



Syllabus

2016

INSTITUTE
OF INTERNATIONAL
RELATIONS
UNIVERSITY
OF WARSAW



CENTRE
FOR
CONTEMPORARY
CHINA
STUDIES

Chinese Contract Law



**“Increase of EU's economic potential in relations with China”
Leonardo da Vinci – Transfer of Innovation**

General Information

Course title		Chinese Contract Law
Faculty/Institute		VUB
Programme for which the course is offered		
Course ID		
Erasmus code		
Course group		
Didactic cycle		
Type/form of class		Seminar
Brief course description		The aim of the course is to discuss basic issues of the China's contract law. Formation and performance of the contract law will be discussed. The course is concentrated on the discussion of two issues: Remedies for breach of contract and the Application of contract law to business.
Full course description		The aim of the course is to discuss basic issues of the China's contract law. Formation and performance of the contract law will be discussed. The course is concentrated on the discussion of two issues: Remedies for breach of contract and the Application of contract law to business. Students discusses legal problems and analyse case studies.
Prerequisites	Formal prerequisites	—
	other prerequisites	Basic skills in civil law.
Learning outcomes		<ol style="list-style-type: none"> 1. <i>Analyse</i> the key concepts of Chinese contract law. 2. <i>Review</i> and <i>apply</i> the essential elements and formalities in the formation of contracts. 3. <i>Examine</i> the performance of contracts. 4. <i>Assess</i> the liability in breach of contract and <i>evaluate</i> remedies for breach of contract. 5. <i>Analyse</i> the review of contracts
ECTS credits		
Assessment methods and criteria		Written exam (50%) Essay (50%)
Type of examination		Exam and essay
Type of course		Seminar

Mode of delivery	<ul style="list-style-type: none"> In-class seminars
Language of instruction	English
Bibliography	<ul style="list-style-type: none"> Wang, L M and Xu, C X (1999) 'Fundamental principles of China's Contract Law', <i>Columbia Journal of Asian Law</i>, 13: 1–34. Wang, G G and Mo, J (1999) <i>Chinese Law</i>, Kluwer Law International. Lubman, S (ed.) (1996) <i>China's Legal Reforms</i>, Oxford: Clarendon Paperbacks, Oxford University Press. Chen, H Y (1998) <i>An Introduction to the Legal System of the PRC</i>, 2nd edn, Hong Kong: Butterworths. Ash, R F and Kueh, Y Y (eds) (1996) <i>The Chinese Economy under Deng Xiaoping</i>, Oxford: Clarendon Press. Hus, C S (ed.) (2003) <i>Understanding China's Legal System: Essays in Honour of Jerome A. Cohen</i>, New York: New York University Press. Zhang, X C (ed.) (2001) <i>Introduction to Chinese Law</i>, Hong Kong & Singapore: Sweet & Maxwell Asia. Zhao, Y H (1997) 'Contract law' in Wang, C G and Zhang X C (eds) <i>Introduction to Chinese Law</i>, Hong Kong: Sweet & Maxwell (Asia).
Work placement(s)	—
Course coordinator	Lei Zhang
Academic teachers	Lei Zhang
Remarks	—

Detailed Information

Name of the academic teacher	Lei Zhang
Academic degree	PhD & MSc
Form of the class	Seminar
Learning outcomes	<ul style="list-style-type: none"> Analyse the key concepts of Chinese contract law. Review and <i>apply</i> the essential elements and formalities in the formation of contracts. Examine the performance of contracts. Assess the liability in breach of contract and <i>evaluate</i> remedies for breach of contract. Analyse the review of contracts
Assessment methods and criteria for this course	Written exam (50%) Essay (50%)
Type of examination	Exam
A list of topics	<ol style="list-style-type: none"> General principles of contract law Formation of contract

“Increase of EU's economic potential in relations with China”

Leonardo da Vinci – Transfer of Innovation

	<ol style="list-style-type: none"> 3. Performance of contract 4. Remedies for breach of contract. Part 1 5. Remedies for breach of contract. Part 2 6. Application of contract law to business. Part 1 7. Application of contract law to business. Part 2 8. Contracts characterized by a transfer of certain proprietary rights: <ul style="list-style-type: none"> • sales contract; • contract for the supply of electricity, water, gas and heat; • gift contract; • lending contract; • leasing contract; • hiring and purchase contract. 9. Contracts characterized by the achievement of the agreed result: <ul style="list-style-type: none"> • processing contract; • construction contract; 10. Contract for the supply of labour and services: <ul style="list-style-type: none"> • carriage contract; • safekeeping contract; • warehousing contract; • agency contract; • brokerage contract; • intermediary contract.
Learning activities and teaching methods	<ul style="list-style-type: none"> • lecture; • Group work in class; • Case studies.
Bibliography	<ul style="list-style-type: none"> • Wang, L M and Xu, C X (1999) 'Fundamental principles of China's Contract Law', <i>Columbia Journal of Asian Law</i>, 13: 1–34. • Wang, G G and Mo, J (1999) <i>Chinese Law</i>, Kluwer Law International. • Lubman, S (ed.) (1996) <i>China's Legal Reforms</i>, Oxford: Clarendon Paperbacks, Oxford University Press. • Chen, H Y (1998) <i>An Introduction to the Legal System of the PRC</i>, 2nd edn, Hong Kong: Butterworths. • Ash, R F and Kueh, Y Y (eds) (1996) <i>The Chinese Economy under Deng Xiaoping</i>, Oxford: Clarendon Press. • Hus, C S (ed.) (2003) <i>Understanding China's Legal System: Essays in Honour of Jerome A. Cohen</i>, New York: New York University Press. • Zhang, X C (ed.) (2001) <i>Introduction to Chinese Law</i>, Hong Kong & Singapore: Sweet & Maxwell Asia. • Zhao, Y H (1997) 'Contract law' in Wang, C G and Zhang X C (eds) <i>Introduction to Chinese Law</i>, Hong Kong: Sweet & Maxwell (Asia).
Limit of places available	
Time	
Place	