

MINISTRY OF EDUCATION AND SCIENCE OF UKRAINE

KHARKIV NATIONAL ECONOMIC UNIVERSITY
NAMED BY SEMEN KUZNETS


APPROVED
Deputy Head
(vice-rector on scientific and pedagogical work)
M.V. Afanasyev

Economic law

work program for students

Branch knowledge **all**
Specialty **all**
Educational level **first (Bachelor)**
Educational program **all**

Kind discipline **selective**
Language of teaching, learning and evaluation **English**

Head of the Department of *Legal Regulation of the Economy*


V.V. Sergienko

Kharkiv
KhNEU named by S. Kuznets

2018

APPROVED

at the meeting of the department of the legal regulation of the economy

Protocol № 1 at 27.08.2018

Developer:

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Letter of renewal and re-approval of the work program of educational discipline

Academic year	The date of the meeting of the of the WPED developer	Protocol number	The signature of the head of the department

1. Introduction

Annotation of the educational discipline:

The fundamental change in economic relations in Ukraine made it necessary to review the current legislative framework, update it and adapt it to the new economic conditions. Economic legislation in everyday economic practice. Complex character and numeral normative legal acts in the field of economic activity that change constantly, as well as the possibility of applying customs in the regulation of civil relations, the need because of the ratification of the Association Agreement with the EU of usage of case-law of the European Court of Human Rights in resolving dispute significantly complicate the process of the regulation of economic activity, as well as research and study these processes. Economic law that regulates the production, trade activity of economic entities, ie, economic relations directly, and undergoes major changes. In connection with this, requirements for future specialists increase - economists on knowledge of the basics of economic law and the skills of applying norms.

In general economic law aims to ensure the growth of economic activity of economic entities, development of entrepreneurship and on this basis to increase the efficiency of social production, its social orientation in accordance with the Constitution of Ukraine, to establish social economic order in the economic system of Ukraine, to promote its harmonizing with other economic systems.

The discipline "Economic Law" is based on the knowledge of students acquired in the study of such academic disciplines as "Law", "Civil Law", "Labor Law", etc.

The discipline "Economic Law" belongs to the list of disciplines of free choice. It ensures the personal and professional development of the student and aims at forming a complex of knowledge about the rights in the field of economic activity, which is a necessary component of making the right decisions both in the field of management and control of the economy, and in the performance of specific local tasks; in understanding the principles of the protection of rights of the subjects of economic activity.

Purpose of the discipline:

Purpose of the **discipline** is the preparation of future specialists in the field of economic and the formation of knowledge of the main provisions of the theory and practice of applying the norms of economic law in the process of economic activity, as well as standards in professional activities for independent problem solving in the organization and implementation of economic activities, and protection of the rights of economic entities.

The main **tasks** of the educational discipline is to create a system of knowledge and practical skills and ideas, important for economic activities, assimilation of specific professional terminology, formation of a professionally competent legal language as an important component of the legal culture of the future specialist; that will allow at a higher level study other legal sciences; development of logical thinking, the ability to support own arguments, development of creative aptitudes of students; development of elementary research skills; formation of legal awareness and legal culture, acquaintance with the procedure for resolving economic disputes, formation of skills and abilities of using normative legal acts and drafting of procedural documents in resolving economic disputes.

The subject of the discipline is the totality of social relations in the field of economic activity .

As a result of studying the discipline students must **know**:

- system and sources of economic law ;
- concept, content and types of economic activity ;
- concept, signs, principles, types and restrictions in the implementation of entrepreneurial activity ;
- concept, types and forms of organizational and legal forms of economic entities;

- the procedure for state registration of legal entities and individuals - entrepreneurs;
- procedure for termination of economic entities;
- general characteristics and stages of bankruptcy;
- grounds and types of economic legal responsibility;
- concept and types of economic legal sanctions;
- mechanism of protection of rights of economic entities, etc.

be able:

- to interpret the provisions of the norms of the Constitution of Ukraine and other normative legal acts regulating legal relations (which are the subject of regulation of certain branches of law) ;
- apply the rules of the current legislation when dealing with specific issues;
- make claims and statements of claim;
- to orientate in the definitions and terminology of economic law in order to properly use theoretical knowledge in practice.

