

課程名稱：商事法（COMMERICAL LAW）

課程說明：傳統的商事法以公司法、票據法、海商法及保險法為主要內容。但在企業經營上，證券交易法、企業併購法、金融控股公司法及商業登記法也佔了重要地位，但因時間限制，本課程講授重點在於公司法，並論述其與證券交易法、企業併購法及金融控股公司法之差異，使修課同學了解企業組織之架構、形成及變動；另在公司法課程結束後，對證券交易法及公平交易法作概要性的介紹，使同學了解商業的運作及能作策略性的思考。其次為票據法，主要授課內容為票據之意義、應用、使用方式及注意事項；如時間允許，則再介紹保險契約之概念，另分析實務上常遇到之保險糾紛。

本課程考量修課同學為商管學院之學生，故不要求法律條文之背誦與理論之探討，而著重於個案之說明與討論，同時經由個案之討論使同學對商事法律有所了解，並有足夠的判斷能力，以因應日常生活及將來進入職場所需。本課程雖指定參考教科書，但上課講解內容以實際案例為主，同時補充與企業活動有關的法律問題及注意事項，並適時討論新聞事件，以加強同學印象及上課之參與程度。原則上，考試以上課討論過的內容為主。

上課教材：

一、講義

二、最新簡明六法（必備）

三、參考書：「商事法」，元照出版社，作者：王文宇等五人

評分標準：期中考、期末考及平時成績各三分之一

Course Title: Commercial Law

Course Description:

Traditional Commercial Law includes Company Act, Act of Negotiable Instruments, Maritime Act and Insurance Act. In business practice, Securities and Exchange Act, Enterprises Mergers and Acquisition Act, Financial Holding Act and Commercial Registration Law take important role.

Due to time constraint, the course mainly focuses on Company Act and discusses the differences in relation to some of the relevant Financial Acts, for example, the Securities and Exchange Act, the Fair Trade Act and etc. Let the students understand Company organization structure, set-up and changes. After the end of the course of the Company Act, a summary description of the Securities and Exchange Act, and the Fair Trade Act will be provided, so that the students understand the operation of the business and strategic thinking.

The course also includes the definition, applications, usage and tips for the Act of Negotiable Instruments. If possible, the concept of the insurance contract and the practice of insurance disputes will be discussed.

This course is designed for the students of the School of Business and Management, and it does not require the recitation of the legal provisions and the academic theories. To enhance students' understanding of the commercial legal through a case-by-case discussion, and have sufficient ability to judge, to cope with daily life and the future career required.

This course is specified reference textbooks. The activity in class is to explain content to actual case-based. While complementing the legal issues, considerations related to corporate activities and timely events, in order to strengthen the impression of students and class participation.

The course examination is based on the subjects discussed in class.

1st Session:

Company Act

For the practical purposes, the course emphasis on Company Act and Act of Negotiable Instruments in order to enhance students' ability of resolving business legal problems. By some case studies, students can fully understand the relevant Acts more than Commercial Law involved.

2nd Session:

Act of Negotiable Instruments

Course contents contain commercial check definition, usage and its details.

3rd Session:

Fair Trade Act

Outlines of Fair Trade Act

4th Session:

Securities and Exchange Act

Outlines of Securities and Exchange Act

Notice

The course consider students are all from Business Administration Department, I therefore focus on practical cases discussion rather than asking students study and memorize detail Acts. By such, students can fully understand the relative regulation and form judging ability to meet their daily life and future career needs.

The courses include reference textbook and example with notes. I will supplement the important regulations and governance on relative commercial events. Take chance to discuss news to reinforce students' impression and their involvement.

Course Materials

1. Handouts
2. Newest Brief Acts (Necessary)
3. Company Act written by Wen Yu, Wang, released by Yuan Chou Publishing Company

Grading Standard:

Mid Exam (35%), Final Exam (35%) and course involvement (30%)