

Subject card

Subject name and code	Insolvency Law - lecture, PG_00137940						
Field of study	Law						
Date of commencement of studies	October 2024	Academic year of realisation of subject			2028/2029		
Education level	uniform Master's studies	Subject group			Optional subject group		
Mode of study	full-time studies	Mode of delivery			at the university		
Year of study	5	Language of instruction			Polish		
Semester of study	9	ECTS credits			3.0		
Learning profile	academic	Assessment form			exam		
Conducting unit	Department of Commercial Law -> Faculty of Law and Administration -> Rector						
Name and surname of lecturer (lecturers)	Subject supervisor		dr Robert Obrzud				
	Teachers						
Lesson types	Lesson type	Lecture	Tutorial	Laboratory	Project	Seminar	SUM
	Number of study hours	30.0	0.0	0.0	0.0	0.0	30
	E-learning hours included: 0.0						
Learning activity and number of study hours	Learning activity	Participation in didactic classes included in study plan		Participation in consultation hours		Self-study	SUM
	Number of study hours	30		0.0		45.0	75
Subject objectives	The objective of the course "Bankruptcy and Restructuring Law" is to provide students with theoretical knowledge and practical skills in the field of insolvency and business restructuring law. The course aims to familiarize students with the fundamental principles, procedures, and legal regulations concerning bankruptcy and restructuring proceedings, as well as their practical application in real economic situations.						

Learning outcomes	Course outcome	Subject outcome	Method of verification
	<p>[PRAWOJ5_UW01] He/she has advanced skills in observation and interpretation of social phenomena, analyzes their connections with various areas, activity of legal science and the related disciplines</p>	<ol style="list-style-type: none"> 1. Possesses the ability to identify and analyze legal phenomena in the context of commercial law: <ul style="list-style-type: none"> o Can identify basic legal phenomena occurring in the area of commercial law. o Analyzes the connections between different branches of commercial law and other areas of law and legal sciences. 2. Understands the principles of operation of economic entities in light of commercial law: <ul style="list-style-type: none"> o Knows the basic concepts and institutions of commercial law, such as commercial companies, enterprises, and commercial contracts. o Can apply theoretical knowledge in practice by interpreting and analyzing specific legal cases. 3. Possesses the ability to independently search for, select, and critically analyze legal acts and case law related to commercial law: <ul style="list-style-type: none"> o Can use various sources of commercial law, including normative acts, legal literature, and court case law. o Conducts critical analysis of legal acts and case law in the context of their application in the practice of commercial law. 4. Possesses the ability to communicate effectively on commercial law issues: <ul style="list-style-type: none"> o Can prepare legal documents related to commercial law, such as contracts, legal opinions, and procedural writings. o Has the ability to clearly and precisely present legal issues both in writing and orally. 5. Can assess the impact of legislative changes in the area of commercial law on business activities: <ul style="list-style-type: none"> o Analyzes changes in commercial law regulations and their potential impact on the functioning of economic entities. o Can advise on adapting business activities to changing legal regulations. 6. Knows and understands the international context of commercial law: <ul style="list-style-type: none"> o Has knowledge of international trade agreements, EU regulations, and other sources of international commercial law. o Can identify and analyze the differences and similarities between commercial law systems in different countries. 	<p>[SU2] presentation/project/paper/report [SU4] test/exam - oral or written</p>

