



APPLIES TO ACADEMIC YEAR 2012/2013

SFU 1490 Credit Law

Programme

Bachelor in Banking and Finance (SF)

Responsible for the course

Morten Kinander

Department

Department of Accounting - Auditing and Law

Term

According to study plan

ECTS Credits

7,5

Language of instruction

Norwegian

Introduction

The course is part of the Credit Management Bachelor Programme (30 ECTS). A completed Credit Management Programme may be used as part of the Bachelor of Management degree.

Learning outcome

Acquired knowledge

The course shall convey knowledge within the legal areas that is important for the quality of credit management work and associated areas.

Acquired skills

By doing practical exercises the participants shall improve their ability to uncover and solve legal problems. The participants shall learn to effectively communicate the problems with legal experts.

Reflection

To be conscious of the laws, rules and agreements that govern the legal relations between the parties and to respect them.

Prerequisites

The prerequisites for the Credit Management programme apply.

Compulsory reading

Books:

Bråthen, Tore. 2008. Selskapsrett. 3. utg. Focus : Universitetsforlaget. Kapittel 1, 2, 4, 5 og 7. Langfeldt, Sverre Faafeng og Tore Bråthen. Lov og rett for næringslivet. Siste utg.

Universitetsforlaget : Focus forlag. Kapittel 1, 5, 12, 13, 14 og 15.

Langfeldt, Sverre Faafeng, red. Næringslivets lovsamling 1687- ... til Lov og rett for

næringslivet. Siste utg. Universitetsforlaget : Focus forlag. Alle relevante lovttekster for kurset

Other:

Utdelt materiale

Recommended reading

Books:

Rike, Ole Dag og Erik Råd Herlofsen. 2006. Panterett for praktikere. 2. utg. Høyskoleforlaget

Course outline

1st topic: Doctrine of sources of law

Review of the sources of law (legislation, legislative history, case law) that are used to solve legal questions. Interpretation of laws and agreements.

2nd topic: Contract Law. The contract mechanism

The boundary between binding and non-binding statements. Contract formation. Interpretation and filling in of contracts. Standard-form contracts.

3rd topic: Contractual invalidity

Contract Act ch. 3. Invalid contracts. The rules on invalidity in standard contract law and in financial law.

4th topic: Law of commercial instruments

Transfer of money claims. Terms for counter-claims. Terms and effects pursuant to penalty interest law. Collection of claims pursuant to the debt collection act, including generally accepted collection principles and costs. Length of limitation periods, starting point and interruption.

5th topic: Law of mortgages and pledges

Review of the Mortgages and Pledges Act. Various types of mortgages and pledges. Mortgage is created by agreement in property, machinery and plant and in chattels, in inventory, in claims (including shares and bonds), factoring, security for unpaid purchase. Distraint.

6th topic: Law of property

Legal issues concerning rights to property, including real estate. The legal protection concept and the legal content. Title registration in the land register and in the Movables Register. Bona fide purchase of chattels.

7th topic: Company law (General partnership/apportioned liability and privat/public limited companies)

Review of and characteristics of forms of ownership. Formation of a company. Company liability, board liability and owner liability. Decision processes and formalities. Company law identification rules.

8th topic: Enforcement, settlement proceedings and bankruptcy

Court order/restraining order of claims pursuant to the Enforcement Act both with and without particular ground of enforcement. Seizure and interim court order. Requirements and effects of debt negotiations and of bankruptcy, for the debtor and for the creditors.

Computer-based tools

No particular computer-based tools are used.

Learning process and workload

Recommended workload for students:

Activity	Use of time
Attendance at lectures	35
Exercise training organized by lecturer	10
Preparations for lectures	25
Self-tuition/reading of syllabus	65
Work on cases/assignments	60
Exam	5
Total recommended workload	200

Use of hours

35 lecture hours

10 hours of exercise training organized by lecturer

45 hours altogether

Examination

A three-hour individual written exam concludes the course.

Examination code(s)

SFU 14901, written exam which accounts for 100% of the grade in the course.

Examination support materials

The Norwegian code of laws.

Exam aids at written examinations are explained under exam information in our web-based Student handbook. Please note use of calculator.

<http://www.bi.edu/studenthandbook/examaids>

Re-sit examination

A makeup exam is held in connection with the next regular exam in the course.

Additional information