Course	3	
Semester	5	
Number of ECTS credits	5	
Audit lessons	lectures	32
	practical	32
	laboratory	-
Independent work		86
Form the final control	exam	

Structural-logical scheme of studying the discipline:

Previous disciplines	The following disciplines
Law	Finances
Political economy	Accounting
Business Economics	
Microeconomics	

2. Competence and learning results for discipline:

Competences	Learning results
To analyze the concept, system, and method and the subject of legal regulation of economic law, choose source of legal regulation of certain economic relationship.	Determine the concept and features of economic law, the concept, features and structure of economic legal relations, skills to apply economic law and other sources of economic law .
To form the ability to optimally choose the organizational and legal form of the economic entity in case of its creation.	Understanding the peculiarities of the legal status of economic entities, the differences between their organizational and legal forms. Be able to determine the circle of subjects of economic relations, legal status of economic entity, to know the requirements to their constituent documents
The ability to describe procedure of creation and state registration of the economic	Characterize the procedure of alignment and state registration of the subjects of

entities and peculiarities of licensing their activity.	management objects and peculiarities of licensing their activity.
Ability to determine the forms and procedure of termination of economic entities, as well as the features, grounds, order and procedure for termination of an entity in case of recognition of it as a bankrupt.	Determine content and characterize forms of cessation of economic activity, and especially bankruptcy procedure.
Ability to analyze the peculiarities of the legal regime of property of economic entities, to choose its type when creating a specific entity.	Be able to determine the content and features of the legal regime of property of each type of economic entities.
Ability to determine the content and types of economic obligations and economic contracts, the procedure for their conclusion, modification and termination, and apply them in practice.	Be able to characterize the concept, content and types of economic obligations and economic contracts, the order of their conclusion, change and termination.
The ability to identify entities in the field of economic activity, choose the type of economic and legal responsibility and the relevant economic legal sanctions for a specific economic offense.	Identify the subjects controlling the economic activity, as well as the liability that occurs as a result of violation of economic legislation, be able to determine the composition of the economic offense and choose the type of economic legal sanctions for a particular economic offense.
Understand the principles, the procedure for protecting the rights of economic entities, and make procedural documents to ensure the effectiveness of such protection.	Be able to compose procedural documents in case of violation of the rights of the economic entity and choose the way of protection of violated rights.

3. Program of the discipline

Content module 1.

General provisions, subjects of economic activities

Topic 1. Economic law and economic legislation

Economic law as a complex branch of law: the subject and method of economic law.

General characteristics of economic relations, their types.

Principles of economic law (use of general legal, branch principles, principles of separate legal institutes).

System of the economic law: a general characteristic. Sources of the economic law: customs and legislation.

General characteristics of economic legislation. Local legislation. The analogy of law and the analogy of the lex. Use of interpretative norms to regulate economic relations.

Topic 2. The concept of entrepreneurship.

General characteristics of economic activity, its types.

Prerequisites for realization of the right to engage in entrepreneurial activity.

Concepts, features and types of entrepreneurship.

Principles of entrepreneurial activity.

Restrictions in the conduct of entrepreneurial activity.

Topic 3. Subjects of economic activity. Organizational and legal forms of economic activity.

Concepts and features of economic activity. Entrepreneurial legal personality (legal capacity and active legal capacity). Types of subjects of economic activity.

The essence of the organizational and legal form of entrepreneurial activity. Entrepreneurial activity of individual entrepreneurs. General characteristics of legal entities, their classification.

Topic 4. Legal status of economic entities.

Concept, features and types of economic entities. Full partnerships and partnership in commendam. Limited liability companies and additional liability companies. Joint-stock companies.

Topic 5. Legal status of enterprises and business associations.

Concept, features and types of enterprises.

General characteristics of certain types of enterprises: state, communal, collective, private, etc.

Legal status of business associations: concept, features and types.