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	<p>[PRAWOJ5_KO03] He/she is prepared for active participation in groups, organizations and institutions connected with law, is also able to communicate with specialists and non-specialists in the field of law</p>	<ol style="list-style-type: none"> 1. Can actively participate in discussions and group work during classes: 2. Knows the principles of functioning of companies and other economic entities: 3. Can effectively communicate with specialists in commercial law: 4. Can explain legal issues to non-specialists: 5. Shows initiative in student organizations and project groups: 6. Engages in academic and legal institution activities, participating in workshops and projects: 	<p>[SK2] presentation/project/paper/report [SK4] test/exam - oral or written</p>
	<p>[PRAWOJ5_WG04] He/she knows the system of Polish law, mutual connections within the system and connections of Polish law with the European Union law and international law</p>	<p>Understanding the Polish Legal System:</p> <p>Students acquire knowledge about the structure and functioning of the Polish legal system, including its sources of law.</p> <p>Interconnections within the Legal System:</p> <p>Students understand how different branches of law (civil, criminal, administrative, constitutional) are interconnected and influence each other.</p> <p>Connections of Polish Law with European Union Law:</p> <p>Students grasp the impact of EU law on the Polish legal system, including principles of implementation and application.</p> <p>Connections of Polish Law with International Law:</p> <p>Students comprehend the role of international law within the Polish legal system and its influence on domestic legislation.</p> <p>Practical Application of Knowledge:</p> <p>Students can apply their knowledge practically, preparing legal analyses and opinions that consider interrelations between various branches of law, as well as the influence of EU and international law.</p> <p>Interdisciplinary Approach:</p> <p>Students integrate knowledge from different legal disciplines to comprehensively understand the legal system.</p>	<p>[SW4] test/exam - oral or written [SW2] presentation/project/paper/report</p>

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	<p>[PRAWOJ5_WG09] He/she demonstrates deepened and systematic knowledge about the processes of changes of political systems and of individual authorities, as well as the consequences of these changes</p>	<p>Understanding Processes of Change in Power Systems:</p> <p>The student possesses in-depth and organized knowledge about the processes of change occurring in power systems.</p> <p>The student understands the mechanisms and factors influencing changes in power structures and their bodies.</p> <p>Analyzing Consequences of Changes:</p> <p>The student can analyze and assess the consequences of changes in power systems and their bodies.</p> <p>The student understands the impact of changes on the functioning of the state, society, and economy.</p> <p>Critical Evaluation of Reforms:</p> <p>The student can critically evaluate implemented reforms and propose recommendations for further changes.</p> <p>The student has the ability to analyze historical and contemporary examples of changes in power systems.</p> <p>Practical Application of Knowledge:</p> <p>The student can apply the acquired knowledge in practice, e.g., in the context of working in public administration, governmental institutions, or international organizations.</p> <p>The student can prepare analyses and reports on changes in power systems.</p> <p>Interdisciplinary Approach:</p> <p>The student can integrate knowledge from law, political science, history, and economics to comprehensively understand the processes of change in power systems.</p> <p>The student possesses the ability to work in interdisciplinary research and project teams.</p>	<p>[SW4] test/exam - oral or written [SW2] presentation/project/paper/report</p>
	<p>[PRAWOJ5_WK10] He/she understands and knows the basic concepts and principles of industrial property protection and copyright law, as well as understands the need for proper protection of intellectual property and managing its resources</p>	<ol style="list-style-type: none"> 1. Knows basic concepts and principles of industrial property protection: 2. Knows basic concepts and principles of copyright law: 3. Understands the necessity of intellectual property protection: 4. Knows intellectual property management procedures: 5. Advises on intellectual property protection: 6. Consciously uses intellectual property resources: 	<p>[SW4] test/exam - oral or written [SW2] presentation/project/paper/report</p>
	<p>[PRAWOJ5_WG03] He/she demonstrates deepened knowledge about the political system in Poland, about individual authorities with particular consideration of legislative authority and the judiciary,</p>	<p>The student is proficient in utilizing methods and tools, including techniques for data and information acquisition, as well as research methods appropriate for legal sciences and related disciplines, including interdisciplinary fields.</p>	<p>[SW4] test/exam - oral or written [SW2] presentation/project/paper/report</p>

