

## Fundamentals of Business law Abbreviated Course Syllabus

<u>Course Number:</u>	AB119A
<u>Course Name:</u>	Fundamentals of business law
<u>Instructors:</u>	Song Lijun
<u>Students:</u>	Auditing; Finance Management
<u>Required Text:</u>	The basic principles of Marxism , Ideological, moral and legal basis
<u>Course Description:</u>	The basic course of Business law aims to fully implement the fundamental task of building moral and cultivating people, integrating value shaping, knowledge imparting and ability training. Through the study of this course, students can practice the socialist core values, have a high sense of social responsibility and responsibility, adapt to the needs of national economic construction, learn basic theories and basic knowledge of business law, understand the business environment, and master the basic policies and relevant laws and regulations in the field of national economy and management. Thus have a strong ability to analyze and solve problems. To become an applied, interdisciplinary and innovative talent who can engage in economic management work in enterprises, public institutions, administrative departments and other institutions.

Topic Outline:	Hours/Minutes
I. General principles of business law	4
A. Overview of business law: ① The concept of business law and the object of adjustment ② Basic concepts of business law ③ Principles of business law ④ The emergence, change and prospect of business law	
B. The source and system of business law: ① The source of business law ② The system of business law ③ The relationship between business law and other legal departments	
C. Business dispute and its resolution mechanism: ① The basic mode of business dispute resolution ② The procedural characteristics of mediation and arbitration to resolve business disputes ③ Business courts (courts) and business trials	

	④ Business legal liability	
II.	Business subject	2
A.	Overview of business subjects:	
	① The concept and characteristics of business subject	
	② Types of business subjects	
	③ The business ability of the business subject	
B.	Business name:	
	① Business name Overview	
	② Formation, selection and acquisition of business names	
	③ Business name right and its protection	
C.	Business books and business audits:	
	① The concept and legal significance of business ledger	
	② Principles for setting up business books	
	③ Types of business books	
	④ Keeping of business books	
	⑤ Business audit	
D.	Business registration system:	
	① An overview of business registration	
	② Business registration administration and registration principles	
	③ Types and procedures of business registration	
	④ Effectiveness of business registration	
	⑤ Business registration system reform and enterprise information disclosure system	
III.	Business act	2
A.	An overview of business conduct:	
	① The concept of business conduct	
	② The characteristics of business behavior	
	③ Classification of business acts	
	④ Special rules of business conduct	
B.	Do business:	
	① Business overview	
	② Operating assets	
	③ Transfer of business	
C.	Chain operation and franchising:	
	① Overview of chain operation	
	② Franchise Overview	
D.	Electronic commerce:	
	① Overview of electronic commerce law	
	② E-commerce behavior subject	
	③ Electronic commerce behavior mode	
	④ E-commerce payment	
E.	Business transport:	
	① An overview of business transport	
	② Land business transport	

③ Maritime business transport	
④ Air transport	
⑤ Mixed transport: multimodal transport	
⑥ Business logistics	
IV. Company law	8
A. Overview of Company Law:	
① The concept of company law and the object of adjustment	
② Formulation and amendment of the Company Law	
③ The concept and characteristics of the company	
④ Types of companies	
⑤ Establishment of the company	
⑥ Corporate personality	
B. The capital system of the company:	
① Composition of company capital	
② Types of corporate capital systems	
③ Investment and transfer	
④ Capital increase and capital decrease	
C. Shares and rights:	
① Stock	
② Stock right	
D. The organizational structure of the company:	
① Company organization overview	
② Shareholders' meeting	
③ Board of directors	
④ Board of supervisors	
⑤ Manager	
E. Mergers and divisions of companies:	
① Merger of companies	
② Division of company	
F. Dissolution and liquidation of the company:	
① Dissolution of company	
② Liquidation of company	
V. Unincorporated enterprise	6
A. Sole proprietorship Enterprise Law:	
① The concept and characteristics of sole proprietorship enterprises	
② The establishment system of sole proprietorship enterprises	
③ Governance structure of sole proprietorship enterprises	
④ Dissolution and liquidation of sole proprietorship enterprises	
B. Partnership:	
① The concept and classification of partnership	
② The establishment system of partnership	
③ Governance structure of partnership	
④ Property and liability of partnership	
⑤ Change, dissolution and liquidation of partnership	

- C. Other enterprise law:
  - ① State-owned enterprise law
  - ② Law on foreign-invested enterprises
  - ③ Cooperative law

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- VI. Commercial banking and payment law
  - A. Commercial bank law:
    - ① Overview of commercial banking law
    - ② The establishment, alteration, takeover and termination of commercial banks
    - ③ Commercial banking business and operating principles
  - B. Commercial payment law:
    - ① An overview of commercial payment law
    - ② Cash payment
    - ③ Bank card payment
    - ④ Commercial prepaid cards and third-party payments
    - ⑤ Other means of payment
  - C. Law of negotiable instruments:
    - ① Overview of the law of negotiable instruments
    - ② The basic legal system of bills
    - ③ Bill of exchange
    - ④ Promissory note
    - ⑤ check
    - ⑥ The future development of bill electronization and bill law

