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## Course Description: Business Law

### 1- Basic Information:

Course Name	Business Law
Course ID	BUL.25
Contact Hours (Synchronized Sessions)	28
Contact Hours with the tutor outside the Synchronized Sessions	17
Contact Hours (Registered Sessions)	130
Exam	
Registered Sessions Work Load	
Synchronized Session Work Load	
Credit Hours	7
Course Level	7

### 2- Pre-Requisites:

Course	ID
Principles Of Management	PCM.101

### 3- Summary

§ All businessmen, companies, workers, consumers, and those with similar interests are interested in commercial law.

§ The privacy of commercial transactions and the various considerations and goals governing them are represented in the primary goal of making profit through wealth circulation, and this requires speedy procedures and speed factor necessitating the existence of special legal rules that differ from those that apply to civil transactions. In these lectures, we will attempt to justify the importance of this branch of law to these different actors. For this, we will have to study:

- The legal vocabulary and basic concepts of commercial law, its history and various sources, and distinguishing it from the nearby branches.

The concept of commercial work and the distinction between commercial work by its nature and commercial work by extension.

- Merchant concept (definition, methods of acquiring the status and domicile of a trader, obligations, rights);

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The concept of the commercial project (contracting project, maritime transport, providing services, selling real estate)

The concept of the store and the store's behavior (establishing the store, the address of the store, selling and renting the store

- The scope of the principle of freedom of trade and industry (freedom of enterprise, freedom of competition, freedom of prices) and its limits (prohibiting unfair competition, restricting sales, preventing abuse of the right if it exists in a dominant position in the market, or what is referred to as preventing monopoly in the Syrian commercial law);

- Commercial papers (bill of exchange), promissory note, check): the formal and objective conditions for issuing them, their circulation methods, and the penalties for not respecting their formalities.

The concept of the commercial contract.

Note: In analyzing these different points, we will refer each time to the Syrian Commercial Law No. 33 of 2007.

The study of commercial law by postgraduate MBA students aims to gain familiarity with the general principles and principles that form the comprehensive framework for commercial law, which is a fundamental pillar of business administration in their studies, as it contributes to refining their practical experiences and framing their knowledge that they have acquired from various fields within a legal framework, until They are able to enter the labor market with confident steps as a result of the combination of their inputs between technical expertise through what they gained from their academic studies in the lower years and what they can undertake in the commercial law course in terms of legal vocabulary and techniques that allow them to be able to keep up with the legal wheel in any sector They could be a part of it in the future.

The commercial law course, as previously shown, seeks to shed light on the basic concepts in commercial law that represent the basis for entry into the business world, which is greatly reiterated through the basic function of this specialty from studies.

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#### 4- Course General Objectives:

Which contains the skills and experiences appropriate to the target labor market, which the student will acquire by successfully passing the course. We must ensure that the outcomes do not exceed four (and are separated through the evaluation criteria).

Outcome coverage should be established by activities such as the job, the synchronization sessions, and the exam. The activities may be variable according to the material, and its coverage of the outcomes may vary from one season to another.

#### 5- Intended Learning Outcomes (ILO):

Code	Intended Learning Outcomes
ILO1	The student concludes the concept of commercial law by stating the definition of commercial law, its history, sources, and its distinction from its sources. The student also provides the basic principles that govern commercial transactions.
ILO2	The student distinguishes the foundations and criteria for classifying a commercial business that is subject to the provisions of the commercial law from other relationships that are subject to the provisions of the civil law and defining the intended purposes of discrimination. And work to develop legal research methodology for the student to ensure that he is provided with the requirements of commercial life, and his contribution to proposing new legal solutions to problems and difficulties that arise in the practical field, which the law is silent about.
ILO3	The student remembers the concept of a merchant, methods of acquiring the status of a merchant, and the most important rights and obligations that result from acquiring this character
ILO4	The student analyzes the legal texts related to determining the conditions that must be met for the establishment of the store, its rights and obligations, and its disposal
ILO5	The student remembers the general freedoms stipulated by the law to practice commercial work, from commercial and industrial freedom, to the freedom to compete, work, sell, buy and contract
ILO6	The student concludes by analyzing the legal texts, the restrictions that are related to the public freedoms to practice trade, whether by rule of law, such as preventing monopoly or unfair competition or by virtue of agreement, through a

