

**THE UNIVERSITY OF HONG KONG
FACULTY OF BUSINESS AND ECONOMICS**

**BUSI3810 Legal and Ethical Environment of Global Business
COURSE SYLLABUS**

I. Information on Instructor

Instructor: David Bishop
Email: DBishop@hku.hk
Office: 1313 KK Leung Building
Phone: 9492-8308 (mobile)
Consultation times: Flexible; please call or email for an appointment

Pre-requisites: NONE

II. Course Description and Objectives

All managers and executives today must have a solid understanding of some core legal principles. This course will provide each student with a solid ethical and legal foundation, especially in the global context. It is an international business law course specifically designed for students who hope to become managers and executives in Asia. We will discuss broad legal principles and how they affect business today, analyzing several cross-border business transactions and court cases. The format of the course is similar to a graduate seminar, requiring students to be well prepared and participate actively in class.

■ ***Instructor Expectation:***

In order to achieve both breadth and depth, we will need to work diligently together. Preparation and participation are important in all aspects of this course. The learning curve is steep due to the technical and complex nature of the subject matter, and our pace in class is fast as we move from one topic to another in a cumulative fashion. Students should be prepared to devote substantial time to this course.

It is strongly recommended that you begin reading in advance, as it is important to not get behind.

■ ***Course Objectives:*** This course helps advance the basic goals of the Business School by helping you:

- Better understand international legal systems and principles so that you can apply such knowledge to global legal issues you may face in the future.
- Improve your research, debate, problem solving, communication, and analytical skills through analysis of legal problems in both group and individual settings.
- Gain an understanding of, and appreciation for, the complexities in international business transactions, with a particular emphasis on the role that law and attorneys play in such transactions.
- Understand the importance of business ethics in international transactions.

III. Course Learning Outcomes

At the end of this course, students are expected to achieve the following **course learning outcomes (CLOs)**:

1. Gain a solid foundation on core legal concepts and issues that face global businesses today.
2. Be able to critically assess legal systems from various jurisdictions to gain a global legal perspective, and analyze the role of law in complex international business environments.
3. Sharpen critical thinking skills to discern legal issues and create appropriate solutions to legal problems.
4. Demonstrate effective communication skills, both in written and oral formats.

Alignment of Program and Course Outcomes

Program Learning Outcomes	CLOs
1. Acquisition and internalization of business knowledge and skills in key functional areas.	1, 2
2. Application of business knowledge to solve business problems.	2, 3, 4
3. Inculcating professionalism	1, 2, 3, 4
4. Developing global outlook.	1, 2
5. Mastering communication skills.	3, 4
6. Cultivating leadership	1, 2, 3, 4

IV. Course Teaching and Learning Activities

Assessment Methods	Brief Description	Weight	Aligned CLOs
A1. Class Participation and Leadership (assessed by way of quizzes)	The instructor will lecture and guide class discussion related to the CLOs. Every student will be expected to hold in-class dialogues with the instructor. Students will also be assessed on their pre-class reading and leadership within group projects. This will be assessed via 4 short quizzes assessing retention of lecture materials, with the 3 highest scores retained for the final grade.	30%	1, 2, 3, 4
A2. Group Contract Negotiation Project	Students will work in groups to negotiate and draft a contract for an international business transaction.	40%	1, 3, 4
A3. Legal Research Project	Students will prepare a writing assignment for a topical legal issue or case.	30%	1, 2, 3, 4
	Total	100%	

Course Teaching & Learning Activities	Expected Contact Hours	Study Load (% of study)
T&L1. Lectures, In-class Discussions, and quizzes	33	27%
T&L2. Group Case Discussion	5 (avg. per student)	4%
T&L3. Group Contract Negotiation Project	20 (avg. per student)	16%
T&L4. Group Legal Research Project	20 (avg. per student)	16%
T&L5. Independent Study	45	37%
Total:	123	100%