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[PRAWOJ5_KK02] He/she is aware of the necessity to widen professional competences and qualifications, to improve skills, is able to indicate the direction of own development and education independently in widened and deepened way	<ol style="list-style-type: none"> 1. Aware of the need for continuous professional development: 2. Can independently plan professional development: 3. Shows initiative in expanding knowledge: 4. Carries out tasks related to professional development: 5. Uses modern tools for professional development: 6. Ready to take on new professional challenges: 	[SK2] presentation/project/paper/report [SK4] test/exam - oral or written
[PRAWOJ5_UW07] He/she has the skills in understanding and analyzing social phenomena and utilizing this analysis in his/her professional work.	<ol style="list-style-type: none"> 1. Can identify and analyze social phenomena affecting commercial law: <ul style="list-style-type: none"> o Understands how social changes such as globalization, digitalization, and demographic shifts impact commercial law. o Can analyze how social attitudes and behaviors influence commercial relations and legal regulations. 	[SU2] presentation/project/paper/report [SU4] test/exam - oral or written
[PRAWOJ5_KO04] The graduate is ready to prepare own projects connected with the creation, application and interpretation of legal regulations, including projects co-financed by the European Union's funds	<ol style="list-style-type: none"> 1. Can prepare social projects considering legal aspects: 2. Understands economic and political conditions of projects: 3. Knows the rules for preparing funding applications for EU projects: 4. Can develop the necessary documentation for project implementation: 5. Demonstrates project and team management skills: 6. Can assess the effectiveness of implemented social projects: 	[SK2] presentation/project/paper/report [SK4] test/exam - oral or written
[PRAWOJ5_KR05] He/she prepares responsibly to his/her work; can determine priorities in work and plan work appropriately	<ol style="list-style-type: none"> 1. Responsibly prepares for professional tasks: 2. Sets priorities in work: 3. Effectively plans and organizes work: 4. Demonstrates responsibility in task execution: 5. Flexibly responds to changes and adjusts plans: 6. Independently manages work time: 	[SK2] presentation/project/paper/report [SK4] test/exam - oral or written
[PRAWOJ5_UW05] He/she can observe and analyze moral, ethical and legal dilemmas in professional work	<ol style="list-style-type: none"> 1. Identifies moral and legal dilemmas in professional work: 2. Analyzes moral and legal dilemmas: 3. Knows methods for diagnosing and resolving dilemmas: 4. Makes decisions in the face of moral and legal dilemmas: 5. Communicates and justifies decisions regarding dilemmas: 6. Continuously improves in resolving dilemmas: 	[SU2] presentation/project/paper/report [SU4] test/exam - oral or written
[PRAWOJ5_KK01] The graduate is deeply aware of the level of his/her knowledge and skills, and also understands the need of lifelong learning	<ol style="list-style-type: none"> 1. Knows their strengths and weaknesses in commercial law: 2. Understands the importance of continuous education: 3. Effectively plans their educational and professional path: 4. Knows methods for independent learning: 5. Understands the need for lifelong learning: 6. Inspires others to continuous education 	[SK2] presentation/project/paper/report [SK4] test/exam - oral or written

