

DESCRIPTION OF COURSE UNIT

1.

Course unit title	Code
Challenges and Perspectives of Business Legal Regulation	100264

2.

Name of lecturer(s) (provided information as to how, when and where they can be in contact)	Department(s)
Coordinator: Prof. Dr. V. Bitė a. o.: Prof. Dr. E. Klimas, Prof. Dr. S. Mulevičienė, Prof. Dr. R. Moisejevas, Prof. Dr. L. Novikovienė	MRU LS Institute of Private Law pti@mruni.eu

3.

Cycle of course unit	Level of course unit	Type of course unit
Third cycle	Not applicable	Elective

4.

Mode of delivery	Year of study and semester when the course unit is delivered	Language of instruction
Face-to-face and (or) distance learning	I-III study year	Lithuanian, English

5.

Study requirements	
Prerequisites: Master's or equivalent degree	Co-requisites: Not applicable

6.

Recommended optional programme components
Not applicable

7.

Number of ECTS credits allocated	Student's workload	Contact work hours	Independent work hours
6	162	4	158

8.

Purpose of the course unit: programme competences to be developed			
The aim of the course is to develop the ability of doctoral students to acquire, critically evaluate and apply the latest systematic knowledge of legal regulation of business, also in developing new fundamental knowledge and original ideas, addressing strategic operational challenges and complex scientific issues in the field of business law.			
Learning outcomes of the programme	Learning outcomes of the course unit	Teaching and learning methods	Assessment methods
	Demonstrates an excellent level of professional knowledge by critically, conceptually, and creatively assessing issues arising in the field of legal regulation of business and presenting solutions to them.	Independent study of literature. Individual consultation with the teachers.	Exam

	Is able to provide suggestions or conclusions based on latest theoretical knowledge, interdisciplinary practice and scientific methods related to legal issues arising in the field of legal regulation of business.	Independent study of literature. Individual consultation with the teachers.	Exam
	Is able to argue, critically analyse, interpret, systematically explain and compare legal acts regulating legal relations in business field, related case law, experience of other states and to make reasonable suggestions for improvement of business legal regulation.	Independent study of literature. Individual consultation with the teachers.	Exam

9.

Course contents										
Topics	Contact work hours and planned learning activities							Independent work hours and tasks		
	Lectures	Consultations	Seminars	Training exercises	Laboratory work	Internship	Assessment	All contact work hours	Independent work hours	Tasks
1. Current issues in the legal regulation of Lithuanian companies									16	Independent study of literature.
2. Bodies of the company, their competence, members and peculiarities of their responsibility									14	Independent study of literature.
3. The influence of European Union policy and legislation on Lithuanian company law									14	Independent study of literature.
4. Public interest and protection of it in the field of construction law									16	Independent study of literature.
5. Principles of insolvency law and peculiarities of insolvency proceedings (bankruptcy and restructuring)									24	Independent study of literature.
6. The sources of European Union insolvency law and problems related with their application									16	Independent study of literature.
7. Prohibited agreements restricting competition									16	Independent study of literature.

8. Abuse of a dominant position									14	Independent study of literature.
9. Control on concentration of market structures									14	Independent study of literature.
10. Issues of the consumer law									140	Independent study of literature.
Overall		2				2		4	158	

10.

Assessment strategy	Weighting percentage	Period or date of assessment	Assessment criteria
Exam	100 %	Full-time – I-II courses Part-time – I-III courses	Complete, consistent, scientific methods-based written and / or oral answers to the exam questions are provided.

11.

Required reading

Company law:

1. European Model Company Act (EMCA) (September 1, 2017). First Edition, 2017, Nordic & European Company Law Working Paper No. 16-26. <https://ssrn.com/abstract=2929348>.
2. Kraakman, R. et al. The anatomy of corporate law: a comparative and functional approach. 3rd ed. Offord: Oxford University Press, 2017.
3. Vicari, A. European Company Law. Berlin: De Gruyter, 2021.
4. The ECGI Blog: <https://www.ecgi.global/blog>.
5. Oxford Business Law Blog: <https://blogs.law.ox.ac.uk/oblb>.

Construction law:

1. Klimas Evaldas. Teritorijų planavimo įstatymo komentaras, Vilnius, 2017.
2. Klimas, Evaldas, Brazdeikis, Aurimas. Viešojo intereso gynimas teritorijų planavime. Viešojo intereso gynimas: subalansuoto požiūrio link: mokslinių straipsnių rinkinys, 2013, p. 118-139.
3. Klimas, Evaldas, Lankelis, Julius. Viešojo intereso nustatymas – objektyvieji kriterijai. Jurisprudencija, 2014, 21 (1): 115-140.
4. Klimas, Evaldas. Ar viešojo intereso gynimas ir nuosavybės teisių apsauga gali harmoningai derėti? Viešojo intereso veidai: socialinė, teisinė ir ekonominė problematika, Vilnius, 2012, p. 5-2.

