

NAME OF THE COURSE		Commercial Law					
Code	ECA006	Year of study	1				
Course teacher	Doc. Dr. Šime Jozipović Doc. Dr. Marko Perkušić	Credits (ECTS)	6				
Associate teachers	Mag. Iur. Milan Franić Mag. Iur. Toni Marinković	Type of instruction (number of hours)	L	S	E	F	
			26		26		
Status of the course	Obligatory	Percentage of application of e-learning	20%				
COURSE DESCRIPTION							
Course objectives	This course is based on the structure and learning outcomes of European Business- and Commercial Law within the EBFLA program. The course “European Business and Commercial Law” introduces students to the <i>acquis communautaire</i> and law in general. Therefore, the course is structured in a way that gives students necessary insights into the role of European business and contract law. The aim of the course is to enable students to acquire knowledge in the field of European business and commercial law, whereas specific autonomous (national and international) sources of law, certain types of commercial contracts (named and unnamed) and securities will be covered. Students acquire knowledge about the basic terms important for the establishment and internal organisation of certain types of corporations (relations between the branch and relations between members of companies). Students will furthermore gain a basic education on law, the role of the EU in law-making and the functioning of private law relations in the EU and across member-state borders. Furthermore students will learn about European corporate law and introduces students to the basic freedoms of establishment and capital movement. Finally, based on the previous topics, students will learn about European competition law from various aspects, like anti-trust law, merger regulation, state aid law etc.						
Course enrolment requirements and entry competences required for the course	There are no special course enrolment requirements. The course is open for cross registration to all students across the University of Split.						
Learning outcomes expected at the level of the course (4 to 10 learning outcomes)	Learning outcomes: Analyse the System of Commercial and corporate law of the Republic of Croatia - level 6 Individual learning outcomes: 1. Understand the legal framework which governs business activities in the EU and its member states (Croatia) including the hierarchical scale of legal norms (autonomous and heteronomous sources of trade law and business law); - level 6 2. Identify the underlying concepts from the general part of civil law code (entity, legal capacity and capacity to exercise rights, reasons for voidness and voidability, etc.) - level 6 3. Critically consider the legal implications of market interactions in the EU; 4. Understand important competition law concepts and their limiting effects on business decisions; - level 6						

	5. Apply European business and commercial law in contract negotiations and business strategy development; - level 6 6. Critically evaluate the actions of market actors in the light of the <i>acquis communautaire</i> . - level 6			
Course content broken down in detail by weekly class schedule (syllabus)	Lectures		Exercises	
	Topic	Hours	Topic	Hours
	Introduction to law: private and public law and the role of the EU in the legal hierarchy	2	Introduction to law: private and public law and the role of the EU in the legal hierarchy – Relevant legal sources on EU level and the Code of Obligations and the Companies act	2
	Introduction to business and commercial law	2	Introduction to business and commercial law - Critical outline of court case law on the concept of a merchant.	2
	Legal interpretation	2	Legal interpretation – principles and rules	2
	Sales contracts and EU consumer protection	2	Sales contracts and EU consumer protection – the consumer protection directive and its impact on national level	2
	Commercial contracts	2	Commercial contracts – work on contract drafting	2
	Contractual relations across EU-borders	2	Contractual relations across EU-borders – international contract drafting	2
	Damages and cross-border claims in the EU	2	Damages and cross-border claims in the EU – claim structure and process	2
	Corporations and their establishment in the EU	2	Corporations and their establishment in the EU - Agreement on the Establishment of an LLC and compiling the application for registration of a company into the court register based on the given elements	2

	The Societas Europea	2	The Societas Europea in comparison to other entities	2		
	The free movement of capital	2	The free movement of capital – case law	2		
	Intellectual property law in the EU	2	Intellectual property law in the EU – protection	2		
	EU competition law I – European merger control and EU competition law II – abuse of dominance in the EU	2	EU competition law I – European merger control – case law and EU competition law II – abuse of dominance in the EU – case law	2		
	EU competition law III – doing business with the state and EU competition law IV – EU state aid law	2	EU competition law III – doing business with the state and EU competition law IV – EU state aid law	2		
Format of instruction	☐ <u>lectures</u> ☐ seminars and workshops ☐ <u>exercises</u> ☐ <i>on line</i> in entirety ☐ partial e-learning ☐ field work		☐ <u>independent assignments</u> ☐ multimedia ☐ laboratory ☐ work with mentor ☐ (other)			
Student responsibilities	Students will have to participate in the course through various evaluation and/or self-evaluation procedures in the form of quizzes on the digital platform of the course, writing assignments given by the lecturers or in person discussions in class concerning European law and its application. Students will, depending on the available options participate in the course through evaluation and/or self-evaluation procedures in the form of quizzes on the digital platform of the course, writing assignments given by the lecturers or in person discussions in class concerning European law and its application. Where possible, direct participation methods will be preferably used. Students are required to attend at least 50% of all lectures and exercises. Attendance will be recorded through the digital system of the faculty or attendance sheets.					
Screening student work (name the proportion of ECTS credits for each activity so that the total number of	Class attendance		Research	2 ECTS	Practical training	
	Experimental work		Report		(Other)	
	Essay		Seminar essay		(Other)	

ECTS credits is equal to the ECTS value of the course)	Tests	1ECTS*	Oral exam		(Other)	
	Written exam	3 ECTS*	Project		(Other)	
Grading and evaluating student work in class and at the final exam	Two tests will be organized during the term. For the access to the second test, a passing grade in the first test is required. The final grade represents the arithmetic mean of the (passing) grades of both tests. Alternatively, students can chose to be graded based on the final written exam during the exam period. *Students who pass both tests, are exempt from the final exam. Students that: 1. complete at least 2 EU law courses and 3 law courses in total (the final paper is counted as a course if it is written on an EU law subject) with an average grade of at least 3.5; and 2. Participate in the activities of the EBFLA program of the Jean Monnet Chair through workshops or other events during the duration of the Jean Monnet Chair, will receive the EBFLA certificate (a certificate of fundamental knowledge of European law for non-lawyers).					
Required literature (available in the library and via other media)	Title			Number of copies in the library	Availability via other media	
	Gorenc, V., Osnove statusnog i ugovornog trgovačkog prava, Zagreb 2008.			12		
	EU treaties, law on obligations, law on trade corporations				Online – free	
Optional literature (at the time of submission of study programme proposal)	Petrović S., Ceronja, P., <i>Osnove prava društava</i> , Pravni fakultet Zagreb, 2013.					
Quality assurance methods that ensure the acquisition of exit competences	• Tracking of the students attendance and fulfilment of other requirements (Course teacher) • Control of the performance of the course (vice dean for education) • Analysis of the studying success across all topics of study (vice dean for education) • Students survey about the quality of the course teacher and the course (UNIST, center for quality advancement) • Through the exam which is conducted by the course teacher, all teaching results of the course will be examined. Through periodical testing of the exam content the adequacy of the exam modalities will be tested (vice dean for education)					
Other (as the proposer wishes to add)						