Course Description

Bachelor of Law in Chinese Language Program

BLCL101/LCCL101  INTRODUCTION TO LAW

BLCL102/LCCL102  LEGAL HISTORY
1. The imaginarness of the society and the power in the traditional societies. 1.1. The corroborative conception of the society. 1.2. The individualistic paradigm. 2. The formation of common law. 2.1. Factors of unification of European law. 2.2. The result: a pluralistic juridical order. 2.3. The unification through the "scientification". The schools of medieval juridical tradition. 2.4. The juridical speech of the European common law. 3. The crisis of the 16th Century and the following methodological orientations. 3.1. The advent of a new normative reality. 3.2. The internal development of the juridical knowledge system. 3.3. Juridical Schools in the end of Middle Age and in Modern Age. 4. The 16th and 17th Centuries juridical schools: jusnaturalism, jusrationalism, individualism and contractualism. 4.1. The jusnaturalisms. 4.2. Some jusnaturalistic schools. 4.3. The juridical practice. 4.4. Rationalist law and its repercussions. 4.5. The evolution of the sources of Law in Portugal. 5. The law in the contemporary epoch. 5.1. The political environment. 5.2. The great themes of methodological inspiration. 5.3. The classic schools of the 19th Century. 5.4. The anti-conceptualists an anti-formalists schools. Naturalism and organisme. 5.5. The critical schools. 5.6. The anti-legalists schools. 6. Panorama of the history of Chinese juridical thought. 6.1. Introduction. 6.2. The classic Chinese thought over the law and society. 6.3. Law and political thought in the contemporary epoch. 7. Panorama of the juridical and institutional history of Macau. 7.1. Introduction. 7.2. The Portuguese empire. 7.3. The politic and administrative architecture of an oceanic empire. 7.4. Law and justice.

BLCL103/LCCL103  CONSTITUTIONAL LAW AND THE BASIC LAW
BLCL104/LCCL104  POLITICAL SCIENCE

BLCL105/LCCL105  ECONOMY

BLCL106/LCCL106  PUBLIC ECONOMY

BLCL107/LCCL107  CHINESE LANGUAGE COMPOSITION
Composition practice and analysis of narrative literary form, composition practice and analysis of illustrative literary form, civil composition practice and analysis of argumentation literary form, commercial contract, Administrative and Judicial instruments presently used.

BLCL108/LCCL108  PORTUGUESE LANGUAGE I
Functional contents: those demanded by several situations of communication in different thematic areas such as Identification, Public Services, Social Relationships, the Weather, areas where the student will have, for example, to identify himself (or ask for identification), introduce himself (or introduce someone), invite, excuse, inform (or get informed), approve, disapprove, ask permission or give permission, express attitude, feelings... The grammatical contents will depend on the studied linguistic achievements. The use of the most frequent verbal sentences such as to be, to stay and to have. The occurrence of verbal sentences with prepositions (to live in, to like to, to go to...). The expression of opinions in situations that the use of sentences with the indicative is necessary. The expression in the future time. The pronouns and the numerals necessary to the communication. Direct and indirect speech Understanding/systematization of some different data in Portuguese/Chinese. All the items shall be accomplished together with activities, namely those that will give the student the opportunity to distinguish the phonetical traces of Portuguese language.

BLCL109  PRACTICAL ENGLISH I: INTERACTION AND STUDY SKILLS I & II
The purposes of these courses are two-fold:
i) to enhance learner confidence and fluency when using English for interactive and communicative purposes;
ii) to improve upon study skills/strategies and critical thinking skills needed for successful academic work at the university level.

Students will be provided with ample opportunities to develop speaking, listening, reading and study skills while also enhancing their knowledge of English vocabulary, grammar and writing. Coursework is likely to include pair- and small-group discussions, seminars, projects, team-building activities, and multi-media use (in addition to traditional classroom activities). When possible, content- and theme-based materials will be utilized, especially for students enrolling in the same section from the same faculty.

