

Course instructor: **Dr. Natalia Erpyleva**, Professor,
Head of the Department of General and Interbranch
Legal Disciplines, Faculty of Law, National Research
University Higher School of Economics, Moscow,
Russia

Syllabus

1. Course Description

- a. Title of a Course: **European Business Law: Doing business in Europe**
- b. Pre-requisites: English (Upper Intermediate)
- c. Abstract:

The course deals with general business considerations as well as specific legal areas that are relevant when establishing and managing a company. The course discusses strategic and financial considerations within Company law, as well as Labour law issues such as restructuring enterprises, working conditions and handling crises situations. The course also examines other legal areas such as Tax law, Environmental law and Private International law, and how they tie in to doing business in Europe. The course is divided into six modules, each module requiring about one hour of studying, five days per week. The sixth and final module focuses on how to read EU case law, which is a very important aspect of understanding European Business law. One module consists of three to five core lectures, as well as additional material that you will find under the lesson *Practical Perspectives*. This lesson includes interviews with leading practitioners from the field, or additional lectures or further readings. The lesson is optional and gives you an opportunity to gain broader mastery of the course topic. Lectures and in-video quizzes are the main method of teaching. Each module finishes with a graded quiz.

2. Online platform: Coursera

3. Course link: <https://www.coursera.org/learn/eu-law-doing-business>

4. Language of instruction: English

5. Course Plan:

Module 1. Making Business Transactions

The first module examines general business considerations as well as specific legal areas that are relevant when establishing and managing a company. It examines the complexities that arise when contracts have international components and the benefits of collaborating with middlemen.

It concludes by considering contracts of transportation and its relationship with sale contracts.

Module 2. Establishing a Company

The second module examines the foundations of company theory and the agency theory. It looks into the distinction between a company's internal/external relations, as well as public/private corporations. Finally, the module examines the harmonization of company law on a EU level, including company law directives as well as the effect of the free-movement/establishment provisions on national company laws.

Module 3. Employing and working in Europe

The third module places Labour law within a wider EU framework. It explores the important relationship between the internal market, the fundamental freedoms and national Labour law regulations. It focuses on the freedom to provide services, the freedom of establishment and the right to collective action. It also goes into further detail about how Labour law regulates employment rights and Equality law.

Module 4. Paying Taxes and Complying with Environmental Standards

The fourth module covers Tax and Environmental law issues within the framework of doing business in Europe. It describes the EU law principles on the area of tax and the conditions that need to be fulfilled by national taxation measures to comply with EU law. The module includes a final lecture on Environmental law and how its provisions depending on the situation might both create barriers to trade and/or enhance economic prosperity.

Module 5. Case Clinic

The Case Clinic will equip learners with the necessary skills to read and understand case law, and in particular the case law of the European Union. It will present techniques on how to read cases and the most commonly used format to write case reports. The module will develop the learners' analytical and drafting skills, requesting them to analyze a case and draft a summary. The module concludes with a voluntary peer-graded assignment in the form of a case report.

Module 6. Resolving Cross-Border Disputes

The fifth module discusses how Private International law considerations are necessary for the proper functioning of the internal market. It also examines the legal basis of EU's legislative competence regarding Private International law. Business relationships and disputes often have international implications. Therefore, the module examines how to determine which country's legal system is applicable and which regulations are guarding procedural situations that have an international character.

6. Reading List

- a. Required: <https://www.coursera.org/learn/eu-law-doing-business>

7. Forms of Control:

- a. Current control: 5 graded multiple answer quizzes and an optional peer graded assignment (80% Final grade)
- b. Intermediate control: interview with the instructor (20% Final Grade)

Students are also expected in an oral examination to deliver answers in which the following qualities will be assessed:

- audibility and clarity, pitch, proper articulation;
- fluency, appropriate forms of language including addressing the examiner, clarity of expression;
- appropriate content (proper coverage of legal issues, relevance of law in their responses, emphasis, anticipating or responding to other side; at least certain justification of the argument which has been supported).

8. Grading System: $\text{Fin.} = \text{Curr.} * 0,8 + \text{Accum.} * 0,2$

9. Methods of Instruction:

- use of online educational technologies;
- use of accumulative system of control.

10. Special Equipment and Software Support (if required):

- a. Microsoft Windows 7 Professional RUS
- b. Microsoft Windows 10