Topic 6. Legalization of subjects of entrepreneurial activity.

Concepts, types and stages of legalization. General characteristics of state registration.

General characteristics of the state registration procedure.

General characteristics of the procedure of making changes and amendments to constituent documents of the legal entity, information about a natural person – entrepreneur.

General characteristics of licensing of economic activity

Topic 7. General characteristics of the termination of economic activity.

Reorganization and liquidation of subjects of economic activity.

Grounds, techniques and forms of termination of subjects of entrepreneurship. General characteristics of reorganization of subjects of entrepreneurial activity.

Liquidation of a subject of economic activity – a legal entity.

Bankruptcy of subjects of economic activity: a) the concept and reasons for bankruptcy; b) proceedings in bankruptcy cases; c) sanation of the debtor; d) liquidation procedure; e) the collection of bankruptcy debts and the procedure for satisfying the claims of creditors.

Topic 8. Property right. Legal regime of property of economic entities.

The concept of property and property rights in Ukraine. Content of property. Grounds for emergence and termination of property rights. Types (forms) of the property.

Legal regime of property of economic entities. The right of economic management and operational management.

Content module 2.

Contracts, liability and protection of rights

Topic 9. Economic and legal obligations and business contracts.

General provisions on economic obligations: concepts, types and grounds of economic obligations. Economic contracts, their contents and procedure for the conclusion of economic contracts. Change and termination of economic contracts.

Execution of economic contracts and ways of ensuring obligations.

Topic 10. Control and liability in economic activity.

The concept, types and grounds of legal and economic liability. Economic offenses. Types of economic sanctions and their characteristics.

Concepts, types and forms of control over the implementation of economic activities. concept and principles of state control (supervision) for the implementation of entrepreneurial activity. Procedure for implementation of comprehensive planning measures of state supervision (control).

Legal status of the Antimonopoly Committee in Ukraine.

Topic 11. Protection of the rights of economic entities.

The status of economic courts in Ukraine, their system and powers.

The essence of pre-trial settlement of economic disputes.

The subordination and jurisdiction of the economic court.

General characteristics of the time limit for claims: concept, types, starts, stops, interruption and restores of the time limit for claims.

Resolution of economic disputes by economic court.

4. The order of evaluation of the results of training

The system of evaluation of the developed competencies of students takes into account the types of occupations that, according to the curriculum program, provide for lectures, practical classes, and independent work. Evaluation of the developed students competencies is carried out using a 100-point accumulation system. In accordance with the Provisional Regulations "On the Procedure for Evaluating the Results of Student Learning Based on the Accumulated Mark-Rating System" S. Kuznets KhNEU, to the control measures include:

current control during the semester in the course of lectures, practical classes which is estimated by the sum of the points scored (the maximum amount is 60 points; the minimum amount that allows the student to take the exam - 35 points);

modular control, conducted in the form of control work as an intermediate mini-exam on the teacher's initiative, taking into account the current control over the corresponding content module, and aims at *an integrated* evaluation of the student's learning outcomes after studying the material from the logically completed part of the discipline content module;

final / semester control, conducted in the form of a semester exam, according to the schedule of the educational process.

The procedure for carrying out the current evaluation of students' knowledge. Evaluation of student's knowledge during practical classes and performance of individual tasks is carried out according to the following criteria:

understanding, level of assimilation of the theory and methodology of the problems under consideration; the level of assimilation of the actual material of the discipline; acquaintance with the recommended literature, as well as contemporary literature on the issues under consideration; the ability to combine theory with practice when considering production situations, solving tasks, performing calculations in the process of performing individual tasks and tasks submitted for consideration in an audience; logic, structure, style of presentation of the material in written works and speeches in the audience, ability to substantiate their position, to generalize information and to make a statement; the ability to conduct a critical and independent assessment of certain problem issues; the ability to explain alternative views and the presence of their own point of view, the position on a certain problematic issue; application of analytical approaches; quality and clarity of reasoning; logic, structuring and substantiation of conclusions on a specific problem; independence of work; literacy of presentation of the material; use of comparison methods, generalizations of concepts and phenomena; registration of work.

