



Course and Examination Fact Sheet: Autumn Semester 2022

1,172: Law I A

ECTS credits: 5.5

Overview examination/s

(binding regulations see below)

Central - Written examination (100%, 180 mins.)

Examination time: inter-term break

Attached courses

Timetable -- Language -- Lecturer

[1,172.1.00 Introduction to Private Law](#) -- Englisch -- [Lohmann Melinda Florina](#) , [Werlen Thomas](#)

[1,172.2.01 Private Law: Exercises, Group 1](#) -- Englisch -- [Wolf Markus](#)

[1,172.2.02 Private Law: Exercises, Group 2](#) -- Englisch -- [Stacher Marco](#)

[1,172.2.03 Private Law: Exercises, Group 3](#) -- Englisch -- [Grob Annina](#)

[1,172.2.04 Private Law: Exercises, Group 4](#) -- Englisch -- [Grob Annina](#)

[1,172.2.05 Private Law: Exercises, Group 5](#) -- Englisch -- [Wolf Markus](#)

[1,172.2.06 Private Law: Exercises, Group 6](#) -- Englisch -- [Stacher Marco](#)

[1,172.2.07 Private Law: Exercises, Group 7](#) -- Englisch -- [Stähli Jonas](#)

[1,172.2.08 Private Law: Exercises, Group 8](#) -- Englisch -- [Stähli Jonas](#)

[1,172.2.09 Private Law: Exercises, Group 9](#) -- Englisch -- [Bürge Stefan](#)

[1,172.2.10 Private Law: Exercises, Group 10](#) -- Englisch -- [Bürge Stefan](#)

[1,172.2.11 Private Law: Exercises, Group 11](#) -- Englisch -- [Kasper Gabriel](#)

[1,172.2.12 Private Law: Exercises, Group 12](#) -- Englisch -- [Kasper Gabriel](#)

[1,172.2.13 Private Law: Exercises, Group 13](#) -- Englisch -- [Müller Kevin](#)

[1,172.2.14 Private Law: Exercises, Group 14](#) -- Englisch -- [Müller Kevin](#)

[1,172.3.01 Private Law: Independent Studies, Group 1](#) -- Englisch -- [Sennhauser Pascal](#)

[1,172.3.02 Private Law: Independent Studies, Group 2](#) -- Englisch -- [Sennhauser Pascal](#)

[1,172.3.03 Private Law: Independent Studies, Group 3](#) -- Englisch -- [Müller Kevin](#)

[1,172.3.04 Private Law: Independent Studies, Group 4](#) -- Englisch -- [Müller Kevin](#)

[1,172.3.05 Private Law: Independent Studies \(with reduced pace - for students with less linguistic skills\), Group 5](#) -- Englisch -- [Pullen Jennifer](#)

[1,172.3.06 Private Law: Independent Studies \(with reduced pace - for students with less linguistic skills\), Group 6](#) -- Englisch -- [Pullen Jennifer](#)

[1,172.3.07 Private Law: Independent Studies, Group 7](#) -- Englisch -- [Massaro Alessandro](#)

[1,172.3.08 Private Law: Independent Studies, Group 8](#) -- Englisch -- [Massaro Alessandro](#)

[1,172.3.09 Private Law: Independent Studies, Group 9](#) -- Englisch -- [Buob Nicolas](#)

[1,172.3.10 Private Law: Independent Studies, Group 10](#) -- Englisch -- [Buob Nicolas](#)

[1,172.3.11 Private Law: Independent Studies, Group 11](#) -- Englisch -- [Schöller Maximilian](#)

[1,172.3.12 Private Law: Independent Studies, Group 12](#) -- Englisch -- [Schöller Maximilian](#)

[1,172.3.13 Private Law: Independent Studies, Group 13](#) -- Englisch -- [Koller Livia](#)

[1,172.3.14 Private Law: Independent Studies, Group 14](#) -- Englisch -- [Koller Livia](#)

Course information

Course prerequisites

For this course, there are no prerequisites.