BLCL201/LCCL201  GENERAL THEORY OF CIVIL LAW
Introduction. The general theory of the juridical relations: its meaning and limitations. 1. The civil juridical relation (the statics and the dynamics of the juridical relation): Notion of juridical relation: functional notion ("concept of interest") and structural notion ("concept of precept"). Study of the juridical relation as a structural precept, the statics: core of the juridical relation: a) the rights in a broad meaning. Types: The rights in a proper meaning and the rights to establish, a change or terminate a legal relationship. Close concept: Legal faculties (primary and secondary) and legally protected expectations. Classes and types of rights. b) the legal duty and the submission. The external elements: parties, object,
fact and warranty. Species, classes and types of juridical relations. Combinations of juridical relations (the patrimony theory). The Dynamics: main happenings in the life of a juridical relation: establishment and acquisition (primary and secondary), change and determination. Accidental happenings. 2. Persons. I - natural persons personality, subjectivity and legal capacity. Beginning of legal personality. Termination of legal personality. The protection of the personality. Legal capacity: Limitation on capacity (general and accidental) and the close concepts (illegitimacy). II - legal persons: Notion, elements, kinds, capacity, liability and termination. 3. The things. 4. The fact, Fact, act, and "negócio júridico". Elements of the "negócio júridico". Types of "negócio júridico". The declaration of will. The interception of will. The interpretation. The perfection. The divergences and the vices of the will. The object. The representation of will. The accessory clauses. Integration, reduction and conversion of the "negócio júridico". Invalidities.

**BLCL202/LCCL202 ADMINISTRATIVE LAW I**

Chap. I - Public administration 1. Public Administration. Concept and different meanings. 2. Historical evolution. 3. Administrative systems: comparison between the continental-European system and the British system. Chap. II - The administration and the Law 1. The principle of legality of Administration. Primacy of law and reservation for the Parliament (Legislative Power) the regulation of the principal matters (historical and modern meanings). 2. "Binding" (to the content of acts fixed by law) and "Discretionary" (cases that the legislator gives Administration the power to fix the content of it's own acts). 3. The sources of Administrative Law: in special, the administrative Regulations Chap. III - The Administrative Activity 1. The dispositive facts. Typology (in special, torts). 2. Administrative act. Concept and meaning. Typology. 3. Instrumental acts. 4. The administrative procedure. 5. Effectiveness and legal strength of the administrative act: the possibility of execution by Administration of it own acts. 6. The structure of administrative act: the subject, the object and the statute. 7. The defects of the administrative act. Types of invalidity. Chap. IV - The administrative justice. 1. Definition and scope of the administrative justice. 2. The problem of the administrative justice models. 3. The system of administrative justice in Macau. 4. Material and functional limits of the administrative justice. 5. The organs of the administrative justice. 6. The means to access to the administrative courts. 7. The processual requirements. 8. The tramitation of the administrative judicial processes. 9. The general principles of the administrative judicial process. 10. The judicial decisions and its effects.

**BLCL203/LCCL203 CRIMINAL LAW**


**BLCL204/LCCL204 TAX LAW**


**BLCL205/LCCL205 COMPARATIVE LEGAL SYSTEMS**

Comparative law as a science; 6. The grouping of the legal systems into families. Part I - Macrocomparison 1. The continental family: a) History; b) Structure; c) Sources; d) The French and German legal systems; Portuguese Legal System. 2. The Common-law family: a) History; b) Structure; c) Sources. 2.2. The American law: a) History; b) Structure; c) Sources. 2.2. The American law: a) History; b) Structure; c) Sources. 3. The Socialist legal system. 4. Far East legal system, Chinese legal system, Japanese legal system. Part II. Microcomparison.

**BLCL206/LCCL206 PUBLIC INTERNATIONAL LAW**
1. Conception and nature of Public International Law. 2. Sources of Public International Law: Treaties and customs. 3. The State: Elements of the State, the Recognition of State, Succession of states, Rights and Duties of the State. 4. International Organizations: definition and types. The UN. 5. The individuals in Public International Law: nationality and juridical statute of the foreigners. 6. Diplomatic and Consular relations Law. 7. The pacific resolution of the international conflicts: political resolution and juridical resolution of the international conflicts. 8. Problems of Public International Law about Macau. 8.1. The Sino-Portuguese Joint Declaration, 8.2. The capacity of Macau's Special Administrative Region in matters related with external affairs, according to the Basic Law of MSAR.

