

Creditor's Rights and Insolvency Law

Kredit- och exekutionsrätt
15 credits

Programme course

747G94

Valid from: 2022 Autumn semester

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|---|----------------------------------|-----------------------------------|
| Determined by | Main field of study | |
| Course and Programme Syllabus Board at the Faculty of Arts and Sciences | Commercial Law | |
| Date determined | Course level | Progressive specialisation |
| 2022-07-08 | First cycle | G2F |
| Revised by | Disciplinary domain | |
| | Law | |
| Revision date | Subject group | |
| | Law and Legal Studies | |
| Offered first time | Offered for the last time | |
| Autumn semester 2022 | | |
| Department | Replaced by | |
| Institutionen för ekonomisk och industriell utveckling | | |

Course offered for

- Business and Economics Programme

Entry requirements

General entry requirements for undergraduate studies
and

Social Studies, English, and Mathematics corresponding to the level of Swedish upper secondary education (Samhällskunskap 1b or 1a1 and 1a2, Engelska 6 and Matematik 3b/3c or Matematik C)

and

at least 60 ECTS credits passed from the programme, or equivalent

Intended learning outcomes

On completion of the course, the student should be able to

- account for the judicial fields of specific importance for work with payments funding, credit granting and economic control,
- demonstrate knowledge of different forms of execution and property law crimes,
- identify, analyse and solve practical legal issues,
- identify the origin and winding-up of a claim,
- describe the origin of property law protection,
- analyse typical legal risks in credit-related security arrangements,
- calculate expected outcome for each creditor in a simple bankruptcy,
- describe the fundamental features of the occurring forms of insolvency,
- identify typical property law crimes,
- reflect on the issues of said legal fields,
- critically examine and analyse legal source material.

Course content

This course covers civil law and economic criminal law. The civil law part of the course involves obligation law, credit and execution law, and property law.

Obligation law comprises the concepts of demand and debt, the origin and contents of demands, and payment, offset and limitation. The section credit and execution law covers the credit agreement, credit security and collection of demands via both special execution and general execution. Joining this are the property law rules concerning when an acquirer of ownership or other right gains protection against a competing acquirer or the creditors of the transferor/lessor. Covered in economic criminal law are the general economic crimes, as well as fraud and embezzlement and the more business related crimes, such as crimes against creditors and dishonesty crimes.

Teaching and working methods

The teaching takes the form of lectures and exercises. Seminars and written assignments may also occur, the latter to be solved in groups and/or individually. The students should also study independently.

Examination

The course is examined through an independent written examination. If seminars and/or written assignments occur, these are included in the examination. Seminars are completed through active participation in them. Detailed information can be found in the study guide.

If special circumstances prevail, and if it is possible with consideration of the nature of the compulsory component, the examiner may decide to replace the compulsory component with another equivalent component.

If the LiU coordinator for students with disabilities has granted a student the right to an adapted examination for a written examination in an examination hall, the student has the right to it.

If the coordinator has recommended for the student an adapted examination or alternative form of examination, the examiner may grant this if the examiner assesses that it is possible, based on consideration of the course objectives.

An examiner may also decide that an adapted examination or alternative form of examination if the examiner assessed that special circumstances prevail, and the examiner assesses that it is possible while maintaining the objectives of the course.

Students failing an exam covering either the entire course or part of the course twice are entitled to have a new examiner appointed for the reexamination.

Students who have passed an examination may not retake it in order to improve their grades.

Grades

Three-grade scale, U, G, VG

Other information

Planning and implementation of a course must take its starting point in the wording of the syllabus. The course evaluation included in each course must therefore take up the question how well the course agrees with the syllabus.

The course is carried out in such a way that both men's and women's experience and knowledge is made visible and developed.

If special circumstances prevail, the vice-chancellor may in a special decision specify the preconditions for temporary deviations from this course syllabus, and delegate the right to take such decisions.