Learning objectives

You know and understand Swiss Private Law's main features, its sources, structures, basic principles and scope of application.



You are able to apply your knowledge to practical cases.

You are able to analyse contract and company law problems, identify the legal difficulties as well as to formulate concise and law-based solutions.

Course content

1. Overview of the Civil Code (CC) and the Code of Obligations (CO) (including the introductory articles to the Civil Code, private law subjects, fundamental principles of contract law, origins of obligations)
2. Creation of obligations (including freedom of contract, conclusion of contracts, validity of contracts, error and fraud, agency)
3. Performance of contracts in general and in the case of specific contracts
4. Breach of contracts (including default of obligors and obligees, non- and misperformance, liability for auxiliary persons)
5. Company law: principles and types of companies (emphasis placed on Simple Partnerships and the Company Limited by Shares)

Course structure and indications of the learning and teaching design

The course is subdivided into several modules and consists of lectures, exercises, tutorials and supporting learning materials.

Lecture

In the lecture students will learn the basics of Swiss private law, namely contract and company law. The details of the course structure and respective content will be communicated on Studynet (Canvas) in due time.

Exercises

The students deepen their knowledge by solving practical cases.

Independent Studies (Tutorials)

The tutorials offer a chance to clarify questions regarding the literature as well as the lecture content and to deepen the theory with case examples. The cases build upon the lectures. You should, therefore, prepare the literature and lecture on the respective module before attending the tutorial class.

Supporting learning materials

Besides literature, lecture, exercises, tutorials, other multimedia learning materials are provided on StudyNet (Canvas) and YouTube. They allow you to deepen your knowledge and prepare for the exam.

Course literature

Required reading

- Markus Müller-Chen, Introduction to Business Law, volume I, Contract Law, 7th edition, St.Gallen 2021
- Andreas Binder/Thomas Werlen, Introduction to Business Law, volume II, Company Law, 8th edition, St.Gallen 2022

Compilation of Statutes

- University of St.Gallen Law School (ed.), St.Gallen Compilation of Statutes, 9th edition, St.Gallen 2022 (for further information compare "supplementary aids")

Additional supporting materials

- Vito Roberto, Exercise Collection Business Law, Exercises and Further Learning Material on "Contract Law and Company Law", 7th edition, St.Gallen 2022
- Vito Roberto, Study Cards Business Law, Contract and Company Law, 5th edition, St.Gallen 2022

Additional course information

The course comprises a series of lectures as well as the attendance of exercise groups and independent study groups. Please attend the groups which you have been assigned in the bidding process.



Examination information

Examination sub part/s

1. Examination sub part (1/1)

Examination time and form

Central - Written examination (100%, 180 mins.)

Examination time: inter-term break

Remark

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Examination-aid rule

Extended Closed Book for Examinations in Law

The use of the examination aids is restricted. In addition to the principles set out in this section, other permitted examination aids must be listed exhaustively in the section "supplementary aids".

The following applies in principle:

- All calculators of the Texas Instruments TI-30 series as well as monolingual or bilingual dictionaries (not specialised dictionaries) without hand written notes are accepted. All other calculator models and electronic dictionaries are not allowed;
- Furthermore, any kind of communication and all programmable and communication-capable electronic devices such as notebooks, tablets, mobile phones etc. are not permitted;
- The procurement of examination aids is the sole responsibility of the students;
- All official federal enactments in the four national languages and in the English translation of the Swiss Federal Chancellery as well as the official enactments of the Canton of St.Gallen are always permitted. The decrees that are required for the examination are listed under the heading "examination aids-rule";
- Additional examination aids and private collections of enactments are only permitted if they are explicitly listed in the examination aids-rule. This is an exhaustive list. Any private collections not listed are expressly prohibited and will be confiscated without substitution, regardless of whether they are commented, uncommented or annotated legal editions;
- Unless otherwise defined in the examination aids-rule, all permitted documents may be combined in any number and language.

