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**LAW FACULTY**

 **Syllabus**

|  |  |
| --- | --- |
| **Subject** | **COMMERCIAL LAW** |
| Type | Semester | ECTS | Code |
| MANDATORY (M) | 4 | 4 |  Law-B-031 |
| **The lecturer of the subject** | Ass. Prof. Dr. Bashkim Nuredini and Ramush Bardiqi judge |  |  |  |
|  |  |  |  |  |
| **Aims and Objectives** | The subject of commercial law is a special and relatively new branch of law which was created on the basis of the need for the normative regulation of business relations between different legal entities under market economy conditions.The subject of Commercial Law as an academic discipline is designed to, through a theoretical and practical approach, deal with the study of the principles and general legal rules in force that regulate the status and activity of business entities. In addition, the subject also deals with other aspects of business activity as well as other institutes of commercial law, including commercial contracts, electronic commerce, payments and banking, securities, bankruptcy procedure, aspects of competition, intellectual property.Based on the structure of the topics it deals with, the course has the following goals:- Understanding the basic principles and general rules in the field of commercial law;- Theoretical and practical preparation that enables students to expand the horizon of their knowledge in the field of commercial law;- Ability to handle through a critical approach topics from the business sphere, including topics on: commercial companies, competition, consumer protection, intellectual property law, international trade, financial markets.- Acquaintance with legislative trends at global level in the field of commercial law, the process of unification and harmonisation of commercial legislation. |
| **Learning outcomes** | After completing this course, students should be able to:• Understand the role and importance of legal regulation of business relations;• Explain and review the legal framework in the field of commercial relations in the context of national and international legislation;• Demonstrate knowledge and skill in drafting typical commercial contracts;• Apply the acquired skills in providing an alternative choice in cases of eventual disputes between business entities in the fulfilment of contractual obligations. |
| **Content** | **Weekly plan** | **Week** |
| Introduction to the Commercial Law  | 1 |
| The sources, principles and subjects of commercial law | 2 |
| Commercial companies as subjects of commercial law | 3 |
| Governance of commercial companies | 4 |
| Bankruptcy of commercial companies | 5 |
| The meaning, the role and the importance of contracts in business | 6 |
| The most important types of commercial contracts | 7 |
| Intermediate exam I | 8 |
| Alternative settlement of commercial disputes | 9 |
| Electronic commerce | 10 |
| Money and banking | 11 |
| Stock exchanges and capital markets | 12 |
|  | International Commercial Law |  13 |
|  | Intermediate exam IIFinal exam |  14 15 |
| **Teaching/Learning****Methods** | **Activity** | **Weight (%)**  |
| 1. Lectures
 |  40%  |
| 1. Presentation
 |  20% |
| 1. Case studies
 | 20% |
| 1. Role simulation
 | 10% |
| 1. Problem-based-learning
 | 10% |
|  |
| **Assessment Methods** | **Evaluation activity** | **Number** | **Week** | **Weight (%)** |
|
| 1. Participation in lectures
 |  |  | 30% |
| 1. Presentations
 |  |  | 10% |
| 1. Case studies
 |  |  | 10% |
| 1. Drafting of contracts
 |  |  | 10% |
| 1. Intermediate exams
 |  |  | 40% |
| 1. Final exam
 |  |  | 0-100% |
|
|  |  |  |  |  |
| **Course resources and****means of****materialisation** | **Equipment** | **Number** |
| 1. Class
 | 1 |
| 1. Legal Literature
 | 1 |
| 1. Web access
 | 1 |
| 1. Internet
 | 1 |
| 1. Moodle
 |  |
|  |
| **ECTS Workload** | **Activity** | **Weekly hours** | **Total workload** |
| 1. Lectures
 | 2 | 26 |
| 1. Presentations
 | 2 | 12 |
| 1. Case studies
 | 1 | 6  |
| 1. Self-study and readings
 | 1 | 26 |
| 1. Institutional visit
 |  | 7 |
| 1. Contract drafting
 | 1 | 10 |
| 1. Preparation for final exam
 | 1 | 7 |
| 1. Exams
 | 3 | 6 |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
| **Literature / References** | * Commercial Law, Peter Johnson, Publisher: ‎ Independently published (March 16, 2019).
* Commercial Law: Text, Cases, and Materials, M A Clarke, R J A.Hooley, R J C Munday, L S Seal, Publisher ‏: ‎ Oxford University Press; 5th edition (June 27, 2017).
* E Drejta Biznesore, Armand Krasniqi, Botues: Dukagjini, 2014.
* E Drejta Bankare: Bankat dhe E-banking, Armand Krasniqi, Edmond Beqiri, Alma Shehu Lokaj, Botues: Csara Publishing, 2017.
* Manual për Administratorët e Falimentimit LIGJI PËR FALIMENTIMIN NË KOSOVË. Corporate Authors: Law Academy & IFC, World Bank Group & State Secretariat for Economic Affairs (SECO). Publisher: Akademia e Drejtësisë, 2021.

 **Legal actes*** Law No. 06/L-016 ON BUSINESS ORGANIZATIONS
* Law No. 05/L-083 ON BANKRUPTCY
* Law No. 04/L-077 ON OBLIGATIONAL RELATIONSHIPS
* Law No. 04/L-094 ON THE INFORMATION SOCIETY SERVICES
* Law No. 02/L-75 ON ARBITRATION
* Law No. 03/L-057 ON MEDIATION
* Law No. 04/L-093 ON BANKS, MICROFINANCE INSTITUTIONS AND NON BANK FINANCIAL INSTITUTIONS
* Law No. 08/L-075 ON TRADEMARKS
* Law No. 04/L-029 ON PATENTS

**Additional literature:** Additional opportunities for studying and deepening of knowledge in this field are literature in the UBT Library. |
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