

Course Profile

Course Name: Contract Law in China

Course Code: X190651

Course Credits: 2

Course Category: Required Elective

Terms Offered:

Fall 1-11 week

Spring _____

Summer_____

Course Pre/Co-requisites: None

Textbook:

Self-prepared teaching materials.

Instructor:

[Name] Professor Shen Wei

[Email] shenwill2@gmail.com

[Office] Room 424

[Office Hours]: By email appointment.

Course Description:

This course aims to introduce to our overseas students the Chinese contract law and its application, with a purpose of establishing our students' capability to conduct comparative studies on the law of contracts.

The main content of this course covers both the local Chinese statutory law and judicial interpretations, and the Anglo-American common law doctrines of the subject. Lectures and discussions will be mixed in the classroom. Students are required to read the given materials and to bring out their questions during the classes.

Negotiation exercises will be carried out in some classes so that the students will have the opportunity to apply their knowledge of contract law to hypothetical scenarios.

Grading Policy:

Exam at the end of the semester.

Syllabus:

Part One:

Research methodology on Chinese law of contracts
Historical and Cultural background of the Chinese law of contracts
Contracts in common law countries- Restatement and its values

Part Two:

I. An Analysis of the Statutory Chinese Contract Law

II. General Principles

- Formation of Contract
- Validity of Contract
- Performance of Contract
- Modification and Assignment of Contract
- Termination of Contract Rights and Duties
- Liabilities for Breach of Contract
- Other Provisions

III. Specific Principles

- Sales Contract
- Contracts for Public Utilities
- Contract of Gifts
- Contracts for Loans of Money
- Leasing Contracts
- Financial Leasing Contracts
- Contracts of Hired Works
- Contracts for Construction Projects
- Carriage Contracts
- Technology Contracts
- Safekeeping Contracts
- Warehousing Contracts
- Agency Appointment Contracts
- Trading-Trust Contracts
- Brokerage Contracts
- Supplementary Provisions