INTERNATIONAL BUSINESS LAW

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| Course code | *MNG 126* |
| Compulsory in the programmes | *Industrial Technology Management* |
| Level of studies | *Undergraduate* |
| Number of credits | *6 ECTS (48 in-class hours + 6 consultation hours + 2 exam hours, 104 individual work hours)* |
| Course coordinator (title and name) | *Assoc. Prof. Dr Tom Hashimoto (Room 304)*  [*tomhas@ism.lt*](mailto:tomhas@ism.lt) |
| Prerequisites | *N/A* |
| Language of instruction | *English* |

**THE AIM OF THE COURSE:**

This course provides an introduction to law from business and international perspectives. By ‘business’, it refers to the range of programmes we offer at ISM, thus, the content includes topics relevant to the professions linked to these disciplines, such as financial regulations and patent. By ‘international’, it refers to the area of law where parties involved reside (or are registered) in different jurisdictions. Thus, it touches up on not only international agreements and treaties, but also dispute resolution and the conflict of laws.

**MAPPING OF COURSE LEVEL LEARNING OUTCOMES (OBJECTIVES) WITH DEGREE LEVEL LEARNING OBJECTIVES (See Annex), ASSESMENT AND TEACHING METHODS**

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| Course level learning outcomes (objectives) | Degree level learning objectives (Number of LO) | Assessment methods | Teaching methods |
| CLO1. Demonstrate a range of legal knowledge relevant to one’s major in a coherent manner | BLO1.2.  ELO1.2 | Midterm, group paper | Seminars |
| CLO2. Analyse how legal institutions shape the economic and business behaviours | BLO1.2  ELO1.2 | Group paper, final exam | Lectures, seminars |
| CLO3. Illustrate the elements of international conflicts due to different interpretations and philosophies of law | BLO2.1  ELO2.1 | Group paper, final exam | Lecturers, seminars |
| CLO4. Critically review the business interactions through a legal lens and assess the level of institutional development in the international arena | BLO2.1  ELO2.1 | Midterm, group paper, final exam | Seminars |

**ACADEMIC HONESTY AND INTEGRITY**

The ISM University of Management and Economics Code of Ethics, including cheating and plagiarism are fully applicable and will be strictly enforced in the course. Academic dishonesty, and cheating can and will lead to a report to the ISM Committee of Ethics. With regard to remote learning, ISM reminds students that they are expected to adhere and maintain the same academic honesty and integrity that they would in a classroom setting.

**COURSE OUTLINE**

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| **Topic** | **In-class hours** | **Readings** |
| **1. Introductory discussion: What is law?**  When do we ‘experience’ the force of law?  Who shall decide what is ‘right’ and what is ‘wrong’?  When are we considered ‘guilty’? | 4 |  |
| **2. Resolving disputes**  When we have problems, to whom shall we talk?  To what extent, do professional knowledge (e.g. finance, technology, statistics) matter in the court of law?  Why do people avoid public disputes? | 4 | K&R chs. 1 & 3  (additional: W&W ch. 13) |
| **3. Legal personality and classification of business activities**  Why do we need legal personality?  Why do we need to have different types of business activities legally classified?  Why do we have many types of contracts and obligations? | 4 | K&R chs. 4 & 6 |
| **4 & 5. Contracting**  What is contract?  Why do different jurisdictions have different understanding regarding obligations?  When in contractual disputes, how shall we solve?  Why is the process of contracting as important as contract itself? | 8 | K&R chs. 7-10 |
| **6. Tort and criminal liability**  Why are there criminal remedies available for some cases?  Why in some cases is premeditation essential in establishing a liability case, while other is not?  How does professional obligations (e.g. for accountants, for engineers) play a role in shaping economic behaviours? | 6 | K&R chs. 11 & 12 |
| **7. Pre-exam review & midterm examination** | 2 |  |
| **8. Consumer protection and financial regulations**  How are the levels of consumer protection different in each jurisdiction?  How are the differences influence international trade?  What are the recent trends in financial regulations? | 4 | K&R ch. 14 |
| **9. Labour law and migration policy**  What constitutes employment relations?  Why and how do governments regulate international movements of labour?  What are the remaining issues in the context of the EU (and COVID)? | 4 | K&R ch. 16 |
| **10 & 11. Regulation on trade and patent**  What is the nature of trade disputes?  What is the nature and scope of patent?  How is innovation understood in law? | 8 | W&W chs. 6-9, 11 |
| **12. Recent trends in law: Environment protection, GDPR, and minority protection**  What are the recent trends in law?  How do these trends interact with international business?  What are non-legal consequences of conflicts in these areas?  **Pre-Final Review** | 4 | W&W chs. 12 |
|  | **Total: 48 hours** |  |
| CONSULTATIONS | 6 |  |
| FINAL EXAM | 2 |  |

