1	Main: [1; 18; 23]. Additional: [32; 36; 38; 48]
	Theme 9. Responsibility in Economic law <i>Task: "Forms of economic and legal responsibility"</i>	1	Main: [1; 3; 5; 25]. Additional: [29; 34; 42; 48]
Total		16	

5.1. Examples of Typical Practical Tasks for the Themes

Theme 1. The Notion of Economic Law

Task 1. Make a structural and logical scheme of the legal acts of legal force that reflects the specific legal regulation of economic activity.

Task 2. Make a project of any local normative act (g.e. The chapter of legal entity).

Task 3. A legal act of the Ministry of Finance of Ukraine was registered in the Administration of Justice in Kiev.

Is this kind of registration a current law?

Task 4. Specify all the conditions under which an international normative act will be valid in the territory of Ukraine.

Theme 2. The General Characteristics of Economic Activity

Task 1. Smirnov A., aged 16 years, worked under an employment contract in a private clinic of his father "Health" and actively assisted him in the conduct of affairs. After his father's death, as a direct heir to the estate, Smirnov V. decided to continue his father's business associated with the implementation of medical practice.

1. Is the transfer of ownership to Smirnov V. lawful?
2. Does he have to make any changes in the constituent documents?

Task 2. Retired Grishko F., receiving a pension that is insufficient for the accommodation, repairs cars for a small fee. In addition, in his spare time Grishko F. periodically works part time providing electrician services. To qualify for the service, he took a relevant course.

Because of his advanced age of 72 years and the irregularity of the provision of these services, Grishko F. does not consider it necessary to legalize his activities.

1. Is Grishko F. a business entity?
2. Is there a need for the legalisation of the provision of these services?
3. Are there any age restrictions for business activities?

6. Independent Work of Students

Independent work (IW) is a form of the educational process in which a student performs tasks independently under the guidance of a methodical teacher.

The purpose of IW is full assimilation of the syllabus and formation of general and professional competences which play a significant role in the development of future highly qualified specialists.

The educational time given for independent work of full-time students is determined by the syllabus and makes 76 % (110 hours) of the total study time for the academic discipline (144 hours). During the self-study students become active participants in the educational process, learning how to develop a conscious attitude to mastering the theoretical and practical knowledge, freely navigate in the cyberspace, take personal responsibility for the quality of their own training. IW includes processing lecture materials, studying the recommended literature, key terms and concepts on the topics of the academic

discipline, preparing for practical classes and seminars, preparing to speak at seminars, in-depth study of lectures on particular themes or issues, carrying out individual assignments (independent solution of complex problems) on the studied theme, writing essays on the given problems, searching (selection) and review of the literature on the given problems of the academic discipline, analytical review of scientific publications, checking students' knowledge of the material covered by self-test questions, preparation for tests and other forms of current control, preparation for the control module (colloquium).

A necessary element of successful assimilation of the material of the academic discipline is independent work of students on domestic and foreign special economic literature, normative acts on public regulation of the economy, the statistics material. The main types of independent work offered to students are based on the theoretical knowledge of the academic discipline (Table 6.1).

Table 6.1

Tasks for self-study work and forms of control

Name of the theme	The content of students' independent work	Number of hours	Forms of IW control	Recommended literature
1	2	3	4	5
Module 1. The General Provisions of Economic Law				
<i>Theme 1. The Notion of Economic Law</i>	Studying the lecture material, preparation for practical studies, reviewing the literature on the theme "The place of economic law in the legal system of Ukraine"	12	Presentation of the results	Main: [1; 4; 25]. Additional: [26; 28; 30]
<i>Theme 2. General Characteristics of Economic Activity</i>	Studying the lecture material, preparation for practical studies, reviewing the literature on the theme "Legal entities as economy entities". Preparation for the control work of themes 1 – 3	12	Presentation of the results	Main: [1; 4; 10; 23; 25]. Additional: [30; 39; 40]
<i>Theme 3. The Legal Status of Economic Partnerships</i>	Learning the lecture material, preparation for practical studies. Reviewing of the literature on the theme "The legal status of a limited partnership"	12	Control work in writing on themes 1 – 3	Main: [1; 6; 10]. Additional: [30;32;37]