**BLCL208/LCCL208 PORTUGUESE LANGUAGE II**
To consolidate and extend the contents studied in the 1st year. The priority is written or oral communication in any daily situation, within the limits of this basic level of communication. Functional contents are those that will allow the student to participate in oral conversations about several matters such as: professions and jobs, travel, hygiene and health. For consolidation, some written to develop shall be indicated, for example, the Curriculum Vitae, an agenda, take notes for a future report, description of situations, the route of a trip... Grammatical contents will be in straight articulation with the functional and thematic contents. Different uses of the subjunctive shall be given, namely those depending of verbal sentences that express will, forbiddance, doubt, hypothesis, suggestion, ask and claim. The use and right placing of the adjective and the adverb. Sentences that express punctual value (to finish) or continuing value (keep going). The use of gerund. Type of questioning sentences. Study of the construction of press news.

**BLCL209 PRACTICAL ENGLISH 2: DEVELOPMENTAL I & II**
Intermediate-level students meet three hours a week to expand and improve upon English language skills developed in ENGL150/151. An effort will be made to conduct needs analyses and work with learners to identify individual language learning needs and the types of language tasks expected in their academic work. When possible, content- or theme-based approaches will be used to link English language improvement to other coursework. Language teaching and learning will focus on cognitive-academic language proficiency as well as the improvement of basic interpersonal skills in English.

**BLCL301/LCCL301 OBLIGATION LAW**
BLCL302/LCCL302  ADMINISTRATIVE LAW II
Administrative Judiciary. I - The Principle of Separation of Powers. II - Delimitation of the concept of administrative judiciary or the administrative contentious proceeding. III - Administrative juridical relations that produce external effects as the object of the administrative contentious proceeding. IV - The established administrative judiciary system. V - The organization of administrative judiciary system - The models (in Macau and in Portugal). VI - The means for judicial protection of citizens before Public Administration. VII - Conditions for suing. VII I - Judicial process-regarding principles. IX - The contentious remedy for voidance of administrative acts (proceeding, decision and effects of decision). X - The suspension of the effects of the acts. XI - The judicial procedure for recognition of rights or legitimate interests.

BLCL303/LCCL303  COMMERCIAL LAW I

BLCL304/LCCL304  CRIMINAL LAW AND CRIMINAL PROCEDURAL LAW
Part I. Legal consequences of the crime. 1. The legal consequences of the crime and the criminal penalty. 2. The reaction to crime of the criminal law in force in Macau in the context of the criminal policy models. 3. Preliminary penalties, a) Primary penalties and secondary penalties. b) The substitution penalties in the system in force in Macau. 4. The imprisonment penalty and the fine. 5. The general theories on the determination of the penalty. 6. Steps on the determination of the penalty. a) Mitigation circumstances and aggravity circumstances. b) The criterium of the article 84 of the criminal code. c) Judicial determination of the penalty. Part II - Criminal Procedure. 1. Meaning and the aim of the criminal procedure law. 2. Place of the criminal procedure law in the legal system. 3. The application of the criminal procedure law. 4. General principles of the criminal procedure. 5. Injunctions. 6. Evidence in the criminal procedure. 7. The forms of the criminal procedure. 8. The inquiry. 9. The instruction. 10. The trial. 11. The appeals in the criminal procedure.

BLCL305/LCCL305  PROPERTY LAW

BLCL306/LCCL306  FAMILY AND SUCCESSION LAW

BLCL307/LCCL307  LABOUR LAW

BLCL308/LCCL308  PORTUGUESE LANGUAGE III
The functional contents shall give priority to thematic fields already studied by the students in any of Law subjects. There shall be numbered some acts of speech such as: asking information about facts (answer a request for information), probable or unlikely, to comment and resume (orally and written) texts in specific thematic fields. Grammatical contents will depend on the selected contents. The use of idiomatic expressions and settled sentences. The study of vocabulary of some erudition and the study of some Latin words more often used in the juridical speech. Polissemology. Words with a special meaning in the specific professional area of the student. Emphatic sentences. Placing of "cliticos" (systematization). The placement of articles: presence/absence. The use of massive names. Special uses of infinitive. Cohesion and coherence in the speech formation.