Insolvency law:

1. Norkus R., Kavalnė S. Bankroto teisė. Antroji knyga. – Vadovėlis. Vilnius: Justitia, 2011.
2. Norkus R., Kavalnė S., Mikuckienė V., Velička R. Bankroto teisė. Pirmoji knyga. - Vadovėlis. Vilnius: Justitia, 2009.
3. Report on the Convention of Insolvency Proceedings. By Miguel Virgos and Etienne Schmit. http://aei.pitt.edu/952/01/insolvency_report_schmidt_1988.pdf
4. Taikomasis mokslinis tyrimas “Nemokumo samprata ir jo teisinio reguliavimo analizė”; http://www.ukmin.lt/web/lt/verslo_aplinka/nemokumo-politika/nemokumo_politika_analizes_tyrimai_studijos
5. Taikomasis mokslinis tyrimas “Įmonių restruktūrizavimoprocesų studija”. http://www.ukmin.lt/web/lt/verslo_aplinka/nemokumo-politika/nemokumo_politika_analizes_tyrimai_studijos

Competition law:

1. Alison Jones and Brenda Sufrin. EU competition law, text, cases and materials. Oxford: Oxford University Press. 2011.
2. Whish, R. Competition law. Oxford: Oxford University Press, 2012.
3. Jones, A., Sufrin, B. EC Competition Law. Text, Cases, and, Materials. 3rd edition. Oxford: Oxford University Press, 2008.
4. Raimundas Moisejevas. Liability of the managers for breaches of Competition law. Yearbook of Antitrust and Regulatory Studies. University of Warsaw. (YARS) Vol. 2022.
5. Raimundas Moisejevas. Development of private enforcement of competition law in Lithuania. Yearbook of Antitrust and Regulatory Studies. University of Warsaw. (YARS) Vol. 2015, 8(11).
6. Paul Craig, Gráinne de Búrca. EU law: text, cases, and materials. Oxford: Oxford University Press. 2010.
7. Šarūnas Pajarskas. Konkurencijos teisė Lietuvoje: sprendimai ir bylos. 2014.

Consumer law:

1. Vartotojų teisių apsaugos Europos Sąjungoje teisiniai aspektai: vartotojo, kaip sutarties šalies, apsauga: mokslo darbų rinkinys. Novikovienė, Lina (redakt.). Vilnius: Mykolo Romerio universitetas, 2013.
2. Vartotojų teisių apsauga vartojimo sutartiniuose santykiuose: teisinio reguliavimo ir teismų praktikos apžvalga // Teismų praktika. Nr. 30
3. Vartotojų teisių apsaugos teisiniai aspektai Europos Sąjungoje. Mokslo darbų rinkinys. Atsakingoji redaktorė L. Novikovienė, Vilnius: Mykolo Romerio universiteto Leidybos centras, 2011.

Recommended reading**Company law:**

1. Bitė, Virginijus; Mulevičienė, Salvija; Moisejevas, Raimundas; Mantrov, Vadim; Vutt, Andres; Vutt, Margit. Transitioning to a market economy in the Baltic States: Challenges and later developments in business regulation // International Social Science Journal. [S. 1.] : Wiley. ISSN 0020-8701. eISSN 1468-2451. 2022, spec. iss. p. 1-19. DOI: 10.1111/issj.12377.
2. Cahn, A.; Donald, David C. Comparative company law: text and cases on the laws governing corporations in Germany, the UK and the USA. 2nd ed. Cambridge: Cambridge University Press, 2018.
3. EY Study on the relevance and impact of artificial intelligence for company law and corporate governance, Final report, 2021, DOI: 10.2838/790784
4. Fleischer, H. Supranational corporate forms in the European Union // Common Market Law Review 47: 1671–1717 (2010).
5. Gerner-Beuerle, C.; Paech, P.; Schuster, E.-P. (2013) Study on directors' duties and liability. . LSE Enterprise Limited, London, UK.
6. Private Company Law Reform in Europe: The Race for Flexibility / ed. J. Viera Gonzalez, Ch. Teichmann. Madrid: Aranzadi, 2015.
7. Sjøfjell, Beate and Mähönen, Jukka T and Novitz, Tonia A. and Gammage, Clair and Ahlström, Hanna, Securing the Future of European Business: SMART Reform Proposals (May 7, 2020). University of Oslo Faculty of Law Research Paper No. 2020-11, Nordic & European Company Law Working Paper No. 20-08, Available at SSRN: <https://ssrn.com/abstract=3595048>.
8. Ventoruzzo, M., [et. al]. Comparative Corporate Law. St. Paul: West Academic Publishing, 2015.

Consumer law:

1. Navickaitė-Sakalauskienė. Ieva „Vidutinio vartotojo“ standartas: pagalba ar papildomas apsunkinimas ginant vartotojų teises? Socialinių mokslų studijos. 2011, 3(4): 1375–1390.
2. Petrauskas F. „Alternatyvus ginčų, susijusių su vartotojų teisių apsauga, sprendimas“. Daktaro disertacija, Mykolo Romerio universitetas, 2014, (Teisė, 01 S).

Competition law:

1. Coauthor of the book „Tools and Effects of Combatting the Abuse of Bargaining Power in the Food Supply Chain in CEE“. Legislation covering business-to-business unfair trading practices in the food supply chain in Central and Eastern European countries. Warsaw: University of Warsaw, 2019.
2. Raimundas Moisejevas “Guarantees of Human Rights in Competition Proceedings in the European Union and the Republic of Lithuania”. 2019, “Bialystok Legal Studies”. Vol. 24, no 2, 2019.

3. Predatory Pricing: A Framework for Analysis. Moisejevas Raimundas. *Baltic Journal of Law & Politics*, 01 June 2017, Vol.10(1).
4. Problems related to determining of a single economic entity under competition law. Moisejevas, Raimundas; Urbonas, Danielius. *Yearbook of antitrust and regulatory studies*. Warsaw : University of Warsaw. 2017, vol. 10 (16).

Approved by Mykolas Romeris University and Vytautas Magnus University Doctoral Committee in Law on 18 April 2024, Decision No. 10-174 (4.4 E-32002).