

<<中国对外贸易与外商投资法律制度>>

图书基本信息

书名：<<中国对外贸易与外商投资法律制度>>

13位ISBN编号：9787802252738

10位ISBN编号：7802252733

出版时间：2007-5

出版时间：新星出版社

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页数：236

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内容概要

Introduction to Legal System on Foreign Trade and Investment、 Framework and Sources of Legal System on Foreign Trade and Investment、 Subjects of Legal System on Foreign Trade and Investment、 Relation Between WTO Agreements and Chinese Legal System、 Contract Law on Foreign Business in China、 Types of Contracts on Foreign Business、 Contracting Authority、 Main Terms of Contracts、 Conclusion and Forms Of Contracts 、 Offer and Acceptance、 Standard Terms under Fairness Principle、 Special Terms of Contracts、 Agency System under Contract Law、 Void Contracts、 Termination of Contracts等等。

作者简介

Brief Profile of Sun Nanshen, Sun Nanshen is the dean and professor at Law School of Fudan University where he teaches courses of international investment law, international trade law, private international law, etc. which are also his research fields. The main representative publications by Professor Sun include five works on the above fields, i.e. (1) International Custores of Foreign Invest-merit, Guizhou People's Publishing House, 1994; (2) Economic International Law, Hehai University Publishing House, 1995; (3) Chinese Legal System 017 Foreign Trade in Service, Law Press, 2000; (4) Legal Systems on Foreign Business Under WTO, People's Court Publishing House, 2003; (5) Legal System of Judicial Review Under WTO Mechanism, Law Press, 2006. In addition, he also published approximately 140 academic articles in various legal journals on legal issues of foreign investment law, foreign trade law, Chinese economic law on foreign business. economic international law and private international law.

Brief Profile of Sun Wen Sun Wen, Ph.D at law, is associate professor in Law School, Nanjing University. With a MA degree in international law she went to School of Advanced International Studies, Johns Hopkins University and got Master of International Public Policy in 2001. Her research fields are international business law and WTO rules, especially anti-dumping law. She has published around 20 articles in various legal journals and is the author of Comparative Study on Anti-dumping Judicial Review (Nanjing University Publishing House, Dec. 2004), and the CO-translator of The American Supreme Court (Robert McCloskey, Revised by Sanford Levinson; Publishing House of China University of Political Science and Law, August 2005) and Process of Constitutional Decision making: Cases and Materials (Paul Brest, Sanford Levinson, J.M. Balkin, Akhil Reed Amar, Publishing House of China University of Political Science and Law, August 2002).

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章节摘录

(2) Though Chinese enterprises and other economic organizations are may not necessarily have the power to engage in foreign trade. They may acquire the qualificaion to deal foreign trade only after applying to adminis.tration authorities on foreign trade for approval. If they undertake other types of business cooperation , such as joint venture , technology introduction or compensation trade , they also need to submit foreign business contracts to government for approval. However , according to Chin's commitment , within three years after its entry into WTO.all the enterprises in China would have the right to deal with international trade in goods9 and the approval procedures would be replaced by a legal registration procedure. (3) Foreign-invested enterprises in China , namely equity joint ventures , contractual joint ventures and wholly foreign-owned enterprises , have the legal status as Chinese legal person and are under the governance and protection of Chinese laws. These enterprises all have the right to deal international trade and may undertake foreign trade activities directly. At the same time , administrative relations with foreign elements also arise between these enterprises and administrative authorities , in the fields such as application and registration of foreign-invested enterprises , international trad administration , customs regulation , import and export inspection and foreign exchange contr01. Therefore , foreign-invested enterprises are also subjects in the foreign business legal relations. (4) Some special national level companies in China may be empowered with certain administrative authorities.

编辑推荐

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