



Universität
Zürich ^{UZH}

Introduction to Swiss Law

Fall Semester 2017

Syllabus

Public Law

Constitutional Law (Prof. Oesch)
Administrative Law (Prof. Uhlmann)
Tax Law (Prof. Simonek)

Private Law

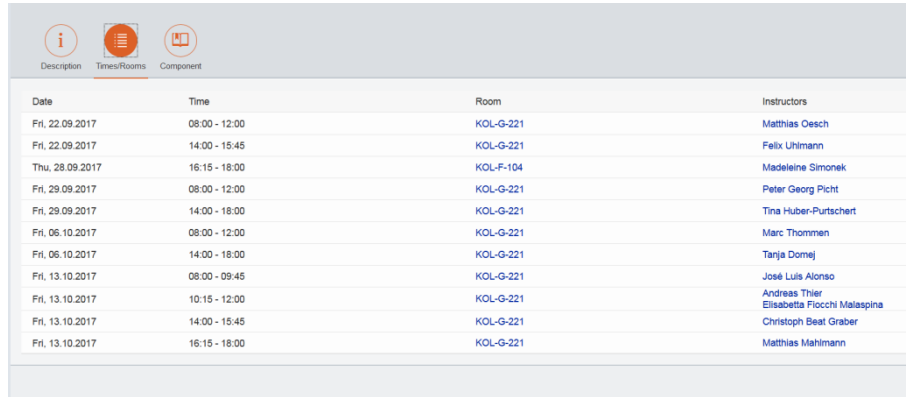
Civil Law (Prof. Picht)
Law of Obligations (Dr. Huber- Purtschert)

Criminal Law & Civil Procedure

Criminal Law (Prof. Thommen)
Criminal Procedure (Prof. Thommen)
Civil Procedure (Prof. Domej)

Foundations

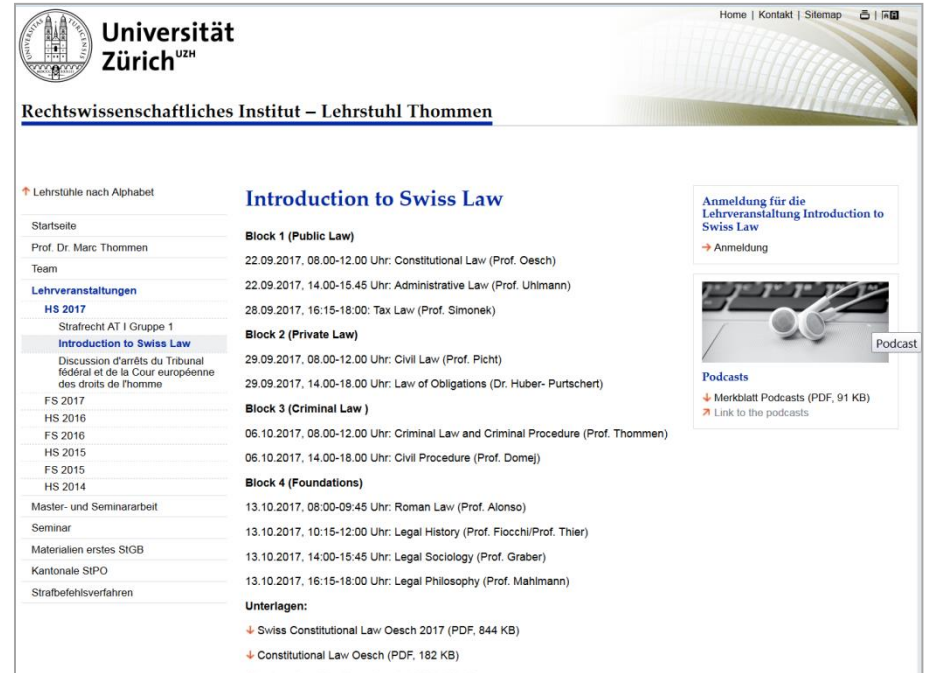
Roman Law (Prof. Alonso)
Legal History (Prof. Fiocchi/Prof. Thier)
Legal Sociology (Prof. Graber)
Legal Philosophy (Prof. Muhlmann)



