

**ПРОГРАМОВІ ВИМОГИ
З НАВЧАЛЬНОЇ ДИСЦИПЛІНИ
до здачі екзамену для студентів магістрів
спеціальності 081 «Право»
денної та заочної форм навчання з навчальної дисципліни
«КОМЕРЦІЙНЕ ПРАВО ЄВРОПЕЙСЬКОГО СОЮЗУ»
„COMMERCIAL LAW of the EUROPEAN UNION”**

1. Internal market.
2. The Substantive Law of the EEC. Primary Common Law.
3. The Law of the Union.
4. The Concept of European Law.
5. Treaty on European Union.
6. Treaty on the Functioning of the European Union.
7. Treaty of Maastricht.
8. Treaty of Amsterdam.
9. Treaty of Nice.
10. Treaty of Lisbon.
11. The “EU Commercial Law: the “four freedoms” of the domestic market.
12. Directives and regulations on EU Commercial Law.
13. Harmonization of Ukrainian Commercial Law to EU Commercial Law.
14. Custom Union.
15. Customs duties. Charges having equivalent effect to customs duties.
16. Taxation.
17. Quantitative and equivalent restrictions.
18. Prohibition of discriminatory internal taxation.
19. Direct and indirect discrimination.
20. Similar (homogeneous) products.
21. Prohibition of discriminatory technical and physical trade barriers.
22. Prohibition of quantitative restrictions.
23. Measures that have effect equivalent to a quantitative restriction.
24. Various measures (selective) use.
25. Measures of general application.
26. Export restrictions.
27. Free movement of capital.
28. Freedom to establish and provide services. Establishment. Services.
29. Digital Single Market.
30. Free movement of persons. Free movement of workers. Free movement of citizens.
The Schengen Area
31. Legal sources on EU Company Law.
32. Formations and civil law.
33. Corporate governance.
34. Capital maintenance.
35. Mergers and acquisitions.
36. Accounting and audit. Market regulation.

37. Supranational legal entity. Types of Supranational Companies. European Company (Societas Europaea).
38. Concept. Shareholders.
39. Legal relations between shareholders.
40. Management. Change of a seat.
41. Economic interest grouping (EEIG).
42. Societas cooperativa (SCE).
43. Societas privata (SPE).
44. Principles of European Contract Law.
45. The PECL as "Common Core of the European Systems.
46. The PECL as part of a European Lex Mercatoria.
47. Influence on development of law and national legal systems.
48. Influence on a European Civil Code.
49. Concept of Contract. Kinds of Contracts.
50. Digital contracts for Europe.
51. Insurance Contract Law.
52. Harmonization of EU Contract Law.
53. Concept and content of foreign economic activity in Ukraine.
54. Principles of foreign economic activity.
55. Legal regulation of foreign economic activity.
56. Types of sources of legal regulation of foreign economic activity:
 1. domestic law;
 2. agreements on regulation of foreign economic activity;
 3. customs and international trade business practice;
 4. judicial and arbitration practice.
57. Concept and features of foreign trade contracts in Ukraine.
58. Form and content of the foreign trade contract in Ukraine.
59. Conflict question on the form and content of foreign trade agreements (contracts).
60. Scope of competition law.
61. Mergers and acquisitions.
62. Abuse of dominance.
63. Cartels and collusion.
64. European enforcement.
65. Sector inquiry Leniency policy
66. Public services. Application for compensation based on non-contractual liability.
67. References for a preliminary ruling.
68. European Court of Justice. Chambers.
69. Jurisdiction and powers.
70. Landmark decisions.
71. Influence of European Court of Justice on EU Commercial Law

Керівник курсу

Доцент кафедри судочинства

/Ковалишин О.Р./