**FINAL GRADE COMPOSITION**

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| **Type of assignment** | **%** |
| *Group Components 25%* |  |
| * Group paper | 25 |
| *Individual Components 75%* |  |
| * Midterm | 30 |
| * Final exam | 45 |
| **Total:** | **100** |

**DESCRIPTION AND GRADING CRITERIA OF EACH ASSIGNMENT**

1. *Midterm examination:* It is written in-class, open-book (i.e. you are allowed to bring your own notebook, the textbook, and other paper-based materials – electronic devices are prohibited), and in an essay format. It is designed to tackle the major concepts and themes characterising international business law at large.
2. *Group paper:* It should be 2,500-3,000 words (excluding bibliography and appendices) on the topic of your choice (subject to approval by the lecturer). It is evaluated based on not only the depth of knowledge, but also the coherence of argument vis-à-vis the chosen research question. Some interesting case studies shall be a starting point.
3. *Final examination:* It is written in-class, open-book, and in an essay format. It is designed to assist your critical thinking on the issues beyond the formal legal institutional arrangements.

***NB:*** You must obtain at least 5.0 points (out of 10.0) for *each* assignment to be counted for the total score.

1. Additionally, an *oral exam* (‘*viva voce*’) is carried out when a lecture requires further explanations on the submitted papers or exams. The aim of the oral exam is to clarify what the students have written and how they understand the concepts/data in question.

**RETAKE POLICY**

The *retake* examination for the students who do not meet the passing score is normally scheduled 1-2 weeks after the announcement of the final grades. The retake examination covers the materials from the entire course, and it is worth 75% of the total grade (the remaining 25% comes from the group paper).

**ADDITIONAL REMARKS**

Regular attendance is strongly encouraged as both exams are open-book (i.e. you are allowed to bring your own notebook, printed materials, and the textbook). If for some reasons you need to miss a class, please notify the lecturer *beforehand*. The same etiquette rule applies for your peers when you gather for group projects.

Please note, due to the travel restriction in place, some meetings may be scheduled via MS Teams.

**REQUIRED READINGS**

(The editions we have at our library is listed here. Any later editions are equally informative.)

* Keenan, D. & Riches, S. (2007) *Business Law*. Eighth edition. Harlow: Pearson.
* Willes, J. H. & Willes, J. A. (2005) *International Business Law: Environments and Transactions*. New York: McGraw-Hill.

**ADDITIONAL READINGS**

For each lecture, please read the relevant chapter(s) – the connection between the topic of the day and chapter(s) should be straightforward. For our in-class discussions, students must refer to relevant academic and/or news articles to highlight current issues linked to the topic of the day. No formal presentations are required, however. Please note that our textbook was published prior to the current financial crisis. Thus, you must update your knowledge with a critical mind-set.

**ANNEX**

**DEGREE LEVEL LEARNING OBJECTIVES**

**Learning objectives for the Bachelor of Business Management**

*Programmes:*

*International Business and Communication,*

*Business Management and Marketing, Finance,*

*Industrial Technology Management*

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| **Learning Goals** | **Learning Objectives** |
| Students will be critical thinkers | BLO1.1. Students will be able to understand core concepts and methods in the business disciplines |
| BLO1.2. Students will be able to conduct a contextual analysis to identify a problem associated with their discipline, to generate managerial options and propose viable solutions |
| Students will be socially responsible in their related discipline | BLO2.1. Students will be knowledgeable about ethics and social responsibility |
| Students will be technology agile | BLO3.1. Students will demonstrate proficiency in common business software packages |
| BLO3.2. Students will be able to make decisions using appropriate IT tools |
| Students will be effective communicators | BLO4.1. Students will be able to communicate reasonably in different settings according to target audience tasks and situations |
| BLO4.2. Students will be able to convey their ideas effectively through an oral presentation |
| BLO4.3. Students will be able to convey their ideas effectively in a written paper |

**Learning objectives for the Bachelor of Social Science**

*Programmes:*

*Economics and Data Analytics,*

*Economics and Politics*

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| **Learning Goals** | **Learning Objectives** |
| Students will be critical thinkers | ELO1.1. Students will be able to understand core concepts and methods in the key economics disciplines |
| ELO1.2. Students will be able to identify underlying assumptions and logical consistency of causal statements |
| Students will have skills to employ economic thought for the common good | ELO2.1.Students will have a keen sense of ethical criteria for practical problem-solving |
| Students will be technology agile | ELO3.1. Students will demonstrate proficiency in common business software packages |
| ELO3.2. Students will be able to make decisions using appropriate IT tools |
| Students will be effective communicators | ELO4.1.Students will be able to communicate reasonably in different settings according to target audience tasks and situations |
| ELO4.2.Students will be able to convey their ideas effectively through an oral presentation |
| ELO4.3. Students will be able to convey their ideas effectively in a written paper |