

# Capital University of Economics and Business

## Overseas Chinese College

### Course Syllabus

<b>Year and Semester</b>	2023 Fall					
<b>Course Name</b>	Business Law					
<b>Course Code</b>	BC102					
<b>Course Type</b>	<input type="checkbox"/> General Education (Required)		<input type="checkbox"/> General Education (Elective)			
	<input type="checkbox"/> Basic Disciplinary Course		<input checked="" type="checkbox"/> Professional Course (Required)			
	<input type="checkbox"/> Professional Course (Elective)		<input type="checkbox"/> Professional Course (Expanded)			
	<input type="checkbox"/> Professional Course (Advanced)					
<b>Course Credits</b>	2					
<b>Course Hours</b>	Total Class Hours	32	Lecture Hours	32	Experiment (Computer) Hours	0
<b>Applicable object</b>	<input checked="" type="checkbox"/> Freshman <input type="checkbox"/> Sophomore <input type="checkbox"/> Junior <input type="checkbox"/> Senior					
	<input checked="" type="checkbox"/> Business Administration (Accounting)					
	<input type="checkbox"/> Information Management and Information Systems (Finance)					
<b>Prerequisites</b>	None					
<b>Instructor</b>	Prof. K. Xiao					
<b>Contact Information</b>	Office: C218					
	Tele: 83951081					
	Email: xiaozhiqiang@cueb.edu.cn					
<b>Office Hour</b>	TBA					
<b>Learning Centre</b>	TBA					
<b>Grade/Section</b>	2023BA1; 2023BA2					
<b>Course Time/Place</b>	2023BA2 T:34 节, A202; 2023BA1 TH:89 节, A102;					
<b>Textbook</b>	Law for Business Students by China Renmin University Press ISBN-978-7-300-18750-1					

#### Reference Book

- 1.The law of International Business Transactions (English) by pku. ISBN 7 301 06557 4
- 2.International Business Law (English) by Higher Education Press ISBN 7 04 011684 7

#### Course Description

The main aim of this course is to develop knowledge and skills in the understanding of the general framework and of specific legal areas relating to business law. Course topics include formation and characteristics of the legal systems, contract law, and laws of agency, and business organizations. Most of this course is concerned with civil law, namely the law that sets out the rights and contracts, employment, companies, insolvency. It will also attempt to help students to build up the critical thinking skills, analytic ability in the context of the study of business law.

#### Student Learning Objectives

On successful completion of this exam, candidates should be able to:

Knowledge	<ul style="list-style-type: none"> <li>◆ Appreciate the distinguishing features of the legal rule</li> <li>◆ Describe the legislative process in Parliament</li> <li>◆ Describe the differing judicial approaches to interesting statutes</li> <li>◆ Identify the jurisdiction of each court</li> </ul>
Capability	<ul style="list-style-type: none"> <li>◆ Demonstrate how offer and acceptance may be effectively communicated</li> <li>◆ Appreciate the characteristics of agreements which demonstrate intention to create legal relations               <ul style="list-style-type: none"> <li>◆ Distinguish between conditions, warranties and innominate terms</li> <li>◆ Apply the remoteness of damage rules</li> <li>◆ Explain the rights and duties of the agent and the principal</li> <li>◆ Explain the circumstances when a breach of duty of care may occur</li> </ul> </li> </ul>
Mindset	<ul style="list-style-type: none"> <li>◆ Be logical, methodical, consistent and accurate</li> <li>◆ Apply critical thinking in the process of decision making</li> </ul>

### Website Source

1. <http://www.bailii.org/databases.html>
2. <http://www.bytestart.co.uk/index.shtml>

### Teaching Methods

This course contains lectures, class discussions, homework, quizzes, presentation and exams. Textbook content will be introduced first. Then real case and practice questions will be delivered to students as a way to test their understanding of the knowledge. This will require individual or group assignment in or after class.

### Grade Criterion

Component	Weight	Description
Final Exam	20%	A cumulative final examination will be given based on all of the contents of the class. The exam paper may be composed of multiple-choice questions, short answer questions, essay questions. Students should rely primarily on homework assignments to give them a sense of what they may see for material on exams.
Mid-Term Test	20%	A cumulative midterm test will be given based on all of the contents that have been taught in class. The test paper may be mainly composed of multiple-choice questions.
Homework	15%	Assignments will be collected at the clearly stated date. Late assignments will not be accepted. The graded assignments will be kept by the tutor for reference and won't be returned to students.
Quizzes	15%	There will be at least 2 quizzes during the semester. Quizzes may or may not be announced in advance. It may also be used as a way to check the attendance. Quizzes will test your knowledge of both concepts and the application of those concepts.
Presentation	10%	The students will be divided into several groups to prepare a presentation. Each student is required to be involved in the presentation.