Table 6.1 (the end)

1	2	3	4	5
<i>Theme 4. The Legal Basis of Creation of Economic Entities and the Order of State Registration</i>	Studying the lecture material, preparation for practical studies, reviewing the literature on the theme "The procedure and the stage of creation of legal entities"	12	Presentation of the results	Main: [1; 11; 24]. Additional: [27; 30; 33; 39; 40]
<i>Theme 5. Termination of Legal Entities and Entrepreneurial Activity of Natural Persons-Entrepreneurs</i>	Studying the lecture material, preparation for practical studies, reviewing the literature on the theme "State registration of termination of legal entities"	12	Presentation of the results	Main: [1; 11; 24; 25]. Additional: [30; 40; 44]
<i>Theme 6. Legal Regulation of Licensing Economic Activity</i>	Studying the lecture material, preparation for practical studies, reviewing the literature on the theme "The procedure for renewal of licenses". Preparation for the control work on themes 4 – 7	12	Presentation of the results	Main: [1; 6; 19; 25]. Additional: [33; 34; 48]
<i>Theme 7. Legal Regulation of the Restriction of Monopolies and Protection of Business against Unfair Competition</i>	Studying the lecture material, preparation for practical studies, reviewing the literature on the theme "Liability for violation of antimonopoly legislation and legislation on protection against unfair competition"	12	Control work in writing on themes 4 – 7	Main: [1; 2; 12; 13]. Additional: [41; 43; 45]
<i>Theme 8. The General Characteristics of Economic Obligations</i>	Studying the lecture material, preparation for practical studies, reviewing the literature on the theme "Ways to ensure proper execution of commercial contracts"	12	Presentation of the results	Main: [1; 18; 23]. Additional: [32; 36; 38; 48]
<i>Theme 9. Responsibility in Economic law</i>	Studying the lecture material, preparation for practical studies, reviewing the literature on the theme "Penalties and operative-economic sanctions". Preparation for the control test	12	Presentation of the results. Control test	Main: [1; 3; 5; 25]. Additional: [29; 34; 42; 48]
Total		110		

6.1. Control Questions for Self-diagnostics

1. The concept of economic activity and its specifics.
2. Principles of economic activity.
3. Methods of state regulation of economic activity.
4. Expand on the sources of economic law.
5. Enterprise as an object of economic relations.
6. Describe the types of economic entities.
7. Describe the legal status of individual entrepreneurs.
8. Expand on the concept of legal capacity of legal entities.
9. Classification of legal entities.
10. Expand on the concept and procedure of creation of legal persons.
11. Describe the concept and procedure of state registration of economic entities.
12. Expand on the concept and purpose of licensing.
13. Describe the legal status of a limited liability company.
14. The peculiarities of the legal status of a full partnership.
15. Expand on the concept of the production cooperative.
16. Describe the types of business associations provided by law.
17. Describe the concept and the reasons for the termination of economic entities.
18. Expand on the liquidation and reorganization of legal entities.
19. Expand on the state registration of the legal entity termination.
20. Define the concept and analyze the economic and legal nature of bankruptcy.
21. Analyze organizational and legal measures preventing bankruptcy.
22. Determine the causes of bankruptcy.
23. Describe the legal status of the Antimonopoly Committee of Ukraine.
24. Describe the monopoly position and the order of its definition.
25. Expand on the concept and types of unfair competition.
26. Describe the responsibility for violation of antitrust legislation and legislation on the protection of unfair competition.
27. Expand on the concept and features of an economic contract.
28. Classification of economic contracts.
29. Describe the content and form of an economic contract.
30. Damages as a form of economic and legal responsibility: the concept, the scope, the procedure of implementation.

7. Research Activity of Students

The scientific activity of students during the study period is an important component of training for master's academic qualification.

The main objective of this process is the formation of methodological knowledge, theory method and process, technology, methodological support of scientific research activity, starting with students' science.

