|  |  |  |
| --- | --- | --- |
| **Igor Sikorsky** **Kyiv Polytechnic Institute** | **Emblem of****departments (if available)** | **Department of Economic and Administrative Law** |
| **BUSINESS CONTRACTS****Work program of the discipline (Syllabus) (extracts)** |

# Details of the discipline

|  |  |
| --- | --- |
| Level of higher education | *First (bachelor)*  |
| Branch of knowledge | *08 Law* |
| Specialty | *081 Law* |
| Educational program | *Law* |
| Discipline status | *Selective*  |
| Form of study | *full-time (day)*  |
| Year of preparation, semester | *4 course, autumn semester* |
| The scope of discipline | *120 hours, 4 credits of ECTS* |
| Semester control / control measures | *test* |
| Lessons schedule | *http://rozklad.kpi.ua/* |
| Language of instruction | *Ukrainian*  |
| Information about the course leader / teachers | Lecturer: candidate of legal science, assistant professor Podolyak Svitlana, e-mail: *Podolyak.svetlana@lll.kpi.ua*Practical / Seminar: candidate of legal science, assistant professor Podolyak Svitlana |
| Course placement | Sikorsky Google classroom, teacher sends the code. |

# The program of discipline

# *1. Description of the discipline, its purpose, subject of study and learning outcomes*

The discipline "Business Contracts" is worked out to deepen and to improve students' knowledge and skills on certain types of business contracts and the practice of their preparation, application. The main tasks of the discipline are to acquaint students with the peculiarities of concluding certain types of business agreements by legal entities, to develop skills of practical application of the acquired knowledge and norms in solving specific practical situations.

The program of the discipline is aimed, in particular, at deepening, depending on the legal relations, such general competence as the ability to apply knowledge in practical situations; knowledge and understanding of the subject area and understanding of professional activity; and professional competencies: the ability to critically and systematically analyze legal phenomena and apply the acquired knowledge in professional activities; ability to independently prepare draft law enforcement acts.

Students after mastering the discipline must demonstrate the following learning outcomes:

Knowledge:

economic and contractual relations;

features of application of economic and legal responsibility;

Skills:

to apply the acquired knowledge in different legal situations, to single out legally significant facts and to form substantiated legal conclusions;

prepare drafts of the necessary documents in accordance with the legal conclusion made in various legal situations, in particular, business agreements.

**2. Prerequisites and post-requisites of the discipline**

# To successfully master this discipline it is necessary to have the knowledge and skills that are provided after listening to the course in the discipline "Economic Law"

# The content of the discipline

Name of topics

* Contractual work of legal entities
* Methods of concluding, executing, amending and terminating business agreements. Legal consequences of change and termination of economic agreements. Legal grounds and consequences of invalidation of business agreements
* Legal characteristics of business contracts concluded in the implementation of public procurement
* Legal characteristics of business agreements concluded on exchanges (commodity / stock)
* Legal characteristics of the business contract of operating leasing
* Legal characteristics of the business contract of financial leasing
* Legal characteristics of the business contract for capital construction
* Legal characteristics of other types of business contracts in the construction industry
* FIDIC contracts
* Legal characteristics of business contracts for the provision of marketing services
* Legal characteristics of the business contract of outsourcing
* Legal characteristics of the business contract for site development

# Training materials and resources

**Basic:**

Договірне право. : підручник : у 2 ч. /Дзера. К.- 2018 рік

Правове регулювання окремих сфер господарювання. Навчальний посібник /Устименко Т.П. -К. 2016, 290 с.

Середницька І.А. Правове регулювання окремих сфер господарювання (в схемах) Альбом схем: Наочний посібник /І. А. Середницька. – Одеса: ОДУВС, 2016. – 81с.

**Basic legal acts:**

1. Конституція України від 28.06.1996 // Відомості Верховної Ради України. - 1996. - N 30. - Ст. 141 (статті 41, 54).
2. Цивільний кодекс України 16.01. 2003 . - № 435-IV // Відомості Верховної Ради України – 2003. - № 40-44. – Ст. 356.
3. Господарський кодекс України від 16.01. 2003 . - № 436-IV.// Відомості Верховної Ради України. – 2003. - № 18, № 19-20, № 21-22, ст.144
4. Нормативно-правові акти та акти органів судової влади // База даних «Законодавство України»/ВР України. URL: <http://zakon2.rada.gov.ua/laws/main/a#Find>

# Policy and control

# Attendance and performance of tasks:

# Attendance at lectures and practical classes is mandatory.

# It is recommended to resubmit the missed case in due time. Without solving the cases, the student is not allowed to take the exam.

# In practical classes you can use technical means, mobile phones, laptops while working on regulations.

# In addition to work in practical classes, some issues are covered in the form of "cases" (case study). Analysis of specific learning situations (case study) - a method of learning designed to improve skills and gain experience in the following areas:

# • identification, selection and solution of problems;

# • work with information - understanding the meaning of the details described in the situation;

# • analysis and synthesis of information and arguments;

# • work with assumptions and conclusions;

# • evaluation of alternatives;

# • decision making;

# • listening and understanding other people - group work skills.

The case must:

• be written in simple and intelligible language;

• fully reflect the essence of the issue;

• contain the student's own vision of solving the problem;

• be reasonable.

The volume of the "case" is 2-5 pages.

*Control work.* The purpose of the test is to identify the level of acquired knowledge and mastery of the discipline. The test consists of theoretical questions and test tasks.

*Procedure for appealing the results of evaluation control measures*

Students have the opportunity to raise any issue related to the procedure of control measures. To do this, you need to contact the teacher in writing and wait for an explanation.

*Calendar control*

Calendar control involves an intermediate summing up of the discipline. The purpose of control is to improve the quality of student learning and monitor the implementation of the schedule of the educational process by students. The condition for successful completion of the calendar control is that students gain 50% of the points possible on the date of control.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| №  | Evaluation of control measure | % | Weight score | Q-ty | Total |
| 1. | Work on practical classes | 36 | 3 | 12 | 36 |
| 2. | Execution of case tasks | 40 | 20 | 2 | 40 |
| 3. | Control works  | 24 | 12 | 2 | 24 |

Students who scored the required number of points during the semester (RD≥ 0.6R) have the opportunity to:

1) get a credit score (credit) "automatically" in accordance with the rating.

In order for a student to receive grades , his / her rating is translated according to the table:

|  |  |
| --- | --- |
| *Number of points* | *Score* |
| 100-95 | Excellent |
| 94-85 | Very good |
| 84-75 | Good |
| 74-65 | Satisfactorily |
| 64-60 | Enough |
| Less than 60 | Unsatisfactorily |
| Admission conditions are not met | Not allowed |

2) perform test control work in order to increase the score.

In case of receiving a grade that is higher than the grade "automatic" from the rating, the student receives a grade based on the results of the test.

In case of receiving a grade that is lower than the grade "automatic" from the rating, the previous rating of the student in the discipline is canceled (canceled) and he receives a grade only on the results of the test.

**Work program of the discipline (syllabus):**

**Approved** by the department of economic and administrative law

**Approved** by the Methodical Commission of the faculty (protocol № 6 from 29/06/2021)