		The topics can be selected from the textbook or lectures. Each group need to finish a PPT related to the topic which is given and hand in the related resources to the teacher before the presentation.
Participation	10%	Individuals will be asked to participate individually in a question and answer at least 3 times during the semester. The performances should be counted in their participation.
Attendance	10%	Refer to attendance policy listed below
<b>Total</b>	100%	

### **Detailed Grade Computation**

	<b>Before Midterm</b>	<b>After Midterm</b>
Attendance	5%	5%
Participation	5%	5%
Homework	5%	10%
Quizzes	5%	10%
Presentation		10%
Mid-Term Test	20%	
Final exam		20%
Total	40%	60%

### **Assessment of Student Performance**

#### ***☞ Self-Study and Reading ability Practice***

Instructor will give out the chapters or the reference books to read and use class hours to have discussion; students should be able to show a proactive attitude and ability for self-study and reading. Knowledge and oral English will be elements of homework or presentation score.

#### ***☞ Homework***

Students should finish their homework by themselves. Copying from others will be treated as cheating and the homework scores will be lowered. Students should hand in all assignments on time. Late assignments will be accepted at the discretion of the instructor (i.e., when the student was ill or had an excused absence). Late assignments without reasonable proof will be reduced in score by 50%.

#### ***☞ Attendance***

Because the course covers a great deal of material, attending every class session is very important for performing well.

- ◆ Being late for 15 minutes or more is considered an absence.
- ◆ Five hours or above of unexcused absences will result in the lower level of the final grade by one grade band (e.g. from C – to D +). Any excused absence must be discussed directly with the teacher.
- ◆ Absence which is more than 1/3 of the total teaching hours will cause an F (a failing grade) directly. but students are welcome to continue attending classes.
- ◆ An incomplete grade (I) will be considered in case of medical or family emergencies.

#### ***☞ Participation***

- ♦ Students should participate in classes actively. Half of participation grade is determined by their presentation in class. They are encouraged to ask questions relevant to the subject and express their own opinions. Every student should respect the ideas, opinions, and questions of their classmates.
- ♦ Students should also use office hours to ask questions or talk with the instructor for good communication and effective learning.
- ♦ Frequent visiting the instructor and chatting in English during office hours is highly recommended.
- ♦ Any misbehavior and non-class related activities in class will result in the lower level of the participation grade, including ringing cell phones.
- ♦ All above behaviors will be solely evaluated by the instructor for scoring.

### *☞ Textbook*

Students must bring the textbook to class.

### **Topical Course Outline (original)**

Week	Topics	Platform	Homework
4	<ul style="list-style-type: none"> <li>● Syllabus</li> <li>● Other requirements</li> <li>● Chapter 2 The nature of law               <ul style="list-style-type: none"> <li>• Appreciate the distinguishing features of a legal rule</li> <li>• Distinguish between civil and criminal law</li> </ul> </li> <li>● Practice</li> <li>● Q&amp;A</li> </ul>	Classroom	Homework for Chapter 2
	<ul style="list-style-type: none"> <li>● Chapter 4 Resolving legal disputes               <ul style="list-style-type: none"> <li>• Identity the jurisdiction of each court</li> </ul> </li> <li>● Practice</li> <li>● Q&amp;A</li> </ul>	Classroom	Homework for Chapter 4
5	National Day		
6	<ul style="list-style-type: none"> <li>● Preview</li> <li>● PPT &amp; videos for chapter 3</li> <li>● Finish practices for chapter 2 &amp; 4</li> </ul>	Classroom	
	<ul style="list-style-type: none"> <li>● Chinese review for Chapter 2 &amp; 4</li> <li>● Practice for Chapter 3</li> </ul>	Classroom	
	<ul style="list-style-type: none"> <li>● Chapter 3: How the law is made               <ul style="list-style-type: none"> <li>• Explain the application of the doctrine of precedent in the English courts</li> <li>• Describe the differing judicial approaches to interpreting statutes</li> </ul> </li> </ul>	Classroom	Homework for Chapter 3
	<ul style="list-style-type: none"> <li>● Chinese review for Chapter 3</li> <li>● Practice for Chapter 3</li> <li>● Q&amp;A</li> </ul>	Classroom	
7	<ul style="list-style-type: none"> <li>● Preview</li> <li>● PPT &amp; videos for chapter 5</li> <li>● Finish practices for chapter 3</li> </ul>	Classroom	
	<ul style="list-style-type: none"> <li>● Chapter 5 The law of contract: offer and acceptance</li> </ul>	Classroom	Homework for Chapter 5

