

**PJSC "Higher Education Institution" INTERREGIONAL ACADEMY OF
PERSONNEL MANAGEMENT"**

Danube branch



SYLLABUS

of the academic discipline (selective)

LEGAL FOUNDATIONS OF MANAGEMENT

Specialty **D3 Management**

Educational level: **First (bachelor's) level**

Educational program: **Management**

General information about the academic discipline

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|----------------------------------|---|
| Name of the discipline | Legal Foundations of Management |
| Code and name of specialty | D3 Management |
| Level of higher education | First (bachelor's) level |
| Discipline status | Selective |
| Number of credits and hours | 3 credits / 90 hours. Lectures: 20 Seminars/practical classes: 14 Students' independent work : 56 |
| Terms of study of the discipline | 4 semester |
| Language of instruction | Ukrainian |
| Type of final control | Pass/fail (credit) |

General information about the teacher. Contact information.

| Fedoseyev Petro Mikhailovich | |
|--|---|
| Academic degree | PhD in Law |
| Position | Associate Professor of the Department of Law |
| Areas of scientific research | Civil law and civil procedural regulation of private law relations, judicial protection of civil rights and legitimate interests, drafting of procedural documents, legal regulation of intellectual property, legal foundations of managerial and entrepreneurial activity, labor law issues, modern national and international mechanisms for the protection of human rights and freedoms, formation of civil society values. |
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| Instructor's portfolio on the website | https://izmail.maup.com.ua/assets/files/fedoseev-portfolio-a.pdf |

Discipline's description.

The selective educational component "Legal Foundations of Management" is aimed at forming a holistic understanding of the importance of law in the management system and its role in ensuring the legality and validity of managerial decisions in the field of economic activity. The course is focused on mastering the legal mechanisms of organization and implementation of managerial activities, as well as the peculiarities of the implementation of managerial powers by business entities.

Within the framework of the course, special attention is paid to the analysis of sources of law in the field of management and management, the legal status of business entities and management bodies, organizational and legal forms of enterprises, civil and contractual principles of property and liabilities management, as well as corporate governance and the

legal status of the head. The issues of legal responsibility of the manager, legal risks in management and mechanisms for their minimization, as well as judicial and out-of-court ways of resolving managerial and economic disputes, which contributes to the formation of legal culture and responsible managerial thinking, are considered separately.

The subject of the discipline "Legal Foundations of Management" is a system of legal norms, principles and mechanisms that regulate the managerial and economic activities of business entities, determine the legal basis for managerial decision-making, organization of corporate governance, contractual and civil law relations, as well as the influence of law on managerial, economic and legal processes in the modern business environment.

The aim of the discipline "Legal Foundations of Management" is to form a systematic understanding of the role of law in management and economic activities, to acquire knowledge about the legal mechanisms of making and implementing managerial decisions, as well as to develop the ability to apply the norms of civil and commercial law to ensure legality, efficiency and minimization of legal risks in the activities of a manager.

The objectives of the discipline are to form a holistic and systematic understanding of the legal foundations of managerial and economic activity, their essence, content and significance for ensuring the legality and validity of managerial decisions in modern organizations and business entities. The study of the discipline involves the acquisition of knowledge about the system of sources of law in the field of management and management, the legal status of business entities and bodies management, as well as the key principles of legal regulation of management processes.

In the process of mastering the educational component, students acquire knowledge about the organizational and legal forms of enterprises, civil and contractual mechanisms for managing property and liabilities, features of corporate governance and the legal status of the head. Special attention is focused on the issues of legal responsibility of the manager, the legal consequences of managerial decisions and the role of law in ensuring stability, predictability and efficiency of managerial activities.

In addition, the study of the discipline is aimed at forming the ability to practically apply legal norms and principles in professional managerial activities, assess and minimize legal risks, choose appropriate judicial and extrajudicial ways to protect rights and legitimate interests, as well as develop legal culture, legal awareness and responsible managerial thinking of higher education applicants, taking into account the modern challenges of the business environment.