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- VII. Law of insurance
  - A. Overview of insurance law:
    - ① The concept and basic attributes of insurance
    - ② The concept and status of insurance law
    - ③ The difference between insurance and related terms
    - ④ Insurance legal relationship
  - B. Basic principles of insurance law:
    - ① Principle of utmost good faith
    - ② Insurable interest principle
    - ③ Loss compensation principle
  - C. Insurance contract:
    - ① The concept and characteristics of insurance contract
    - ② Classification of insurance contracts
    - ③ Establishment and effectiveness of insurance contract
    - ④ Interpretation of the terms of the insurance contract
    - ⑤ Performance of insurance contracts
  - D. Insurance law:
    - ① Overview of insurance law
    - ② Insurance organization
    - ③ Insurance subsidiary
    - ④ Supervision and administration of the insurance industry

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## VIII. Securities law

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- A. Fundamental issues of securities law:
  - ① Security overview
  - ② Overview of securities law
  - ③ The development history of securities development in our country
- B. Securities market main body legal system:
  - ① Stock exchange
  - ② Securities company
  - ③ Securities registration and clearing institutions
  - ④ Securities service agency
  - ⑤ Securities association
- C. Legal system of securities issuance and underwriting:
  - ① Securities issue
  - ② Securities underwriting
- D. Legal system of stock listing and trading:
  - ① Securities listing
  - ② Stock exchange
  - ③ Continuous disclosure
  - ④ Acquisition of listed companies
- E. Securities regulatory agency:
  - ① The nature of the securities regulatory agency
  - ② Securities supervision and administration system
  - ③ Scope of duties of the securities regulatory agency
  - ④ Code of conduct for staff of securities regulatory agencies
  - ⑤ International cooperation in securities supervision
- F. Securities liability:
  - ① Misrepresentation and its legal responsibility
  - ② Insider trading behavior and its legal responsibility
  - ③ Manipulation of securities market and its legal responsibility
  - ④ Defrauding customers and its legal liability

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## IX. Futures trading law

- A. An overview of futures trading law:
  - ① The implications of futures trading
  - ② Legal characteristics of futures trading
  - ③ Futures trading law
- B. Futures participant:
  - ① Futures trader
  - ② Futures trading institution
  - ③ Futures trading venue
  - ④ Futures clearing institution
- C. Futures trading rules:
  - ① Margin system
  - ② Marking-to-Market

- ③ Position limit and large account position reporting system
  - ④ Limit system and circuit breaker mechanism
  - D. Management of futures markets:
    - ① Self-regulation and administrative supervision
    - ② The idea of administrative supervision
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- X. Commercial trust and Investment Fund Law
  - A. An overview of commercial trusts:
    - ① The concept of commercial trust in Chinese law -- commercial trust
    - ② The types of commercial trusts in our country
    - ③ Supervision of commercial trust in our country
    - ④ The Civil Code and commercial trusts
  - B. Establishment and effectiveness of commercial trust:
    - ① Expression of intention to establish a commercial trust
    - ② Qualifications of parties to a commercial trust
    - ③ Purpose of setting up a commercial trust
  - C. Commercial trust property:
    - ① Scope of commercial trust property
    - ② Independence of trust property
  - D. Parties to a trust:
    - ① Summary of trust parties
    - ② bailee
    - ③ principal
  - E. Change and termination of trust:
    - ① Alteration of trust
    - ② Termination of trust
  - F. Investment fund:
    - ① The concept of investment funds
    - ② The characteristics of investment funds
    - ③ Types of investment funds
    - ④ Subject of legal relation of investment fund
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- XI. Bankruptcy law 6
  - A. Overview of bankruptcy law:
    - ① Bankruptcy and the concept of bankruptcy law
    - ② Bankruptcy application and acceptance
    - ③ Insolvency representative
    - ④ Declaration of bankruptcy claims
    - ⑤ Creditors' meeting
  - B. Liquidation of the bankruptcy estate:
    - ① Summarize
    - ② Bankruptcy claims, bankruptcy expenses and common benefit debts
    - ③ Right of exclusion, right of cancellation and right of recovery in bankruptcy proceedings
    - ④ Bankruptcy recovery right
    - ⑤ Right to set off in bankruptcy

C.	Bankruptcy reorganization system:	
	① The concept and characteristics of bankruptcy reorganization system	
	② Start the reorganization process	
	③ Termination of reorganization proceedings	
	④ Formulation, voting and approval of reorganization plan	
	⑤ Implementation and effectiveness of the reorganization plan	
D.	Bankruptcy settlement system:	
	① Filing and review of bankruptcy settlement applications	
	② Voting and validity of the settlement agreement	
E.	Bankruptcy liquidation system:	
	① An overview of the insolvency liquidation system	
	② Making a declaration of bankruptcy	
	③ Change in the value of the bankruptcy estate	
	④ Distribution of the bankruptcy estate	
	⑤ The end of bankruptcy proceedings	
Total Sessions (Coverage Hours)		32

Summary of UG CPC Topics Covered in this Course:		Hours/Minutes
a.	Marketing	0
b.	Finance	0
c.	Accounting	0
d.	Management	8
e.	Legal environment of Business	16
f.	Economics	0
g.	Business Ethics	8
h.	Global Dimensions of Business	0
i.	Business Communications	0
j.	Information System	0
k.	Quantitative Techniques and Statistics	0
l.	Business Policies	0
m.	Comprehensive or Integrating Experience	0
Total Estimated CPC Coverage Hours		32