



SHANGHAI WINTER SCHOOL 2011

SYDNEY LAW SCHOOL



THE UNIVERSITY OF
SYDNEY

The 18th Winter School in Shanghai: 27 November to 17 December 2011.

The Shanghai Winter School is an intensive three-week introduction to Chinese law jointly organised by Sydney Law School and East China University of Political Science and Law. Classes are held in Shanghai, China.

The program provides you with an opportunity to study, on an intensive and introductory basis, the laws and legal system of China whilst experiencing life in that country.



The Bund, Shanghai

CHINESE LAWS AND CHINESE LEGAL SYSTEMS

Interest in Chinese society and law has increased in the wake of the “Open Door Policy” announced at the end of 1978. The Four Modernisations – of agriculture, industry, national defence, and science and technology – have been accompanied by a “Fifth Modernisation,” that of law and the legal system destroyed during the Cultural Revolution. Since 1979, China has embarked on the development of a modern legal system. While geared expressly to meet the needs of its new economic policies, this development has had profound implications for civil, criminal and administrative law and other aspects of social and political life.

Both investors and scholars are now confronted by a China which appears to seek to do things differently from the past – to use and rely on law, to spell out in codes and other enactments legal rights and duties, and to encourage citizens to turn to courts for resolution of their disputes and for remedies for injuries to their rights.

How successful has China been in building a legal system? What sort of legal and judicial system has been created? What is the nature and what are the characteristics of the laws passed? To what extent do past institutions and traditions affect present laws, their implementation and citizens’ perceptions of and attitudes to the law? How do the laws and legal institutions affect citizens, foreign business interests and investors? How do Chinese courts function? How do Chinese lawyers operate and organise themselves?

These are some of the questions that will be raised in this unit. Considering them will help you to understand more about the character of law and the way legal systems develop. It will help you to acquaint yourself with the formal structure of the legal system, the legislative process, and the hierarchy of legal

authority, courts and laws, and to compare and contrast the operation of law in China and its operation in other countries. It will also help those who intend to undertake commercial activities in China to understand the political, legal and cultural context in which you will be operating and the conditions in which you will be interacting, negotiating and trading.

The Winter School in Shanghai provides you with an opportunity to study, on an intensive and introductory basis, the laws and legal system of China whilst experiencing life in that country.

Lectures are given in English by Chinese professors and the program is supervised by academic staff from Sydney Law School. Representatives of the Law School will be in residence in Shanghai to oversee the course and assist students.

Lecture topics may include:

- Chinese legal history
- The Chinese legal system
- Constitutional law
- Administrative law
- Criminal law and procedure
- Civil law and procedure
- Contract law
- Company law
- Foreign trade law
- Foreign joint venture law
- Intellectual property law
- Environmental law
- Property law
- Arbitration
- People's mediation
- The lawyer system

There will also be a visit to a Chinese law firm or a Chinese court.

Students are provided with copies of relevant legislation and a selection of readings to complement the lectures. Lecturers may also issue additional materials to students in Shanghai.

WHO SHOULD ENROL?

Enrolment in the Shanghai Winter School is available to:

- Current undergraduate and postgraduate law students, and JD students from the University of Sydney
- Undergraduate and postgraduate law students, and JD students currently enrolled in an Australian or overseas university who are seeking to obtain credit for a tertiary award
- Students with appropriate tertiary education qualifications who are seeking to enrol for non-degree purposes, or for credit for a non-law tertiary award.

Undergraduate students

The unit is available to undergraduate law students from the University of Sydney who have completed at least third year Combined Law or first year Graduate Law, and undergraduate cross-institutional students who have completed the full-time equivalent of one year of a Bachelor of Laws program.

Juris Doctor students

The unit is available to JD students from the University of Sydney and cross-institutional students who have completed the full-time equivalent of one year of a JD program.

Postgraduate students

The Winter School can be credited towards the following University of Sydney postgraduate degrees and diplomas:

- Doctor of Juridical Studies (SJD)
- Master of Business Law (MBL)
- Master of Global Law (MGlobL)
- Master of International Business and Law (MIntBus&L)
- Master of International Law (MIL)
- Master of Laws (LLM)
- Graduate Diploma in Law (GradDipLaw)

The postgraduate unit is worth 12 credit points (one-quarter of an annual full-time workload) and is available to both University of Sydney and cross-institutional postgraduate students.

ASSESSMENT

Assessment varies according to enrolment. For undergraduate and JD students, assessment comprises an examination (100%) to be completed in Shanghai. Assessment for postgraduate students comprises an examination (30%) to be completed in Shanghai, and an 8000 word research essay (70%) to be submitted following the Winter School.

Please note that assessment may be subject to change.

OTHER ACTIVITIES

A three-day trip to Hangzhou is included in the cost of the course. This covers transport, accommodation, most meals, a boat cruise on West Lake, and entry fees to tourist attractions. Hangzhou is one of China's most famous tourist destinations: "In heaven there is paradise, on earth Suzhou and Hangzhou."

An optional one-day trip to Suzhou is also available at an additional cost of approximately RMB300.

Mandarin and Tai Chi classes are offered during the Winter School at an additional cost of approximately RMB100 and RMB200 per course respectively.

FEES

Two fees are payable:

1. University of Sydney **tuition fee** which varies depending on your enrolment. Please note that the Winter School is offered on a full-fee basis only. Commonwealth supported places (HECS-HELP) are not available. However, eligible students may apply to defer their tuition fee payment using FEE-HELP.
2. A fee covering **in-Shanghai expenses** and administration which varies depending on your choice of accommodation.

Fees cover:

- Tuition costs (including course materials)
- Accommodation (including linen, blankets and towels)
- Three meals per day (excluding drinks)
- A three-day trip to Hangzhou
- Airport transfers on arrival (for students arriving at Pudong International Airport on 26 or 27 November only).

2011 fees for in-Shanghai expenses

ACCOMMODATION TYPE	FEE PER PERSON (A\$)
BASIC TWIN-SHARE	\$1700
STANDARD TWIN-SHARE	\$2020
STANDARD SINGLE	\$2490

Basic rooms have shared bathroom facilities. Standard rooms have private bathrooms.

Please note that tuition fees are also payable. For up-to-date tuition fee information please visit:

sydney.edu.au/law/cstudent/shanghai/fees.shtml

APPLICATION

A completed application form, accompanied by all relevant supporting documentation and a deposit of A\$500 must be submitted by **Friday 29 July 2011**.

Please note that preference is given to University of Sydney law students and then to cross-institutional law students. Non-degree and non-law applications will be considered only if space permits. Late applications may be considered for a limited time if places in the program remain available.

The application form and further information on the program is available on the Shanghai Winter School website at:

sydney.edu.au/law/cstudent/shanghai

CONTACTS

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Please contact Craig with all administrative enquiries, including registration, application and enrolment, and fee related matters.

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Please contact Associate Professor Bath for all academic matters.

Shanghai Winter School

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