

**МІНІСТЕРСТВО ОСВІТИ ТА НАУКИ УКРАЇНИ  
ЧЕРНІГІВСЬКИЙ НАЦІОНАЛЬНИЙ ТЕХНОЛОГІЧНИЙ  
УНІВЕРСИТЕТ**

**English for lawyers  
Методичні вказівки  
до самостійної роботи  
з англійської мови (за професійним спрямуванням)  
для студентів спеціальності *081 - Право***

**Частина II**

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## ВСТУП

Методичні вказівки призначені для самостійної роботи зі студентами юридичного факультету та укладені відповідно до чинної навчальної програми з дисципліни “Іноземна мова за професійним спрямуванням”.

Мета пропонованих методичних вказівок – сприяти формуванню професійно-орієнтованої компетенції в читанні, усному і писемному мовленні, що здійснюється в межах ситуативного професійного контексту.

Методичні вказівки містять 4 модулів, в які входять 8 тем із текстами для читання, завданнями для перевірки прочитаного, лексичними та граматичними вправами, завданнями на розвиток умінь усного мовлення та письма. Підібраний текстовий матеріал є органічним компонентом професійної підготовки студентів юристів у сфері кримінального права і правоохоронної діяльності. Фахові тексти та система вправ допоможуть майбутнім спеціалістам оволодіти відповідною термінологічною лексикою, підготують їх до спілкування іноземною мовою у професійному середовищі. Різноманітність та варіативність завдань сприятимуть реалізації диференційованого та індивідуального підходів до студентів.

## MODULE 5

### Judiciary in Ukraine

#### *UNIT 1. Judicial System in Ukraine*

##### **Task 1. Read and translate the text.**

##### **The Court System of Ukraine**

Under the Constitution the judiciary in Ukraine is administered by the Constitutional Court and by the courts of general jurisdiction.

The Constitutional Court has the right to declare unconstitutional any law passed by Supreme Council of Ukraine or any order issued by the President. It consists of 18 judges who are elected by the President of Ukraine, the Verkhovna Rada and the congress of judges.

Courts of general jurisdiction have three tiers, like a pyramid: the district courts, the courts of appeals and the Supreme Court of Ukraine.

The Supreme Court of Ukraine is the highest body of general jurisdiction. It only examines cases of particular complexity of special public significance, and does so either upon its own decision, or upon the initiative of the Procurator - General of Ukraine.

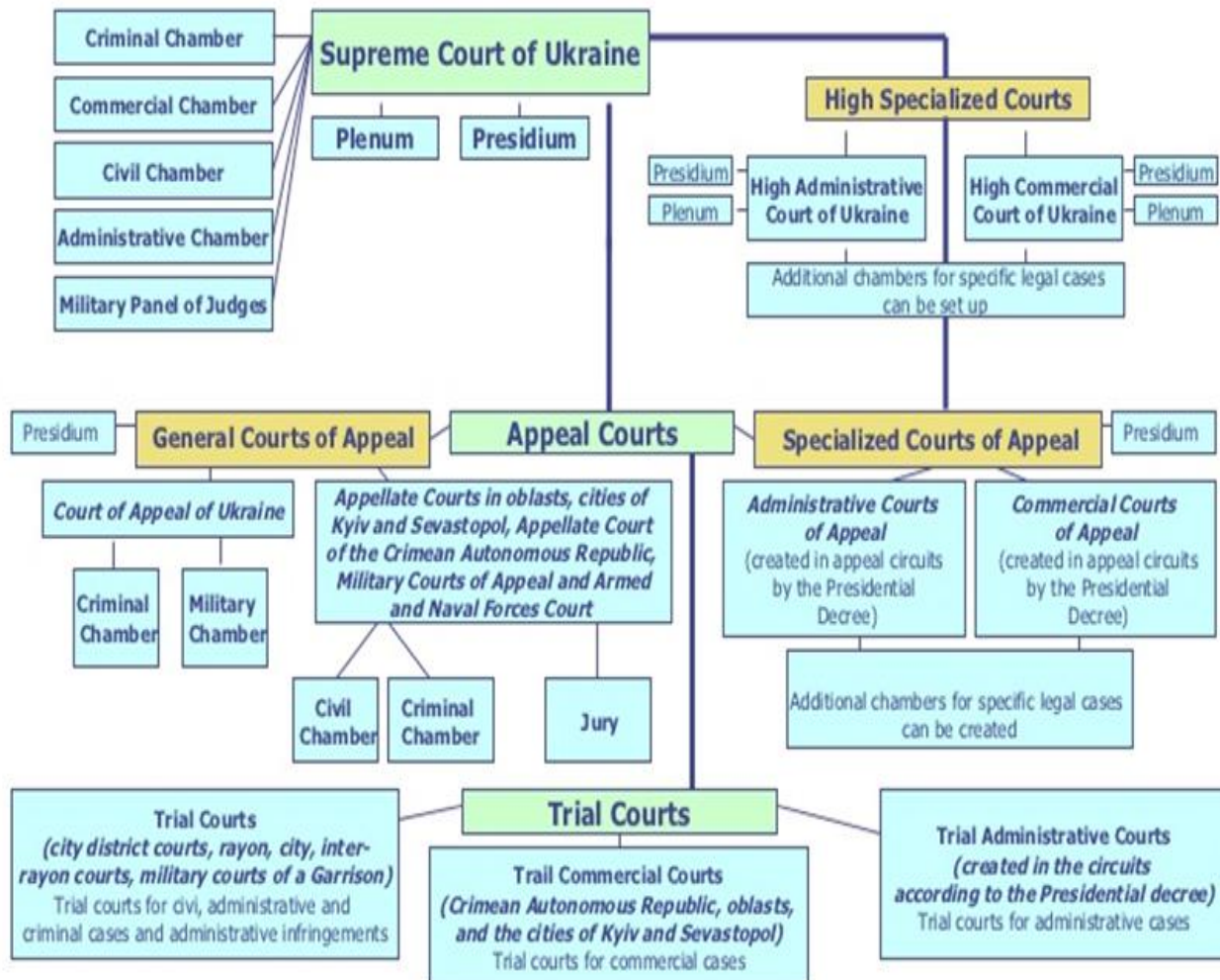
Appellate courts are divided into regional, territorial and military courts of appeals. The courts of appeals review decisions of the district courts within their areas.

At the bottom of the judicial pyramid are the district (town) courts and military tribunals where litigation begins. Most litigation occurs in these courts (97 % of all criminal cases and 99 % of all civil cases are examined in the principal link of Ukrainian judicial system - the courts of districts and towns).

There are also special trial courts that have jurisdiction over certain types of cases. The special trial courts are organized in a system that looks like the system of courts of general jurisdiction with a Supreme Court at the top. The structure is the following: there are district administrative and economic courts, appellate administrative and economic courts, and high appellate administrative and economic courts.

The first appointment to the office of the judge is done by the President of Ukraine. All the other judges except the judges of the constitutional court are elected by the Verkhovna Rada. Judges shall hold office until they die, retire, or resign.

## Current Judicial System



**Task 2. Read and memorize the active vocabulary to the text *The Court System of Ukraine*.**

Judiciary	судочинство
general jurisdiction	загальна юрисдикція
order	наказ
to issue	видавати
tier	1) ярус; 2) ряд
appellate court	апеляційний суд
litigation	судовий позов

trial	суд,судовий процес
to retire	іти у відставку
to resign	відмовлятися від посади
cases of particular complexity	справи особливої складності
public significance	суспільне значення
principal link	головна ланка
economic courts	господарські суди

**Task 3. Answer the following questions.**

- 1.What courts is the judiciary in Ukraine administered by?
- 2.Whose privilege is to declare unconstitutional any law passed by Supreme Council of Ukraine?
- 3.Can the Constitutional Court or the Supreme Court declare unconstitutional any order issued by the President?
- 4.How many judges does the Constitutional Court consist of?
- 5.What way are the judges elected?
- 6.Can you describe the pyramid of courts of general jurisdiction?
- 7.What are the main functions of the Supreme Court of Ukraine?
- 8.What body examines cases of particular complexity of special public significance?
- 9.What may be done upon the initiative of the Procurator-General of Ukraine?
- 10.Whose decisions do the courts of appeal review within their areas?
- 11.Where does usually litigation begin?
- 12.Why are the district (town) courts at the bottom of the judicial pyramid?
- 13.What kind of courts are considered the special trial courts?
- 14.Who is the first appointment to the office of the judge done by?

**Task 4. Complete the following expressions choosing a suitable proposition from the list below.**

*Over, by (2), of (3), on, into, within, at, to*

- 1.The judiciary in Ukraine is administered ..... the Constitutional Court.
- 2.The Constitutional Court consists ..... 18 judges.
- 3.The Supreme Court examines cases of particular complexity ..... its own decision.
- 4.Appellate courts are divided ..... regional, territorial and military courts of appeals.
- 5.The courts of appeals review decisions of the district courts ... their areas.
- 6.The district (town) courts and military tribunals are ..... the bottom ..... the judicial pyramid.
- 7.Special trial courts have jurisdiction ..... certain types of cases.
- 8.The first appointment ..... the office ..... the judge is done ..... the President of Ukraine.

**Task 5. Translate the following sentences and pay special attention to the underlined words or phrases.**

1. За Конституцією України від 28 червня 1996 року однією з трьох гілок влади є судова влада.
2. Судочинство в Україні здійснюється Конституційним Судом та судами загальної юрисдикції.
3. Конституційний Суд дає офіційне тлумачення Конституції та законів України.
4. В Україні існує декілька типів судів: загальної юрисдикції, конституційний, апеляційний та верховний.
5. Система судів загальної юрисдикції (regular courts) складається з районних судів, міських, обласних та Верховного Суду України.
6. Більшість справ вперше слухаються районними міськими судами.