BLCL309/LCCL309  CIVIL PROCEDURE LAW I

BLCL401/LCCL401  PRIVATE INTERNATIONAL LAW
separation by law in PIL. 7. Legitimacy, legitimization and adoption and determination of the structure of family relations by those means constituted. 8. Succession law in PIL.

**BLCL402/LCCL431  GENERAL THEORY OF CHINESE LAW**

Part I. - 1. The characteristics of legal system of ancient China. 2. PRC Constitution Political and Economical fundamental principles settled by the Constitution, The State Organs of PRC, Rights and Duties of Chinese citizens. 3. PRC Criminal Law: range of application of criminal law, Conception and constitution of crime, Penalties, Measure of Penalties, the Special Provisions of Criminal Law. 4. Criminal Procedure in PRC: jurisdiction, evidences, mandatory injunctions. The Accusation, 1st and 2nd stages procedures, Execution. 5. PRC Administrative: Administrative institutions, administrative act, the Law of civil servants. Hierarchy Claims and Administrative Procedure. Part II. - 1 . Civil Law of PRC: general principles of Civil Law, the parties of the civil juridical relationship, civil juridical acts, the right of property, contracts, civil liability. 2. The marriage and successions law: marriage regimens, divorce regimens and procedures, blood relations and affinity, inheritance, legal succession, testate succession. 3. Company Law general regimen and types of companies, limited companies, partnership associations and business corporations. 4. PRC Foreign Economy Law: Joint venture enterprises, foreign enterprises, the law of joint administration of companies, PRC use of land law, Tax law related to foreign companies.

**BLCL403/LCCL403  COMMERCIAL LAW II**


**BLCL404/LCCL433  GENERAL THEORY OF PORTUGUESE LAW**

I - Juridical Systems. II Portuguese juridical system. 2.1. Evolution and Characterization. 2.2. Constitutional Law and Administrative Law 2.3. Criminal Law and Procedure 2.4. Evolution of Civil Law and Civil Procedure law. 2.5. Commercial Law 2.6. Economic Law. 2.7. The Private International Law, the nationality. 2.8. European Law. 2.9. The law and the environment, urban construction law, the consumer, the telecommunications, the computing and biotechnic, and other new challenges. 2.10. The foreigners in Portuguese Law. 2.11 . The Statute of the former Portuguese colonies in Africa (PALOPs) and the Statute of its citizens. 2.12. The Statute of the Portuguese citizens born in Macau and Macau residents. 2.11 . Tendencies of the evolution of Portuguese Law. III - 3.1 . The Portuguese Law and the Law of Macau. 3.2. The autonomization of the Legal System of Macau and the principle of the maintenance basically unchanged of the existing juridical order of Macau. 3.3. The experience of transition in Macau. IV - Observing the evolution of the Portuguese Legal System and other systems with a common matrix.

**BLCL405/LCCL432  PORTUGUESE/CHINESE LEGAL LANGUAGE**


**BLCL406/LCCL409  CIVIL PROCEDURE LAW II**


BLCL407/LCCL422  RESEARCH PROJECT
Seminar on research and of research skill. Access to sources and new method of research. Project of research in one of law courses specially of optional courses for the purpose of profounding of the knowledge. Research on other law subjects can also be accepted.

