

City University of Hong Kong

Course Syllabus

offered by School of Law  
with effect from Semester B 2017/18

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**Part I Course Overview**

**Course Title:** Law and Business in Asia

**Course Code:** LW6143E

**Course Duration:** One semester

**Credit Units:** 3

**Level:** P6

**Medium of Instruction:** English

**Medium of Assessment:** English

**Prerequisites:**  
(Course Code and Title) Nil

**Precursors:**  
(Course Code and Title) Nil

**Equivalent Courses:**  
(Course Code and Title) Nil

**Exclusive Courses:**  
(Course Code and Title) Nil

## Part II Course Details

### 1. Abstract

This course aims to offer a survey of different legal issues relating to doing business in Asia from a practitioner's point of view; provide the opportunity to study the law concerning business transactions in the region in depth and compare different Asian (and industry-specific) business environments.

The regions covered include: China, Hong Kong, Southeast Asia, South Asia and relevant international jurisdictions. The business sectors covered are commercial and investment banking, telecoms, trade, E-business, mining and petroleum, logistics, mergers, acquisitions, environment, energy, commerce, government, sports and entertainment. (All dependent upon availability of guest lecturers.)

### 2. Course Intended Learning Outcomes (CILOs)

(CILOs state what the student is expected to be able to do at the end of the course according to a given standard of performance.)

No.	CILOs	Weighting (if applicable)	Discovery-enriched curriculum related learning outcomes (please tick where appropriate)		
			A1	A2	A3
1.	Identify, analyse, evaluate and critically comment on the business environment (legal, political and cultural) of different Asian countries encountered by foreign business entities which are engaged in different industries.			√	√
2.	Identify, analyse, evaluate and critically comment on the different approaches Asian countries take towards cross-boarder trade and investment in different industries and how these approaches are converted into law.			√	√
3.	Identify, analyse, evaluate and critically comment on the reasons for different (legal) treatment of foreign business entities in different Asian countries.			√	√
4.	Carry out further independent research in the field.		√	√	√
		100%			

A1: Attitude

*Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.*

A2: Ability

*Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to self-life problems.*

A3: Accomplishments

*Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.*

### 3. Teaching and Learning Activities (TLAs)

(TLAs designed to facilitate students' achievement of the CILOs.)

TLA	Brief Description	CILO No.				Hours/week (if applicable)
		1	2	3	4	
Lectures/seminars	The course will include lectures given by leading practitioners of Asian and international business. All lectures will be given on the basis of a similar teaching pattern. Students will be expected to participate in class discussions. One teacher will be chosen as Course Leader and be responsible for managing the course, organizing and introducing the guest lecturers and maintaining a coherent, consistent and professional operation of the course as well as administering the assessment of students.	√	√	√	√	3

### 4. Assessment Tasks/Activities (ATs)

(ATs are designed to assess how well the students achieve the CILOs.)

Assessment Tasks/Activities	CILO No.				Weighting	Remarks
	1	2	3	4		
Continuous Assessment: 50%						
Coursework	√	√	√	√	50%	
Final Examination: 50% (duration: 3 hours)						
					100%	

Students are required to attend at least 70% of the classes (lectures, seminars, presentations). If a student does not meet this requirement, he/she may be disqualified for assessment.

Students must obtain a minimum mark of 40% in both coursework and examination and an overall mark of 40% in order to pass the course.

## 5. Assessment Rubrics

*(Grading of student achievements is based on student performance in assessment tasks/activities with the following rubrics.)*

Assessment Task	Criterion	Excellent (A+, A, A-)	Good (B+, B, B-)	Fair (C+, C, C-)	Marginal (D)	Failure (F)
Coursework	Demonstration of understanding of concepts, principles, and theories. Demonstration of ability to identify legal issues. Application of knowledge to specific legal problems, to discuss questions, and to comment on legal phenomenon. Application of legal writing and research skills. Demonstration of ability to engage in argument-based analysis based on critical thinking. Demonstration of aptitude for formulating innovative solutions to designated fact-based questions.	Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.	Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.	Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.	Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.
Examination	Demonstration of understanding of concepts, principles, and theories. Demonstration of ability to identify legal issues. Application of knowledge to specific legal problems, to discuss questions, and to comment on legal phenomenon. Application of legal writing and research skills. Demonstration of ability to engage in argument-based analysis based on critical thinking. Demonstration of aptitude for formulating innovative solutions to designated fact-based questions.	Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.	Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.	Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.	Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

### **Part III Other Information** (more details can be provided separately in the teaching plan)

#### **1. Syllabus**

##### **1.1 Keyword Syllabus**

*(An indication of the key topics of the course.)*

Background; forms; banking; telecoms; trade; E-business; mining and petroleum; logistics; mergers; acquisitions; environment; energy; commerce; government; sports; entertainment

##### **1.2 Detailed Syllabus**

1. A theoretical introduction to forms of doing business in Asia on the basis of the legal, political and cultural background;
2. Depending upon the availability of guest lecturers the following regions and forms of economic activity will be covered:

###### 2.1 Region:

- (1) Vietnam;
- (2) Taiwan;
- (3) India;
- (4) Korea;
- (5) Japan;
- (6) Philippines;
- (7) Malaysia;
- (8) Singapore;
- (9) Indonesia;
- (10) Thailand;
- (11) Hong Kong;
- (12) China

###### 2.2 Forms of Economic Activity

- (1) Commercial and Investment Banking in Asia;
- (2) Telecoms in Asia;
- (3) Trade in Asia;
- (4) E-business in Asia;

- (5) Mining and Petroleum in Asia;
- (6) Logistics in Asia;
- (7) M&A in Asia;
- (8) Pharmaceutical Industry in Asia;
- (9) Sports and Entertainment Industry in Asia;
- (10) Construction in Asia;
- (11) Energy in Asia

## **2. Reading List**

### **2.1 Recommended Readings**

Alan Gutterman/Robert Brown, ed., Commercial Laws in Asia, (Hong Kong: Sweet & Maxwell Asia, 1997)

ASEAN Law Association, ASEAN Legal Systems, (Singapore: Butterworths Asia, 1995)

Cave/Bates/Cooke, ed., Doing Business in China: Case Studies in Environmental, Health and Safety Issues (Washington DC: American Society of International Law, 1997)

Douglas Johnston/Gerry Ferguson, ed., Asia-Pacific Legal Development, (Vancouver: UBC Press, 1995)

Robert Burns, Doing Business in Asia: A Cultural Perspective, (S. Melbourne: Longman, 1998)

Roman Tomasic, ed., Company Law in East Asia, (Aldershot, Hants. : Ashgate/Dartmouth, 1998)

Poh-Ling Tan, ed., Asian Legal Systems: Law, Society and Pluralism in East Asia, (Sydney: Butterworths, 1997)

Sanjyot Dunung, Doing Business in Asia: The Complete Guide, (San Francisco: Jossey Bass, 1998)

Tim Ambler/Morgan Witzel, Doing Business in China, (New York: Routledge Curson, 2004)