**Task 6. Make the following sentences complete by translating the phrases given in brackets.**

1. (The only source of law) в Україні є український народ.
2. Державна влада в Україні (is divided) на три гілки: законодавчу, виконавчу та судову.
3. Конституція України регламентує (the activity of different branches of power), а також визначає межі їх повноважень.
4. (Chapter II) of the Constitution of Ukraine (protects the rights of a person and a citizen in Ukraine) від державного втручання.
5. Конституційний Суд має право переглядати нормативно- правові акти гілок влади (executive and legislative) і скасовувати ті з них (which contradict the articles of the Constitution of Ukraine).
6. В Україні існує три основних джерела права. (They are constitutional law, enactments of legislature and administrative regulations).
7. Право є складним явищем соціального життя; (while there exist many ways of defining it), немає жодного поняття, яке б могло б (include every aspect of law.)
8. Конституція України (provides for the protection) особистих прав і свобод.

**Task 7. Translate the following sentences and pay special attention to the underlined words or phrases.**

1. At the bottom of the judicial pyramid are the district (town) courts and military **tribunals** where litigation begins.
2. It consists of 18 judges who **are elected** by the President of Ukraine, the Verkhovna Rada and the congress of judges.
3. Courts of general jurisdiction **have** three tiers, like a pyramid: the district courts,



the courts of appeals and the Supreme Court of Ukraine.

4. The Supreme Court of Ukraine examines cases of **particular** complexity.

5. Under the Constitution the judiciary in Ukraine **is administered** by the Constitutional Court and by the courts of general jurisdiction.

**Task 8. Match the words on the left with their definitions on the right. Use them in the sentences of your own.**

1. Law	a) is one of the major sources of law;
2. Constitutional Law	b) is the set of values, institutions and concepts that permit civilization to exist and people to live orderly lives;
3. trial	c) the highest judicial court;
4. Supreme Court	d) any court proceeding in which an individual seeks a decision;
5. Court of Appellate jurisdiction	e) the court in which a legal proceeding is first started;
6. Court of original jurisdiction	f) the court which reviews cases removed by appeal from a lower court;

### **GRAMMAR FOCUS**

#### **1. Make the following sentences interrogative and negative:**

**Example:** *I have received some information about the suspect. — Have I received any information about the suspect? — I have not received any information about the suspect.*

1. The expert has just examined his fingerprints.
2. I have questioned three witnesses but I haven't got any useful information.
3. He has lived here all his life.
4. The Parliament has passed an important law.
5. The police have found stolen things.
6. I have known the witness for a long time.

#### **2. Put questions to the words in italics:**

**Example:** The policeman hasn't told *the criminal* of his right to remain silent. — *Who hasn't told the criminal of his right to remain silent?*

1. *The Congress* has divided the country into 95 federal judicial districts.
2. The party has failed to carry out *its legal duty* and injured our company through

carelessness.

3. If the parties have chosen a jury trial, *it begins with the selection of jurors.*
4. The judge has made an error *in interpreting the law.*
5. The parties have settled their civil case *out of court.*
6. They have considered *the sources of international law.*

**3. Put the verbs in brackets into the correct form (Present Perfect or Past Simple): Example: *He (has worked/ worked) in court for 5 years. — He has worked in court for 5 years.***

1. The jury (didn't determine/ hasn't determined) yet that he committed a crime.
2. The plaintiff (filed/ has filed) a complaint against the defendant a week ago.
3. The attorney (told/ has told) already a grand jury about the evidence that indicated a specific person.
4. The grand jury (issued/ has issued) a formal accusation the day before yesterday.
5. The defendant already (presented/ has presented) his most persuasive arguments.

## MODULE 5

### Judiciary in Ukraine

#### *UNIT 2. Status and Role of Judges in Legal Proceedings*

**1. Give the definition of the legal term *judiciary*? Predict the list of words which to your mind could be used in the text.**

**2. Match the following English words and expressions with their Ukrainian equivalents:**

- |                          |                                    |
|--------------------------|------------------------------------|
| 1 continuance in office  | a) федеральний районний суд        |
| 2 district court         | b) магістрат, що отримує платню    |
| 3 stipendiary magistrate | c) перебування на посаді           |
| 4 circuit                | d) лорди-судді                     |
| 5 lords of appeal        | e) голова Верховного Суду США      |
| 6 the Chief Justice      | f) магістрат — непрофесійний суддя |
| 7 associate justice      | g) член Верховного Суду США        |
| 8 lay magistrate         | h) судовий округ                   |

**3. Scan the text and note all the words and phrases that you think are terms closely connected with the judicial system of a country. Compare them with the words which you have predicted.**

## JUDICIARY

Article III of the United States Constitution establishes the judicial branch as one of the three separate and distinct branches of the federal government. The other two are the legislative and executive branches.

The federal courts are often called the guardians of the Constitution because their rulings protect rights and liberties guaranteed by the Constitution. Through fair and impartial judgments, the federal courts interpret and apply the law to resolve disputes. The courts do not make the laws. That is the responsibility of Congress. Nor do the courts have the power to enforce the laws\*. That is the role of the President and the many executive branch departments and agencies.

The Founding Fathers of the nation considered an independent federal judiciary essential to ensure fairness and equal justice for all citizens of the United States. The Constitution they drafted promotes judicial independence in two major ways. First, federal judges are appointed for life, and they can be removed from office only through impeachment and conviction by Congress of «Treason, Bribery, or other high Crimes and Misdemeanours.» Second, the Constitution provides that the compensation of federal judges «shall not be diminished during their Continuance in Office»\*\*, which means that neither the President nor Congress can reduce the salary of a federal judge. These two protections help an independent judiciary to decide cases free from popular passions and political influence.

The Supreme Court is the highest court in the federal judiciary.

Congress has established two levels of federal courts under the Supreme Court: the trial courts and the appellate courts.

The United States district courts are the trial courts of the federal court system. Within limits set by Congress and the Constitution, the district courts have jurisdiction to hear nearly all categories of federal cases, including both civil and criminal matters. There are 94 federal judicial districts, including at least one district in each state, the District of Columbia and Puerto Rico. Each district includes a United States bankruptcy court as a unit of the district court. Three territories of the United States — the Virgin Islands, Guam, and the Northern Mariana Islands — have district courts that hear federal cases, including bankruptcy cases.

The 94 judicial districts are organized into 12 regional circuits, each of which has a United States court of appeals. A court of appeals hears appeals from the district courts located within its circuit, as well as appeals from decisions of federal administrative agencies. In addition, the Court of Appeals for the Federal Circuit has nationwide jurisdiction to hear appeals in specialized cases, such as those involving patent laws and cases decided by the Court of International Trade and the Court of Federal Claims.

The United States Supreme Court consists of the Chief Justice of the United States and eight associate justices. At its discretion, and within certain guidelines established by Congress, the Supreme Court each year hears a limited number of the cases it is asked to decide.

Those cases may begin in the federal or state courts, and they usually involve important questions about the Constitution or federal law.

In the UK 96% of criminal cases are dealt with at magistrates' court.

The case may be tried either by at least two (usually three) justices (lay magistrates) or by a stipendiary (a legally qualified and salaried) magistrate who sits alone. Justices are appointed by the Crown (retiring at the age of 70) and receive no salary (only expenses). They have not usually had legal training before appointment and generally have full-time jobs in other walks of life. Magistrates' courts other than youth courts (and family proceedings courts) are normally open to the public. Justices are normally restricted to ordering sentences of imprisonment of not more than 6 months or fines not exceeding J5,000. For offences triable-eitherway if a more severe sentence is thought necessary, the offender may be committed to the Crown Court for sentence.

Within the magistrates' courts, certain are designated as Youth Courts.

Such courts are composed of specially trained justices and deal only with charges against and applications relating to children and young persons.

They should in most circumstances only deal with persons under 18 who are not jointly charged with adults. They sit apart from other courts and are not open to the public. They consists of not more than three justices, including one man and one woman, or one stipendiary magistrate.

In 1972, following the Courts Act, a single Crown Court was created with power to sit anywhere in England and Wales. It is part of the Supreme Court. The Court has jurisdiction to deal with all trials on indictment and with persons committed for sentence, and to hear appeals from lower Courts, including juvenile cases. There are currently about 90 court centres of the Crown Court divided into 6 regions, known as Circuits.

The Higher Courts include the Supreme Court, which consists of a) the Court of Appeal; b) the High Court; and c) the Crown Court. A person convicted at a magistrates' court may appeal to the Crown Court, while a person convicted at the Crown Court may appeal to the Court of Appeal and finally to the House of Lords. The highest court in the land is The High Court of Parliament or the House of Lords. This court is composed of the Lords of Appeal, who are lawyers of eminence generally appointed from amongst the judges of the Court of Appeal.

On appointment they are made life peers and are thus members of the House of Lords. They deal with points of law of general public importance brought before them on appeal from the Supreme Court.

In Ukraine justice is administered exclusively by the courts. The jurisdiction of the courts extends to all legal relations that arise in the State. The Supreme Court of Ukraine is the highest judicial body in the system of courts of general jurisdiction. The Constitutional Court of Ukraine is the only body of constitutional jurisdiction in Ukraine.

Justice is administered by professional judges and, in cases determined by law, people's assessors and jurors. The independence and immunity of judges are guaranteed by the Constitution and the laws of Ukraine. A judge shall not be detained or arrested without the consent of the Verkhovna Rada of Ukraine, until a verdict of guilty is rendered by a court. Judges hold office for permanent terms, except judges of the Constitutional Court of Ukraine, and judges appointed to the office of judge for the first time.

#### **4. Answer the following questions using the information from the text.**

##### **A. The USA**

1. Why are the federal courts often called the guardians of the Constitution?
2. What way does the Constitution promote judicial independence?
3. May the federal judges be removed from their jobs against their will?
4. What is trial court?
5. How many circuits are there in the USA?
6. How many judicial districts is the USA divided into? What does each of them include?
7. What kinds of cases are heard by Court of Appeals? 8. What cases does the Supreme Court hear?