Research activity of students takes the form of writing scientific articles on the relevant issues and existing gaps in the current legislation relating to administrative, civil, economic, family and labor relations. The theme of the article and writing it is discussed with the scientific adviser and carried out under his/her control. Research activity of students may take the form of writing a thesis and participation in national and international conferences, participation in conducting brain-rings and other intellectual games, other forms of individual scientific research.

Evaluation of success of scientific research activity of students is performed for the entire period of study and final marks are given at the end of the relevant semester. The maximum number of points in the semester according to the results of the research activity on the academic discipline "Economic Law" is established according to Technological Chart approved for the current academic year. Evaluation of student's research activities takes into account independence of execution of a particular scientific work (writing a scientific article, writing a thesis for conferences, etc.), active participation in the relevant activity, the scientific level of the performed work.

8. Individual Consulting Work

Individual consulting work is done according to the schedule of individual and consulting activities. It takes the following forms: individual lessons, consultations, checking individual tasks, defending tasks stipulated by the current control and so on.

The forms of individual consulting activities are:

a) the theoretical material:

counselling: individual (question – answer);

group (dealing with typical examples – situations);

- b) practical mastery of the material:
individual and group counselling;
- c) for comprehensive assessment of the assimilation of the syllabus material:
individual submission of the executed work.

9. Methods of Teaching

For intensification of the educational process it is necessary to use modern educational technologies like problem lectures, mini-lectures, work in small groups, presentations, seminar-discussions (Tables 9.1 and 9.2).

Table 9.1

Forms and methods of intensification of the educational process according to the themes of the academic discipline "Economic Law"

Theme	Practical application of educational technologies
1	2
Theme 1. The Notion of Economic Law	A problem lecture on the theme "The ratio of economic law to other branches of law". Work in groups to define the role and place of the economic law and its impact on today
Theme 2. The General Characteristics of Economic Activity	A problem lecture on the theme "State protection of the consumer". Work in groups to define the state's role in the regulation of consumer relations
Theme 3. The Legal Status of Economic Partnerships	A lecture-dialogue on the theme "An economic partnership: the concept and types according to the legislation of Ukraine". Work in groups to define the concept of economic partnerships
Theme 4. The Legal Basis of Creation of Economic Entities and the Order of State Registration	A lecture-dialogue on the theme "Documents which certify the right to entrepreneurial activity". Work in groups to determine the scope of operation of normative legal acts by pointing out specific examples of current legislation
Theme 5. Termination of Legal Entities and Entrepreneurial Activity of Natural Persons-Entrepreneurs	A lecture-dialogue on the theme "Procedure of reorganization". Work in groups to determine the kind of reorganization of a legal entity

Table 9.1 (the end)

1	2
Theme 6. Legal Regulation of Licensing Economic Activity	A lecture-dialogue on the theme "Law regulation of the economic process". Discussion during the seminar
Theme 7. Legal Regulation of the Restriction of Monopolies and Protection of Business against Unfair Competition	Seminar-discussions on the theme "The concept and types of unfair competition". Work in groups. Discussion during the seminar on the reasons for legal protection of economic competition and prevention of unfair competition
Theme 8. The General Characteristics of Economic Obligations	A lecture-discussion. Discussion during the seminar on the theme "The content and form of an economic contract". Presentation of the results of work
Theme 9. Responsibility in Economic Law	A lecture-dialogue. Work in groups to determine the grounds for economic and legal responsibility

Table 9.2

Using of the techniques for enhancing the training process

Theme	Practical application of educational technologies	Techniques for enhancing the training process
<i>Theme 1.</i> The Notion of Economic Law	A seminar. Theme: "Problems of modern economic legislation"	A seminar-discussion, presentations
<i>Theme 8.</i> The General Characteristics of Economic Obligations	Task 8. Economic contracts	Work in small groups, a seminar-discussion
<i>Theme 9.</i> Responsibility in Economic Law	Task 9. Restriction of a natural person's legal capability	Work in small groups, a seminar-discussion

The basic difference of active and interactive methods of studies from traditional ones is determined not only by the educational method and technique but also by high efficiency of the educational process which appears in high motivation of students, consolidation of the theoretical knowledge in practice, formation of the ability to make independent and collective decisions, development of skills in social integration.

