

Public Management Bachelor Programme

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| Module | 36 – Company Law and Municipal Economic Law | | |
| Semester | 5 th semester (winter semester) | | |
| Course | a) Company Law (V/Ü) DE b) Municipal Economic Law (V/Ü) DE | | |
| Workload | 4 SPW | 5 credits | 150 workload hours (45 attendance hours, 105 self-study hours) |
| Admission prerequisites | – | | |
| Module coordinator | Prof. Dr. Stefan Zahradnik | | |

1. Learning outcomes

Students will be familiar with the key principles of corporate enterprise law, partnership law, as well as corporate group law, with a particular focus on corporate enterprises. They will have an overview of the typical problem areas in companies and be capable of initiating measures related to corporate law. Students will be able to evaluate the economic activities of the public authorities, and apply conditions of legitimacy to specific cases. They will be able to evaluate the different legal and organisational forms of municipal businesses from the perspective of legal and business management perspectives, and to implement their legal basis. They will be able to make decisions about the formation of a company and explain their reasoning. They will be able to organise the management of municipal subsidiaries and create annual reports. They will be cooperative and show social responsibility when working together with others. They will be able to express their arguments clearly and solve conflicts constructively and in an open-minded manner.

2. Recommended prior knowledge and skills

Local Government Law (module 17)

3. Contents

- a) • Overview of the different legal forms of corporate enterprises
 • Establishment of corporate enterprises
 • Bodies of corporate enterprises, their areas of responsibility and duties
 • Shareholders' obligations and rights
 • Corporate group law
 • Overview of legal forms of partnerships
 • Commercial register, business register, publicity
- b) • Foundations of public services
 • Limits of the economic activities of the public authorities
 • Municipal investments in corporate entities
 • Legal foundations of select legal and organisational forms
 • Management of municipal subsidiaries

Relevant legal norms: EC Treaty, HGrG, BHO, LHO, ThürKO, ThürGemHV, ThürEBV, ThürKDG, ThürKGG, WVG, AktG, GmbHG, UWG, GWB.

4. Modes of teaching and learning, workload

Lecture with active feedback from students and integrated practical exercises (45 hrs); preparation and revision of lectures (40 hrs); practical exercises (20 hrs), discussion in class; drawing up a charter (15 h); exam preparation (30 hrs).

5. Type of examination

Drawing up the charter for a municipal undertaking, a special-purpose association or an institution (part of course grade); written exam (120 minutes) (part of course grade)

6. Literature

DRYGALLA, Tim; STAAKE, Marco; SZALAI, Stefan: *Kapitalgesellschaftsrecht. Mit Grundzügen des Konzern- und Umwandlungsformen*, Heidelberg 2012; SCHÄFER, CARSTEN: *Gesellschaftsrecht*, München 2013; CRONAUGE, Ulrich; WESTERMANN, Georg: *Kommunale Unternehmen*, 5. Auflage, Berlin 2006; FABRY, Beatrice; AUGSTEN, Ursula (Hrsg.): *Handbuch Unternehmen der öffentlichen Hand*, 2. Auflage, Baden-Baden 2010; HOPPE, Werner; UECHTRITZ, Michael (Hrsg.): *Handbuch kommunale Unternehmen*, 2. Auflage, Köln 2007. Weitere Literaturhinweise werden zu Beginn der Lehrveranstaltung gegeben. Additional references will be made available at the beginning of the course.