	<ul style="list-style-type: none"> <li>List the essential requirements for a binding contract</li> <li>Define offer and acceptance</li> <li>Distinguish between an invitation to treat and an offer</li> </ul>		
	<ul style="list-style-type: none"> <li>Chinese review for Chapter 5</li> <li>Practice for Chapter 5</li> <li>Q&amp;A</li> </ul>	Classroom	
8	<ul style="list-style-type: none"> <li>Preview</li> <li>PPT &amp; videos for chapter 6</li> <li>Finish practices for chapter 5</li> </ul>	Classroom	
	<ul style="list-style-type: none"> <li>Quiz for chapter 2-5</li> </ul>	Classroom	
	<ul style="list-style-type: none"> <li>Chapter 6 The law of contract: consideration, intention and privity</li> <li>Define consideration</li> <li>Describe the operation of the promissory estoppel doctrine</li> <li>Appreciate the characteristics of agreements which demonstrate intention of create legal relations</li> </ul>		Homework for Chapter 6
	<ul style="list-style-type: none"> <li>Chinese review for Chapter 6</li> <li>Practice for Chapter 6</li> <li>Q&amp;A</li> </ul>	Classroom	
9	Midterm Test		
10	<ul style="list-style-type: none"> <li>Preview</li> <li>PPT &amp; videos for chapter 7</li> <li>Finish practices for chapter 6</li> </ul>	Classroom	
	<ul style="list-style-type: none"> <li>Chapter 7 The terms of the contract</li> <li>Distinguish between conditions, warranties and innominate terms</li> <li>Explain the purpose of exclusion clauses and the common law rules governing them</li> </ul>	Classroom	Homework for Chapter 7
	<ul style="list-style-type: none"> <li>Chinese review for Chapter 7</li> <li>Practice for Chapter 7</li> <li>Q&amp;A</li> </ul>	Classroom	
11	<ul style="list-style-type: none"> <li>Preview</li> <li>PPT &amp; videos for chapter 10</li> <li>Finish practices for chapter 7</li> </ul>	Classroom	
	<ul style="list-style-type: none"> <li>Chapter 10 Discharge of the contract and remedies for breach</li> <li>Grasp when a breach is capable of discharging the contract</li> <li>Apply the remoteness of damage rules</li> <li>Distinguish between the different types of damages available for breach of contract</li> </ul>	Classroom	Homework for Chapter 10
	<ul style="list-style-type: none"> <li>Chinese review for Chapter 10</li> <li>Practice for Chapter 10</li> <li>Q&amp;A</li> </ul>	Classroom	
12	<ul style="list-style-type: none"> <li>Preview</li> </ul>	Classroom	