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	legal methodology on which the student is trained
ILO7	The student analyzes the legal texts related to the commercial attribution from the withdrawal voucher (the suftajah), the check and the voucher for an order, its formal and objective conditions, characteristics and methods of circulation.
ILO8	The student distinguishes between the common features and the special features that distinguish each commercial bond from the other in order to help him reach the goal of this diversity in commercial bonds.
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## 6- Course Syllabus (21hours of total Recorded Sessions, 28hours of total synchronized sessions)

- **RS:** Recorded Sessions; **SS:** Synchronized Sessions;

ILO	Course Syllabus	RS	SS	Type	Additional Notes
ILO 1	<p>The main stages in the development of commercial law over time</p> <p>Brief definition of commercial law: Commercial law is a branch of private law which, in relation to businesses that do not fall within the jurisdiction of civil law (public law), specifically regulates certain activities of production, distribution and services</p>			<input type="checkbox"/> Exercises <input type="checkbox"/> Assignments <input type="checkbox"/> Seminars <input type="checkbox"/> Projects <input type="checkbox"/> Practices <input type="checkbox"/> Others	
ILO 2	<p>Article 9 of Commercial Law No. 33 of 2007 defines the trader as “1. Traders are:</p> <p>1- A. Persons whose profession is to do business, and the emphasis on the need to fulfill the conditions for acquiring the status of a trader through the availability of legal capacity, which leads us to</p>			<input type="checkbox"/> Exercises <input type="checkbox"/> <u>Assignments</u> <input type="checkbox"/> Seminars <input type="checkbox"/> Projects <input type="checkbox"/> Practices <input type="checkbox"/> Others	

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	<p>research: the distinction between full and Lack of legal capacity</p> <p>B. Companies whose subject matter is commercial.</p> <p>2. Companies whose subject matter is civil but which have assumed the status of joint-stock companies or limited liability companies. They are subject to all the obligations of merchants specified in the following second and third chapters, and to the provisions of preventive composition and bankruptcy established in this law</p> <p>Obligations arising from merchant capacity</p> <p>1 . Registration in the commercial registry</p> <p>1- Commitment to keeping commercial books (through: stating the importance of commercial books.</p> <p>2- Clarify the provisions of the mandatory commercial books.</p> <p>3- Statement of the provisions of the optional books).</p> <p>2 . The obligation to have a bank account</p>				
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	<p>Obligations arising from commercial activity</p> <ol style="list-style-type: none"> <li>1 . Tax obligations: Approval and payment of various taxes and fees (value added tax, business tax, etc.).</li> <li>2 . Legitimate competition commitment.</li> <li>3 . Commitment to consumers</li> </ol>				
ILO 3	Practical case			<p>exercises <input type="checkbox"/></p> <p>(TD)</p> <p><u>Jobs</u><input type="checkbox"/></p> <p><u>Research</u></p> <p>rings<input type="checkbox"/></p> <p>Projects<input type="checkbox"/></p> <p>experiences<input type="checkbox"/></p> <p>other<input type="checkbox"/></p>	Assign students to search for general ideas on these topics on the Internet and in articles and books, and prepare them under the supervision of the teacher, so that they can be shared with their colleagues during the lecture before the teacher explains it.
ILO 4 Commercial Business Business classification	<p>General concept: Commercial law is first and foremost business law, as it defines the merchant through the nature of the legal business that he undertakes. Hence, this idea makes it possible to:</p> <p>Defining some jurisdiction rules and procedures</p> <p>Establishing a specific legal system distinct from the legal system that regulates civil behavior</p>			<input type="checkbox"/>	