Problem lectures aim to develop logical thought of students. The list of questions on the theme of a lecture is limited to two or three key issues; students' attention is focused on the material which has not been presented in the literature. The lecturer sets questions which induce students to search solutions to a problem situation.

Mini-lectures provide the delivery of the teaching material in a short-time interval and are characterized by significant capacity, complexity of logic constructions, images, proofs and generalizations. At the beginning of a mini-lecture the lecturer attracts the students' attention to the necessity of presenting the lecture material in a structural and logic way. While considering the set questions, the lecturer delivers the compressed material. The lecture lessons stimulate the students' activity and focus their attention on the perception of the material, and also direct them at using a system approach to the reproduction of the information which they have received from the lecturer.

Seminar-discussions provide an exchange of opinions and sights of participants on the problem discussed and its separate aspects. This kind of seminars develop the independence of students' thinking and the ability to analyse the information, form a certain outlook, develop a skill at formulating ideas, stating them and giving reasons during the further discussion, and also to evaluate the ideas and offers of others.

Work in small groups enables the teacher to structure lectures or practical lessons (seminars), create opportunities for each student's participation in the work on the theme of lessons, provides formation of personal qualities and experience of social dialogue. Having covered the problem or summarized the material students make groups of 5 – 6 people and present the vision and perception of the material at the end of the lesson.

A lecture-dialogue (a lecture including a conversation) is a dialogue with the audience, a form of attracting students to the learning process, which involves direct contact with the audience. It allows the lecturer to highlight the most important issues of the theme, to determine the rate of presentation of the educational material taking into account the peculiarities of the audience.

Presentations are made in front of the audience and are used for demonstration of certain achievements, results of the group work, reports on individual tasks, instructing. One of the positive features of presentations and their advantages in the educational process is exchange of experience received by the students while working in small groups.

Analysis of certain situations (the case method) is one of the methods of active learning that makes it possible to bring the educational process closer to the real practical activity of specialists. This method involves examination of production, management and other situations, complicated conflict cases, problem situations, incidents in the course of studying the educational material.

A lecture-discussion (a lecture including controversial issues) is a lecture, intended not only to include the answers to the teacher's questions, but also a free exchange of views in the intervals between the logical parts.

10. Methods of Control

The system of evaluation of competences formed by students takes into account the types of studies which include lectures, practical studies and independent work according to the syllabus of the academic discipline. Evaluation of competences formed by students is carried out on a 100-point system.

Control measures include:

current control which is carried out during a semester at lectures, practicals, seminars and evaluated as a sum of the gained points (the maximum sum is 75 points; the minimum sum that allows a student to be tested is 35 points);

total/semester control which is conducted in the form of *module control* or a *semester test* in accordance with the schedule of the educational process.

Current control on this academic discipline is conducted in such forms as:

active work at the lectures;

active participation in the fulfillment of practical tasks;

active participation in the discussion and presentation of material at seminars;

conducting control work in writing;

conducting current and module tests;

express questioning.

Final/semester control is conducted in the form of semester module control or a semester test.

Evaluation of students' knowledge during seminars and practical studies and fulfillment of individual tasks is conducted based on the following criteria:

understanding, the degree of mastering the theory and methodology of problems which are considered;

the degree of mastering the actual material of the academic discipline;

the ability to combine theory with practice when considering situational practical tasks (or individual tasks);

logic, structure, style of expounding material in written works and appearances in front of the audience, the ability to ground the position, carry out generalization of information and draw conclusions.

The general criteria for evaluation of self-study work of students are: profound and thorough knowledge, the level of thought, the ability to systematize knowledge of separate themes, the ability to draw grounded conclusions, the ability to find necessary information.

Control work is conducted two times a semester and includes practical tasks of different difficulty level according to the module themes.

