

Law I

Lecturer: JUDr. Jiřina Kotoučová, PhD., University of Economics Prague, Czech Republic
Prof. JUDr. Zbyněk Švarc, University of Economics, Prague, Czech Republic

Course Objectives

The course provides participants with basic topical business law problems, highlighting questions vital for their decision making process and management activities in practical life. A similarly structured course is part of curricula of Czech as well as foreign universities offering all but exclusively law-oriented courses.

Knowledge and skills after completing the course

Offering lectures drawing on examples from practical life, the course provides an overview of questions associated with implementation and enforcement of business law norms and increases participants' ability to decide what legal problems they can solve themselves and when a competent lawyer must be consulted.

Course format and teaching methods

The course consists of lectures supplemented with practical examples, court judicature and discussions on relevant questions with participants.

Course content

1. General characteristics of trading companies. Establishment and formation of a joint stock company and a public limited company. Ownership interest and shares: transfers, conversion and pawning. Termination of the partner's participation in a company. General assembly, statutory bodies and supervisory board in stock corporations. Increase and decrease of capital stock. Factual and contractual concern. Dissolution and liquidation of stock companies.
2. Business liability relationships. Sources of their legal regulations: relationship between business and civil codes. Business negotiations. Contract conclusion. Enforcement of contractual obligations. Discharge of obligations. Liabilities arising from the breach of contract: liability for damage, defects and delay. Illegal enrichment. Contracts with foreign partners. Determination of jurisdictional legislation. Contractual relationships regulation unification: UN Agreement on International Purchase of Goods, international contracts pertaining to international transportation.
3. Selected contractual types: sales contract, performance contract, contracts with representatives, contracts pertaining to transportation. Unnamed contracts: leasing, concession and dealer contract.
4. Collection of claims. Dispute resolution. Court and arbitration proceedings. Verdict enforcement. Bankruptcy and liquidation

Exam

Regularly written exam. In addition written homework and presentation.

Reading list

Dřdiř, J. a kol.: Právo v podnikání, Právo obchodních společností, Prospektrum, Praha 1998, ISDN 80-7175-064-6.
Obchodní zákoník (úplné znění) včetně souvisejících předpisů, Polygon, Praha 2000, ISDN 80-7273-000-2.
Dřdiř, J.- Kunesová,- Skálová, J.: Společnost s ručením omezeným, Praha, Polygon 2001 (v tisku) 2. vydání.
Dřdiř, J.- Kříř, R.- Štenglová, I.: Akciové společnosti, E.H.Beck, Praha 2001 (v tisku) 4. vydání.
Švarc, Z. a kol.: Právo v podnikání, Základy soukromého práva, Prospektrum, Praha 1998, ISBN 80-7175-061-1.
Švarc, Z.: Vybrané otázky práva mezinárodního obchodu, VŠE Praha 1998, ISBN 80-7079-882-3.