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	<p>Subjecting some commercial contracts to specific provisions</p> <p>- Providing for some crimes related to commercial business, by clarifying the crime of unlawful competition and the consequent determination of civil, administrative and penal responsibilities, and then explaining the organization of the forms of lawsuits that protect against this competition.</p> <p>There are several classes of businesses: commercial businesses in terms of their nature or essence, business in terms of the form in which it is carried out, subsidiary businesses and mixed businesses.</p> <p>* Business by nature: It is included in Article 9 of the Commercial Law: a person acquires the status of a trader through the usual or professional practice of activities defined by the Commercial Law.</p> <p>* Business as: These actions include legal mechanisms specific to commercial law, which remain subject to it</p>				
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	<p>regardless of the type of person who implements them. These businesses are very few compared to businesses in nature.</p> <p>Examples include:</p> <p>* Business by extension: These are legal acts that do not fall into the previous two categories. Therefore, it must constitute civil works. However, they are subject to the rules of commercial law in so far as they are implemented by a merchant for the needs of his business. It does not matter whether the other party is a merchant or not a merchant.</p> <p>Mixed business: It is legal business which is considered commercial for one party and not commercial for the other party.</p>				
ILO 5 Trade freedoms	<p>Freedom of Trade, Industry and Investment: It includes the freedom to enter into a trade or a commercial project, and this freedom is sometimes restricted by legal restrictions or an agreement.</p> <p>Freedom of Competition: This is the principle of free competition between firms located in a particular market to supply potential customers with their products or services.</p>			<input type="checkbox"/> Exercises <input type="checkbox"/> Assignments <input type="checkbox"/> Seminars <input type="checkbox"/> Projects <input type="checkbox"/> Practices <input type="checkbox"/> Others	



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	<p>However, this principle can lead to some abuses that the jurisprudence and the legislative authority try to limit in order to maintain fair and adequate competition.</p> <p>Price Freedom: The freedom that the game of competition defines. However, this freedom is not complete (some products remain subject to price regulation.</p>				
ILO 6 the shop The legal nature of the store	<p>A store is a collection of tangible and intangible items intended to pursue a commercial profession.</p> <p>This necessitated the necessity of enacting legal means to protect the store and the actions received on it, and its records.</p> <p>A store is a commodity distinct from its constituent elements. Thus it can be sold, rented or mortgaged as a separate asset. But it does not take away the entity of each of its elements which can be sold separately.</p> <p>1. The store is an intangible asset of a movable nature. The store does not include buildings. Walls, i.e. the shop (for example) in which the merchant</p>			<input type="checkbox"/> Exercises <input type="checkbox"/> Assignments <input type="checkbox"/> Seminars <input type="checkbox"/> Projects <input type="checkbox"/> Practices <input type="checkbox"/> Others	<p>1- How to conduct the actions</p> <p>2- Significance of convening effects:          Determine the seller's obligations          Determine the buyer's obligations</p>

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	<p>conducts a business, is not part of the store, even if the merchant is the owner of the building.</p>				
ILO 7 Intangible SHOP items And material	<p>1. Contacting Customers: These are all people who usually buy goods or services from a dealer. Here's the key point: Without customers, there's no store.</p> <p>2. Trade name: It is the name through which the merchant carries out his activity (example: his family name).</p> <p>3. Logo: It forms a mark on any shape or image that personalizes business. It is often the same as the brand name.</p> <p>4. Trademark: Any distinctive mark capable of graphic representation that identifies a product or service and distinguishes it from competing products. Branding is a key component of store strategy: it is a way to build customer confidence and trust in the store.</p> <p>5. Tools and equipment that are used to exploit the store.</p> <p>6. Goods: These are stocks of raw materials and</p>			<input type="checkbox"/> Exercises <input type="checkbox"/> Assignments <input type="checkbox"/> Seminars <input type="checkbox"/> Projects <input type="checkbox"/> Practices <input type="checkbox"/> Others	

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	finished products				
ILO 8 Commercial papers Special and joint provisions for commercial papers	<p>Definition of commercial attribution -</p> <ol style="list-style-type: none"> <li>1. Draft voucher</li> <li>2. Bond to an order</li> <li>3. The check</li> </ol> <p>There are special provisions that distinguish each commercial bond from the other, for example</p> <ol style="list-style-type: none"> <li>1 . Parties to the commercial bond in both the doubt and the bond for the order and the suftajah</li> <li>2 . The ability of the commercial bond to be endorsed</li> </ol> <p>With the exception of the special provisions for each commercial document, the legislator stipulated general provisions that apply to all commercial bonds in order to avoid repetition</p> <ol style="list-style-type: none"> <li>1. Characteristics of commercial attribution</li> <li>2. The functions of commercial support as a means of fulfillment and a means of credit</li> <li>3. Trading of commercial support</li> <li>4. Methods of endorsing commercial documents</li> </ol>			<input type="checkbox"/> Exercises <input type="checkbox"/> Assignments <input type="checkbox"/> Seminars <input type="checkbox"/> Projects <input type="checkbox"/> Practices <input type="checkbox"/> Others	