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	[PRAWOJ5_UK08] The graduate has wide skills to prepare written works connected with the work of a lawyer in Polish and foreign language	<ol style="list-style-type: none"> 1. Prepares professional legal documents in Polish: 2. Prepares professional legal documents in a foreign language: 3. Creates comprehensive legal reports and analyses: 4. Writes scientific papers and legal articles: 5. Uses modern tools for document creation: 6. Ensures linguistic and stylistic correctness of written work: 	[SU2] presentation/project/paper/report [SU4] test/exam - oral or written
	[PRAWOJ5_WG05] The graduate demonstrates systematic knowledge about the types of legal relations and the governing regularities	<ol style="list-style-type: none"> 1. Knows types of legal relations in commercial law: 2. Understands principles governing legal relations: 3. Identifies and solves problems related to legal relations: 4. Applies legal provisions regulating legal relations: 5. Understands the role of legal institutions in shaping legal relations: 6. Foresees legal consequences of different legal relations: 	[SW4] test/exam - oral or written [SW2] presentation/project/paper/report
	[PRAWOJ5_WG06] He/she has systematic knowledge about the man as the subject establishing social structures and principles of their operation and about the man as the individual operating in these structures	<ol style="list-style-type: none"> 1. Knows the role of the individual in shaping social structures: 2. Knows principles of functioning of social structures: 3. Knows rights and responsibilities of the individual in social structures: 4. Understands the impact of social structures on individual development: 5. Applies knowledge of social structures in legal analysis: 6. Thinks critically about the role of the individual in society: 	[SW4] test/exam - oral or written [SW2] presentation/project/paper/report
	[PRAWOJ5_WK13] He/she has advanced knowledge of the functioning of professional self-governments in legal professions, is familiar with the principles of judges' and prosecutors' professions, and has knowledge of the organization of the judiciary in Poland.	The student has advanced knowledge of the functioning of professional self-governance bodies in legal professions, understands the principles of the judicial and prosecutorial professions, and possesses knowledge about the organization of the judiciary system in Poland.	[SW4] test/exam - oral or written [SW2] presentation/project/paper/report
	[PRAWOJ5_WG02] He/she knows wide terminology and concepts in the scope of law and connected disciplines	<ol style="list-style-type: none"> 1. Has advanced knowledge of commercial law terminology: 2. Applies specialized concepts in legal analysis: 3. Explains advanced market concepts: 4. Uses terminology in professional communication: 5. Knows international commercial law terminology: 6. Interprets concepts in the context of other legal fields: 	[SW4] test/exam - oral or written [SW2] presentation/project/paper/report

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	<p>[PRAWOJ5_KR06] He/she behaves in ethical and professional way, follows the principles of ethics</p>	<p>1. Has the ability to identify moral and legal dilemmas in professional work:</p> <ul style="list-style-type: none"> o Can recognize situations where there is a conflict of moral values and legal norms. o Can identify key ethical and legal issues in specific professional cases. <p>2. Can analyze moral and legal dilemmas:</p> <ul style="list-style-type: none"> o Uses ethical theories and legal principles to analyze moral and legal dilemmas. o Can evaluate different perspectives and arguments regarding ethical and legal dilemmas. <p>3. Knows methods for diagnosing and resolving moral and legal dilemmas:</p> <ul style="list-style-type: none"> o Can apply case analysis methods and approaches based on ethical and legal principles to diagnose dilemmas. o Knows tools that support decision-making in dilemmatic situations, such as ethical codes and professional regulations. <p>4. Can make decisions in the face of moral and legal dilemmas:</p> <ul style="list-style-type: none"> o Can formulate and justify decisions that consider both moral and legal aspects. o Shows the ability to make difficult decisions while maintaining ethical principles and legal compliance. <p>5. Can communicate and justify decisions regarding moral and legal dilemmas:</p> <ul style="list-style-type: none"> o Can present and defend their position on ethical and legal issues to various stakeholders. o Can clearly and convincingly argue their decisions based on moral and legal analysis. <p>6. Understands the importance of continuous improvement in resolving moral and legal dilemmas:</p> <ul style="list-style-type: none"> o Strives to update their knowledge in professional ethics and law to better address new ethical and legal challenges. o Actively participates in training and workshops on ethics and law to improve their skills in this area. 	<p>[SK2] presentation/project/paper/report [SK4] test/exam - oral or written</p>
	<p>[PRAWOJ5_UK09] He/she demonstrates wide skills in preparing speeches in the field of law in Polish and foreign language</p>	<p>1. Prepares and delivers comprehensive oral presentations in Polish:</p> <p>2. Prepares and delivers comprehensive oral presentations in a foreign language:</p> <p>3. Knows effective presentation and rhetoric techniques:</p> <p>4. Tailors the content and form of the presentation to the audience:</p> <p>5. Uses modern tools for presentation preparation:</p> <p>6. Effectively manages time during a presentation:</p>	<p>[SU2] presentation/project/paper/report [SU4] test/exam - oral or written</p>