	<ul style="list-style-type: none"> <li>•PPT &amp; videos for chapter 11</li> <li>•Finish practices for chapter 11</li> </ul>		
	Quiz for chapter 6-10	Classroom	
	<ul style="list-style-type: none"> <li>● Chapter 11 The law of agency</li> <li>• Describe how an agency relationship may be created</li> <li>• Explain the rights and duties of the agent and the principal</li> <li>• Distinguish between the ways by which the agency relationship may be terminated</li> </ul>		
	<ul style="list-style-type: none"> <li>●Chinese review for Chapter 11</li> <li>●Practice for Chapter 11</li> <li>● Q&amp;A</li> </ul>	Classroom	Homework for Chapter 11
13	<ul style="list-style-type: none"> <li>● Preview</li> <li>•PPT &amp; videos for chapter 10</li> <li>•Finish practices for chapter 10</li> </ul>	Classroom	
	<ul style="list-style-type: none"> <li>● Chapter 14 Tort liability for defective goods</li> <li>• Appreciate the relationship of the law of contract to tort liability for defective products</li> <li>• Explain the circumstances when a breach of duty of care may occur.</li> </ul>		Homework for Chapter 14
	<ul style="list-style-type: none"> <li>●Chinese review for Chapter 14</li> <li>●Practice for Chapter 14</li> <li>● Q&amp;A</li> </ul>	Classroom	
14	<ul style="list-style-type: none"> <li>● Preview</li> <li>•PPT &amp; videos for chapter 17</li> <li>•Finish practices for chapter 14</li> </ul>	Classroom	
	<ul style="list-style-type: none"> <li>● Chapter 17 Business organization</li> <li>• Define the different forms of business organization</li> <li>• Understand the concept of legal personality</li> <li>• Explain what is meant by limited liability and how it is created</li> </ul>		Homework for Chapter 17
	<ul style="list-style-type: none"> <li>●Chinese review for Chapter 17</li> <li>●Practice for Chapter 17</li> <li>● Q&amp;A</li> </ul>	Classroom	
15	<ul style="list-style-type: none"> <li>● Preview</li> <li>•PPT &amp; videos for chapter 17</li> <li>•Finish practices for chapter 14</li> </ul>		
	<ul style="list-style-type: none"> <li>● Chapter 18 Forming a registered company</li> <li>•Describe the process by which a company is registered</li> <li>Define the functions of the memorandum and the articles of association</li> </ul>	Classroom	Homework for Chapter 18
	<ul style="list-style-type: none"> <li>●Chinese review for Chapter 18</li> <li>●Practice for Chapter 18</li> </ul>		

	<ul style="list-style-type: none"> <li>● Q&amp;A</li> </ul>		
16	<ul style="list-style-type: none"> <li>● Preview</li> <li>•PPT &amp; videos for chapter 19</li> <li>•Finish practices for chapter 18</li> </ul>		
	<ul style="list-style-type: none"> <li>● Chapter 19 Running the company: raising and maintaining capital</li> <li>•Distinguish between the different types of share capital</li> <li>•Define ordinary/preference/deferred shares</li> <li>•Appreciate how shares may be bought and sold</li> </ul>	Classroom	Homework for Chapter 19
	<ul style="list-style-type: none"> <li>●Chinese review for Chapter 19</li> <li>●Practice for Chapter 19</li> <li>● Q&amp;A</li> </ul>		
17	<ul style="list-style-type: none"> <li>● Preview</li> <li>•PPT &amp; videos for chapter 19</li> <li>•Finish practices for chapter 18</li> </ul>		
	<ul style="list-style-type: none"> <li>● Chapter 20 Daily management of the company</li> <li>•Distinguish between the different types of director and their functions</li> <li>•Explain the duties of directors</li> <li>•Understand the functions of the company secretary</li> </ul>	Classroom	Homework for Chapter 20
	<ul style="list-style-type: none"> <li>●Chinese review for Chapter 20</li> <li>●Practice for Chapter 20</li> <li>● Q&amp;A</li> </ul>		
18	Revision/Presentation	Classroom	
19	Final exam		—

*Note: Some chapters or sections may leave for self-study, this is the students' duty to learn and understand, they may also be included in the quizzes or exams. A review in Chinese may be held during L.C. and O.H. in the semester.*

### **Teacher's Office Hour**

- ♦The instructor's office hour is shown in the front of the office door.
- ♦Students are suggested to use the instructor's office hour and learning center to ask questions or talk with the instructor once at least per week for good communication and effective learning, which is recorded in the students' participation.
- ♦The time can be scheduled by instructors or students, or both.

### **Cheating and Plagiarism**

Cheating is not tolerated. Any student caught cheating on a quiz; test or exam will be given a mark of zero (0) for the particular work. At the beginning of the semester the definition of plagiarism will be carefully explained, when any thoughts or writings of another person are used, they must be clearly identified (usually one uses quotation marks) and the source notes. **If any student is caught cheating on any homework assignment, the highest score the student can earn in that course is a "C".**

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**Important Dates**

Midterm Test	Week 9 or 10
Final Exam	Week 18 or 19 ( Refer to the notice of the Academic Affairs Office )

*Note: This syllabus is tentative and may be changed or modified throughout the semester. All students will be notified and a new syllabus will be given.*

**Instructor:** \_\_\_\_\_

**Department Head:** \_\_\_\_\_

