



## Doing Business in Ukraine: Legal Aspects Work Program of the Course (Syllabus)

### Course Attributes

|   |  |
|---|--|
| <b>Level of Higher Education</b>                    | <i>First (Bachelor)</i>  |
| <b>Discipline</b>                                   | <i>Any</i>   |
| <b>Subject Area</b>                                 | <i>Any</i>   |
| <b>Study Program</b>                                | <i>Any</i>   |
| <b>Course Status</b>                                | <i>Selective</i>   |
| <b>Form of study</b>                                | <i>full-time (day) / part-time (remote)</i>  |
| <b>Year of study, semester</b>                      | <i>2nd/3rd year, autumn/spring semester</i>  |
| <b>Course Volume</b>                                | <i>2 credits ECTS / 60 hours</i>   |
| <b>Terminal (Semester)<br/>Control / Assessment</b> | <i>non-graded (pass/no) test</i>   |
| <b>Classes Schedule</b>                             | <a href="http://rozklad.kpi.ua">http://rozklad.kpi.ua</a>  |
| <b>Learning Language</b>                            | <i>Ukrainian / English</i>   |
| <b>Course Leader / professors</b>                   | Lecturer / Practical / Seminar: Natalia Mykolayivna PERESTYUK PhD, senior lecturer, e-mail: <a href="mailto:natalia@perestyuk.com">natalia@perestyuk.com</a> |
| <b>Course location</b>                              | Link to the remote resource (Moodle, Google classroom, etc.)   |

### Course Program

#### 1. Description of the course, its goal, field of study and learning outcomes

The course is targeted to form students' views on business as a sphere of self-realization and personal development, and the implementation of entrepreneurial activity through combination of freedom of contract, social nature of society and the regulatory function of the state. Next to the classic sphere of relations between business and government (vertical relations, including: the establishment / termination of business activities, licensing, taxation, compliance with standards, financial solvency requirements to avoid insolvency) this course pays attention to building horizontal links in the business environment (private law contracts), as well as to the role of the state in safeguarding the "rules of fair play" at the commercial arena. Particular attention is paid to combining the social and economic components of entrepreneur's status (review of various forms of attracting talents and protecting investments made into the development of intellectual capital) and foreign economic activity.

#### 2. Prerequisites and post-requisites of the course (place in the structural and logical scheme of education according to the respective study program)

There are no courses required as this course prerequisites.

There are no courses requiring this course as their prerequisites.

#### 3. Course content

Study Item 1. Notion of "entrepreneurship" and "doing business". Business law fundamentals

Study Item 2. "Business entity" and "undertaking" in competitive environment. "Fair competition" requirements while business merges/acquisitions (M&A)

Study Item 3. Companies and enterprises as business entities. Business groups and affiliates

Study Item 4. Joint-stock company and limited liability company as business entities. Corporate governance principles

Study Item 5. Regulatory influence at doing business: from establishment to licensing and state control and winding-up

Study Item 6. Material basis of doing business: monetary capital, intellectual assets and people talents

Study Item 7. Contractual basis of doing business: accents to foreign economic activities, “weaker party” concept and commercial “middlemen” (agency, distributorship, technology transfers)

Study Item 8. Liability while doing business

Study Item 9. Creditors’ claims, litigation to settle disputes and financial solvency recovery instruments

