



SGH

Year	2017/2018	
Course title	Private Law in Transformation	
Course number	222721 - 0012	3 ECTS points
Lecturer	Balcerowicz Leszek Henryk, PhD and team: Beldowski Jarosław , PhD, Słomka-Gołębiowska Agnieszka Katarzyna, PhD, Wojciechowski Wiktor Witold, PhD	

A. Course objective

The course will provide knowledge of private law in transformation and its economic consequences. Within the semester the student will become familiarized with major concepts of private law in transformation concerning company and contract law, as well as property rights issues. The course will reveal how particular sections of private law have changed. What is more, the course will be focused on comparative analysis of fiscal systems and secured transactions in post-soviet countries in Europe. The last part of the course will address problems of bankruptcy and reorganization, as well as labour market regulations especially legal services and industrial relations.

B. Course syllabus

Companies. Contracts. Property law. Fiscal systems. Secured transactions. Bankruptcy and reorganization. Labour market regulations.

C. Educational outcome

Knowledge	Student will get to know: 1. basic concepts of private law in transformation, 2. differences in companies and contract law as well as in property rights, 3. different types of fiscal systems and secured transactions, 4. major concepts of labour market regulations.
Skills	1. outline the changes in private law in post-soviet countries, 2. conduct the comparative analysis of companies and contract law as well as property rights across post-soviet countries and describe major factors that formed them, 3. distinguish different concepts of tax law and fiscal systems as well as secured transactions, 4. indicate differences in labour market regulations across countries in transformation.

D. Semester time table

- 1 Companies
- 2 Contracts
- 3 Property Rights

4	Fiscal Systems/Taxes
5	Secured Transactions
6	Bankruptcy and Reorganization
7	Labour Market Regulations - Legal Services/Industrial Relations

E. Basic literature

1. Andenas M., Enforcing Contracts in Transition Economies: Contractual Rights And Obligations in Central Europe, British Institute of International and Comparative Law 2005; 2. Dahan F., Simpson J., Secured Transactions in Central and Eastern Europe: European Bank for Reconstruction and Development (EBRD) Assessment, Uniform Commercial Code Law Journal 36(3), s. 77-10, 2004; 3. Hoshi I., Balcerowicz E., Balcerowicz L., Barriers to Entry and Growth of New Firms in Early Transition: A Comparative Study of Poland, Hungary, Czech Republic, Albania and Lithuania, Springer 2002; 4. Lizal L., Determinants of Financial Distress: What Drives Bankruptcy in a Transition Economy? The Czech Republic Case, William Davidson Institute Working Papers Series no 451, 2002; 5. McIntyre R., Dallago B., Small and Medium Enterprises in Transitional Economies, Palgrave Macmillan 2003; 6. Roland G., Transition and Economics: Politics, Markets, and Firms, Cambridge 2002.

F. Supplementary literature

1. K. Liebscher, J. Christl, P. Mooslechner (eds.), Financial Development, Integration and Stability in Central, Eastern and South-Eastern Europe, Cheltenham 2006; 2. J. Cioffi, Public Law and Private Power: Corporate Governance Reform in the Age of Finance Capitalism, Cornell University Press 2010.