##### **B. The UK**

1. What is magistrates' court?
2. How are Justices appointed?  
What powers do they have?
3. What is Youth Courts?
4. What is the Crown court? And how many are there court centers of it?
5. What does the Supreme Court consist of?
6. What is the highest court? What is it composition?

##### **C. Ukraine**

1. What role do the courts play in Ukraine?
2. What does the jurisdiction of the courts extend to?
3. What is the Supreme Court of Ukraine?

4. What is the constitutional Court and how are its Members are appointed?
5. Is immunity of the judges guaranteed?
6. Whom is justice administered by?

**5. Choose the right preposition in brackets according to the contents of the sentences (*for, in, of, to, with, from, within, before, without*).**

1. ... addition, the Central Criminal Court, known as the Old Bailey, is a sitting of the Crown Court, having criminal jurisdiction only, over indictable offences committed in Greater London.
2. If the verdict is guilty the judge imposes the sentence, or punishment, ... limits that have been fixed by the legislature.
3. Juries consist ... twelve people selected at random from the list of voters.
4. Do you know that a judge can't be arrested ... the consent ... the Verkhovna Rada?
5. Immigration into the UK is subject ... control under the Immigration Acts 1988; this control extends ... all potential entrants except citizens of the Republic of Ireland.
6. Who was responsible ... bringing the action ... the Court?
7. A judge of the Crown Court sits with two to four justices of the peace to hear appeals ... magistrates' courts and proceedings on committal by magistrates to the Crown Court for sentence.
8. In the UK more than 90% of all cases are dealt ... in magistrates' courts.

**6. Fill in the gaps with words from the box below and translate the text.**

**Trial by Jury**

**accused; court; judge; legislature; panel; trial; acquit; cross-examination; jurors; list; sentence; witnesses; civil suits; fault; jury; money; swear; counsel; guilty; legal disputes; officer; testimony**

A jury is a selected group of laymen that hears the **1**... in **2**... and decides the facts. A courtroom trial in which a **3**... decides the facts is called a **4**... by jury.

Before each **5**... term, a jury commissioner or another public **6**... prepares a panel, or large initial **7**... of qualified jurors. For each trial, **8**... are selected by lot from this **9**... . Before the trial begins, the jurors **10**... to decide the facts fairly. They hear the **11**... given by witnesses for both parties, including **12**... . Then **13**... for each side sum up, or summarize the case, and the **14**... explains the applicable law in his instructions to the jury.

In **15**... for financial damages, the jury must decide who is at **16**... and must determine the amount of **17**... to be paid. In criminal cases, the jury must decide whether or not the **18**... is guilty «beyond reasonable doubt», and then either return a

verdict of guilty, or **19**... the defendant by a verdict of not guilty. If the verdict is **20**... the judge imposes the **21**..., or punishment, within limits that have been fixed by the **22**...

## QUIZ

*1. Now a quiz on some points of law — English style. The answers may well be different in your country. Simply answer the questions Yes or No.*

1. Is it a crime to try and kill yourself?
2. Is it illegal to help somebody to commit suicide?
3. Can you be executed for murdering a policeman?
4. If, after a murder, all the victim's relatives plead: «Please don't prosecute!» can charges against the suspected culprit be dropped?
5. If two armed thieves break into a house, guns in hand, and one of them shoots and kills the house-owner, is his accomplice guilty of murder?
6. If I surprise an intruder in my lounge at night stealing my millions, have I a legal right to assault him with a weapon?
7. If I set a trap — a fifty-kilo weight just above the front door — for any burglars who might try and enter the house, am I breaking the law?
8. After a divorce or legal separation, can a wife be required to pay alimony to her ex-husband?
9. If I promise to marry my girl friend and then change my mind shortly before the wedding, can she take me to court?
10. If you said to your teacher in the middle of one of his lessons: «You don't know the first thing about teaching!» could he bring a civil action against you?
11. Would I be in danger of committing an offence if I put an advertisement for my school in the paper saying: «Male white teacher required»?
12. If, as a defendant (or the accused), I am not satisfied with the way my barrister has handled my defence, can I sue him?
13. If you were in my house — uninvited — and the ceiling, which had had a large crack in it for some time, caved in and broke your leg, would it be a good idea to consult your solicitor?
14. Can a person suspected of and charged with rape be allowed bail?

## GRAMMAR FOCUS

### 1. Underline the correct tense

1. Liz and I are good friends. We *know/have known* each other for four years.
2. Sarah is very tired. She *has been working/is working* hard all day.
3. 'Where is John?' 'He's upstairs. He *does/is doing* his homework.'
4. I can't go to the party on Saturday. I *am leaving/have been leaving* for Spain on Friday night.

5. Jane *has finished/is finishing* cleaning her room, and now she is going out with her friends.
6. I didn't recognise Tom. He *looks/is looking* so different in a suit.
7. I don't need to wash my car. Jim *washes/has washed* it for me already.
8. Ian *has been talking/is talking* to his boss for an hour now.
9. Claire's train *arrives/has arrived* at 3 o'clock. I must go and meet her at the station.
10. 'Would you like to borrow this book?' 'No, thanks. I *have read/have been reading* it before.'
11. 'Where *are you going/do you go*?' 'To the cinema. Would you like to come with me?'
12. Have you seen my bag? I *am searching/have been searching* for it all morning. .
13. 'Is Colin here?' 'I don't know. I *haven't seen/ haven't been seeing* him all day.'
14. Sophie is very clever. She *is speaking/speaks* seven different languages.
15. We *are moving/have moved* house tomorrow. Everything is packed.
16. The plane *leaves/has left* at four o'clock. We must be at the airport by two o'clock.
17. It *gets/is getting* colder and colder every day.
18. Have you seen Linda? I *have been looking/am looking* for her for almost an hour.
19. Sam is a very interesting person. He *knows/has known* all kinds of unusual facts.
20. First, you *are heating/heat* the oven to a temperature of 180°C.
21. Have you heard the news? They *have just elected/have been electing* a new club chairman!
22. Martha *is finding/has found* a new job. She is starting next week.
23. The teacher *has been correcting/has corrected* essays for three hours.
24. Michael's car broke down last week, so he *uses/is using* his father's for the time being.
25. It rarely *gets/is getting* hot in Britain

## MODULE 6

### Civil Law

#### *UNIT 1. The Nature of Civil Law*

- 1. What case do you think civil law deals with? Give the definition of the civil law using your background knowledge.**
- 2. Match the following English words and expressions with their Ukrainian equivalents:**

1. unification of law

a) основні наслідки



- |                             |                            |
|-----------------------------|----------------------------|
| 2. accumulated wisdom       | b) уніфікація права        |
| 3. origin                   | c) змішані правові системи |
| 4. comprehensive code       | d) всеохоплюючий кодекс    |
| 5. strong legal institution | e) сильні правові установи |
| 6. family property          | f) походження              |
| 7. major consequences       | g) накопичена мудрість     |

**3. Scan the text to find distinct meanings of civil law. Write them down.**

***CIVIL LAW:***

- 1) Roman law.
- 2) The law of any particular state, now usually called      municipal law.
- 3) A legal system based on Roman law, as distinct from      the English system of common law.
- 4) Private law, as opposed to criminal law, administrative      law and military law.

**Note on the text:** Emperor Justinian — імператор Юстиніан

**CIVIL LAW**

Civil Law is a the body of private law used in those countries in which the legal system is based on ancient Roman law modified by medieval and modern influences. Civil law is used in most nations in Europe and Latin America, as well as in some countries in Asia and Africa. The law of Great Britain, the United States, Canada, and a number of other nations is based on English common law, which differs from civil law in origin and other important respects.

The term civil law is also employed to distinguish those legal codes that deal with civil relationships (such as citizenship, marriage, divorce, and certain contractual arrangements) from other codes such as those dealing with criminal law.

The civil law originated in ancient Rome. One of the principal characteristics of Roman civilization was the development of strong legal institutions. In the 6th century, a commission appointed by the *Emperor Justinian* collected and consolidated all the sources of law, including the opinions of the great legal scholars during previous centuries. The result was the *Corpus Juris Civilis* (Body of Civil Law), also called the Justinian Code, a comprehensive code with the accumulated wisdom and experience of many generations of Roman jurists.

During the 17th and 18th centuries, the authority of the *Corpus Juris* began to decline. The stage was then set for the systematic and comprehensive codification of modern civil law. The most influential, although not the first, codification effort was the enactment, during the Napoleonic period, of the five basic codes of France. In the course of the 19th century, most civil-law countries similarly codified the

their legal statutes.

Codification of the civil law had several major consequences: (1) After their enactment, the codes constituted comprehensive and authoritative legal texts that superseded all earlier authorities in the teaching of law as well as in legal practice. (2) Within each nation-state, the codes brought about a strong measure of national unification of the law. (3) In their substance, the codes differed from one nation to another. In recent years, however, there were efforts, in the nations of the European Union and elsewhere, to replace certain isolated national laws with international legal practices.

From its origins in continental Europe, the civil law gradually spread to all of the areas in Africa, Asia, and Latin America that were colonies of France, the Netherlands, Belgium, Spain, or Portugal. When they gained independence, most of the former colonies continued the civil-law orientation of their legal systems. Civil-law systems were also voluntarily adopted in Japan, South Korea, Taiwan, Thailand, and Turkey.

In a number of countries, moreover, the civil law constitutes an important component of a mixed legal system. For example, in Scotland, South Africa, and Sri Lanka, the legal system combines civil- and common-law elements. In North America the same phenomenon can be observed in the state of Louisiana and in the province of Quebec. The legal systems of many North African and Middle Eastern nations are strongly influenced by the French civil-law codes, even though in some areas of law — especially those relating to the family and to family property — these countries tend to follow Islamic tradition.