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## 7- Assessment Criteria (Related to ILOs)

ISC	Interactive Synchronized Collaboration	Ex	Exams	Rpt	Reports
PF2F	Presentations and Face-to-Face Assessments	PW	Practice Work		

ILO Code	ILO	Intended Results	Assessment Type				
			ISC	PW	Ex	PF2F	Rpt
ILO1	<p>Analyzing the concept of commercial law</p> <p>Know the difference between commercial law and civil law</p> <p>Knowing the standards on which the business is based</p>	<p>1- Re-read the most important terms that the professor addressed in the lecture.</p> <p>2- Ask inquiring questions about the meaning of each term and how to relate it to reality.</p> <p>3- Evidence of achieving the outcomes of this unit can be in the form of written reports, an oral or written examination, or by mentioning practical examples of legal rules, as these examples give the student the ability to understand the</p>		*	*		

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		<p>legal text and how to apply it to the social and economic reality.</p> <p>4- Read the theories and models related to the terms that were used in the lecture.</p> <p>He writes down all the ideas he has seen in a special booklet that is easy to reference when needed.</p>					
ILO2	<p>The student understands the meaning of a merchant and methods of acquiring the status of a merchant</p> <p>It also understands the definition of the store and the legal conditions for the establishment of the store, its rights, obligations and disposition of it</p>	<p>1- Defines the legal problem and returns to the legislative text.</p> <p>2- Reviews the general provisions that govern the problem.</p> <p>3- Defines the special provisions regulating the problem.</p> <p>Identifies the most appropriate sources for the</p>		*		*	

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		legal base.					
ILO3	Choose one of the addresses that have been studied and ask the student to research it in order to expand its studies	The intended purpose of this application is for the student to learn scientific research methods. The student, with follow-up from the teacher, builds a plan for a project he chooses, organizes the project, suggests guiding methods that can be used within a specific context, suggests appropriate monitoring tools in specific environments, with an emphasis on providing justifications according to his options.				*	
ILO4	The student understands the principles of commercial law and the freedoms branching	1- Learn how to propose a legal solution to a					*

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<p>from it</p> <p>Knowing the restrictions that are contained in the legal and commercial business agreement</p>	<p>legal problem.</p> <p>2- He collects the required principles and data using the appropriate method. It coordinates and collects legal norms, judicial and jurisprudential interpretations.</p> <p>1- Learn how to apply the legal rules to the practical difficulties that he faces.</p> <p>2- Know the criteria for organizing rights and duties.</p> <p>3- Determine the legal means that protect rights.</p> <p>4- Determines legal compulsory means such as compulsory sale by public auction. To oblige the debtor to perform his obligation.</p>					
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ILO5	<p>Analyzing the concept of commercial support from the bill of exchange (bill of exchange), check and bond to order,</p> <p>Knowing the formal and objective conditions for commercial papers</p>	<p>1- Get acquainted with the most important rules in commercial law that guarantee the enhancement of confidence and security for creditors.</p> <p>2- Know the means of payment stipulated by law and provide them with guarantees.</p>					*
ILO6	<p>Understand the methods of trading papers</p> <p>Knowing the penalties for not respecting the rules established for commercial papers</p>	<p>The student remembers the main themes in the scientific content</p>					*

## 8- Practice Tools:

Tool Name	Description
Non	--



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- Tenancy Law No. 6 of 2001 and its amendments
- Evidence law
- Trade Law No. 33 of 2007
- Maritime Trade Law No. 46 of 2006
- Consumer Protection Law No. 2 of 2008
- Companies Law No. 3 of 2008
- Penal Code

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