V. Standards for Assessment

Class Participation and Leadership via Quizzes – 30%					
<p>All class members are expected to read or watch the materials (readings, videos, articles, etc.) assigned for each class meeting. Students will be given four quizzes during the semester to assess comprehension, retention, and application of lecture materials. Each quiz will be worth 10 total points, and only the three highest scores will count toward the final assessment (for a total of 30 points).</p>					
CLO	A+ A A-	B+ B B-	C+ C C-	D+ D	F
CLO1 CLO2 CLO3 CLO4	Students who score 90% or above on the quizzes.	Students who score between 80% and 89% on the quizzes.	Students who score between 70% and 79% on the quizzes.	Students who score between 60% and 69% on the quizzes.	Students who do not take the quizzes with unexcused absences, and/or score below 60% on the quizzes.
Group Negotiation Project – 40%					
<p>This Group Negotiation Project will be assessed using the following criteria:</p> <p>1) Clear and well written negotiation summary, providing evidence of group discussion and thought before, during, and after the negotiation process, analyzing the process (including both the preparation and negotiation) and result: 10 points possible</p> <p>2) Quality contract drafting, including all requisite legal articles and clearly enumerating the deal agreed between the parties: 30 points possible</p>					
CLO	A+ A A-	B+ B B-	C+ C C-	D+ D	F
CLO1 CLO3 CLO4	Clear and well written negotiation summary showing thought and	Clear and well written negotiation summary showing some thought and	Sufficient negotiation summary showing some thought and	Poorly written negotiation summary showing little thought and	Lack of evidence of sufficient effort for any of the assessment

	analysis. Quality contract drafting.	analysis. Clear contract drafting.	analysis. Some contract errors or evidence of lack of drafting effort.	analysis. Contract drafting contains significant errors.	criteria. Work fails to reach degree level.
Legal Research Project – 30%					
Specific instructions concerning this project will be provided to students early in the module. Students will prepare research and write about a legal topic or case.					
Criteria for Assessment of the Written Brief:					
1. Quality of Analysis (level of analysis and interpretation; application of legal theories) – 10pts					
2. Support (relevant primary and secondary sources used to bolster and shape arguments) – 10pts					
3. Organization (clear and focused; concise; consistent formatting; transitions) – 5 pts					
4. Expression (precise word choice; typos; sentence quality; etc.) – 5 pts					
CLO	A+ A A-	B+ B B-	C+ C C-	D+ D	F
CLO1 CLO2 CLO3 CLO4	Very good to excellent ratings on all criteria.	Good to very good ratings on all criteria.	Good ratings on most criteria and fair ratings on the rest.	Poor rating on some of the criteria and fair ratings on the rest.	Poor ratings on three or more of all criteria; or fail to submit the assignment on time.

VI. Required/Recommended Readings & Online Materials

Required Readings: *To be provided by the course instructor.*

Optional Textbook: D.K. Srivastava, *Business Law in Hong Kong*, 2nd Edition, Sweet & Maxwell (2007)

VII. Course Policies

Academic Honest and Integrity

You are expected to do your own work whenever you are supposed to. Incident(s) of academic dishonesty will **NOT** be tolerated. Cheating or plagiarism of any kind will result in an automatic F grade for the course plus strict enforcement of all Faculty and/or University regulations regarding such behavior.

The University Regulations on academic dishonesty will be strictly enforced! Please check the University Statement on plagiarism on the web: <http://www.hku.hk/plagiarism/>.

Academic dishonesty is a behavior in which a deliberately fraudulent misrepresentation is employed in an attempt to gain undeserved intellectual credit, either for oneself or for another. It includes, but is not necessarily limited to, the following types of cases:

- a. *Plagiarism* - The representation of someone else's ideas as if they are your own. Where the arguments, data, designs, etc., of someone else are being used in a paper, report, oral presentation, or similar academic project, this fact must be made explicitly clear by citing the appropriate references. The references must fully indicate the extent to which any parts of the project are not one's own work. Paraphrasing of someone else's ideas is still using someone else's ideas, and must be acknowledged.