Date	Time	Room	Instructors
Fri, 22.09.2017	08:00 - 12:00	KOL-G-221	Matthias Oesch
Fri, 22.09.2017	14:00 - 15:45	KOL-G-221	Felix Uhlmann
Thu, 28.09.2017	16:15 - 18:00	KOL-F-104	Madeleine Simonek
Fri, 29.09.2017	08:00 - 12:00	KOL-G-221	Peter Georg Picht
Fri, 29.09.2017	14:00 - 18:00	KOL-G-221	Tina Huber-Purtschert
Fri, 06.10.2017	08:00 - 12:00	KOL-G-221	Marc Thommen
Fri, 06.10.2017	14:00 - 18:00	KOL-G-221	Tanja Domej
Fri, 13.10.2017	08:00 - 09:45	KOL-G-221	José Luis Alonso
Fri, 13.10.2017	10:15 - 12:00	KOL-G-221	Andreas Thier Elisabetta Fiocchi Malaspina
Fri, 13.10.2017	14:00 - 15:45	KOL-G-221	Christoph Beat Graber
Fri, 13.10.2017	16:15 - 18:00	KOL-G-221	Matthias Muhlmann

Materials

- Slides
- Reading
- Podcasts



Home | Kontakt | Sitemap

Rechtswissenschaftliches Institut – Lehrstuhl Thommen

↑ Lehrstühle nach Alphabet

Startseite
Prof. Dr. Marc Thommen
Team

Lehrveranstaltungen

HS 2017

- Strafrecht AT I Gruppe 1
- Introduction to Swiss Law**
Discussion d'arrêts du Tribunal fédéral et de la Cour européenne des droits de l'homme
- FS 2017
- HS 2016
- FS 2016
- HS 2015
- FS 2015
- HS 2014

Master- und Seminararbeit
Seminar
Materialien erstes STGB
Kantonale StPO
Strafbefehlsverfahren

Introduction to Swiss Law

Block 1 (Public Law)

- 22.09.2017, 08.00-12.00 Uhr: Constitutional Law (Prof. Oesch)
- 22.09.2017, 14.00-15.45 Uhr: Administrative Law (Prof. Uhlmann)
- 28.09.2017, 16:15-18.00: Tax Law (Prof. Simonek)

Block 2 (Private Law)

- 29.09.2017, 08.00-12.00 Uhr: Civil Law (Prof. Picht)
- 29.09.2017, 14.00-18.00 Uhr: Law of Obligations (Dr. Huber- Purtschert)

Block 3 (Criminal Law)

- 06.10.2017, 08.00-12.00 Uhr: Criminal Law and Criminal Procedure (Prof. Thommen)
- 06.10.2017, 14.00-18.00 Uhr: Civil Procedure (Prof. Domej)


Block 4 (Foundations)

- 13.10.2017, 08:00-09:45 Uhr: Roman Law (Prof. Alonso)
- 13.10.2017, 10:15-12:00 Uhr: Legal History (Prof. Focchi/Prof. Thier)
- 13.10.2017, 14:00-15:45 Uhr: Legal Sociology (Prof. Graber)
- 13.10.2017, 16:15-18:00 Uhr: Legal Philosophy (Prof. Mahimann)

Unterlagen:

- ↓ Swiss Constitutional Law Oesch 2017 (PDF, 844 KB)
- ↓ Constitutional Law Oesch (PDF, 182 KB)

Anmeldung für die Lehrveranstaltung Introduction to Swiss Law
→ Anmeldung

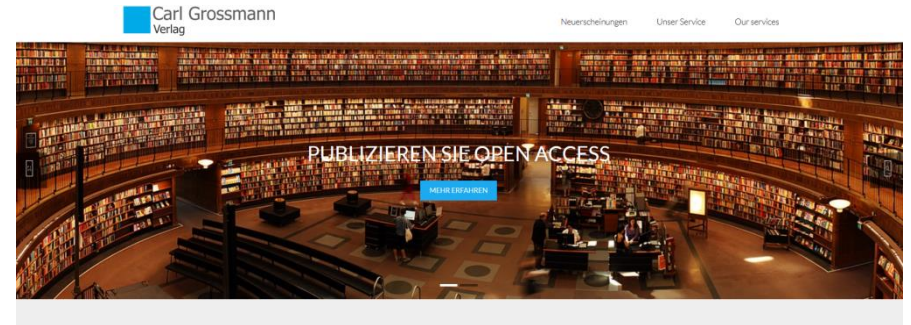
 Podcast

Podcasts

- ↓ Merkblatt Podcasts (PDF, 91 KB)
- ➔ Link to the podcasts

Textbook

Introduction to Swiss Law (Fall 2018)





Translations

www.termdat.bk.admin.ch

The screenshot shows the search results for 'Volksinitiative' in the Swiss Terminology Database. The search criteria are: 'Volksinitiative', 'Alle' languages, '25' results, and 'zeitspaltig' sorting. The results are displayed in a table with columns for 'Terminologiemerkmale', 'Beurteilungsstatus', and 'Zuweisungsbeide'. The table is split into German and English sections.

