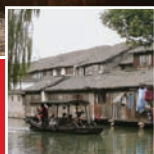
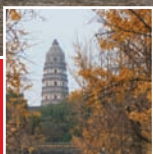


The 16th Winter School in Shanghai

22 November - 12 December 2009



An intensive three-week introduction to Chinese Law given by Chinese professors on the campus of the East China University of Political Science and Law in Shanghai, People's Republic of China



The University of Sydney



Sydney Law School

The 16th Winter School in Shanghai

22 November - 12 December 2009

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

Since its inception 15 years ago, over 750 students from 16 universities in Australia and New Zealand have completed the Winter School.

The aims of the Winter School are:

- to provide an introduction to the Chinese legal system and Chinese laws;
- to encourage independent research into specific areas of Chinese law.

It is hoped that the Winter School will stimulate interest in, and analysis of, Chinese legal styles, attitudes and structures, including traditional Chinese legal values and processes, as significant factors in the understanding of modern Chinese law and the legal system.

Vivienne Bath

Academic Coordinator, Shanghai Winter School

Senior Lecturer and Director

Centre for Asian and Pacific Law (CAPLUS)

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 the thoughtful lawyer understand more about the character of law and the way legal systems develop. It will help students to acquaint themselves 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 they will be operating and the conditions in which they will be interacting, negotiating and trading.

The Winter School in Shanghai provides students 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 by Chinese professors in English and the program is supervised by academic staff of the Sydney Law School. A representative of the Law School will be in residence in Shanghai to oversee the course and to assist students.

Lecture topics may include:

- Legal History
- Constitutional Law
- Administrative Law
- Criminal Law & Procedure
- Civil Law & Procedure
- Contract Law
- Company Law
- Foreign Trade Law
- Foreign Joint Venture Law
- Intellectual Property Law
- Environmental Law
- Property Law
- People's Mediation
- Arbitration
- 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 Winter School is available to:

- current undergraduate and postgraduate law students at the University of Sydney;
- undergraduate and postgraduate law students currently enrolled in an Australian or overseas university who are seeking to obtain credit for the Winter School for a tertiary award;
- students with appropriate tertiary education qualifications who are seeking to enrol for non-degree purposes, or for credit towards a non-law tertiary award.

Undergraduate law students from the University of Sydney

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.

Undergraduate cross-institutional law students

The Winter School is available to undergraduate cross-institutional law students who have completed the equivalent of 1 year of a Bachelor of Laws or JD program. Students have the option of enrolling in either an eight credit point elective (one-sixth of an annual full-time workload) or a six credit point elective (one-eighth of an annual full-time workload).

Postgraduate students

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

- Master of Laws (LLM)
- Master of Business Law (MBL)
- Master of International Law (MIL)
- Master of International Business and Law (MIntBus&Law)
- Graduate Diploma of Law (GradDipLaw)

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



Assessment

Assessment varies according to enrolment. All students must attend lectures and sit an examination in Shanghai.

Assessment for undergraduate students comprises a take-home examination to be completed in Shanghai. For postgraduate students, assessment comprises a take-home examination to be completed in Shanghai, and a 10,000 word research essay 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, meals, a boat cruise on West Lake, and entry fees. Hangzhou is one of China's most famous tourist attractions: "In heaven there is paradise, on earth Suzhou and Hangzhou."

ECUPL also offers a one-day trip to Suzhou at an extra cost of approximately RMB250.

Mandarin and Tai Chi classes are offered during the Winter School at a cost of approximately RMB100 per course.

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, towels, heating, television and cleaning
- Three meals per day (excluding drinks)
- A three-day trip to Hangzhou
- Airport transfers on arrival (for students arriving on 21 or 22 November)

The 2009 fees for in-Shanghai expenses are as follows:

Basic twin-share room:	AUD1,650
Standard twin-share room:	AUD1,960
Standard single room:	AUD2,420

Basic rooms have shared bathroom facilities (4 students per bathroom). Standard rooms (twin-share or single) have private bathrooms.

The latest tuition fee information is available at:

www.law.usyd.edu.au/cstudent/shanghai/fees.shtml

Application

- A completed application form, accompanied by all relevant supporting documentation, and a deposit of \$500, must be received by the Sydney Law School by Friday 24 July 2009.

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.

- Application forms and further information on the program are available on the Shanghai Winter School website at:

www.law.usyd.edu.au/cstudent/shanghai

Important dates

- Applications close on Friday 24 July 2009
- The balance of the fee for in-Shanghai expenses and the full tuition fee must be paid by Friday 25 September 2009

Further information

For further information on the Shanghai Winter School program, please visit:

www.law.usyd.edu.au/cstudent/shanghai

or contact:

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Sydney Law School

Faculty of Law (F10)

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Australia

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