G. Author's most important publications concerning the offered course

L. Balcerowicz, Systemy gospodarcze. Elementy analizy porównawczej, Warszawa, SGPiS 1990; L. Balcerowicz, Wolność i rozwój, Kraków, Znak 1995; L. Balcerowicz, Socjalizm, kapitalizm, transformacja, Warszawa, PWN, 1997, L. Balcerowicz, Państwo w przebudowie, Znak, Kraków 1999, L. Balcerowicz, Institutional Change after Socialism and the Rule of Law, w: Hague Journal on the Rule of Law, volume 1, issue 2, Sept. 2009, p. 215-240, Cambridge University; Balcerowicz, Leszek, O różnicowaniu i dynamice ustrojów, w: Ruch Prawniczy Ekonomiczny i Socjologiczny, zeszyt 3/2009 s. 9-28, Poznań, 2009; Balcerowicz, Leszek, Transformacja gospodarcza w Europie Środkowo-Wschodniej: wnioski z 20 lat doświadczeń, Ruch Prawniczy, Ekonomiczny i Socjologiczny, ROK LXXII - zeszyt 2, Poznań, 2010; Balcerowicz, Leszek, Kryzys a gospodarka polska, Ruch Prawniczy, Ekonomiczny i Socjologiczny, ROK LXXII - zeszyt 2, Poznań, 2010 Balcerowicz, Leszek, Andrzej Rzońca, redakcja i współautorstwo, Zagadki wzrostu gospodarczego, C.H. Beck Sp. z o.o., Warszawa, 2010; Balcerowicz, Leszek, On the Prevention of Crisis in the Eurozone w: F. Allen, E. Carletti, S. Simonelli (red.) 2012, Governance for the Eurozone: Integration or Disintegration?, European University Institute, Florence, Italy and Wharton Financial Institutions Center, University of Pennsylvania, Philadelphia, USA; Balcerowicz, Leszek, Problemy strefy euro, in: Ruch Prawniczy Ekonomiczny i Socjologiczny, zeszyt 1/2012 s. 81-87, Poznań, 2012

H. Numbers of required prerequisites

not required

I. Course size and mode

	Full-time	Saturday-Sunday	Afternoon
Total:	30	-	-
Lecture	15	-	-
Seminar	15	-	-

J. Final mark composition

traditional examination 100%

K. Foreign language requirements

English

L. Selection criteria

M. Methods applied

Lecture

Seminar



SGH

Year	2017/2018	
Course title	Public Law in Transformation	
Course number	222741 - 0012	3 ECTS points
Lecturer	Balcerowicz Leszek Henryk, PhD and team: Beldowski Jarosław , PhD, Słomka-Gołębiowska Agnieszka Katarzyna, PhD, Wojciechowski Wiktor Witold, PhD	

A. Course objective

The main questions that will be dealt with in the course are: How did the legal system reforms proceed in post-soviet states in Europe? What are the differences in legal systems across transition countries and what are the economic implications of these differences? In the first part, the course offers a comparative analysis of constitutional law focusing on the economic analysis of constitutional design and economic effects of constitutions, as well as judicial system transformation. In the second part, the course investigates the regulatory framework of financial and consumer market, as well as the central banking system across transition countries. In the third part, the course focuses on cross-country analysis of public sector control institutions and the privatization process.

B. Course syllabus

Constitutional law. Courts and enforcement. Financial and consumer market regulatory agencies. Central banks. Public sector control institutions. Privatization.

C. Educational outcome

Knowledge	Student will get to know: 1. basic issues connected to private law in transformation, 2. the main concepts of constitutional law, its design and role in post-soviet countries, 3. reforms of judicial systems, 4. regulatory framework of financial and consumer market, 5. privatization process and mechanisms of state audit.
Skills	Student will be able to: 1. describe basic concepts of constitutional law, 2. characterize reforms of judicial systems in post-soviet countries in Europe, 3. define the regulatory framework of financial and consumer markets, 4. illustrate different privatization process in Europe after 1989.

D. Semester time table

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|---|--|
| 1 | Constitutional law |
| 2 | Postsocialist constitutions - a comparative analysis |

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|----|---|
| 3 | Constitutional design in transition countries |
| 4 | Economic effects of postsocialist constitutions |
| 5 | Constitutional courts in transition |
| 6 | Courts and Enforcement Process |
| 7 | Financial Market Regulatory Agencies |
| 8 | Consumer Market Regulatory Agencies |
| 9 | Central Banks |
| 10 | Public Sector Control Institutions/State Audit |
| 11 | Privatization |

