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| **Subject** | **Bankruptcy Law** | | | |
| **Type** | **Semester** | **ECTS** | **Code** |
| Elective (E) | 6 | 4 | Law-B-055 |
| **The lecturer of the subject**    **Subject assistant**  **Subject tutor** | Dr. Njomëza Zejnullahu |  |  |  |
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| **Aims and Objectives** | The underlying objective of this course is to familiarize students with the basics of bankruptcy law, including bankruptcy procedures, stages and payment of creditors.  Course Objectives:   * Understand basics of bankruptcy law, purpose and applicability; * Understanding phases of bankruptcy, reorganisation and liquidation; * Explain in an analytical way bankruptcy claims and procedures; * Solve cases in bankruptcy law; | | | |
| **Learning Outcomes** | After completing this course, students should be able to:   1. Demonstrate a detailed understanding of the laws applicable to creditors’ rights and bankruptcy in general 2. Understand and work on a process of basic transactional processes involved in the pursuit of creditors’ claims and bankruptcy 3. Learn how to prepare arguments on cases related to advising the debtor or creditors arising under bankruptcy law, including issues related to bankruptcy claims, making claims under bankruptcy, avoidance, and reorganization 4. Apply and engage in legal analysis and reasoning, problem-solving, and written and oral communication relating to bankruptcy law. | | | |
| **Course Content** | **Course Plan** | | | **Week** |
| Presentation of the syllabus of the introduction to the bankruptcy law | | | 1 |
| Initiation of Bankruptcy Case | | | 2 |
| Bankruptcy Estate | | | 3 |
| Role of the debtor and creditors | | | 4 |
| Claims | | | 5 |
| Bankruptcy administrator and role of the court | | | 6 |
| Colloquium I | | | 7 |
| Reorganization | | | 8 |
| Liquidation | | | 9 |
| Fraudulent transfer | | | 10 |
| Stays | | | 11 |
| Responsibility of bankruptcy administrator for bankruptcy estate | | | 12 |
| Discharge | | | 13 |
| Colloquium II | | | 14 |
| Final exam | | | 15 |
| **Teaching/Learning Methods** | **Teaching/Learning Activity** | | | **Weight (%)** |
| 1. Lectures | | | 40% |
| 1. Seminars | | | 20% |
| 1. Case studies exercises | | | 20% |
| 1. Writing legal writs | | | 10% |
|  | 1. Role play | | | 10% |
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| **Assessment Methods** | **Assessment Activity** | **Number** | **Week** | **Weight (%)** |
| 1. Participation | 1 | 1-13 | 10% |
| 1. Case study role play and debate | 1 | 7 | 15 % |
| 1. Case study take home examination | 1 | 12 | 20 % |
| 1. Conceptual research on bankruptcy law | 1 | 10 | 15 % |
| 1. Final examination | 1 | 15 | 40 % |
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| **Course resources and means of materialization** | **Resources** | | | **Number** |
| 1. Class (e.g) | | | 1 |
| 1. Projector | | | 1 |
| 1. Moodle | | | 1 |
| **ECTS Workload** | **Activity** | | **Weekly hrs** | **Total workload** |
| 1. Lectures | | 2 | 24 |
| 1. Self-study and readings | | 2 | 24 |
| 1. Case study 1 preparation for role play | | 1 | 7 |
| 1. Case study 2 preparation | | 1 | 7 |
| 1. Conceptual research | | 2 | 20 |
| 1. Preparation for final exam | | 1 | 14 |
| 1. Exams | | 1 | 2 |
| **Literature/References** | * **Basic literature:** * Manuali i Falimentimit, Dr. Njomëza Zejnullahu, IFC/World Bank, 2022. * Mazllum Baraliu “E Drejta Biznesore”, Prishtinë 2010; * **The legal framework** * Law no. 06/L-016 on Business Organisations   https://gzk.rksgov.net/ActDetail.aspx?ActID=16426;   * Law No. 03/L-087 on Public Enterprises   https://gzk.rksgov.net/ActDetail.aspx?ActID=10822;   * Law No. 05/L-083 on Bankruptcy   https://gzk.rksgov.net/ActDetail.aspx?ActID=12664;   * **Additional literature:** * Frank B. Cross, “The Legal Environment of Business”, USA, 2015 * Clarkson, Miller, Cross, “Business Law: Text and Cases”, USA, 2015 – Marisa * Anne Pagnattaro, Daniel R. Cahoy and others, “The Legal and Regulatory Environment of Business”, New York, 2013 | | | |
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