Evaluation criteria for extracurricular students' self-study. The general criteria for evaluation of extracurricular independent work are: the depth and strength of knowledge, the level of thinking, the ability to organize knowledge of certain themes, the ability to draw reasonable conclusions, knowledge of the terms and concepts, skills and techniques of practical problem-solving, the ability to find, systematize and process the necessary information, self-fulfillment of tasks at practical studies.

The procedure of final control. Final control of knowledge and competences of students is based on conducting a semester test. The test card covers the discipline syllabus and provides determination of the student's knowledge level and mastery of competences (Table 2.1).

The student who for a valid reason, proved by the document, had no opportunity to participate in the forms of current control has the right to make up the missed assignments within two weeks after returning to studies by the Dean's order.

The student **cannot be admitted** to the test if the number of points obtained in the current control according to the module during the semester has not reached 45 points. After examinations the Dean of the Faculty shall order a resolution on the elimination of the academic debt. The student gets points in the established period.

The student should **be considered attested** if the sum of points obtained in the final/semester control equals or exceeds 60. The minimum possible number of points in the current control during the semester is 45 and the minimum possible number of points gained in the test is 15.

The final mark is calculated on the basis of points obtained during the testation and points obtained in the current control. The total result for a semester makes: 60 and more points: "passed", "59 and less points: failed".

A sample test card

Simon Kuznets Kharkiv National University of Economics
Academic qualification "Master"

Subject area: 0306 "Management and Administration". Semester 1.
The academic discipline "Economic Law"

TEST CARD 1

1. Classification of legal entities.

2. A citizen of China was denied registration of the private enterprise in the territory of Ukraine in Kharkov, because he is not a citizen of Ukraine and does not reside in this city. Is this law?

3. According to the contract of sale the JSC "Air" transferred 12 air conditioners to the LLC "Hope". In the process of transferring the conditioners it was found that 5 of them did not work. In the claim the company was required to replace the air conditioners and pay a penalty in the amount of 20 % of the cost of the defective products.

The joint-stock company offered to repair the non-working air conditioners, but the LLC "Hope" did not agree with this proposal and demanded the termination of the contract, refunding the cost of the defective air conditioners and reimbursement of expenses for their storage.

Resolve the matter.

11. Distribution of Student's Points

The system of evaluation of students' professional competences is given in Table 11.1.

Table 11.1

**The system of evaluation of the level
of students' professional competences**

Professional competences	Week	Hours	Form of study			Evaluation	
						Form of control	Maximal point
1	2	3	4			5	6
Module 1. The General Provisions of Economic Law							
To define the concept and characteristics of economic activities	1	in class	2	Lecture	Theme 1. The Notion of Economic Law	Work at the lecture	1
		IW	12	Training for studies	Search, selection and review of literary sources on the set theme		
	3	in class	2	Lecture	Theme 2. The General Characteristics of Economic Activity	Work at the lecture	1
			2	Practical studies	Consideration of theoretical issues on the theme. Carrying out of situational tasks	Active participation in solving the practical problems	4
IW	12	Training for studies	Search, selection and review of literary sources on the set theme				
To determine the General characteristics and the legal status of economic entities as subjects of economic law	5	in class	2	Lecture	Theme 3. The Legal Status of Economic Partnerships	Work at the lecture	1
			2	Practical studies	Consideration of theoretical issues on the theme. Carrying out situational tasks	Active participation in solving the practical problems	4
	IW	12	Training for studies	Search, selection and review of literary sources on the set theme			

Table 11.1 (continuation)

1	2	3		4		5	6
To define the concept and the general characteristics of state registration of business entities	7	in class	2	Lecture	Theme 4. The Legal Basis of Creation of Economic Entities and the Order of State Registration	Work at the lecture	1
			2	Practical studies	Consideration of theoretical issues on the theme. Solving situational problems	Active participation in solving the practical problems	4
		IW	12	Training for studies	Search, selection and review of literary sources on the set theme. Preparation for control work	Reviewing creative jobs	9
To determine the legal issues of natural persons-entrepreneurs	9	in class	2	Lecture	Theme 5. Termination of Legal Entities and Entrepreneurial Activity of Natural Persons-Entrepreneurs	Work at the lecture	1
			2	Practical studies	Consideration of theoretical issues on the theme. Carrying out situational tasks. A test on themes 1 – 5	Active participation in solving the practical problems. Checking the test	9
		IW	12	Training for studies	Search, selection and review of literary sources on the set theme		
To define the concept and the general characteristics of the legal regulation of licensing	11	in class	2	Lecture	Theme 6. Legal Regulation of Licensing Economic Activity	Work at the lecture	1
			2	Practical studies	Consideration of theoretical issues on the theme. Carrying out situational tasks	Active participation in solving the practical problems	4
		IW	4	Training for studies	Search, selection and review of literary sources on the set theme		