The general criteria for evaluating non-auditing independent work of students are: the depth and strength of knowledge, the level of thinking, the ability to systematize knowledge on specific topics, the ability to make informed conclusions, the possession of categorical apparatus, skills and techniques of performing practical tasks, the ability to find the necessary information and legislation, its systematization and processing, self-realization on practical lessons.

The final control of the knowledge and competences of students in the discipline is carried out on the basis of a semester examination, the task of which is to check the student's understanding of the program material in general, the logic and interrelations between the individual sections, the ability to use the accumulated knowledge creatively, the ability to formulate their attitude to a particular educational problem discipline, etc.

The examination task covers the program of discipline and involves determining the level of knowledge and the degree of mastery of competencies by students.

Each exam task consists of 3 practical situations (one stereotyped, one diagnostic and one heuristic task), which provide for the solution of typical professional tasks of the specialist in the workplace and allow to diagnose the level of theoretical training of the student and his level of competence in the discipline.

The result of the semester exam is evaluated in points (the maximum number is 40 points, the minimum number is scored – 25 points) and is placed in the corresponding column of the examination “Register of the Academic Performance”.

The student should be **considered attested** if the sum of the points earned on the results of the final / semester test of success is equal to or exceeds 60. The minimum number of points for the current and modular control during the semester is 35 and the minimum number of points scored on the exam is 25.

The final score in the discipline is calculated on the basis of the points obtained during the exam and the points obtained during the current control over the accumulation system. The total score in the points for the semester is: “60 and more points are counted”, “59 and less points are not counted” and entered in the “Register of the Academic Performance” of the academic discipline.

5. Distribution of points for weeks

Themes of the content module			Lecture classes	Practical classes	Situational task	Checking the essay	Presentation	Express-poll	Written control work	Exam	Total
Content module 1. General provisions, subjects of economic activities	Topic 1. Economic law and economic legislation	1 week	0.5	0.5							1
	Topic 2. The concept of entrepreneurship.	2 week	0.5	0.5	1						2
	Topic 3. Subjects of economic activity. Organizational and legal forms of economic activity.	3 week	0.5	0.5	1			1			3
	Topic 4. Legal status of economic entities	4 week	0.5	0.5	2						3
	Topic 5. Legal status of enterprises and business associations	5 week	0.5	0.5	2						3
	Topic 6. Legalization of subjects of entrepreneurial activity	6 week	0.5	0.5	1			1			3
	Topic 6. Legalization of subjects of entrepreneurial activity	7 week	0.5	0.5	2				3		6
	Topic 7. General characteristics of the termination of economic activity. Reorganization and liquidation of subjects of economic activity	8 week	0.5	0.5	1			1			3
	Topic 7. General characteristics of the termination of economic activity. Reorganization and liquidation of subjects of economic activity	9 week	0.5	0.5	1			1			3

	Topic 8. Property right. Legal regime of property of economic entities	10 week	0.5	0.5	1						2
Content module 2. Contracts, liability and protection of rights	Topic 9. Economic and legal obligations and business contracts	11 week	0.5	0.5				1			2
	Topic 9. Economic and legal obligations and business contracts	12 week	0.5	0.5	1						2
	Topic 10. Control and liability in economic activity	13 week	0.5	0.5			1	1			3
	Topic 10. Control and liability in economic activity	14 week	0.5	0.5	2	10					13
	Topic 11. Protection of the rights of economic entities	15 week	0.5	0.5	1			1			3
	Topic 11. Protection of the rights of economic entities	16 week	0.5	0.5		2	2		3		8
	Exam									40	40
Total			8	8	16	12	3	7	6	40	100

6. Evaluation scale: national and ECTS

The sum of points for all of the types of the educational activity	ECTS mark	Mark by 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

7. Recommended literature

Normative legal acts

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15. Податковий кодекс України від 2 грудня 2010 р. // ВВР України. – 2011. – № 13-14, 15-16, 17. – Ст. 112.
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