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[PRAWOJ5_UW03] The graduate demonstrates deepened skills of using complex theoretical points of view to analyze, interpret and plan strategies of legal activities; solves concrete problems connected with the creation, application and interpretation of legal regulations, anticipates the course of their solution and predicts the effects of planned activities	<ol style="list-style-type: none"> 1. Combines legal knowledge with other scientific disciplines: 2. Applies theoretical legal concepts in practice: 3. Identifies and analyzes complex legal problems: 4. Integrates knowledge from different areas of law: 5. Uses advanced research methods: 6. Creates comprehensive legal opinions and reports: 	[SU2] presentation/project/paper/report [SU4] test/exam - oral or written
[PRAWOJ5_WG08] He/she has deepened knowledge of sources of Polish law, its changes and processes of law formation	The student has in-depth knowledge of the sources of Polish law, its changes, and the process of its creation.	[SW4] test/exam - oral or written [SW2] presentation/project/paper/report
[PRAWOJ5_UU12] He/she acquires knowledge efficiently and develops his/her professional skills using various sources (in native and foreign language) and modern technologies	<ol style="list-style-type: none"> 1. Has the ability to use a variety of information sources in Polish and foreign languages: 2. Uses modern technologies to acquire knowledge: 3. Participates in trainings, workshops, and conferences: 4. Critically evaluates and selects information sources: 5. Effectively communicates and collaborates in Polish and foreign languages: 6. Uses technologies to manage knowledge and information: 	[SU2] presentation/project/paper/report [SU4] test/exam - oral or written
[PRAWOJ5_UW06] The graduate is able to assess the usefulness of typical procedures and good practice in the implementation of tasks connected with various spheres connected with law and related fields	<ol style="list-style-type: none"> 1. Responsibly prepares for professional tasks: 2. Sets priorities in work: 3. Effectively plans and organizes work: 4. Demonstrates responsibility in task execution: 5. Flexibly responds to changes and adjusts plans: 6. Independently manages work time: 	[SU2] presentation/project/paper/report [SU4] test/exam - oral or written
[PRAWOJ5_UW02] The graduate utilizes theoretical knowledge in legal science and the connected academic disciplines to analyze and interpret complex legal issues	<ol style="list-style-type: none"> 1. Combines legal knowledge with other scientific disciplines: 2. Applies theoretical legal concepts in practice: 3. Identifies and analyzes complex legal problems: 4. Integrates knowledge from different areas of law: 5. Uses advanced research methods: 6. Creates comprehensive legal opinions and reports: 	[SU2] presentation/project/paper/report [SU4] test/exam - oral or written
[PRAWOJ5_WG07] The graduate knows methods and tools, including techniques of data and information acquisition, as well as research methods appropriate for the field of study and the related disciplines	The student is proficient in applying methods and tools, including techniques for data and information acquisition, as well as research methods appropriate for legal sciences and related disciplines, including interdisciplinary fields.	[SW4] test/exam - oral or written [SW2] presentation/project/paper/report
[PRAWOJ5_UW04] He/she efficiently observes and analyzes moral, ethical and legal dilemmas in professional work	<ol style="list-style-type: none"> 1. Applies principles and norms of commercial law: 2. Analyzes and solves problems according to legal norms: 3. Uses legal tools to ensure compliance with norms: 4. Applies professional ethics principles: 5. Prepares and analyzes documents according to norms: 6. Aware of legal consequences of professional actions: 	[SU2] presentation/project/paper/report [SU4] test/exam - oral or written

