Appendix No. 1.5 to the Resolution No. 7/2023

 of the Rector of the University of Rzeszów

**SYLLABUS**

**regarding the qualification cycle FROM 2024 TO 2025**

**Academic year 2024/2025**

1. Basic Course/Module Information

|  |  |
| --- | --- |
| Course/Module title | Fundamentals of Business Law and Public Procurement Law |
| Course/Module code \* | PRA11 |
| Faculty (name of the unit offering the field of study) | Institute of Legal Sciences |
| Name of the unit running the course | Department of Business Law |
| Field of study | Law |
| Qualification level  | Master |
| Profile | General Academic |
| Study mode | Full time studies |
| Year and semester of studies | Year III, semester VII |
| Course type | Obligatory |
| Language of instruction | English |
| Coordinator | dr hab. Jan Olszewski, prof. UR |
| Course instructors | dr hab. Jan Olszewski, prof. URdr Rajmund Stapińskidr Oskar Bróż |

\* - as agreed at the faculty

* 1. Learning format – number of hours and ECTS credits

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Semester(n0.) | Lectures | Classes | Colloquia | Lab classes | Seminars | Practical classes | Internships | others | **ECTS credits**  |
| VII |  | 30 |  |  |  |  |  |  | 4 |

1.2. Course delivery methods

- conducted in a traditional way

- involving distance education methods and techniques

1.3. Course/Module assessment: pass with a grade

2. Prerequisites

|  |
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| General knowledge of Civil law and Administrative Law is advisable |

3. Objectives, Learning Outcomes, Course Content, and Instructional Methods

3.1. Course/Module objectives

|  |  |
| --- | --- |
| O1 | To teach the students business law in action, that is how business organisations are set up. During the exercise will be overviewed basic business contracts. |
| O2 | Ways of registering a business in Poland |
| O3 | Selection of the best organisational and legal forms for individual business activities |
| O4 | Means of protection against unfair competition |
| O5 | Impact of public procurement law on business development |

3.2. Course/Module Learning OUTCOMES (to be completed by the coordinator)

|  |  |  |
| --- | --- | --- |
| Learning Outcome | The description of the learning outcome defined for the course/module | Relation to the degree programme outcomes |
| Lo\_01 | Graduates should be familiar with basic forms of business organisations, namely civil law partnership, general partnership, limited company, etc. | K\_U02K\_K04K\_K01K\_K02 |
| Lo\_02 | They should also be aware which of those organisations are best for potential investors in a given context | K\_K02K\_K05 |
| Lo\_o3 | They should also be familiar with typical commercial contracts and be able to interpret them | K\_U05K\_U07K\_U09 |
| Lo\_o4 | Students will be provided with thorough coverage of administrative aspects of business law that will range from antimonopoly law to competition law and the law of industrial/intellectual property | K\_U02K\_U04 |
| Lo\_o5 | Students should be aware how to draft articles of association, sales contracts, etc. | K\_U07K\_U09 |
| Lo\_o6 | Student should know how to settle disputes in business relations in an amicable way | K\_U10K\_K03 |

**3.3. Course content (to be completed by the coordinator)**

1. Lectures

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| --- |
| Content outline |
| * + - 1. The development of the Polish antimonopoly legislation:
* Polish antimonopoly acts in years 1990-2007
1. The Act of 1990
2. The Act of 2000
	* + 1. The present antimonopoly act
			2. Public and private enforcement of antimonopoly law:
* Antimonopoly authority
* Courts competent in competition matters
	+ - 1. Anticompetitive practices:
* Anticompetitive agreements
* Abuse of a dominant position
* Decisions of the antimonopoly authority
	+ - 1. Merger control:
* Brief characteristics of the system
* The notion of concentration
* Decisions in merger cases
	+ - 1. Antimonopoly proceedings
 |
| * + - 1. Establishing and running a business:
* The principle of economic freedom and its enforcement in Polish law
* Rules of undertaking and conducting business activity in Poland and the European Union
 |
| * + - 1. Doing business and being an entrepreneur:
* Concept of economic activity
* The concept of entrepreneur in private law and public law
* Status of an entrepreneur and entry in the register
 |
| * + - 1. The legal environment of business.
1. Introduction: Social Market Economy as a basis for the economic system in Poland
 |
| * + - 1. Sources and hierarchy of Business Law and Polish Commercial Law:
1. Constitution of the Republic of Poland
2. Polish Business Law
3. Polish Civil Code
4. Polish Commercial Code
 |
| * + - 1. Registration of Entrepreuners:

a) Registration of economic activity in the Polish Court Registerb) Registration of economic activity in the Central Register and Information on Economic Activity |

1. Classes, tutorials/seminars, colloquia, laboratories, practical classes

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| None  |

3.4. Methods of Instruction

e.g.

