

LW4627: ECONOMIC LAW OF CHINA

Effective Term

Semester A 2022/23

Part I Course Overview

Course Title

Economic Law of China

Subject Code

LW - Law

Course Number

4627

Academic Unit

School of Law (FL)

College/School

School of Law (FL)

Course Duration

One Semester

Credit Units

3

Level

B1, B2, B3, B4 - Bachelor's Degree

Medium of Instruction

English

Medium of Assessment

English

Prerequisites

Non-law students must have completed year 1 (degree level) before taking the course.

Precursors

Nil

Equivalent Courses

LW4127 Economic Law of China (LLB) (from the old curriculum)

LW4127A Economic Law of China (AMLLB) (from the old curriculum)

Exclusive Courses

Nil

Part II Course Details

Abstract

The aim of the course is to study the legal framework that regulates economic activities in the PRC. The course examines in detail Chinese economic statutes and introduces methods of structured problem solving which enable students to deal with legal problems in practice.

Course Intended Learning Outcomes (CILOs)

CILOs	Weighting (if app.)	DEC-A1	DEC-A2	DEC-A3
1	Demonstrate good knowledge of the relevant statutes, important legal concepts and institutions of Chinese economic law	x	x	
2	Discover legal issues and apply the relevant provisions of Chinese economic laws to complex fact patterns	x	x	x
3	Find relevant legal materials (Chinese and English) concerning Chinese economic law in databases and libraries.	x	x	

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 real-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.

Teaching and Learning Activities (TLAs)

TLAs	Brief Description	CILO No.	Hours/week (if applicable)	
1	Lectures	Presentation of the substantive law on the topics listed in the course syllabus	1, 2, 3	2
2	Tutorials	Students learn how to apply what they learn from the lectures to legal problems and conduct self-test.	1, 2, 3	1

Assessment Tasks / Activities (ATs)

	ATs	CILO No.	Weighting (%)	Remarks (e.g. Parameter for GenAI use)
1	Coursework	1, 2, 3	30	
2	Class participation (class attendance and engagement in class discussions and other activities)	1, 2, 3	20	

Continuous Assessment (%)

50

Examination (%)

50

Examination Duration (Hours)

3

Additional Information for ATs

Grading of Student Achievement: Refer to Grading of Courses in the Academic Regulations (Attachment) and to the Explanatory Notes.

Standard (A+ A A- ... F)

To pass this course a student must obtain an aggregate of 40% and also minimum of 30% in the coursework and in the examination. Coursework means for this purpose those ways in which students are assessed otherwise than by the end of semester examination.

Assessment Rubrics (AR)**Assessment Task**

1. class participation

Criterion

Demonstration of concentration on lectures and class discussions. Demonstration of ability and willingness to answer questions in class and to participate in class/group discussion. Demonstration of oral presentation skills and willingness. Demonstration of attention and patience to other students' speech or presentation. Demonstration of full respect for different opinions from others in the class.

Excellent (A+, A, A-)

Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.

Good (B+, B, B-)

Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.

Fair (C+, C, C-)

Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.

Marginal (D)

Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.

Failure (F)

Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

Assessment Task

2. Coursework

Criterion

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.

Excellent (A+, A, A-)

Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.

Good (B+, B, B-)

Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.

Fair (C+, C, C-)

Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.

Marginal (D)

Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.

Failure (F)

Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

Assessment Task

3. Examination

Criterion

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.

Excellent (A+, A, A-)

Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.

Good (B+, B, B-)

Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.

Fair (C+, C, C-)

Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.

Marginal (D)

Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.

Failure (F)

Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

Part III Other Information**Keyword Syllabus**

Introduction; dispute settlement; law on enterprises; law on fair competition; law on foreign investment; law on foreign trade; law on environment and energy

Detailed Syllabus

- Introduction to Chinese economic law: concepts; legal system; sources of Chinese economic law
- Dispute settlement of economic disputes in China: arbitration and litigation
- Law on enterprises: companies, partnerships, and other forms of enterprises
- Law on fair competition: unfair competition and monopoly
- Law on foreign investment: Chinese-foreign equity joint ventures; Chinese-foreign contractual joint ventures; wholly foreign-owned enterprises
- Law on foreign trade: foreign trade operators; import and export of goods and technology; trade in services; foreign trade investigation; trade remedies; etc.
- Law on environment and energy: environmental protection; energy preservation

Reading List**Compulsory Readings**

Title	
1	Linda Yi-Chuang, <i>Enterprising China: Business, Economic, and Legal Developments since 1979</i> (Oxford University Press, 2011).
2	Yuanshi Bu ed., <i>Chinese business Law</i> (C.H. Beck, 2010).
3	Patricia Blazey et al., <i>The Chinese Commercial Legal System</i> (Lawbook Co., 2008).
4	Minkang Gu, <i>Understanding Chinese Company Law</i> (Hong Kong University Press, 2010).
5	Guanghua Yu & Minkang Gu, <i>Laws Affecting Business Transactions in the PRC</i> (Kluwer Law International, 2001).
6	Adrian Emch et al. ed., <i>China's Anti-Monopoly Law: The First Five Years</i> (Kluwer Law International, 2013).
7	Michael Faure et al. ed., <i>The Chinese Anti-Monopoly Law: New Developments and Empirical Evidence</i> (Edward Elgar Publishing Limited, 2013).
8	Online Databases
9	Lexis HK
10	Westlaw Next
11	PKULAW

Additional Readings

Title	
1	Nil