



BANKRUPTCY LAW

Basic data of the subject	
Academic Unit:	University of Prizren “Ukshin Hoti” Faculty of Law
Course title:	Bankruptcy Law
Program:	Law
Level:	Bachelor
Course status:	Optional
Study year:	1 st year , 3 rd semester
Number of hours per week:	2+1
Credit value – ECTS:	4
Time / location:	Faculty of Law
Lecturer:	
Contact details:	
Course description:	
Course description:	<p>This course will teach you the basic concepts of bankruptcy, reorganization and liquidation of companies.</p> <p>Bankruptcy Law regulates the aspect of bankruptcy for businesses.</p> <p>This law regulates and defines all issues related to bankruptcy and insolvency of commercial companies, provisions for the protection, liquidation and distribution of assets of the bankruptcy debtor to creditors and provisions for reorganization and debt relief for commercial companies.</p> <p>Bankruptcy law is considered crucial in the functioning of business activities in a market economy and in economic development in general.</p>
Course objectives:	<p>Bankruptcy Law aims to maximize the return to creditors, create a fair and equitable system of ordering claims and allocating assets among creditors, and establishing mechanisms through which to identify the reasons for failure and those who have mismanaged to prohibit the management of other enterprises. When a company goes into bankruptcy many questions are raised such as: Is it possible for the company to be rehabilitated or at least be in a better position before liquidation ? If you go into liquidation proceedings, what available company stocks can be distributed to</p>

	creditors ? Who can be considered a creditor and how they would rank in their right of claim.		
Learning outcomes:	Upon completion of this course, the student is expected to be able to: <ul style="list-style-type: none"> ➤ Recognize national and international legislation on bankruptcy law; ➤ Analyze bankruptcy practices; ➤ Assess when a company should go into liquidation; ➤ Analyze which assets of the company can be distributed to creditors. 		
Contribution on student load (must correspond with learning outcomes)			
Activity	Hours	Week	Total /hours
Lectures	2	15	30 hours
Exercise theoretical/laboratory	1	1	1
Practice work	/	/	/
Contact with lecturer/consultations	1	Weekly	15
Field exercises	/	/	/
Mid-terms, seminars	1	Semestral	15
Homework	2	Semestral	1
Individual time spent studying (at the library or home)	5	2 times in a week	10
Final preparation for the exam	/	/	/
Time spent in evaluation (tests, quiz, final exam)	8	2 times in a semester	16
Projects, presentations, etc.	3	One time in a month	3
Total			4 ECTS
Teaching methods	Each week in addition to the relevant lecture course, a portion of the lectures will be allocated to strengthen the topic by practicing exercises. Interactive and communicative approach methods dominate the development of the curricula required for this course. Lectures, discussions, group work with responsibilities of each group, homework presentations, ongoing evaluation, etc.		
Evaluation methods	Oral and written evaluation: Debates:.....5% Group projects:.....5%		

	Midterm:..... 20%
	Presentation of works:..... 10%
	Attendance:.....10%
	Final exam:50%
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	Total:100%

Literature

Basic Literature:	<p>- Adnan Jashari, E drejta biznesore (statusore) Tekst Universitar, Tetovo, 2012;</p> <p>- Mazllum Baraliu “E Drejta Biznesore”, Pristina 2010;</p> <p>- Armand Krasniqi, “E Drejta Biznesore”, Kolegji Evropian Dukagjini, 2014;</p> <p>- Mehdi J. Hetemi, “E drejta me njohurit themelore të së Drejtës Afariste”, Pristina, 2006.</p> <p>- Law No. 06/L-016 on Business Organizations of the Republic of Kosovo; https://gzk.rks-gov.net/ActDetail.aspx?ActID=16426;</p> <p>- Law No. 03/L-087 for Publicly Owned Enterprises; https://gzk.rks-gov.net/ActDetail.aspx?ActID=10822;</p> <p>- Law No. 05/L-083 for Bankruptcy https://gzk.rks-gov.net/ActDetail.aspx?ActID=12664;</p>
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Additional Literature	<p>- Frank B. Cross, “The Legal Environment of Business”, USA, 2015</p> <p>- Clarkson, Miller, Cross, “Business Law: Text and Cases”, USA, 2015</p> <p>- Marisa Anne Pagnattaro, Daniel R. Cahoy and others, “The Legal and Regulatory Environment of Business”, New York, 2013</p>
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Designed study plan:

Week	Lectures which will be held
<i>First week:</i>	<ul style="list-style-type: none"> • Introductory presentation; • Knowledge and purpose of the subject; • Course program; • Expected results; • Literature; • Assessment; • Academic policies.
<i>Second week:</i>	Introduction to the Bankruptcy Law
<i>Third week:</i>	Analysis of the law on liquidation and reorganization of legal persons in bankruptcy (purpose, scope, key concepts, terms of definition, jurisdiction, complaints)
<i>Fourth week:</i>	Submission of bankruptcy claim

<i>Fifth week:</i>	Administrator and creditors' board (appointment of administrator, qualifications, rewards and expenses, administrator's authority, reporting, opposition, complaints and requests by force, dismissal of the administrator)
<i>Sixth week:</i>	The estate of bankruptcy (property, property transfer, other assets)
<i>Seventh week:</i>	Midterm – Written test
<i>Eighth week:</i>	Administrative jurisdiction
<i>Ninth week:</i>	Submission of claims (requests, duties of administrator and court for requests, cancellation of transfer)
<i>Tenth week:</i>	Reorganization (plan, procedures and consequences of reorganization)
<i>Eleventh week:</i>	Liquidation and termination of the case (liquidation, final report and closure of the case)
<i>Twelfth week:</i>	The civil and criminal responsibilities
<i>Thirteenth week:</i>	The mergers and divisions of JSC. Dissolution and Liquidation of JSC
<i>Fourteenth week:</i>	Developments in the right of insolvency in international terms, particularly in the European Union.
<i>Fifteenth week:</i>	Midterm – Written test

The academic policy and student's complaisance:
<ul style="list-style-type: none"> • The student have to respect the schedule of classes and have be attentive at teaching; • Be regular in lectures; • The student must be an active participant in lectures, (as the expected book for development of the subject is the book which deals mainly with topics in the form of exercises, and as such it requires continuous cooperation between teacher, students and student's book); • Be accurate on time; • To comply with all educational rules; • Students are obliged to present and possess ID Card in Midterm and Final Exam.

Note:

Attendance is a prerequisite for students who wish to gain proper knowledge of this subject. Students who attend regularly the course will be able to participate actively in class, giving their concrete contribution during interactive lectures and during exercise. Therefore, their contribution of their participation and learning and homework will be evaluated throughout the semester-percentage according to defined criteria.