**4. Skim the text to understand its general meaning. Try to point out the main ideas of the text and write a plan for the text.**

**5. Find in the text the code types and give the Ukrainian equivalents.**

**6. Choose the right preposition in brackets according to the contents of the sentences (*on, by, in, from, as... as, to, with*).**

- 1) ... the 5th century various Anglo-Saxon tribes invaded Britain.
- 2) One of the two traditions of law in the world is based ... English Common law.
- 3) What legal code deals ... such civil relationship as marriage and divorce?
- 4) The lawmakers of many parts of Europe were often influenced ... the model of Roman law.
- 5) Common law, or case law system, differs ... Continental law in having developed gradually throughout history, not as the result of government attempts to codify every legal relation.
- 6) In most situations it is not necessary to distinguish illegal conduct from consequences.

7) Though Canada is called a «common law country», it has both case law and statute law ... well ... administrative law.

8) Private law, or civil law, consists ... the rules relating ... the relations between private persons and groups.

**7. Insert one of the following words into the text in an appropriate form.**

**century, code, civil, legal, spread, efforts, wisdom, private, to adopt, to influence, to include**

There are two major systems of law which are **1...** in the Western world such as common law and civil law. Most English-speaking countries have a common law system. The term **2...** law has two different meanings. It may refer to civil or **3...** law, or to the system used by many continental European countries.

The civil law system is the older of the two. Its beginnings can be traced back to the law of the Romans. In the 6th **4.....**, there were **5...** of the Emperor Justinian to accumulate **6...** and to compile a Code that **7...** all of great Roman laws. This code **8...** to those parts of Europe under Roman control. In the 19th century, Napoleon established a similar **9...**, which was later adopted to many European countries. For example, the Napoleonic Code also greatly **10...** the lawmakers of the Quebec Civil Code.

***Post-reading tasks***

**1. Write down a title of the text of your own.**

**2. Write down a summary of the text.**

*Note! Summary is a representation of the contents of complete works in brief. It is expected to be about a sixth or tenth of the original in length.* **3.** Give the definitions for the term «civil law» from the different points using the text.

**GRAMMAR FOCUS**

**1. Put the verbs in brackets into the correct form to express future (Future Simple, Present Continuous, Future Continuous):**

1. Don't phone me from 7 till 8 p.m.. We (to discuss) all the details of the admission to the Academy. 2. You (to meet) the Prime Minister today? — Yes, certainly. 3. Tomorrow afternoon we are going to the Prosecutor's Training Institute. There at 3.30 we (to take) an entrance examination. 4. You (to threaten) him with the gun? — No, I am going to kill him! 5. After the graduating from the Academy I (to pass) an individual procedure to become a defence lawyer. 6. Notary public (to examine) the case carefully for a while and advice us on the right decision.

## **2. Translate the following sentences into English:**

1. Експертна комісія буде вивчати речові докази через годину.
2. Незабаром доктор буде оглядати жертву.
3. Зараз свідки будуть давати свідчення по справі.
4. Суд з присяжними буде розглядати справу протягом 2 годин.
5. Поліцейські будуть оглядати місце злочину завтра.
6. Суддя буде оголошувати вердикт присяжних через 5 хвилин.
7. Ввечері ректор буде робити доповідь про новий декрет Президента.

## **MODULE 6**

### **Civil Law**

#### ***UNIT 2. Unification of European Civil Law***

**1. What do you know about civil procedure? May governments be parties to a civil action?**

**2. Read the text.**

#### **Civil Procedure Rules in the UK**

Civil procedure law, being part of procedural law in general, comprises the rules by which a court hears and determines what happens in civil proceedings. In other words, civil procedure is the body of law that sets out the process followed by courts when hearing cases of a civil nature (civil actions). These rules govern how a lawsuit may be commenced, what kind of service of process is required, the types of pleadings, applications and orders allowed in civil cases, the conduct of trials, various available remedies, and how the courts and clerks must function.

In the UK, in 1999 the Woolf reform radically overhauled procedure in the civil courts. The reforms were brought about to give effect to the Woolf report, which was produced by a committee chaired by Lord Woolf, the Master of the Rolls. This report found that the civil justice system was slow, expensive, bound by archaic procedures, excessively complicated and generally ill-suited to the needs of clients. The adversarial culture of litigation meant that unnecessary delays and the deliberate running up of expenses were often used as a tactic to defeat the other side. In many types of disputes expensive expert witnesses were routinely produced by each side. Rather than helping the court to resolve a technical problem, these experts were seen as on the side of one or other of the parties and were subjected to partisan pressure by the other party's lawyers. Lord Woolf's report concluded that civil justice was in a state of crisis and recommendations were made for sweeping changes. Therefore, the Civil Procedure Rules (CPR) were enacted in 1998 to improve access to justice by making legal proceedings cheaper, quicker, and easier to understand for non-lawyers.

The Civil Procedure Rules apply to all cases commenced after April 26, 1999

and are used by several types of courts. The County Court (or the Small Claims Court) deals with all but the most complicated claims for debt repayment, personal injury, breach of contract, family issues, housing disputes, i.e. mostly cases between people or companies who believe that someone owes them money. The magistrates' courts also deal with many civil cases, mostly family matters plus liquor licensing and betting and gaming work.

More complex civil cases are reserved for trial in the Divisional Courts of the High Court of Justice – the Family Division, the Chancery (property and money cases) and the Queen's Bench Division (cases involving contracts and negligence). These also have the capacity to hear appeals from lower courts and tribunals (which decide the rights and obligations of private citizens towards each other and a public authority and are inferior to the courts) and bind the courts below them in the hierarchy.

The Civil Division of the Court of Appeal (presided over by the Master of the Rolls), as the second highest tier in the English legal system, can reverse or uphold a decision of the lower civil courts. Because the volume of cases coming to the Court of Appeal is higher than that to the Supreme Court, the Master of the Rolls has been said to be the most influential judge in England. Finally, the Supreme Court, as the court of last resort, hears appeals on points of law of general public importance from many areas – commercial disputes, family matters, judicial review claims against public authorities and issues under the Human Rights Act 1998. Civil cases may leapfrog from the High Court to the Supreme Court, bypassing the Court of Appeal. Appellants must, however, apply for leave to appeal.

***Post-reading tasks***

- 1. Divide the text into logical parts and supply a title for each of them.**
- 2. Find in the text and decide from the context what the word could mean, then choose the appropriate definition.**

1) the Supreme Court	a) the most complicated claims for debt repayment, personal injury, breach of contract, family issues, housing disputes, etc.
2) the Court of Appeal	b) family matters, liquor licensing, betting and gaming work
3) Tribunals	c) property and money cases, cases of contract and negligence
4) the Divisional Courts of the High Court of Justice	d) the rights and obligations of private citizens towards each other and a public authority
5) the County Court	e) appeals on points of law of general public importance

	– commercial disputes, family matters, etc.
6) the Magistrates' Courts	f) the power to either reverse or uphold decisions of the lower civil courts

**3. Fill in the gaps in the text with the words from the box below:**

<b>established</b>	<b>representatives</b>	<b>Commission</b>	<b>issues</b>
<b>Aim</b>	<b>union</b>	<b>law</b>	<b>measures</b>
	<b>principles</b>	<b>gradually</b>	<b>modifications</b>
	<b>affairs</b>		

The European Union (EU) is an integration organization whose principal **1**... is «creating an ever closer **2**... among the peoples of Europe» (Article 1 of the Treaty on the European Union).

Any European State that respects the democratic **3**... of social structure: «the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of **4**...» may apply to become a member of the Union (Articles 6 and 49 of the Treaty on European Union).

Beginning from 1975, the Member States began to develop the common **5**... against crime. It is the Police and Judicial Cooperation (PJC), previously (until May 1, 1999) the Cooperation in Justice and Home **6**....

The reforms in the European Union are carried out **7**.... The 1997 Amsterdam Treaty (put into effect on May 1, 1999) and the 2001 Nice Treaty (put into effect on February 1, 2003) have introduced partial **8**... in the contents of constituent documents of the European Union.

The more radical modifications have been delayed till 2004. To prepare for them, a «Convent on the future of the Union» was **9**... in 2002, being a representative body uniting the national and the «European» parliamentarians (members of Europarliament), and also special **10**... of the heads of States or heads of governments of the Union countries, and also representatives of the Head of the European **11**... (the executive body of the EU). The chair of the Convent is the former President of France Valery Giscard d'Estaing. One of the key **12**... to be discussed by the Convent is the issue of development of the Constitution of the European Union.

**4. Using the scheme (plan) of annotation annotate the text «Civil Procedure Rules in the UK».**

**1. Read the text to be sure you know the meaning of annotation writing.**

An annotation is a brief summary of a book, article, or other publication. The purpose of an annotation is to describe the work in such a way that the reader can decide whether or not to read the work itself. There are, to be sure, other elements in

various types of annotations, but if the six points noted below are covered, the annotator can at least be certain the basics have been covered. By definition annotations are short notes, normally no more than 150 words.

**2. Here are some guidelines for writing annotation:**

**Step 1:** Say something about the author, i.e. what their qualifications are for writing on the subject.

**Step 2:** Explain the scope and main purpose of the text. This is usually done in one to three short sentences. (This is not a summary of the plot and not an abstract; you cannot hope to summarize the total content of the work).

**Step 3:** Note the relationship to other works in the field, if any. Or you may want to compare one work in your bibliography with the others that you include and how they are different from each other.

**Step 4:** Include the major bias or standpoint of the author in relation to the work.

**Step 5:** Indicate the audience and the level of reading difficulty if it is important. This is not always present in an annotation but is important if the work is targeted to a specific audience.

**Step 6:** At this point the annotation can end with a summary comment.

*You are suggested a plan of annotation:*

1. What is the text concerned with?
2. What does the author dwell on?
3. What does the author describe further on?
4. What kind of summary does the author give after that?
5. What does the author point out?
6. What does the author conclude the text with?

*You are suggested a scheme of annotation:*

The text (the page) I have read deals with (concerns) Civil law (the branch of the science it is devoted to).

This text (this page) is an abstract from the scientific article (the monograph) under the title «...».

The book (the monograph) was published in 2001 in Kiev.