The following preparation of the legal texts is permitted:

- References to other articles of the law, including all designations and numbers as they appear in the permitted legal texts (e.g: Art 62 ff. OR4 / Art. 164 para. 1 lit. a BV5 / Art. 25 para. 2 lit. a no. 8 MWSTG6 / Art. 158 BV in connection with Art. 4 ParlG7 / Art. 29 II BV etc.), these must be written in a national language and/or in English;
- Markings with any kind of pens including highlighters in different colours (e.g: underlining, encircling, special characters like arrows, stars, etc.). Systematic marking of individual letters is not permitted, and all other notes and comments are also prohibited;
- Registers: Self-adhesive labels in the margin of the respective legal text are permitted, but they may only be used with the marginalia, titles, articles (e.g: Art. 141 BV: Optional referendum or 5th title: Federal authorities or Art. 5 BV) of the relevant page.

Print-outs and copies of legal texts approved (i.e. all official editions or permitted private collections including tables of contents and subject indexes) must correspond 1:1 to the original; the original source must be clearly traceable.



Supplementary aids

Solely the following **law text collections** are admitted:

English

- University of St.Gallen Law School (ed.), St.Gallen Compilation of Statutes, 9th edition, St.Gallen 2022

German

- Rechtswissenschaftliche Abteilung der Universität St.Gallen (Hrsg.), St.Galler Erlassammlung, 9. Auflage, St.Gallen 2022

Older editions are allowed as well but not recommended as they might contain provisions that are outdated. Please be aware that on 1st of January 2023 the revision of the company law comes into force.

The official statutory texts and the English translation by the Federal Chancellery are admitted as well. It is uncertain whether the official translation of the revision of the company law will be available during the fall semester 2022. Please refer to the general rules on examination aids (see above) for the admissibility of the **official statutory texts** by the Federal Chancellery. You may download and print the official statutory texts from www.admin.ch or buy the print version of them at a bookstore or from the Federal Chancellery.

If you print the statutory provisions from admin.ch, note that the source of these printouts must be clear. We recommend that you print the PDF version. You may rescale the pages to fit the paper you use.

Examination languages

Question language: English

Answer language: English

Examination content

The course literature, the lectures, the exercises, the tutorials as well as the supporting learning materials are relevant for the exam. Emphasis is placed on the following topics:

- Conclusion of contracts
- Error and fraud
- Agency
- Performance and breach of contract
- Sales contract, work contract, mandate/agency contract
- The concept of a company, types of companies (emphasis placed on Simple Partnerships and the Company Limited by Shares)

Examination relevant literature

- The course books "Introduction to Business Law", volumes I and II, as listed under "Course literature - Required reading".
- All learning resources uploaded on StudyNet (Canvas) up to 25th December 2022.



Please note

Please note that only this fact sheet and the examination schedule published at the time of bidding are binding and takes precedence over other information, such as information on StudyNet (Canvas), on lecturers' websites and information in lectures etc.

Any references and links to third-party content within the fact sheet are only of a supplementary, informative nature and lie outside the area of responsibility of the University of St.Gallen.

Documents and materials are only relevant for central examinations if they are available by the end of the lecture period (CW51) at the latest. In the case of centrally organised mid-term examinations, the documents and materials up to CW 42 are relevant for testing.

Binding nature of the fact sheets:

- Course information as well as examination date (organised centrally/decentrally) and form of examination: from bidding start in CW 34 (Thursday, 25 August 2022);
- Examination information (regulations on aids, examination contents, examination literature) for decentralised examinations: in CW 42 (Monday, 17 October 2022);
- Examination information (regulations on aids, examination contents, examination literature) for centrally organised mid-term examinations: in CW 42 (Monday, 17 October 2022);
- Examination information (regulations on aids, examination contents, examination literature) for centrally organised examinations: two weeks before the end of the registration period in CW 45 (Monday, 7 November 2022).