- b. *Unauthorized Collaboration on Out-of-Class Projects* - The representation of work as solely one's own when in fact it is the result of a joint effort.
- c. *Cheating on In-Class Exams or Quizzes* - The covert gathering of information from other students, the use of unauthorized notes, unauthorized aids, etc.
- d. *Unauthorized Advance Access to an Exam* - The representation of materials prepared at leisure, as a result of unauthorized advance access (however obtained), as if it were prepared under the rigors of the exam setting. This misrepresentation is dishonest in itself even if there are not compounding factors, such as unauthorized uses of books or notes.

VIII. Course Content and Tentative Teaching Schedule

COURSE CONTENT AND TENTATIVE TEACHING SCHEDULE			
CLASS	LECTURE TOPICS	Srivastava (Optional)	Other Reading & Assessment Items
1	Course Overview Intro to Business Law and Ethics World Legal Systems	Skim Ch. 1, 2, & 3	See Moodle for slides and required readings.
2	Contract Law I	Ch. 4	Review contract law slides on Moodle. Note: Chapter 4 is long, so focus on pp 83-142; 181-212; and 248-264
3	Contract Law II	Ch. 4	Same as above
4	Contract Law III Negotiation	Ch. 4	Same as above
5	Agency Law	Ch. 5	Review readings for agency law found on Moodle. In Ch. 5, focus on pp. 277-303
6	Business Entities	Ch. 7 & 8 (pp398-411; 477-489)	Review readings for business entities found on Moodle.
7	Catch-up Class		Continue with whatever topic we are currently on.

8	Business Torts & Product Liability	Ch. 9 (skim all major concepts)	Review readings for torts found on Moodle.
9	Intellectual Property I	Ch. 13 (skim major concepts)	Review readings for IP found on Moodle.
10	Intellectual Property II	Ch. 13 (skim major concepts)	Same as above.
11	Discussion and Course Wrap-up		

LEGAL & ETHICAL ENVIRONMENT OF GLOBAL BUSINESS GROUP CONTRACT NEGOTIATION EXERCISE

INSTRUCTIONS

- *This exercise is worth 40% of your overall course assessment.*
- Your group will represent a company in a dispute. Your goal is to try to negotiate an out of court settlement for the dispute, **which will include a contract for future services.**
- After carefully considering the case information (as provided by the instructor), each group should prepare a negotiation plan. This plan will serve as a roadmap for you during your negotiation and subsequent contract drafting. [NOTE: this negotiation plan is not an assessed activity, but is vital to help you plan out possible contingencies.]
- After your group creates your negotiation plan, the respective representatives of each group should meet to carry out the negotiation (as per the instructions in your negotiation scenario, and as determined and agreed on by your group members).
- After you have completed the negotiation (whether in one meeting, or a series of negotiations), you must commemorate your agreement in a written contract. You will need to find the form contract on your own; one will not be provided by the instructor. **If you are unable to finalize an agreement, your group must prepare a report (at least 5 pages, single spaced) about why you were unable to come to an agreement: what were the issues, why did you not compromise, etc.** *Unless there is a particularly good reason, which is clearly illustrated to and accepted by the instructor, groups that do not come to an agreement will automatically lose 15% of the marks for this assignment.*
- Upon finalization of your written contract, you should discuss the process as a group (you may also wish to include the other group that you negotiated with), at which time you may reveal all information you wish to the other parties. After this discussion, please document the key points and issues discussed, and the main things your group learned from the exercise (both the negotiation and the contract drafting), in a negotiation summary.
- Groups must finalize these negotiations, including the contract and group negotiation summary, **by a date to be determined and provided by the instructor.**

DELIVERABLES

- **Group Negotiation Summary:** Each group will submit a negotiation summary, the form of which will be provided by the course instructor. *[This summary is worth 10 points.]*
- **Contract (or report about why you were unable to enter into a contract):** Each group must commemorate their agreement in the form of a contract. The instructor will not provide a draft for you. You can use the internet or other source to find a suitable form contract upon which to base your draft. *Although both groups will work on the contract, scores for each group will be different depending on which side gets the better “deal” or does a better job of protecting themselves in the contract document. [This contract/report is worth 30 points.]*

GRADING RUBRIC

See above in the syllabus.