In the first paragraph of the page (of the text) it goes about (мова йдеться про)...

In the second paragraph the author characterises (analyses, explains) the legal issues of...

In the third paragraph he singles out (виділяє) the main peculiarities (characteristics, features) of...

In the fourth paragraph it is stressed (underlined) that...

In the fifth paragraph he cites a primary source (Article/Section of)

... In the next paragraph the author comes to the conclusion (reaches the conclusion) that...

Summing all it up he points out that...

In my opinion / to my mind this text (book, monograph etc.) is of great (certain) value; up-to-date/outdated a bit; of great importance to/for scientists in the field of Civil law (to/for civil jurists)

### **GRAMMAR FOCUS**

#### **1. Put the verbs in brackets into the correct form of the present continuous or the present simple**

1 A: Where's James?

B: He ..... (play) football in the garden right now.

2 A: Bill .....(dance) very well.

B: Yes, he's a good singer, too.

3 A: Lucy is very busy.

B: Yes. She.....(work) very hard these days.

4 A: What .....(you/do) on Saturdays?

B: I clean the house and go shopping.

5 A: Why.....(you/pack) your suitcase?

B: Because I .....(fly) to Paris tomorrow morning.

6 A: Fred.....(not/know) how to swim.

B: That's because he's only three.

7 A: Max looks very fit.

B: Yes. He .....(take) a lot of exercise these days.

#### **2. Put the verbs in brackets into the present simple or the present continuous.**

Dear Martin, How are you and Sally? I 1) ...*hope*... (hope) you're well. I 2).....  
(write) to give you some good news. I have got a summer job for the holidays! I 3)  
.....(repair) telephone lines for a telephone company. I  
4).....(usually/ride) my bicycle to work because it's only a ten minute ride  
from home. We 5).....(start) work at 8:30. We 6) .....(finish) at 4:30 on  
Mondays to Thursdays, but at 2:30 on Fridays, so I 7)..... (have) long  
weekends. I 8)..... (work) very hard at the moment. To tell you the truth, I 9)  
.....(be) a bit nervous because my boss 10)..... (leave) for  
Scotland on business next week, so I'll be on my own. Lizzie says I  
11).....(worry) about it too much. She's probably right! Please write with your  
news. Say hello to Sally for me.

Best wishes,

Richard.



**3. Read the text and put the verbs in brackets into the present simple or the present continuous.**

Michael Barns 1) ..is... (be) a very busy man. Every morning, he 2).....(leave) home at 8 o'clock, and 3).....(go) to his office. He 4).....(usually/have) meetings until lunchtime, and in the afternoon, he 5)..... (often/visit) the people of Madewell. He really 6).....(enjoy) talking to people. At the moment, he and his team 7).....(organise) his election campaign. There are elections in June and he 8) .....(hope) to persuade lots of people to vote for him. Next month, he 9)..... (go) to London to meet the Prime Minister. They 10)..... (have) a meeting to discuss future plans for Madewell.

**4. Correct the mistakes**

1. Steve goes fishing tomorrow.
2. Rebecca wash her hair every day.
3. I am visiting my grandparents every week.
4. Tim doesn't wants to do his homework.
5. He sits on the floor at the moment.
6. Do you watch TV in the evenings always?
7. Sarah is drinking coffee every morning.
8. They don't go usually on holiday in May.
9. Does she work late? No, she does never.
10. Peter looks for a new house at the moment

**MODULE 7**

**Contract Civil Law and Intellectual Property**

*UNIT 1. Contract Law*

**1. Can you answer these questions?**

What does contract law deal with?

What is necessary for a valid contract to be formed?

**2. Read the text. Which two remedies following a breach of contract are mentioned? Are any other options available in your own jurisdiction?**

Contract law deals with promises which create legal rights. In most legal systems, a contract is formed when one party makes an offer that is accepted by the other party. Some legal systems require more, for example that the parties give each other, or promise to give each other; something of value. In common-law systems, this promise is known as consideration. In those systems, a one-sided promise to do

something (e.g. a promise to make a gift) does not lead to the formation of an enforceable contract, as it lacks consideration.

When the contract is negotiated, the offer and acceptance must match each other in order for the contract to be binding. This means that one party must accept exactly what the other party has offered. If the offer and acceptance do not match each other, then the law says that the second party has made a counter-offer (that is, a new offer to the first party which then may be accepted or rejected).

For there to be a valid contract, the parties must agree on the essential-terms. These include the price and the subject matter of the contract.

Contracts may be made in writing or by spoken words. If the parties make a contract by spoken words, it is called an oral contract. In some jurisdictions, certain special types of contract must be in writing or they are not valid (e.g. the sale of land).

Contracts give both parties rights and obligations. Rights are something positive which a party wants to get from a contract (e.g. the right to payment of money). Obligations are something which a party has to do or give up to get those rights (e.g. the obligation to do work).

When a party does not do what it is required to do under a contract, that party is said to have breached the contract. The other party may file a lawsuit against the breaching party for breach of contract. The non-breaching party (sometimes called the injured party) may try to get a court to award damages for the breach. Damages refer to money which the court orders the breaching party to pay to the non-breaching party in compensation. Other remedies include specific performance, where a court orders the breaching party to perform the contract (that is, to do what it promised to do).

A party may want to transfer its rights under a contract to another party. This is called an assignment. When a party assigns (gives) its rights under the contract to another party, the assigning party is called the assignor and the party who gets the rights is called the assignee.

## **VOCABULARY**

contract law – договірне право

promise – обіцянка, договірне зобов'язання

legal right – юридичне право

form a contract – укладати договір

party – сторона договору

make an offer – робити пропозицію

accept an offer – приймати пропозицію

reject an offer – відхиляти пропозицію

common-law – загальне право  
consideration – основа договору, зустрічне надання  
enforceable contract – договір, що має позивну силу  
negotiate – вести переговори, домовлятися про умови  
binding contract – юридично обов’язковий договір  
counter-offer – зустрічна пропозиція  
valid contract – чинний договір  
essential terms – основні умови  
oral contract – усний договір obligation – обов’язок  
under a contract – згідно з договором  
file a lawsuit – подавати позов  
breach of contract – порушення умов договору  
injured party – потерпіла сторона  
award damages – присуджувати відшкодування збитків  
remedy – засіб судового захисту  
specific performance – реальне виконання договору  
transfer rights – передавати права  
assignment – передача права  
assignor – особа, що здійснює передачу права assignee – правонаступник

**3. According to the text are the following statements true (T) or false (F).  
Correct the false statements.**

1. In all legal systems, parties must give something of value in order for a contract to be formed.
2. An offer must be met with a counter-offer before a contract is agreed.
3. Oral contracts are not always valid.
4. If in breach, the court will always force the party to perform the contract.
5. Assignment occurs when one party gives its contractual rights to another party.

**4. Complete these sentences using the following words: *breach, counteroffer, damages, formation, obligations, oral contract, terms.***

1. Usually, contract ... occurs when an offer is accepted.
2. A new offer made by one party to another party is called a ....
3. The price and the subject matter of a contract are the essential ... of a contract.
4. A contract which is not in written form but has been expressed in spoken words is called an ....
5. Under a contract, a party has ... (that is, certain things it has to do).
6. When a party does not do what it has promised to do under a contract it can be sued for ... of contract.

7. A court can award ... to the non-breaching party.

**5. Match the following verbs *accept, award, breach, enforce, file, form, make, negotiate, perform, reject* with the nouns they go with in the text.**

1) an offer 2) a contract 3) damages 4) a lawsuit

**6. Which other verb-noun collocations are possible with the words in Exercise 1.5?**

**7. Complete the sentences about contract law using the following prepositions: *against for (x2), in, into, to (x2), under***

1. An individual or a business may enter into a contract.

2. Anyone who is not a party ... the contract is considered a third party and cannot be obligated to do anything required ... the contract.

3. If one of the parties breaches a contractual obligation, the non-breaching party may file a lawsuit ... the breaching party.

4. Furthermore, a party will not be required to perform its contractual obligations if another party is ... breach.

5. Damages are awarded ... a party ... any loss that the party has suffered as a result of a breach of contract.

6. However, a party will not always be able to recover all losses when suing ... damages.

**8. Choose the correct verb.**

1. My client has requested me *to make/ file / award* a lawsuit against you for breach of contract.

2. You *accepted / awarded / admitted* the offer my client made to you.

3. When you signed the contract, legal rights were *called / claimed / created* which are enforceable under the law.

4. Since you have not carried out your obligations under the contract, you have clearly *assigned / rejected / breached* the contract.

5. My client intends to *claim / accept / enforce* damages for all of the losses incurred as a result of the breach.

**9. Read the text and answer the questions after the text.**

### **Remedies for breach of contract**

If a contract is broken, the injured party might be expected to demand any of the following: to have what they gave returned to them („restitution“ ) compensation

for their loss („damages“ ) the other party to be forced to perform the contract („specific performance“ ) In the common-law tradition, (damages is the usual remedy that a court awards for a broken contract. Restitution and specific performance are available only in certain circumstances.

1. What does the word remedy in the text mean?
2. What is the most common remedy for breach of contract in the legal systems of English-speaking countries?
3. What is the most common remedy in your jurisdiction?

**10. With a partner take turns choosing and explaining one of these terms in your own words. Can you guess which word your partner is defining?**

damages, assignor, the non-breaching party, specific performance, assignee, the injured party, the breaching party, remedy, restitution

**11. With a partner summarise the text ‘Contract law’, talking about the most important points of contract law.**

### **GRAMMAR FOCUS**

#### **The Past Simple Tense**

**1. Make the sentences interrogative and negative:**

**Example:** *The jury consisted of local citizens. — Did the jury consist of local citizens? — The jury didn’t consist of local citizens.*

1. The defendant had no right to appeal.
2. Two witnesses watched a burglary.
3. The photograph was very important for the investigator.
4. Scottish civil law didn’t differ from that of England.
5. Her mother was guilty of murder.
6. She threatened him with the gun and forced him to write out a confession.