Table 11.1 (the end)

1	2	3		4		5	6
To define the concept and the general characteristics of anti-monopoly activities and protection against competition	13	in class	2	Lecture	Theme 7. Legal Regulation of the Restriction of Monopolies and Protection of Business against Unfair Competition	Work at the lecture	1
			2	Practical studies	Consideration of theoretical issues on the theme. Carrying out situational tasks	Active participation in solving the practical problems	4
		IW	12	Training for studies	Search, selection and review of literary sources on the set theme. Preparation for the test		
To define the concept and the general characteristics of economic obligations	15	in class	2	Lecture	Theme 8. The General Characteristics of Economic Obligations	Work at the lecture	1
			2	Practical studies	Consideration of theoretical issues on the theme. Carrying out situational tasks. Test on themes 6 – 8	Active participation in solving the practical problems. Checking the test	9
		IW	12	Training for studies	Search, selection and review of literary sources on the set theme	Reviewing the research work	15
To define the concept and the general characteristic of responsibility in economic law	17	in class	2	Lecture	Theme 9. Responsibility in Economic Law	Work at the lecture	1
			2	Practical studies	Consideration of theoretical issues on the theme. Carrying out situational tasks	Active participation in solving the practical problems	4
		IW	12	Training for studies	Search, selection and review of literary sources on the set theme		
	Examination period	in class		Consultations		Checking the test	25
				Test			
		IW	2	Training for the test			
Total		144		Maximal point			100

The final assessment on the academic discipline is made in accordance with the Provision "On the Order of Evaluation of Students' Academic Performance on a 100-point System" of Simon Kuznets Kharkiv National University of Economics (Table 11.2).

Table 11.2

Evaluation scale: national and ECTS

The sum of points for all of the types of the educational activity	ECTS mark	Mark on the national scale	
		examination	test
90 – 100	A	Excellent	passed
82 – 89	B	Good	
74 – 81	C		
64 – 73	D	Satisfactory	
60 – 63	E		
35 – 59	FX	Unsatisfactory	not passed with a possibility of a repeated passing
0 – 34	F	Unsatisfactory	not passed with an obligatory repeated study of the academic discipline

12. Recommended Literature

12.1. Main

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13. Про захист економічної конкуренції : Закон України від 11 січня 2001 року // Відомості Верховної Ради України. – 2001. – № 12. – Ст. 64.

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Appendixes

Appendix A

Table A.1

**The structure of constituents of professional competences
on the academic discipline "Economic Law" as defined by the National Scope
of Qualifications of Ukraine**

31

Constituents of the competence which is formed within the theme	Minimum experience	Knowledge	Ability	Communications	Autonomy and responsibility
1	2	3	4	5	6
Theme 1. The Notion of Economic Law					
The ability to define the concept and characteristics of economic law	The essence of the concept of economic law. General characteristics of the subject of legal regulation of economic law, its methods and systems	Knowledge of the basic methods of legal regulation of economic law. Knowledge of the constituent elements of the economic law	The ability to define the social relations that fall under the regulation of economic law; to apply the methods of economic law	The ability to provide effective communication strategy regarding the use of the provisions of economic law	Responsibility for accurate identification of public relations of a subject of legal regulation of economic law

Table A. 1 (continuation)

