

Contract law

The subject of the course "Contract law" is a system of administrative relations planning, organization, coordination, accounting and control of contractual business and business contract law Ukraine.

The course "Law of Contracts" is designed to promote training in management and provides students an understanding of the general principles of contractual relations. Discipline precedes the development of related courses "Law", "Commercial Law", "Investment Law". The study of "contract law" ensures better assimilation of such subjects as "International Management", "International credit-settlement and currency relations", "Management of the international competitiveness of enterprises."

The purpose and objectives of the course

The aim of the course is to develop students' abilities: to master basic knowledge of the provisions of contract law; to create sustainable idea of contract law as a subsector civil law of Ukraine, its sources, principles and standards and prepare students for independent practice in this area, teaching students practical skills to implement the knowledge gained by analyzing the existing sources of contract law, their place in the system Ukraine national law and practice of their application in practice lawyer.

Contents of the course

Section 1. General provisions of contract law

Theme 1. Concept and general characteristics contract law in Ukraine

Public law and private law relations in business. The concept and subject of contract law. The method and principles of contract law and their consolidation in the current legislation. Freedom of contract cases and its limitations. The system of contract law and the characteristics of its main institutions (components).

Sources contract law. Regulations and their types. The analogy of the law and rights. Compact and acts of public authorities.

Theme 2. Terms of contract

The concept commitments and treaty obligations and contract value under the Civil and Commercial Codes of Ukraine. The concept of business (economic) contract and the contract function in economic activities.

Classification of contracts in business: the subject composition, purpose of making and others. The preliminary contract. The form of business contract and the consequences of non-compliance with the agreement in the form of economic relations.

Procedure for making commercial contracts. Offer (offer) and its species. Conditions of reality offer. Commercial contracts. Grounds and consequences of recognition agreements null and void and not concluded.

The grounds and procedure for amending the agreement. The procedure and grounds for termination of the contract under the laws of Ukraine.

Theme 3. Obligations entities (entrepreneurs)

The concept of contractual obligations and order of execution of the contract. Requirements economic performance of the obligation to subject, time, place, method. Substitution persons COMMITMENTS: assignment and assumption of debt. Cases limit changes in the contractual obligations of individuals.

Grounds and procedure for termination of contractual obligations other than the obligations agreed by the parties, can not perform, an individual's death or liquidation of the legal entity.

Overview of ways to enforce contractual obligations in business (penalty, surety, deposit guarantee, pledge). The grounds of legal means interim nature. Other ways to support.

Liability for breach of contractual obligations in the field of enterprise for the Commercial and Civil Codes of Ukraine. Grounds and conditions of liability for breach of contract losses and their components. Value losses and penalties. Port penalty for breach of contract.

Section 2. Certain types of contracts

Theme 1. The agreements on the transfer of property ownership

General description of the contract of sale and its species.

General description of the contract of retail sale. The procedure of classes in trading activities and the rules of public service. The responsibility of business entities for violation of trading activities and trading service customers.

The concept and features of wholesale sales. Subjects wholesale, their rights and obligations. The treaty wholesale sale.

The concept and value of commodity exchanges, the order of their creation and operation. Participants of exchange trade. Procedure for establishing rules of exchange trade.

The contract supply side and the essential terms. International rules for interpretation of trade terms "Incoterms". The contract contracting.

Barter: concepts and features. Treaty donation (donation). The privatization of state and municipal property in Ukraine. Subjects privatization procedure for determining the method of privatization of Ukraine (auction, tender, etc.). Features a contract of sale in the privatization process and its content.

The procedure for procurement of goods, works and services for public funds. Responsibility for violation of procurement.

Theme 2. Contracts for transfer of property in use

The concept and content of the lease agreement (lease). General description of the rights and obligations of the parties under the lease. The subject of the lease. The procedure for determining the amount of rent and order of payment for use of the leased property. Features of the subject lease, change the order of use of the leased property. The order of transfer of property for sublease. Reasons for rejection of the lease and the termination of the lease.

Types of employment contracts (lease). The concept of rental and peculiarities of legal regulation. Features of the lease of state and municipal property. Subjects and object of the lease of state and municipal property. The legal consequences of suspension or termination of the lease of state and municipal property.

The leasing agreement, the essential terms of the lease agreement and its types. Features leasing. Concession agreement: concept, parties, essential conditions and their types.

Theme 3. Contracts for works

Concept and types of works contracts. Cases of amendments and termination of contract agreement. The order and timing of presentation of claims in case of defects in the work.

Features works contract for capital construction. The legal status of the main customer, contractor and subcontractor. Significant terms of the building contract. Terms of the contract award, (general and intermediate), the consequences of violation of terms of performance. The concept of estimates and its species.

Feature transfer work results and the order of registration act of taking delivery of a building contract.

Features of contract agreement for design and survey works. The object and subject of the contract. Execution, transfer, acceptance and payment for work under the contract.

Theme 4. Contracts for legal and factual services

Agency relations in economic sphere, the parties and the subject of the contract.

The concept and content of commission. The rights and obligations under the contract orders. Termination of contractual obligations order.

Features commission agreement under the laws of Ukraine. The legal status of the principal and agent, their rights and obligations. Contract consignment. Conditions of the committee and the reasons for the retreat from the contract committee during its execution.

Storage agreement, its essential terms and form. The parties to the contract of storage. Form of the storage. Term and price in the contract of storage. Special types of storage, storage in the warehouse, storage bookings, luggage storage, protection of property governmental organizations notary, etc.

Insurance contract. Legal regulation of insurance activity in the field of entrepreneurship. Types of insurance.

Theme 5. Rights of credit and payment relations

Overview of legislation on regulation of settlement and credit relations.

Concept and general characteristics of the loan agreement. Significant terms of the loan agreement. Responsibility for violation of the loan agreement.

The concept and the essential terms of the loan agreement. Parties to the loan agreement, the notion of financial institutions and their types. The rights and obligations of the loan agreement. Ways to enforce credit obligations.

The legal nature of a bank account. The parties to the contract of bank account, their rights and obligations. Types of accounts and the procedure for opening accounts by banks Ukraine hospodaryu-vannya subjects. The reasons and consequences of the dissolution of a bank account.

Bank deposit and their types. The rights and obligations for doho-vorom bank deposit. Responsibility for breach of contract.

Rights cashless payments in business under the laws of Ukraine. Features payments using payment orders, checks, letters of credit and collection order.

The concept of cash payments and procedure. Limitations TION-cash payments involving entities.

Theme 6. Commitments on cooperation

Agreements on joint activities. The property and order the contribution of joint activity participants. Public-regulation agreements on joint activities. The concept of partnership.

The founding treaty of a legal entity. The form and content of the treaty establishing a legal entity. The rights and obligations of the parties under the founding treaty.