**2. Put questions to the words in italics:**

**Example:** *They trial started at 9 o’clock this morning. — When did the trial start?*

1. His brother worked as a judge *last year*.
2. The doctor examined the victim *in the morning*.
3. The suspect told *about the place of the crime*.
4. He missed a lot of classes *in Criminology*.
5. Every year Parliament passed *about hundred laws*.
6. *The judge* sentenced the accused to 15 years in prison.
7. Yesterday in the evening the jury *passed the verdict on the suspect*.

**3. Rewrite the following sentences using the Past Simple:**

1. His father works at a police station.
2. I often see him in the court.
3. He always takes a gun with him.
4. The investigator questions prisoners.
5. Their parents are in legal profession.
6. They don't change their opinion.

**4. Use the appropriate form of the verb (Past Continuous or Past Simple):**

**Example:**

*They (were discussing, discussed) the sentence when the telephone rang. — They were discussing the sentence when the telephone rang.*

1. They (carried out/ were carrying out) the expert examination an hour ago.
2. She (studied/ was studying) the report of the policeman when he came in.
3. The investigator (questioned/ was questioning) the suspect from 5 till 6 p.m.
4. The prisoner (was telling/ told) about the circumstances of the crime when his mother came to see him.
5. The judge (was calling/ called) the witnesses of the defence after the testimony of the plaintiff's witness.
6. After the direct examination the defendant's lawyer (was having/ had) a chance to question the witness.

**5. Make the following sentences interrogative and negative:**

**Example:**

*He had studied particular subjects at university before he started teaching law. — Had he studied particular subjects at university before he started teaching law? — He had not studied particular subjects at university before he started teaching law.*

1. We had got the expert evidence by the end of the working day.
2. Pretrial examination had been over by the end of last week.
3. After they had finished analyzing the handwriting, we came to an important conclusion.
4. They had found the escaped prisoner before the sunset.
5. I had known the witness for a long time before she committed the crime.
6. They had passed 3 property laws before going on holiday.

**6. Put questions to the words in italics: Example:** This lawyer had won *100 cases* by the beginning of this year. — *How many cases had this lawyer won by the beginning of this year?*

1. He had studied Law *for 5 years* before he entered Law Academy.

2. By the time the train reached the city, he had received 5 calls *informing him of murders*.
3. The young officer wanted to act the main part in the investigation *because he had collected all necessary material evidence*.
4. When we came into the courtroom, *the last meeting of the trial* had already finished.
5. The lawmaker had proven *the necessity of enforcing the law* by the time the President decided to take necessary measures.
6. The new law limited the powers of government *which before had given them the right to use foreign bank accounts*.
7. The criminal had committed *two murders* before the police detained him.

## MODULE 7

### Contract Civil Law and Intellectual Property

#### UNIT 2. Intellectual property

**1. Read the text to understand what information is of primary importance or new for you.**

*Note on the text:* Торт — делікт, цивільне правопорушення

#### FAMILY, CONTRACT AND INTELLECTUAL PROPERTY

The civil law covers cases related to family, property, contracts and non-contractual wrongful acts suffered by one person at the hands of another (*torts*). Family law includes the laws governing marriage, divorce and the welfare of children; the law of property governs ownership, disposal of property on death, etc.; the law of contract regulates, for instance, the sale of goods, loans, partnerships, insurance and guarantees.

Civil proceedings are started by the aggrieved person. As a private matter, they can usually be abandoned or ended by settlement between the parties at any time. In many cases, parties to a dispute settle their differences through their lawyers before the trial stage is reached.

Family law is divided into public and private law cases. Public law cases involve local government and other public authorities and include matters such as care of children. Private law cases involve divorce proceedings, etc. Most court cases involving children concern private disputes between parents — often after separation.

Torts include wrongs such as negligence, defamation, etc. if these legal rights have been infringed, a plaintiff can sue for compensation.

One of the most important tort actions is that for negligence, when a person fails to live up to an expected standard of care and someone is injured as a result. This can cover physical damage or financial loss.

A contract is an agreement between two or more parties, which is enforceable by law. A valid business contract, for instance, must involve an offer to supply goods or services, consideration (the price to be paid) and acceptance by the purchaser. The offer may be revoked at any time before acceptance but it must be communicated to the purchaser. Acceptance of an offer must mean agreement entirely with the terms of the offer, and the terms must be sufficiently detailed. In addition, the object of the contract must not be illegal; it is against the law for two people to make a deal between themselves if this involves a criminal offence.

An example of a contract is the purchase of goods in a shop. If the goods purchased turn out to be shoddy, the purchaser can sue the seller in the civil courts usually for damages. Conversely, if the ownership of goods passes to the purchaser and they are not paid for, the seller can sue for the price of goods. Similarly, an employer is bound to pay an employee for work done; if he or she fails to do so, a breach of contract action can take place.

Intellectual property laws reward the creators of original works by preventing others from copying, performing, or distributing those works without permission. They also provide incentives for people to produce scientific and creative works that benefit society at large. Some types of intellectual property are automatically protected by law from the moment of their creation. Other types require a specific grant of rights from a government agency before they may be protected by law.

Nearly all nations have laws protecting intellectual property. The principal types of intellectual property are patents, copyrights, and trademarks. Patent law protects inventions that demonstrate technological progress. Copyright law protects a variety of literary and artistic works, including paintings, sculpture, prose, poetry, plays, musical compositions, dances, photographs, motion pictures, radio and television programs, sound recordings, and computer software programs. Trademark law protects words and symbols that serve to identify different brands of goods and services in the marketplace.

Intellectual property differs from other forms of property because it is intangible, a product of the human imagination. Because intellectual property is intangible, many people may use it simultaneously without conflict. For example, only one person can drive a car at a time, but if an author publishes a book, many people can read the work at the same time. Intellectual property is also much easier to copy than it is to create. It may take many months of work to write a novel or computer program, but with a photocopy machine or a computer others could copy the work in a matter of seconds. Without intellectual property laws, it would be easy to duplicate original



works and sell them for very low prices, leaving the original creators without any chance to secure economic rewards for their efforts. The legal system avoids this problem by making it against the law to reproduce various forms of intellectual property without the permission of the creator.

**2. Divide the text into logical parts and supply a title for each of them.**

**3. Find in the text and decide from the context what the word could mean, then choose the appropriate definition.**

**a) *family law*** — makes it illegal for others to manufacture or use the invention without permission.

**b) *defamation*** — is usually owned by the creator of the work- the writer, painter or musician- but like other property, it might be passed to someone else.

**c) *breach of contract*** — is a wrongdoing for which a private citizen (or company) is sued by another private person.

**d) *damages*** — is the aggrieved party that starts criminal proceedings.

**e) *copyright*** — money paid by one party of a legal action (usually civil) to compensate the other party for loss or injury.

**f) *tort*** — deals with the family as a special institution, marriage, the process of divorce, custody of and responsibility for children.

**g) *patent*** — is the tort of saying or writing something which is untrue and which harms another person's good name.

**h) *negligence*** — it is called so if one party fails to fulfill his obligations under the agreement.

**i) *plaintiff*** — is a tort consisting of the breach of a duty of care resulting in damage to the plaintiff, carelessness.

**4. Choose the right preposition in brackets according to the contents of the sentences (*without, after, of, from, for, by*).**

1.

Literature, computer programs, artistic works cannot be patented, but they can be protected ... copyright.

2. In most countries, such work is automatically protected when it is created; there is no need to apply ... or to register copyright.

3. In recent years it has been difficult for intellectual property law to prevent new original works ... copying and too keep pace with technological change.

4. The Laws of intellectual property usually require anyone wanting to copy something to ask permission from the holder ... the patent or copyright.

5. In Britain, ... instance, the 1988 Copyright and Patents Act covers a work of music, drama, computer software, ... 50 years after the author's death.

6. In addition to financial loss a plaintiff sometimes tries to sue ... mental distress caused by the breach of contract.
7. Most legal systems allow a certain amount of copying even ... asking permission.
8. In order to prevent a new scientific discovery ... being copied, it is necessary to apply ... a patent.

**5. Insert one of the following words into the text in an appropriate form.**

an offer, an agreement, damages, loss, contract, acceptance, terms, to consider, compensation, a court, a breach, a seller, goods, to enforce, party, to reject, sale, addition, consideration, to sue, plaintiff

English law textbooks often describe a contract as **1...** which made between two or more **2...** and which is binding in law. The parties must agree to contract on certain **3...**

When **4...** is deciding if a contract has been made, it must consider the following principles. One principle of English **5...** law is that there must be offer and **6...** . An advertisement to sell a car, and I telephone the advertiser and agree to buy it, the seller is not obliged to sell it to me. This is because the law **7...** that the real **8...** is when I contact **9...** asking to buy the car. The seller may then decide whether to accept or **10...** my offer. This is the reason that a store doesn't to have to sell you **11...** it displays for **12...** . And there is no **13...** of contract.

So another principle is that there is no valid contract if one of the parties did not intend to be legally bound.

What is valuable consideration? The principle behind this phrase is that the law will not **14...** an empty promise.

But once the court decides that there has been a breach of contract, it must the judge how the party must compensate the other party. The usual award is **15...** — monetary **16...** . In **17...** to financial **18...** a **19...** sometimes tries to **20...** for mental distress caused by the breach of contract. Such claims are less successful in Britain than in the USA, except for holiday contracts.

***Post-reading tasks***

**1. Make a list of age limits in your country for such activities as marriage, voting, driving a car, smoking, buying alcohol drinks and others. Express your opinion as to whether the limits are too high or low.**

**2. Match the verbs and nouns. Use a dictionary to help you if necessary.**

- |              |                  |
|--------------|------------------|
| 1. start a   | a) client        |
| 2. bring     | b) a prosecution |
| 3. prefer    | c) a copyright   |
| 4. prepare   | d) a suspect     |
| 5. reach     | e) a fee         |
| 6. settle    | f) out of court  |
| 7. charge    | g) a verdict     |
| 8. arrest    | h) a case        |
| 9. defend    | i) a brief       |
| 10. infringe | j) an accusation |

**3. Write an essay about the following statement:**

Copying audio tapes at home is just as bad as stealing them from a store Use this information to organize it correctly.