Terminologiemerkmale	Beurteilungsstatus	Zuweisungsbeide
<p>Volksinitiative Bundesangelegenheiten - eidgenössische Volksinitiative Initiativegebunden - federal/popular initiative - popular initiative request for a vote on an initiative</p> <p>POB19 - Terminologie der politischen Rechte</p>	<p>Terminologiemerkmale: POB19 - Terminologie der politischen Rechte</p> <p>Beurteilungsstatus: überprüft</p> <p>Zuweisungsbeide: 4 - Fachlich überprüft</p> <p>Sachgebiete: JUR - OFFENTLICHES RECHT - STAATSRRECHT (auch: PO4); POS - RIENPOLITIK; POP - PARLAMENTARISMUS (auch: JUR)</p>	<p>Deutsch</p> <p>Terminus: Volksinitiative in Bundesangelegenheiten</p> <p>Definition: Entgebe, mit der 100 000 Stimmberechtigte eine Totalrevision der Bundesverfassung bzw. die Annahme, Aufhebung oder Änderung von Verfassungsbestimmungen verlangen können</p> <p>Terminus: eidgenössische Volksinitiative</p> <p>Anmerkung: USG: üblich</p> <p>Terminus: Volksinitiative</p> <p>Anmerkung: USG: üblich</p> <p>Terminus: Initiativegebunden</p> <p>Anmerkung: USG: altes Recht, nicht verwechselt mit Volksbegehren</p>
<p>Volksinitiative in der Form des ausgearbeiteten Entwurfs - Volksentwurf in Form eines ausgearbeiteten Entwurfs - initiative in the form of a specific draft - popular initiative in the form of a specific draft - initiative in the form of a specific draft</p> <p>Schweizerische Bundesverwaltung</p> <p>PF317 - Schweizerische parlamentarische Terminologie</p>		<p>Englisch</p> <p>Terminus: federal popular initiative</p> <p>Definition: Request submitted by a minimum of 100,000 voters to undertake a complete revision of the Federal Constitution or to adopt, repeal or amend a provision of the Constitution.</p> <p>Terminus: popular initiative</p> <p>Anmerkung: USG: not to be confused with popular request</p> <p>Terminus: request for a vote on an initiative</p>
<p>Volksinitiative in der Form der allgemeinen Anregung - Volksanfrage in Form der allgemeinen Anregung - initiative in the form of the general proposal - initiative in the form of a general proposal - initiative in the form of a general proposal</p> <p>Schweizerische Bundesverwaltung</p> <p>PF317 - Schweizerische parlamentarische Terminologie</p>		
<p>Volksinitiative mit Gegenentwurf - initiative mit Gegenentwurf - popular initiative with a direct counter proposal</p> <p>Schweizerische Bundesverwaltung</p> <p>POB19 - Terminologie der politischen Rechte</p>		
<p>Volksinitiative auf Totalrevision der Bundesverfassung - popular initiative for</p>		