1	2	3	4	5	6
Theme 2. The General Characteristics of Economic Activity					
The ability to define the concept and characteristics of economic activities	Basic meanings of the classification and characteristics of economic entities	Knowledge of the basic characteristics of economic entities	The ability to apply knowledge of features of business entities to addressing certain issues that arise in economic relations	The ability to present the results of applying knowledge of economic law to addressing certain issues	Responsibility for the accuracy and correctness of results
Theme 3. The Legal Status of Economic Partnerships					
The ability to determine the main types and features of economic partnerships	The concept and main features of economic partnerships	Knowledge of the legal norm and the principles of international economic law; knowledge of their core content	The ability to define and apply knowledge of economic partnerships to economic activity	The ability to provide the results of applying the normative acts regulating the activities of business entities to addressing certain issues arising in practice	Responsibility for the accuracy and correctness of the application of the principles of activity of economic partnerships to addressing certain issues

1	2	3	4	5	6
Theme 4. The Legal Basis of Creation of Economic Entities and the Order of State Registration					
The ability to define the concept and general characteristics of state registration of economic entities	The definition of the legal status of legal entities and characteristics of their creation	Knowledge of the basic requirements for the creation and registration of business entities	The ability to determine the legal nature and peculiarities of the establishment and registration of legal entities	The ability to present the results of the application of the provisions of current legislation to the establishment and registration of legal entities as subjects of economic activity	Responsibility for the correct use of the legal regulation of creation and registration of legal entities
Theme 5. Termination of Legal Entities and Entrepreneurial Activity of Natural Persons-Entrepreneurs					
To determine the legal issues of natural persons-entrepreneurs	Determination of the legal status of natural person-entrepreneur	Knowledge of the basic requirements for registration of a natural person-entrepreneur. Knowledge of the terms of determining the legal status of a NPE	The ability to make justification of the application of state immunity to solving certain problems in practice	The ability to present the results of the application of the provisions of current legislation to the registration of a NPE	Responsibility for the correct implementation of normative regulation of legal status of a NPE in economic relations
Theme 6. Legal Regulation of Licensing Economic Activity					
The ability to define the concept and general characteristics of the legal regulation of licensing	The concept of licensing. The features of licensing of separate kinds of activity	Knowledge of the basic problematic issues of licensing of economic activities; knowledge of legal provisions governing the licensing of economic activity	The ability to determine the legal nature of licensing; to apply the provisions of legal acts to licensing problems	The ability to present the results of addressing specific issues that arise in practice regarding the licensing of economic activity	To make decisions under the conditions of uncertainty and be responsible for the accuracy and correctness of the results

1	2	3	4	5	6
Theme 7. Legal Regulation of the Restriction of Monopolies and Protection of Business against Unfair Competition					
The ability to define the concept and general characteristics of the restriction of monopolies and protection against competition	The concept of antimonopoly activities and protection against competition	Knowledge of basic regulations for the protection against competition and combating the monopolistic position in the market	The ability to resolve some of the issues that arise in the course of protection of business against unfair competition	The ability to present the results of the restriction of monopolies and protection against competition	Responsibility for the accuracy and correctness of resolving questions arising in the course of protection of business against unfair competition
Theme 8. The General Characteristics of Economic Obligations					
The ability to define the concept and general characteristics of economic obligations	The definition of the concept and characteristics of economic obligations	Knowledge of the characteristics and types of economic obligations	The ability to apply the legal acts of the treaties to the sphere of economic obligations	The ability to present the results of the conclusion of economic contracts	Responsibility for the accuracy and correctness of conclusion of economic contracts
Theme 9. Responsibility in Economic Law					
The ability to define the concept and general characteristic of responsibility in economic law	The concept of legal responsibility. Responsibilities in economic law	Knowledge of basic regulatory acts governing the issues associated with the onset and application of responsibility in economic activity	The ability to resolve certain issues concerning the economic responsibility	The ability to present the results of solving individual issues in the area of responsibility in economic activity	Responsibility for the accuracy and correctness of the made decision

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**Робоча програма
навчальної дисципліни
"ГОСПОДАРСЬКЕ ПРАВО"
для студентів галузі знань
0306 "Менеджмент і адміністрування"
денної форми навчання
(англ. мовою)**

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