**Essay Writing**

- Read the topic carefully.
- Underline words indicating the specific things to be answered in the essay.
- Write an introductory paragraph including 2-3 sentences only.
- Write 3 paragraphs of the body, trying to use 1st and 2nd paragraphs for opposite points of view and the 3rd expressing your own opinion.
- Write a good conclusion as your answer to the problem.
- Check it carefully

**GRAMMAR FOCUS**

**1. Put the verbs in brackets into the past perfect simple or the past perfect continuous**

Yesterday was a bad day for Andrew. He 1) hadn't slept (not/sleep) well because there was a terrible storm in the night. After he 2) .....(have) a shower, he made breakfast. After he 3) .....(eat), he got into his car and drove to work. He 4) .....(only/drive) for five minutes when he remembered that he 5) .....(leave) his briefcase at home. He turned the car around and went home again. Then, he realized that he 6).....(lock) himself out. The keys were still inside the house! Andrew was already late for work, so he decided to leave the briefcase and go to work. When he arrived, his secretary told him that his boss 7) .....(try) to call him at home. Andrew went to find his boss. When he asked his boss why he .....(call), he told him that it hadn't been necessary for him to come to work that day after all! Poor Andrew drove all the way home again.

## MODULE 8

### Protection of Employees

#### *UNIT 1. Contract of Employment and Collective Bargaining*

**1. Match these key terms (1-4) with the examples (a-d).**

1 discriminatory dismissal

2 redundancy dismissal

3 unfair dismissal

4 genuine occupational qualification

a An employee is laid off because his employer had insufficient work for him to do.

b Only female applicants are hired for jobs at an all-women hostel.

c An employee is fired when she becomes pregnant.

d A worker's employment is terminated because he took part in lawful union activities.

**2. Read the text quickly, then match each of these headings (a-g) with the paragraph (1-7) to which it best corresponds.**

#### EMPLOYMENT LAW

a Termination of employment

e Labour law

b Employment tribunals

f Protecting the disabled

c Terms of employment

g Recruitment

d Employment legislation

1 Employment law entails contracts between employers and employees which are normally controlled by specific legislation. In the UK certain laws have been enacted regulating the areas of sex discrimination, race relations, disability, health and safety, and employee rights in general. Also, certain aspects of employment contracts are covered by the Trade Union and Labour Relations Act 1992.

2 In the recruiting processes, employers must take into consideration that it is unlawful to discriminate between applicants for employment on the basis of gender, marital status, colour, race, nationality, or ethnic or national origins. It is also unlawful to publish job advertisements which might be construed as discriminatory. It is unlawful for a person to discriminate against another based on sex or marital status in the hiring process and in respect of the terms and conditions of

employment. However, there are exceptions to this rule, such as where sex or marital status is a genuine occupational qualification (GOQ)\*.

**3** The law protects disabled persons by making it unlawful to discriminate against such persons in the interviewing and hiring process and regarding the terms of the offer of employment. Employers are required to make reasonable adjustments in the place of work to accommodate disabled persons. However, cost may be taken into account when determining what is reasonable.

**4** After the employee is hired, protection is provided generally under the Employment Rights Act 1996. In particular, this Act requires the employer to provide the employee with a document containing the terms and conditions of employment. The statement must include the following: identities of the parties, the date of employment, a statement of whether there has been continuation of employment, the amount and frequency of pay, hours of work, holiday entitlement, job title and work location.

**5** Matters related to termination of employment, such as unfair dismissal, discriminatory dismissal or redundancy<sup>1</sup> dismissal, are governed by the Employment Rights Act 1996. Also, certain aspects of termination of employment are governed by the Trade Union and Labour Relations Act 1992 when the decision to terminate employment is in some way related to the activities of a trade union.

**6** The protections mentioned above are largely enforced through complaints to an employment tribunal. The tribunal has the power to render decisions and issue orders in respect of the parties' rights in relation to complaints. It may also order compensation for loss of prospective earnings and injured feelings.

**7** Employment law relates to the areas covered above, while labour law<sup>3</sup> refers to the negotiation, collective bargaining and arbitration processes. Labour laws primarily deal with the relationship between employers and trade unions. These laws grant employees the right to unionise and allow employers and employees to engage in certain activities (e.g. strikes, picketing, seeking injunctions, lockouts) so as to have their demands fulfilled.

\* genuine occupational qualification – обґрунтована причина для дискримінації робітників однієї статі на користь іншої під час найму на роботу

## **VOCABULARY**

employment law – трудове право, (закон про зайнятість)

employer – роботодавець

employee – працівник

enact a law – ухвалювати, надавати чинності законові

sex discrimination – статева дискримінація  
race relations – расові стосунки  
disability – непрацездатність  
disabled person – інвалід  
trade union – професійна спілка  
unlawful – протизаконний  
applicant – претендент  
hire – наймати  
hiring process – процес найму  
terms and conditions of employment – строки і умови найму  
make adjustments – пристосовувати  
reasonable – розважливий, прийнятний  
take into account – брати до відома  
holiday entitlement – право на відпустку  
termination of employment – закінчення терміну (припинення) зайнятості  
dismissal – звільнення  
unfair – несправедливий  
redundancy – скорочення  
employment tribunal – суд із трудових спорів  
render a decision – ухвалювати рішення  
issue an order – видавати наказ complaint – скарга, позов  
collective bargaining – колективний договір  
grant the right – надавати право  
unionise – об'єднуватись у профспілки  
injunction – судова заборона

### **3. Answer the questions.**

1. What does the phrase construed as discriminatory in paragraph 2 mean? What do you think would be involved in proving that a job advertisement could be construed as discriminatory?
2. What do you understand by the phrase reasonable adjustments in paragraph 3? What factors do you think might be taken into account when deciding if an adjustment is reasonable?
3. What do you think compensation for injured feelings in paragraph 6 refers to? What kinds of work-related situations do you think could result in such a claim for compensation?

### **4. Complete the text using the following words/phrases:**

*commencing salary, date of commencement, duties and responsibilities, grievance, holiday entitlement, notice, pension, position, probationary service, sickness pay, terms and conditions*

### **Full-time Employment Contract**

1. You have been appointed to the position of administrative assistant.
2. Your ... will be as detailed in the attached Job Description, but this Job Description should not be regarded as exclusive or exhaustive. There will be other occasional duties and requirements associated with your appointment.
3. The ... of your continuous service with this company is 1 January 2002.
4. Your specific ... are contained in the Employees" Handbook issued by the company, as well as in existing collective agreements negotiated by this company.
5. Confirmation of your appointment will be subject to your satisfactory completion of 3 months" ....
6. Your ... is J20,000 per annum, paid monthly in arrears. Overtime is not payable.
7. Your ... entitlement is 30 days in any calendar year.
8. Your annual ... is 25 days which cannot be carried over.
9. The minimum period of ... to which you are entitled is 3 months.
10. Your position with regard to ... is set out in the explanatory booklet attached.
11. If you have a ... relating to your employment, you should refer to the complaints procedure outlined in the booklet attached.

**5. Below is a letter of redundancy. The sentences have been mixed up. Put them into order.**

#### **Letter of redundancy**

1. Details of your forthcoming redundancy and severance pay are enclosed.
2. Finally I shall, of course, be only too pleased to supply any prospective employer with a reference on your behalf.
3. I am writing in connection with our discussion of earlier today.
4. Yours sincerely Anne O" Dwyer, Personnel Manager
5. It is with much regret that I must ask you to accept this letter as formal notice of the redundancy of your position as administrative assistant with effect from 30 September 2010.
6. Dear Ms Bailey
7. On behalf of the Company, I would like to thank you for the services you have given us in the past and wish you every success in the future.
8. Please do not hesitate to contact me if you need clarification.

9. The Company will gladly grant you reasonable time off with pay for the purposes of attending job interviews or undertaking any training for alternative employment.
10. The services of the Personnel Department will, of course, be freely available to assist you in obtaining suitable alternative employment.

**6. Choose the correct word. These sentences are part of the UK Employment Rights Act 1996. In each case, choose the correct word or phrase to complete them.**

An employee who *waives / intends / submits* to return to work earlier than the end of her maternity leave period shall give to her employer not less than seven days' *information / provision / notice* of the date on which she intends to return.

If an employee attempts to return to work earlier than the end of her maternity leave period without *complying with / referring to / relying on* subsection 1, her employer shall be *entitled to / subject to / requested* to postpone her return to a date such as will secure, subject to subsection 3, that he has seven days' notice of her return.

An employer is not entitled *to / under / in* subsection 2 to postpone an employee's return to work to a date after the end of her maternity leave period.

**7. Complete this text, in which a lawyer explains to a client what an employment tribunal is, using the following verbs: *awarded, decide, dismissed, file, goes, heard, includes, incurred, issue, pay, resembles*.**

If you think you have been unfairly 1) *dismissed* from your job, you can 2) ... a claim for your case to be 3) ... by an employment tribunal. A tribunal 4) ... a court, although it is more informal. It hears different types of complaints from employees. If your complaint 5) ... to a hearing, it will be heard by a panel of three people, which typically 6) ... the chair, who is a qualified legal practitioner, and two non-legally qualified members, who may have experience as employers or union representatives, for example. The tribunal will 7) ... whether your dismissal was unfair or not. If your case is successful, the tribunal will also decide whether compensation should be 8) ..., and if so, how much. The tribunal may 9) ... a cost order, requiring the claimant or the respondent (employer) to 10) ... the costs 11) ... by the other party.