As a result of studying the selective educational component "Legal Foundations of Management", applicants must:

Know:

- the role and significance of law in the system of management and economic activity;
- a system of sources of law that regulate managerial and economic activity;
- legal status of business entities and governing bodies;
- organizational and legal forms of enterprises and features of their use in managerial practice;
- civil law and contractual mechanisms for managing property and obligations;

- the basics of corporate governance and the legal status of the head;
- types of legal responsibility of the manager and legal consequences of managerial decisions;
- judicial and out-of-court ways of resolving managerial and economic disputes.

Be able to:

- to apply the norms of law in the adoption and implementation of managerial decisions;
- to analyze the normative legal acts regulating managerial activity;
- to choose the optimal organizational, legal and contractual decisions in managerial practice;
- to identify and assess legal risks in the field of management, to propose ways to minimize them;
- to justify managerial decisions taking into account the requirements of legality;
- to use legal mechanisms for the protection of rights and legitimate interests in the field of economic activity.

Prerequisites for the discipline. The study of the educational component "Legal Foundations of Management" is based on the foundation laid during 2-6 semesters in the process of mastering the educational components "Jurisprudence", "Theory of Organizations", "Management", "Fundamentals of Entrepreneurial Activity", "Social Responsibility of Business".

Within the framework of these disciplines, basic ideas about the system of law and mechanisms of legal regulation, the essence and structure of organizations, management functions, features of entrepreneurial activity and responsibility of business entities in the modern business environment have been formed.

Post-requisites for the discipline. The results of the study of the educational component "Legal Foundations of Management" are the basis for further mastering by higher education applicants of the educational components of professional training, in particular "Strategic Management of Enterprise", "Fundamentals of Project Management".

The knowledge and skills acquired during the study of the discipline regarding the legal support of managerial decisions, civil law and contractual management mechanisms, corporate governance, legal responsibility of the manager and minimization of legal risks are used in the process of pre-graduation practice, qualification work, as well as in the analysis of managerial situations and the development of managerial decisions within the framework of professional activity.

Content of the academic discipline

| № | Topic name | Teaching Methods/Assessment Methods |
|---|---|--|
| <i>Content module 1. Legal mechanisms of management and responsibility of the manager</i> | | <p>Teaching methods: – the educational process is based on a combination of lectures and practical forms of education. Lectures are held in the format of review and problem lectures, as well as visualization lectures and are aimed at forming a systematic understanding of the legal foundations of managerial activity, the legal status of business entities, the role of law in managerial decision-making and minimizing legal risks in management. Practical classes are implemented in the form of seminars-discussions, which include discussion of legal situations in the field of management and economic activity, analysis of regulatory legal acts, judicial practice, as well as the development of skills of reasoned legal justification of managerial decisions; – interactive teaching methods are used to form applied and professional competencies, in particular, case study analysis from managerial and economic practice, brainstorming, work in small groups, modeling managerial and corporate situations, as well as the performance of individual and group tasks within the framework of independent work of students, aimed at assessing legal risks and choosing optimal legal solutions.</p> <p>Assessment methods Assessment is carried out according to the cumulative system and includes:</p> <ul style="list-style-type: none"> - current control: oral questioning, express testing, solving situational problems and defense of individual tasks; - modular control: written modular control work (MCR) after the completion of the content block; - Final control: test (written work with theoretical tasks). |
| Topic 1 | Law in the management system and its role in managerial decision-making | |
| Topic 2 | The System of Sources of Law in the Field of Managerial and Economic Activity | |
| Topic 3 | Legal status of business entities and management bodies | |
| Topic 4 | Organizational and legal forms of enterprises and their importance for management | |
| Topic 5 | Civil Law Principles of Property and Liabilities Management | |
| Topic 6 | Contractual relations as an instrument of managerial activity | |
| Topic 7 | Corporate governance and legal status of the head | |
| Topic 8 | Legal responsibility of the manager and legal risks in management | |
| Topic 9 | Legal risks in management and mechanisms for their minimization | |
| Topic 10 | Judicial and out-of-court ways of resolving managerial and economic disputes | |
| Module Assessment Task | | |
| Final assessment: pass/fail (credit) | | |

Technical Equipment and Software.

Material and technical support of the educational process in the discipline "Legal Foundations of Management" provides for the use of classrooms equipped with modern technical means of education, as well as access to library funds, including electronic information resources necessary for the processing of regulatory legal acts and educational and methodological materials.