BLCL408/LCCL408  SOCIAL SECURITY LAW

BLCL409/LCCL406  LEGAL THEORY

BLCL410/LCCL410  INTELLECTUAL PROPERTY LAW

BLCL411/LCCL411  REGISTRY AND NOTARY LAW

BLCL412/LCCL412  JURIDICIAL PRACTICE

BLCL413/LCCL434  SCIENCE OF CRIMINAL LAW
1 - Special provisions of Criminal Law: Introduction to general theory of Special provisions. Crimes

**BLCL414/LCCL414  FORENSIC MEDICINE**

**BLCL415/LCCL415  ADMINISTRATIVE ORGANIZATION AND PUBLIC FUNCTION**

**BLCL416/LCCL416  REGIONAL ECONOMIC RELATIONS**
I World economic trends 1 - Globalization `versus` Regionalization 2 - The emergence of economic blocs II from national to regional - Regional economic relations: some theoretical concepts III South East Asia Area. 1 - The Economy of Japan 1.1 - Characterisation of Japanese Economy 1.2 - Perspectives of development 1.3 - Relations with surrounding economies 2 - Newly Industrialized economies and regional relations 2.1 - The Economy of South Korea: characterization and perspectives of development 2.2 - The Economy of Singapore characterization and perspectives of development 2.3 -The Economy of Taiwan: characterization and perspectives of development 2.4 - The Economy of Hong Kong characterization and perspectives of development 3 - The economy of PRC 3.1 - The open-door policy: Coastal Cities and Special Economic Zones 3.2 - Special Economic Zones of Zhuhai and Shenzen 4 - The Economy of Macau 4.1 - Characterization, 4.2 - Relationships and integration in the geographic zone, 4.3 - Perspectives of development

**BLCL417/LCCL417  LEGAL SYSTEM OF HONG KONG**

**BLCL418/LCCL418  EUROPEAN UNION LAW**
1. The history of European Union. 1.1. The European Communities: European Coal and Steel Community (ECSC), European Economic Community (EEC) and European Atomic Energy Community (EURATOM). 1.2. The European Common Market: The Free Movement of Goods, the Free Movement of Workers, the Free Movement of Establishment and the Free Movement of Capital. 2. Objectives of European Union. 3. The institutions of the Communities: The Commission, the Council, the Council of Ministers, the European Parliament, the Court of Justice, the Court of Auditors, the Economic and Social Committee and the Committee of the Regions, the European Ombudsman, the European Investment Bank and the Central Bank. 4. European Union Law: the sources and the judicial control. 5. Citizens rights. 6. The EU and the Rest of the World, in particular the External Trade Policies with China and RAEM.

**BLCL419/LCCL419  MARITIME LAW AND AIR LAW**

**BLCL420/LCCL420  INTERNATIONAL HUMANITARIAN LAW**
1. The concept of International Humanitarian Law. Human Rights and International Rights Humanitarian
Law, distinguishing criteria. 2. Historical development and legal basis of IHL. 3. The Geneva Conventions of 1949 and the additional Protocols of 1977. 3.1. Scope of application: the situation of international armed conflict and the internal armed conflict. 3.2. Persons protected: the wounded, sick and shipwrecked members of armed forces, the prisoners of war and the civilian population. 4. Action taken by the International Committee of the Red Cross in IHL. 5. The applicability of international instruments on IHL in China and Macau.

**BLCL421/LCCL421  INTERNATIONAL COMMERCIAL LAW**

**BLCL422/LCCL407  LAW OF CONTRACT**
Introduction: The nature and function of contract law, The formation of a contract: The offer and acceptance; Contents of a contract; Unfair contracts; Vitiating factors; Discharge of a contract; Remedies for breach of contract; Nominate contracts: Sale of goods; Lease; lending; agency; deposit; building; gambling and betting.

**BLCL423  ENVIRONMENTAL LAW**
This course covers the environmental values and policies, history of environmental law, the principles and framework of environmental regulations, the use of risk assessment techniques in environmental law, the regulatory tools of environmental law, and the enforcement and dispute settlement mechanisms and international responsibilities. Special topics like water pollution, air pollution, cross-border movement of hazardous wastes and other local, regional and global environmental problems.

**BLCL424  ADVANCED ENGLISH**
An advanced course in the use of oral and written English. Spoken and written materials will help develop facility and accuracy in comprehension, speaking and writing. Legal and commercial English is added properly.