Exam

Date: Oct. 27, 2017

Duration: 1 hour

Multiple Choice

<p style="text-align: right;">Dr. Tina Huber-Parduchert Prof. Dr. Matthias Oesich Prof. Dr. Peter Ficht Prof. Dr. Madeline Simmek Prof. Dr. Marc Thommen Prof. Dr. Felix Uhlmann</p> <p style="text-align: right;">Fall 2015</p> <hr/> <p style="text-align: center;">Introduction to Swiss Law 27 October 2016 (08:30-09:30)</p> <hr/> <p>Duration: 60 minutes Maximum score: 60 points</p> <ul style="list-style-type: none"> Please check both at receipt as well as at submission of the exam the number of question sheets. The examination contains (without this cover) 5 pages and 10 questions. <p>Notes on multiple-choice questions</p> <ul style="list-style-type: none"> Every question contains 5 answers or statements For each of them must be decided whether it is correct or incorrect It is possible, that 1, 2, 3, 4, 5 or none of the answers/statements are correct. A right answer gives 1 point A wrong answer gives -1 point No answer gives 0 points. Maximum possible points per question: 5 Minimum possible points per question: -5 Make clear which is your final answer <p>Notes concerning solution</p> <ul style="list-style-type: none"> Answers to the multiple-choice questions must be made directly on the question sheets by putting an X in the box that corresponds to the right answer. <p>IMPORTANT: Note your Examination Sequence Number on every page of the examination</p> <p style="text-align: center;">We wish you a lot of success!</p>	<p>Introduction to Swiss Law Examination Sequence Number: _____</p> <p>Question 1 (Law of Obligations)</p> <p>Madeline, a lawyer with special knowledge in insurance, is planning to open an insurance broker boutique. In order to start her business activities, she needs some advice which type of business association she should choose. These are your answers:</p> <table border="1"> <thead> <tr> <th></th> <th>correct</th> <th>incorrect</th> </tr> </thead> <tbody> <tr> <td>In a company limited by shares the company's liability is limited to the share capital.</td> <td></td> <td></td> </tr> <tr> <td>If Madeline runs her business as a sole proprietorship she would not be fully liable in person for the liabilities of the business.</td> <td></td> <td></td> </tr> <tr> <td>With a company limited by shares Madeline's business seems more trustworthy than with a limited liability company.</td> <td></td> <td></td> </tr> <tr> <td>In order to set up a company limited by shares Madeline needs at least CHF 100'000.</td> <td></td> <td></td> </tr> <tr> <td>A company limited by shares makes the business less dependent on the person of Madeline than a limited liability company.</td> <td></td> <td></td> </tr> </tbody> </table> <p>Question 2 (Law of Obligations)</p> <p>Nullity and defeasibility of a contract are different concepts. Rate the following statements:</p> <table border="1"> <thead> <tr> <th></th> <th>correct</th> <th>incorrect</th> </tr> </thead> <tbody> <tr> <td>According to Art. 20 para. 1 CO a sale contract about drugs is null.</td> <td></td> <td></td> </tr> <tr> <td>A party that has entered into a contract under duress from the other party can without time limit defeat that contract.</td> <td></td> <td></td> </tr> <tr> <td>Maria sells Barbara her cat. But that cat is not available any more, it had died one month ago. That is therefore a contract with an impossible content and null.</td> <td></td> <td></td> </tr> <tr> <td>A contract for the sale of immovable property is valid only if done as a public deed (Art. 216 para. 1 CO).</td> <td></td> <td></td> </tr> <tr> <td>Maria sells Barbara a painting from Picasso. It turns out that the painting is a falsification. Barbara can successfully defeat that contract within one year upon discovery of the error because of fundamental error.</td> <td></td> <td></td> </tr> </tbody> </table> <p style="text-align: center;">1</p>		correct	incorrect	In a company limited by shares the company's liability is limited to the share capital.			If Madeline runs her business as a sole proprietorship she would not be fully liable in person for the liabilities of the business.			With a company limited by shares Madeline's business seems more trustworthy than with a limited liability company.			In order to set up a company limited by shares Madeline needs at least CHF 100'000.			A company limited by shares makes the business less dependent on the person of Madeline than a limited liability company.				correct	incorrect	According to Art. 20 para. 1 CO a sale contract about drugs is null.			A party that has entered into a contract under duress from the other party can without time limit defeat that contract.			Maria sells Barbara her cat. But that cat is not available any more, it had died one month ago. That is therefore a contract with an impossible content and null.			A contract for the sale of immovable property is valid only if done as a public deed (Art. 216 para. 1 CO).			Maria sells Barbara a painting from Picasso. It turns out that the painting is a falsification. Barbara can successfully defeat that contract within one year upon discovery of the error because of fundamental error.		
	correct	incorrect																																			
In a company limited by shares the company's liability is limited to the share capital.																																					
If Madeline runs her business as a sole proprietorship she would not be fully liable in person for the liabilities of the business.																																					
With a company limited by shares Madeline's business seems more trustworthy than with a limited liability company.																																					
In order to set up a company limited by shares Madeline needs at least CHF 100'000.																																					
A company limited by shares makes the business less dependent on the person of Madeline than a limited liability company.																																					
	correct	incorrect																																			
According to Art. 20 para. 1 CO a sale contract about drugs is null.																																					
A party that has entered into a contract under duress from the other party can without time limit defeat that contract.																																					
Maria sells Barbara her cat. But that cat is not available any more, it had died one month ago. That is therefore a contract with an impossible content and null.																																					
A contract for the sale of immovable property is valid only if done as a public deed (Art. 216 para. 1 CO).																																					
Maria sells Barbara a painting from Picasso. It turns out that the painting is a falsification. Barbara can successfully defeat that contract within one year upon discovery of the error because of fundamental error.																																					



Constitutional Law

- Law studies in Bern, Switzerland (1992-1999)
- LL.M Public International Law, London School of Economics and Political Science
- Doctorate and habilitation in Bern (2002 and 2008)
- Chair for Public Law, European Law and International Economic Law