Multimedia equipment is used to visualize educational material during lectures, practical and seminar classes, including personal computers, multimedia projectors and

| | | | | | | | | | |
|-------------------------|---|---|---|---|---|---|----|-----|-----|
| Work in a seminar class | 6 | 6 | 6 | 6 | 6 | 6 | 20 | 20* | 100 |
| Independent work | 4 | 4 | 4 | 4 | 4 | 4 | | | |

*The table contains information about the maximum points for each type of academic work of a higher education applicant.

Assessment Criteria and Procedure

Assessment of students' educational achievements is carried out in accordance with the current Regulations on Assessment in a Higher Education Institution.

Modular Assessment. Modular Assessment (MA) is carried out at the final lesson of the content module in the form of written testing.

When evaluating the unit test, the volume and correctness of the tasks are taken into account:

- the grade "excellent" (A) is given for the correct completion of all tasks (or more than 90% of all tasks);
- a grade of "good" (B) is given for the completion of 80% of all tasks;
- a grade of "good" (C) is given for the completion of 70% of all tasks;
- the grade "satisfactory" (D) is given for the correct completion of 60% of the proposed tasks;
- the grade "satisfactory" (E) is given if more than 50% of the proposed tasks are correctly completed;
- "Unsatisfactory" (FX) grade is given if less than 50% of the tasks are completed.

Failure to appear for the unit test - 0 points.

The above scores are converted into rating points as follows:

- "A" - 18-20 points;
- "B" - 16-17 points;
- "C" - 14-15 points;
- "D" - 12-13 points.
- "E" - 10-11 points;
- "FX" - less than 10 points.

The final semester assessment in the discipline "Legal Foundations of Management" is a mandatory form of assessment of students' learning outcomes. It is carried out within the terms determined by the curriculum and covers the amount of material determined by the course program.

The final assessment is carried out in the form of a test. A student who has completed all the necessary work is admitted to the semester assessment.

The final grade is given based on the student's learning outcomes during the semester. The student's assessment consists of points accumulated from the results of the current assessment and incentive points.

Students who have completed all the required tasks and received a score of 60 points or higher receive a grade corresponding to the grade received, without additional testing.

For students who have completed all the necessary tasks, but received a score below 60 points, as well as for those who want to improve their score (result), the teacher conducts the final work in the form of a test during the last scheduled lesson in the discipline in the academic semester.

Evaluation of Additional (Individual) Educational Activities

Additional (individual) types of educational activities include the participation of applicants in the work of scientific conferences, scientific circles of applicants and problem groups, preparation of publications, participation in All-Ukrainian Olympiads and competitions and International competitions, etc., in excess of the scope of tasks that are established by the relevant work program of the academic discipline.

By the decision of the department, students who participated in research work and performed certain types of additional (individual) types of educational activities can be awarded incentive (bonus) points for a certain educational component.

Assessment of independent work (Maximum — 4 points)

The total number of points received by a student for independent work is one of the components of academic success in the discipline. Independent work on each topic, according to the course program, is evaluated in the range from 0 to 4 points using standardized and generalized criteria for assessing knowledge.

Scale for evaluating the performance of independent work (individual tasks)

| Maximum possible assessment of independent work (individual tasks) | Execution level | | | |
|--|-----------------|------|--------------|----------------|
| | Excellent | Good | Satisfactory | Unsatisfactory |
| 4 | 4 | 3 | 1-2 | 0 |

Forms of assessment include: current assessment of students' educational activities during practical (seminar) classes, in particular, checking the assimilation of theoretical material based on oral answers, participation in discussions, preparation of reports, messages and presentations.

Assessment also involves the performance of individual and group tasks, solving situational cases, preparing written works on topics of independent study, summarizing educational material and formulating conclusions.

Control of the level of assimilation of educational material is carried out by testing, performing written tests, as well as in the form of final control. The preparation of educational and scientific materials (abstracts, short reviews, etc.) is encouraged, which contributes to the development of skills for independent educational and professional activity.

To assess the learning outcomes of a higher education applicant during the semester, a 100-point, national and ECTS assessment scale is used.