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	[PRAWOJ5_UO11] He/she can work well in a team and can coordinate the team's work when solving legal problems, interpreting legal acts, and preparing written or oral opinions on a matter.	<ol style="list-style-type: none"> Has the ability to effectively collaborate in a team during exercises: Can coordinate team work in solving legal cases: Can lead a team in interpreting commercial law provisions: Can collaboratively prepare written legal positions: Can prepare and present oral legal positions: Supports the team in solving complex legal problems: 	[SU2] presentation/project/paper/report [SU4] test/exam - oral or written
	[PRAWOJ5_KR07] The graduate is ready to take up professional challenges, takes up efforts and is persistent in the implementation of individual and group activities in the creation, application or interpretation of legal regulations and related sciences	<ol style="list-style-type: none"> Is aware of the continuous professional development and the need to update knowledge in the field of commercial law: <ul style="list-style-type: none"> Understands the importance of continuously improving professional competencies and keeping track of changes in commercial law regulations and market regulations. 	[SK2] presentation/project/paper/report [SK4] test/exam - oral or written
	[PRAWOJ5_WK11] The graduate has deepened knowledge of the principles of creating and developing basic forms of individual entrepreneurship.	<ol style="list-style-type: none"> Knows principles of establishing and running a business: Creates business plans and development strategies: Knows principles of financing and raising capital: Has knowledge of operational and strategic management: Knows labor law and social security regulations: Understands business ethics and social responsibility: 	[SW4] test/exam - oral or written [SW2] presentation/project/paper/report
	[PRAWOJ5_WG01] The graduate demonstrates deepened and systematic knowledge about the character of legal science, its place in the system of sciences and mutual relations.	The student possesses in-depth and structured knowledge of the nature of legal sciences, their place within the system of sciences, and their relationships to other disciplines.	[SW4] test/exam - oral or written [SW2] presentation/project/paper/report
	[PRAWOJ5_WK12] He/she has knowledge of occupational health and safety in public administration institutions	The student has knowledge of occupational health and safety in public administration institutions.	[SW4] test/exam - oral or written [SW2] presentation/project/paper/report
Subject contents	<ul style="list-style-type: none"> Origins of bankruptcy law and sources of bankruptcy law. Basic principles of bankruptcy law. Insolvency capacity and grounds for declaring bankruptcy. Proceedings regarding the declaration of bankruptcy. Effects of declaring bankruptcy. Bodies of bankruptcy proceedings. Participants in bankruptcy proceedings. General principles of proceedings after bankruptcy declaration. Liquidation of bankruptcy estate. Consequences of concluding bankruptcy proceedings. Separate bankruptcy proceedings. International bankruptcy proceedings. Consumer bankruptcy. Restructuring proceedings - types. Restructuring capacity. Consequences of initiating restructuring proceedings. Effects of concluding an arrangement. Separate restructuring proceedings. 		
Prerequisites and co-requisites			
Assessment methods and criteria	Subject passing criteria	Passing threshold	Percentage of the final grade
	Presentation	51.0%	20.0%
	test	51.0%	80.0%

Recommended reading	Basic literature	<ul style="list-style-type: none"> • A. Hrycaj, <i>Postępowanie restrukturyzacyjne</i>, aktualne wydanie • F. Zedler, <i>Prawo upadłościowe</i>, aktualne wydanie • R. Adamus, <i>Prawo restrukturyzacyjne. Komentarz</i>, aktualne wydanie • A. Jakubecki, F. Zedler, <i>Prawo upadłościowe i naprawcze. Komentarz</i>, Warszawa 2010 • P. Zimmerman, <i>Prawo upadłościowe. Prawo restrukturyzacyjne. Komentarz</i>, aktualne wydanie
	Supplementary literature	"Restructuring Advisor," the journal of the National Chamber of Restructuring Advisors in Poland
	eResources addresses	
Example issues/ example questions/ tasks being completed	<p>What is bankruptcy and what is restructuring?</p> <p>What are the main objectives of bankruptcy and restructuring proceedings? Procedures and Proceedings:</p> <p>What are the stages of bankruptcy proceedings?</p> <p>What are the types of restructuring proceedings and how do they differ? Organization and Participants:</p> <p>Who can be a debtor in bankruptcy proceedings?</p> <p>What are the roles and responsibilities of entities in bankruptcy and restructuring proceedings? Legal Consequences:</p> <p>What are the consequences of declaring bankruptcy for the debtor and its creditors?</p> <p>What are the consequences of concluding bankruptcy or restructuring proceedings?</p>	
Work placement	Not applicable	

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