*Lecture: a problem-solving lecture/a lecture supported by a multimedia presentation/ distance learning*

*Classes: text analysis and discussion/project work (research project, implementation project, practical project)/ group work (problem solving, case study, discussion)/didactic games/ distance learning*

*Laboratory classes: designing and conducting experiments*

4. Assessment techniques and criteria

4.1 Methods of evaluating learning outcomes

|  |  |  |
| --- | --- | --- |
| Learning outcome | Methods of assessment of learning outcomes (e.g. test, oral exam, written exam, project, report, observation during classes) | Learning format (lectures, classes,…) |
| LO-01 | project | lectures |
| LO-o2 | project | Lectures |
| LO-o3 | project | lectures |
| LO-o4 | project | lectures |
| LO-o5 | project | lectures |
| LO-o6 | project | lectures |

4.2 Course assessment criteria

|  |
| --- |
| The student is evaluated on the basis of the presented essay, the principles of which are following:1. It has to be original work. Student can quote (or include) other peoples' works so long as included the correct citations, references and attributions, and their work is not plagiarism or copyright protected.
2. Every source has to be indicated in the footnote (containing such elements as: author, title, date of access) Quoting and Paraphrasing rules: <https://writing.wisc.edu/Handbook/QuotingSources.html>
3. Have a title and page numbers;
4. Follow accepted standards regarding attribution of quotations, arguments, and ideas of others;
5. Include standardized citations and a bibliography with Internet sources listed separately.
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5. Total student workload needed to achieve the intended learning outcomes

– number of hours and ECTS credits

|  |  |
| --- | --- |
| Activity | Number of hours |
| Course hours | 30 |
| Other contact hours involving the teacher (consultation hours, examinations) | 10 (8 hours of consultations and 2 hours of examinations) |
| Non-contact hours - student's own work (preparation for classes or examinations, projects, etc.) | 60 |
| Total number of hours | 100 |
| Total number of ECTS credits | 4 |

\* One ECTS point corresponds to 25-30 hours of total student workload

6. Internships related to the course/module

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| --- | --- |
| Number of hours |  |
| Internship regulations and procedures |  |

7. Instructional materials

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| Compulsory literature:1. M. Błachucki, *Polish Competition Law- commentary, case law and texts*, Warszawa 2013;
2. Kruczalak-Jankowska K., *An outline of Polish Commercial Law,* Gdańsk 2019
3. Lewandowski R., *Fundamentals of Polish Business Law,* Warszawa 2019
4. Lewandowski R., *Polish Commercial Law: an Introduction,* Warszawa 2007;
5. Olszewski J., Arbitration Courts as an instrument to activate cross-border economic cooperation, [IN:] Conditions for undertaking and conducting business activity in border regions of Poland and Ukraine, Biskup M., Ganczar, Lublin 2007
6. Olszewski J., *Nadzór nad koncentracją przedsiębiorców jako forma prewencyjnej ochrony konkurencji, [Supervision over Concentration of undertakings as a form of preventive Competition Protection], R*zeszów 2004*;*
7. Olszewski J., (red.) *Selected Issues of the Polish Business Law,* Ius et Administratio, z. 4, vol, Rzeszów 2007
8. Official website of European Commision, *Types Of EU Law*: <https://ec.europa.eu/info/law/law-making-process/types-eu-law_en>.
 |
| Complementary literature: * + - 1. <http://www.cywilne.law.uj.edu.pl/app/cms/images/Int_Pol_Civil_Law.pdf->
			2. Polish Commercial Code- dr R. Lewandowski, available in the Library
			3. Polish Commercial Law in a Nutshell B. Kucharski
			4. Official website of Polish Investment & Trade Agency: <http://www.paih.gov.pl/en?lang_id=17>. On this website it’s easy to find out information of following branches: bankruptcy law and restructuring proceedings, Competition law In Poland, Industrial Property Protection, forms of doing business.
			5. Polish Competition Law- Commentary, Case Law And Texts, <https://www.uokik.gov.pl/download.php?plik=13218>. Office of Competition and Consumer Protection- official publication with the English course on Polish competition law available in PDF.
			6. <http://www.acc.com/legalresources/quickcounsel/calsfiip.cfm>, *Choosing a Legal Structure for Investing in Poland,*available on official website of Association of Corporate Counsel.
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Approved by the Head of the Department or an authorised person