Summary assessment scale: national and ECTS

| Total points for all types of learning activities | ECTS assessment | National scale assessment | |
|---|-----------------|--|--|
| | | for exam, course project (work), internship | For pass/fail (credit) |
| 90 – 100 | A | excellent | pass |
| 82 – 89 | B | good | |
| 75 – 81 | C | satisfactorily | |
| 68 – 74 | D | | |
| 60 – 67 | E | | |
| 35 – 59 | FX | unsatisfactory with the possibility of reassembly | fail unsatisfactory with the possibility of retaking |
| 0 – 34 | F | unsatisfactory with mandatory re-study of the discipline | fail with mandatory re-study of the discipline |

Discipline's Policy

Successful mastering of the educational component "Legal Foundations of Management" requires high self-discipline and a responsible attitude to the educational process from students. Mandatory conditions are regular attendance of lectures, seminars and practical classes, active participation in classroom work, as well as timely and high-quality performance of all types of independent and control tasks provided for by the program. In case of missing classes or obtaining unsatisfactory results, the student is obliged to liquidate academic debt by working out the relevant topics.

An integral part of education is strict adherence to the norms of academic ethics and culture of behavior. The educational process is based on the principles of academic integrity, which involves the exclusive independent performance of all written works, reports and presentations. Any borrowings of thoughts or texts of other authors should be accompanied by correct references to primary sources. Within the course of the course, any manifestations of academic dishonesty are unacceptable, including plagiarism, self-plagiarism, fabrication and falsification of data, cheating, deception, bribery or biased evaluation.

Recommended sources of information

Regulatory legal acts:

1. Constitution of Ukraine: Law of Ukraine of 28.06.1996 No 254k/96-VR (from amendments and additions) URL: <https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80>
2. Civil Code of Ukraine : Law of Ukraine of 16.01.2003 No 435-IV (as amended). URL: <https://zakon.rada.gov.ua/laws/show/435-15>
3. Code of Ukraine on Bankruptcy Procedures : Law of Ukraine of 18.10.2018, No 2597-VIII (from amendments and additions). URL: <https://zakon.rada.gov.ua/laws/show/2597-19>
4. About business companies : Law of Ukraine of 19.09.1991 No 1576-XII (with amendments and additions). URL: <https://zakon.rada.gov.ua/laws/show/1576-12>
5. About Limited and Additional Liability Companies : Law of Ukraine of 06.02.2018, No 2275-VIII (as amended). URL: <https://zakon.rada.gov.ua/laws/show/2275-19>

6. About joint stock companies : Law of Ukraine of 17.09.2008 No 514-VI (as amended). URL: <https://zakon.rada.gov.ua/laws/show/514-17>
7. On State Registration of Legal Entities, Individual Entrepreneurs and Public Associations : Law of Ukraine of 15.05.2003 No 755-IV (as amended). URL: <https://zakon.rada.gov.ua/laws/show/755-15>
8. On the protection of economic competition : Law of Ukraine of 11.01.2001, No 2210-III (from amendments and additions). URL: <https://zakon.rada.gov.ua/laws/show/2210-14>
9. On consumer protection : Law of Ukraine of 12.05.1991 No 1023-XII (as amended). URL: <https://zakon.rada.gov.ua/laws/show/1023-12>
10. On licensing of types of economic activity : Law of Ukraine of 02.03.2015, No 222-VIII (as amended). URL: <https://zakon.rada.gov.ua/laws/show/222-19>
11. Code of Ukraine on Administrative Offenses : Law of Ukraine of 07.12.1984 No 8073-X (as amended). URL: <https://zakon.rada.gov.ua/laws/show/80731-10>
12. Criminal Code of Ukraine : Law of Ukraine of 05.04.2001 No 2341-III (as amended). URL: <https://zakon.rada.gov.ua/laws/show/2341-145>.
13. On the judicial system and the status of judges : Law of Ukraine of 02.06.2016, No 1402-VIII (from amendments and additions). URL: <https://zakon.rada.gov.ua/laws/show/1402-19>
14. Civil Procedure Code of Ukraine : Law of Ukraine of 18.03.2004 No 1618-IV (from amendments and additions). URL: <https://zakon.rada.gov.ua/laws/show/1618-15>