E. Basic literature

1. Anderson J., Bernstein D., Gray Ch., *Judicial Systems in Transition Economies: Assessing the Past, Looking to the Future*, World Bank, 2005; 2. Aussenegg W., Jelic R., *Operating Performance of Privatized Companies in Transition Economies - The Case of Poland, Hungary and the Czech Republic*, EFMA 2003; Helsinki Meetings, 2002; 3. Balcerowicz L., *Socialism, Capitalism, Transformation*, Central European University, 1996; 4. Feldburgge F., *Law in Transition in Eastern Europe*, Springer, 2002; 5. Hanousek J., Tuma Z., *A test of the permanent income hypothesis on Czech voucher privatization*, *Economics of Transition*, 10(2), 2002; 6. Metelska-Szaniawska K., *Constitutions and Economic Reforms in Transition - An Empirical Study*, *Constitutional Political Economy* 20(1), pp. 1-41, 2009; 7. Priban J., Roberts P., Young J., *Systems of Justice in Transition: Central European Experiences Since 1989*, Ashgate Publishing, 2003; 8. Reiningger T., Schardax F., Summer M., *Financial System Transition in Central Europe: The First Decade*, Oesterreichische Nationalbank, 2002; 9. Sadurski W., *Rights Before Courts. A Study of Constitutional Courts in Postcommunist States of Central and Eastern Europe*, Springer, 2005.

F. Supplementary literature

1. Voigt S., Wagener H., *Constitutions, Markets and Law: Recent Experiences in Transition Economies*, Edward Elgar, 2002; 2. P. Murrell: *Institutions and Firms in Transition Economies*, [w:] C. Menard, M. Shirley: *Handbook of New Institutional Economics*, Springer 2005; 3. Netter J., Megginson W. (2001), *From State to Market: A Survey of Empirical Studies on Privatization*, *Journal of Economic Literature*, vol. 39, no. 2K; 4. K. Sonin, *The end of economic transition. Lessons for future reformers and students of reform*, *Economics of Transition*, Volume 21(1) 2013, 1-10.

G. Author's most important publications concerning the offered course

L. Balcerowicz, *Systemy gospodarcze. Elementy analizy porównawczej*, Warszawa, SGPiS 1990; L. Balcerowicz, *Wolność i rozwój*, Kraków, Znak 1995; L. Balcerowicz, *Socjalizm, kapitalizm, transformacja*, Warszawa, PWN, 1997, L. Balcerowicz, *Państwo w przebudowie*, Znak, Kraków 1999, L. Balcerowicz, *Institutional Change after Socialism and the Rule of Law*, w: *Hague Journal on the Rule of Law*, volume 1, issue 2, Sept. 2009, p. 215-240, Cambridge University; Balcerowicz, Leszek, *O różnicowaniu i dynamice ustrojów*, w: *Ruch Prawniczy Ekonomiczny i Socjologiczny*, zeszyt 3/2009 s. 9-28, Poznań, 2009; Balcerowicz, Leszek, *Transformacja gospodarcza w Europie Środkowo-Wschodniej: wnioski z 20 lat doświadczeń*, *Ruch Prawniczy, Ekonomiczny i Socjologiczny*, ROK LXXII - zeszyt 2, Poznań, 2010; Balcerowicz, Leszek, *Kryzys a gospodarka polska*, *Ruch Prawniczy, Ekonomiczny i Socjologiczny*, ROK LXXII - zeszyt 2, Poznań, 2010; Balcerowicz, Leszek, *Andrzej Rzońca, redakcja i współautorstwo, Zagadki wzrostu gospodarczego*, C.H. Beck Sp. z o.o., Warszawa, 2010; Balcerowicz, Leszek, *On the Prevention of Crisis in the Eurozone* w: F. Allen, E. Carletti, S. Simonelli (red.) 2012, *Governance for the Eurozone: Integration or Disintegration?*, European University Institute, Florence, Italy and Wharton Financial Institutions Center, University of Pennsylvania, Philadelphia, USA; Balcerowicz, Leszek, *Problemy strefy euro*, in: *Ruch Prawniczy Ekonomiczny i Socjologiczny*, zeszyt 1/2012 s. 81-87, Poznań, 2012

H. Numbers of required prerequisites

not required

I. Course size and mode			
	Full-time	Saturday-Sunday	Afternoon
Total:	30	-	-
Seminar	30	-	-

J. Final mark composition	
traditional examination	75%
report	25%

K. Foreign language requirements	
English	

L. Selection criteria	

M. Methods applied	
Seminar	