Prof. Dr. iur. Matthias Oesch



Administrative Law

- Law studies in Basel, Switzerland (1988-1993)
- Doctorate and habilitation in Basel (1996 and 2004)
- LL.M Harvard Law School, Cambridge, USA (1998)
- Chair for Constitutional and Administrative Law and Legislative Doctrine



Prof. Dr. iur. Felix Uhlmann



Tax Law

- Law studies in Bern, Switzerland (1986)
- Doctorate and habilitation in Bern (1994 and 2004)
- Certified Tax Expert (1996)
- Chair for Swiss and International Tax Law

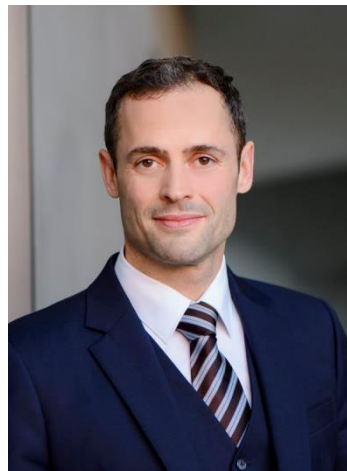


Prof. Dr. iur. Madeleine Simonek



Civil Law

- Law studies in Munich, Germany
- Doctorate and habilitation at Max Planck Institute (Intellectual Property Law and Competition Law)
- Professor for Competition Law at the University of Zurich



Prof. Dr. iur. Peter Picht



Law of Obligations

- Studies of Economics, Bern, Switzerland (1996-2002)
- Law studies in St. Gallen (2003-2006)
- Dissertation in Zurich (2008-2012)
- Since 2014: Habilitation in Zurich



RA Dr. iur. lic. et mag. rer. pol.
Tina Huber-Purtschert



Criminal Law / Criminal Procedure

- Law studies in Basel/Zurich, Switzerland (1995-2000)
- Doctorate and habilitation in Basel and Lucerne (2004 and 2013)
- LL.M University of Cambridge, Trinity Hall College (2005)
- Chair for Criminal Law and Criminal Procedure



Prof. Dr. iur. Marc Thommen



Civil Procedure

- Mag.iur./Dr. iur. University of Vienna/Austria
- Researcher Hans-Kelsen Institute, Vienna
- Habilitation University of Zürich
- Chair for Swiss and International Civil Procedure and Comparative Private Law



Prof. Dr. iur. Tanja Domej



Roman Law

- Law studies/Doctorat in Santiago de Compostela/Spain
- Professor of Roman Law, University of the Basque Country/Spain
- Professor of Ancient History and Legal Papyrology, University of Warsaw/Poland
- Chair for Roman Law, Legal Papyrology and Private Law



Prof. Dr. iur. José Luis Alonso



Legal History

- Law Studies, Università degli Studi di Milano/Italy
- Dr.iur., Università degli Studi di Genova/Italy
- Resarcher/Scholar at the Max Planck Institute for Legal History, Frankfurt a.M.
- Assistant Professor for Legal History, Zürich.



Prof. Dr. iur. Elisabetta Fiocchi



Legal History

- Law Studies/Magister Artium, Munich
- Doctorate/Habilitation, LMU Munich
- Professor for Civil Law, Münster
- Chair for Legal History
- NCCR Mediality
- Visiting Professor University of Chicago, School of Law



Prof. Dr. iur. Andreas Thier M.A.



Legal Sociology

- Law Studies, Bern, St.Gallen
- Doctorate Florence/Italy
- Habilitation, Bern
- Professor for Law of Communications/Culture, Lucerne
- Visiting Professor/Scholar: Georgetown University Law Center, Center for the Study of Law and Society der University of California, Berkeley (School of Law), Faculty Associate am Berkman Klein Center for Internet and Society, Harvard University.
- Chair for Legal Sociology with particular focus on Media Law



Prof. Dr. iur. Christoph Beat Graber



Legal Philosophy

- Law Studies/Doctorate/Habilitation
- Visiting Professor at Central European University, Budapest/Hungary, University of Pennsylvania Law School, Hebrew University, Jerusalem, Georgetown University Law Center, Washington, D.C
- Panel Member, European Research Council (ERC)
- Chair Legal Philosophy, Legal Theory and International Public Law, Zürich



Prof. Dr. iur. Matthias Mahlmann



Universität
Zürich ^{UZH}

Introduction to Swiss Law

Fall Semester 2017