Basic literature:

1. Kozyreva O. V., Kolyada T. A. Jurisprudence: nauch. Manual. for applicants for higher education in the specialty "Management" of the educational and professional program "Management" for all forms of education. Kharkiv: NUPhU Publ., 2020. 160 p.
2. Fundamentals of entrepreneurial activity: textbook / edited by Doctor of Economics, prof. V. M. Marchenko. Kyiv: KPI. Igor Sikorsky. Polytechnic Publishing House, 2022. 515 p.
3. Fundamentals of Entrepreneurship: Textbook / Bilyak T.O., Biryuchenko S.Yu., Buzhymyska K.O., et al. ; under the general. Ed. N.V. Valinkevych. Zhytomyr: ZhTU, 2019. 493 p.
4. Management of Corporate Rights: Textbook / O. G. Bodnarchuk, O. I. Bodnarchuk, M. V. Glukh; State Tax University. Irpin, 2024. 238 p.
5. Levchenko Yu.G., Slobodian V.Ya., Zadnipryana-Korinna M.Yu., Slobodian N.Ya., Dankevych A.E. Legal regulation of economic activity: Study. Manual. Kyiv: NUFT, 2023. 290 p.
6. Lukyanova G. Y. Administrative Law of Ukraine: Textbook / Ostapenko O. I., Kovaliv M. V., Yessimov S. S., Gulak L. S., Lukyanova G. Yu., Tsvok M. S., Lviv: Lviv Polytechnic National University, 2021. 504 p.

Additional literature:

1. Balanovska T.I., Troyan A.V. Business Management: Textbook. Kyiv: NUBiP Ukrainy, 2019. 401 p.

2. Bigniak O. Derivative Claim and Corporate Agreement as a Means of Protection of Corporate Rights: Experience of Ukraine. *Evropský politický a právní diskurz*. 2018. Sv. 5, vyd. 3, pp. 227–236
3. Bignyak O. V. Legal Nature and Classification of Forms of Protection of Corporate Rights. *Entrepreneurship, Economy and Law: Scientific and Practical Economic and Legal Journal*. 2018. № 6. Pp. 6–11.
4. Borovyk M. V. Managerial Decisions: Lecture Notes for Bachelor's Students of All Forms of Training of the Specialty 073 Management / M. V. Borovyk; Kharkiv. Nats. University of Misk. farm. O. M. Beketova. Kharkiv: KNUMG. O. M. Beketova, 2020. 81 p.
5. Verbitska M., Vakiryak V. Theoretical and Methodological Justification of the Essence and Corporate Dispute and the Features of Its Subject Jurisdiction. *Actual problems of jurisprudence*. 2019. Vol. 2 (18). Pp. 111–116
6. Corporate Law: Textbook / O. V. Garagonych, S. M. Grudnytska, L. M. Doroshenko et al. ; for general. Ed. O. V. Garagonych, S. M. Grudnytska, L. M. Doroshenko. 2nd ed., issue. and additional. Kyiv: ArtEk Publishing House, 2018. 400 p.
7. Lavrin O. Extrajudicial Protection of the Rights of Business Entities and Its Significance in Modern Conditions. *Economics and Law*. 2024. № 1. Pp. 28—38.
8. Problems of legal regulation of contractual relations of business entities: monograph / V. M. Adam et al.; for general. Ed. M. S. Dolynska. — Lviv: LLC "Galician Publishing Union", 2019. 247 p.
9. Stepchuk A.O. Managerial activity of the head of the apparatus of the district state administration: concept, forms, legal regulation. *International multidisciplinary scientific journal "The Art of Scientific Thought"*. 2019. № 6. October. Pp. 23–26

Information resources:

1. Official website of the Verkhovna Rada of Ukraine <https://www.rada.gov.ua/>
2. Official website of the Cabinet of Ministers of Ukraine <https://www.kmu.gov.ua/>
3. Official website of the Supreme Court <https://supreme.court.gov.ua/supreme>
4. Unified State Register of Court Decisions <http://www.reyestr.court.gov.ua/>
5. National Library of Ukraine named after V. I. Vernadsky <http://www.nbuv.gov.ua>