#### **4. Study materials and resources**

##### **Regulations:**

1. The Constitution of Ukraine of June 28, 1996
2. Civil Code of Ukraine of January 16, 2003
3. Commercial Code of Ukraine January 16, 2003
4. Law of Ukraine of 11.01.2001 № 2210-III, "On fair competition safeguard"
5. Law of Ukraine of 07.06.1996 № 236/96-VR, "On protection against unfair competition"
6. Code of Ukraine on Bankruptcy Procedures of 18.10.2018 № 2597-VIII
7. Law of Ukraine of September 19, 1991 № 1576-XII "On Companies"
8. Law of Ukraine of September 17, 2008 № 514-UI "On Joint Stock Companies"
9. Law of Ukraine of February 6, 2018 № 2275-VIII “On limited and added liability companies”
10. Law of Ukraine of 15 May 2003 № 755-IV. On state registration of legal entities, natural persons - entrepreneurs and public formations (version of the Law № 835-VIII of 26.11.2015)
11. Law of Ukraine On Securities and Stock Market of February 23, 2006 № 3480-IV
12. Code of Labor Laws of Ukraine of 10.12.1971 № 322-VIII
13. On copyright and related rights, Law of Ukraine of 23.12.1993 № 3792-XII
14. On protection of rights to inventions and utility models, Law of Ukraine of 15.12.1993 № 3687-XII
15. On protection of rights to industrial designs, Law of Ukraine of 15.12.1993 № 3688-XII
16. On protection of rights to trademarks for goods and services, Law of Ukraine of 15.12.1993 № 3689-XII
17. The model charter of LLC is approved by the Resolution of the Cabinet of Ministers of Ukraine; Charter, Procedure of March 27, 2019 № 367 "Some issues of deregulation of economic activity" (including a single algorithm for forming the digital code of the charter of LLC see Order of the Ministry of Justice of Ukraine of March 20, 2020 № 1162/5 On amendments to some regulations legal acts of the Ministry of Justice of Ukraine)
18. Code approved by State Commission for Securities and Financial Markets Regulation, Decision of 12.03.2020 № 118, “On generalization of the practice of application of legislation on corporate governance”

#### **Course Policy and Assessment**

##### **5. Course (study component) policy**

Students are welcomed to attend lectures and no attendance control at lectures is assumed. In the course of the lecture students have an opportunity to initiate certain discussion on an issue of his particular interest within the lecture respective focus.

Students are required to attend practical / seminar classes, to perform a modular / home assignments and to be present at the class on the day of the terminal (semester) examination.

When preparing for a practical / seminar class, students should pay attention to the material advised in the respective lecture, as well as other recommended sources (as concerns certain practical / seminar class).

When performing an individual / team assignment, the use of illustrative materials is encouraged however is subject to the choice of such student / team. Nevertheless, completing assignment in written remains mandatory (regardless of the use of any presentations, video clips, mindmaps, etc.). Another approach to complete an assignment may be acceptable subject to having it agreed with the professor in advance.

An the performance of any written assignment, due regard shall be paid to academic integrity aspects. Certain assignments may have certain specific requirements compliant with the legislation and the University rules and regulations.

A proper way to submit written assignment is to upload respective file to the Moodle location, unless otherwise agreed in advance with the professor.

## 6. Types of control and rating system to assess learning outcomes

*On-going control: topic specific discussions*

*Regular control: review twice a semester to monitor learning requirements compliance (not applicable to part-time (remote) students)*

*Terminal (semester) control: pass/no (non-graded examination)*

*Control admission requirements (access to semester control): score is higher than 40 rating points*

The total score of the student accumulated within the semester may be up to 100 points. The components of the total score include, in particular: on-going student work at the practical classes: 1 or 2 points per class (not to exceed 36 points per semester), individual assignment, initiative to prepare essays on problematic issues with its further presenting to other students: up to 10 points per class (not to exceed 30 points per semester), team assignment to work out in groups: up to 10 points per team per class, as well as control assignment (thematic / modular): up to 10 points per work (not to exceed 30 points per semester).

A student whose score resulting from the semester is less than 40 points shall not be admitted to pass the examination. And if a student's score is 60 or points or higher, the "pass" status may be assigned (based on the number of points scored during the semester).

Table of correspondence between the score in rating points and the University official grades:

| <i>Number of points</i>            | <i>Score</i>     |
|------------------------------------|------------------|
| 100-95                             | Excellent        |
| 94-85                              | Very good        |
| 84-75                              | Good             |
| 74-65                              | Satisfactorily   |
| 64-60                              | Enough           |
| Less than 60                       | Unsatisfactorily |
| Admission requirements are not met | Not admitted     |

### Work program of the course (syllabus):

**Developed by:** scientific degree, academic title, name

**Approved** by the department \_\_\_\_\_ (protocol № \_\_\_ from \_\_\_\_\_)

**Approved** by the Methodical Commission of the faculty (protocol № \_\_\_ from \_\_\_\_\_)