**8. Read the text and fill in the missing words: *courts security, law, deals with, employment, work, distinctive, disability, rights, legislation*.**

Labour law, the varied body of 1... applied to such matters as 2..., remuneration, conditions of 3..., trade unions, and industrial relations. In its most comprehensive sense, the term includes social 4... and 5... insurance as well. Labour law 6... the statutory requirements and collective relationships that are increasingly



important in mass-production societies, the legal relationships between organized economic interests and the state, and the various 7... and obligations related to some types of social services.

Labour law has won recognition as a 8... branch of the law within the academic legal community, but the extent to which it is recognized as a separate branch of legal practice varies widely depending partly on the extent to which there is a labour code or other distinctive body of labour 9... in the country concerned, partly on the extent to which there are separate labour 10 ... or tribunals, and partly on the extent to which an influential group within the legal profession practice specifically as labour lawyers.

### **GRAMMAR FOCUS**

#### **1. Change the following sentences into reported speech as in the example:**

**Example:** *Are you busy? She asked if I was busy. Where are you going? She asked where I was going. When do you get up? She asked when I got up.*

1. Do you work as a defendant or a prosecutor?
2. Where is our expert?
3. Has he presented the evidence?
4. Did he have a personal interest in the case?
5. What does the legislative process involve?

#### **2. Turn these into reported speech, beginning *I didn't know*: Example: *He is searching for a burglar. — I didn't know he was searching for a burglar.***

1. They have taken his fingerprints.
2. He was released from prison.
3. They will commit a terrible crime.
4. Tomorrow he will appear before the court.
5. This famous advocate will defend James in court.
6. They have arrested the well-known escaped criminal at last.

#### **3. Rewrite the following sentences in reported speech:**

**Example:** *The officer said, 'I held that criminal in my arms for the second time!'*  
— *The officer said he had held that criminal in his arms for the second time.*

1. The judge said, 'I have never faced such an awful mistake'.
2. The students said, 'The professor explained the legal and political system of Great Britain properly'.
3. The policeman said, 'I saw them at the station'.
4. Mary said, 'I studied Criminology at the Academy'.
5. His aunt said, 'Something terrible happened'.
6. The advocate said, 'I'll do all I can'.

## MODULE 8

### Protection of Employees

#### *UNIT 2. Employment Protection Legislation*

##### **1. What do you know about Labour Code?**

**Have the Ukrainian citizens any employment or labour rights under the Constitution?**

##### **2. Match the following English words and expressions with their Ukrainian equivalents.**

1 employment law	a корпоративна політика
2 legal redress	b припиняти
3 legal remedy	c відшкодування в суді
4 to handle a dismissal	d засіб правового захисту
5 corporate policy	e обмежувати застосування повноважень
6 to reconcile work and non-work life	f регулювати звільнення
7 parental leave	g відпустка батьків
8 to restrain the unfettered exercise	h трудове право
9 to terminate	i узгоджувати графік робочого дня

##### **3. Read the text to understand what information is of primary importance or new for you.**

#### **EMPLOYMENT LAW**

Employment law is that part of law which deals with the legal problems arising from the employment relationship. The relationship between employer and employee is based on the contract of employment. However, with the development of trade unions, employers' organisations and, in particular, state intervention, the subject covers many aspects other than simply the contract of employment. Traditionally it has been thought that employment law, perhaps more than any branch of law, exists largely to prevent the need for the parties to a dispute to resort to the tribunals or courts. Recent trends have meant increased confrontation in the employment sphere and parties in such disputes seem more willing to resort to legal redress in order to test the legal merits of their actions. The law, therefore, is becoming increasingly important in such areas. The use of practice and procedures, which are based on the legal framework, are obviously still important but so is the use of the legal remedy.

Particularly in the past twenty years, employment law has had a growing significance for managers — whether general managers or human resource practitioners. Potentially, it influences and may constrain action that managers want to take.

A manager advising on the handling of a dismissal, for example, is more likely to produce an effective and lawful outcome if s/he does not focus exclusively on the problem in hand (terminating the employment of an employee who has misbehaved). Remembering the purposes behind the legislation (to provide fair reasons, fair treatment and natural justice and consideration of all the circumstances) is important.

Similarly, a recognition of the business context and organisational needs is important.

Likewise, the development of corporate policies is more likely to be effective and well-informed if they are not seen, narrowly, as a series of conditions of employment to be applied mechanistically. For example, when parental leave policies are formulated, an understanding of the social trends against which they are developed is important (e.g. greater economic activity by women, longer working hours, difficulties of reconciling work and non-work life). Furthermore, the social purposes behind this legislation (to promote family-friendly policies and provide a better balance between work and non-work life) should be acknowledged to ensure that the corporate policies achieve the statutory objectives. A manager who understands these purposes is better able to defend and argue for policy developments with colleagues.

Broadly speaking, the employment relationship is regulated by voluntary and legal measures. Voluntary measures comprise agreements and other decisions. They also include voluntarily accepted standards of good practice. In practice, these do not exist as isolated sets of measures. They, invariably, interlink and influence each other.

These voluntary and legal mechanisms achieve two broad purposes.

First, at various points, they influence the function of management - i.e. the ways in which managers exercise power, control workforces and manage conflicts of interest. The influence on management can be illustrated in the following way. It is widely accepted that the employment relationship is characterised by an imbalance of power in favour of the employer. Both voluntary and legal regulation can restrain the unfettered exercise of this employer power. Furthermore, the law can establish both minimum conditions of employment and also set limits on the action an employer might take against employees.

The second purpose is to assert certain principles. On the one hand, there are those principles that influence the nature and quality of decisions that are made (for

example, fairness, equal treatment, reasonableness, etc.). In addition are those principles, which mould the regulatory process itself — for example, the fundamental importance of consent to the contract of employment, and of procedural fairness in disciplinary cases.

**4. Find the meaning in which the word *to employ* is used in the text:**

1. give work to, usually for payment.
2. make use of smth

**5. Choose the right preposition in brackets according to the contents of the sentences (*against, on, with, for, between, to*).**

1. Employment law is that part of law which deals\_\_\_\_\_ the legal problems arising from the employment relationship.
2. A manager advises \_\_\_\_\_ the handling of a dismissal.
3. It is important to understand the social trends\_\_\_\_\_ which they are developed, when parental leave policies are formulated.
4. An official who understands corporate purposes is better able to defend and argue\_\_\_\_\_ policy developments with colleagues.
5. The social purposes behind this sphere of legislation are to promote family-friendly policies and provide a better balance\_\_\_\_\_ work and non-work life.
6. Employment law exists largely to prevent the need for the parties to a dispute to resort\_\_\_\_\_ the tribunals or courts.

**6. Make the following sentences complete by translating the words and phrases in brackets.**

1. This sphere covers many aspects other than simply the contract of employment with the development of (профспілки), employers' organisations and, in particular, (втручання держави).
2. Contemporary trends have meant increased confrontation in the employment sphere and parties in such disputes seem more willing to (звертатися) to legal redress in order to test the (правову сутність) of their actions.
3. A manager advises on the handling of a (звільнення), for example, is more likely to produce an effective and (правовий вихід) if he or she does not focus exclusively on the problem in hand.
4. The progress of (корпоративна політика) is more likely to be effective and well-informed if they are not seen, narrowly, as a series of conditions of employment to be applied mechanistically.
5. Legal regulation can (обмежувати застосування повноважень) of the employer power.

**7. Find in the text all the word combinations with the word and family of the word employ. Give their Ukrainian equivalents. Make up your own sentences.**

**8. Match each word on the left with the correct definition on the right.**

<b>Employee</b>	- to send away from one's employment
<b>Employer</b>	- debate, controversy
<b>Contract</b>	- arrangement or understanding made by two or more people
<b>Dispute</b>	- person who is employed
<b>Remedy</b>	- way to get satisfaction
<b>Manager</b>	- binding agreement between persons, groups, states
<b>Dismissal</b>	- power to sway or affect based on position, ability
<b>Agreement</b>	- person who employs others
<b>Influence</b>	- person who manages a business affairs in a certain way

**9. Using the scheme (plan) of annotation annotate the text «Employment Law».**

**1. Read the text to be sure you know the meaning of annotation writing.**

An annotation is a brief summary of a book, article, or other publication. The purpose of an annotation is to describe the work in such a way that the reader can decide whether or not to read the work itself. There are, to be sure, other elements in various types of annotations, but if the six points noted below are covered, the annotator can at least be certain the basics have been covered. By definition annotations are short notes, normally no more than 150 words.

***Here are some guidelines for writing annotation:***

**Step 1:** Say something about the author, i.e. what their qualifications are for writing on the subject.

**Step 2:** Explain the scope and main purpose of the text. This is usually done in one to three short sentences. (This is not a summary of the plot and not an abstract; you cannot hope to summarize the total content of the work).

**Step 3:** Note the relationship to other works in the field, if any. Or you may want to compare one work in your bibliography with the others that you include and how they are different from each other.

**Step 4:** Include the major bias or standpoint of the author in relation to the work.

**Step 5:** Indicate the audience and the level of reading difficulty if it is important. This is not always present in an annotation but is important if the work is targeted to a specific audience.

**Step 6:** At this point the annotation can end with a summary comment.

*You are suggested a plan of annotation:*

1. What is the text concerned with?
2. What does the author dwell on?
3. What does the author describe further on?
4. What kind of summary does the author give after that?
5. What does the author point out?
6. What does the author conclude the text with?

*You are suggested a scheme of annotation:*

The text (the page) I have read deals with (concerns) Criminal law (the branch of the science it is devoted to).

This text (this page) is an abstract from the scientific article (the monograph) under the title «...».

The book (the monograph) was published in 2001 in Kiev.

In the first paragraph of the page (of the text) it goes about (мова йдеться про)...

In the second paragraph the author characterises (analyses, explains) the legal issues of...

In the third paragraph he singles out (виділяє) the main peculiarities (characteristics, features) of...

In the fourth paragraph it is stressed (underlined) that...

In the fifth paragraph he cites a primary source (Article/Section of)

... In the next paragraph the author comes to the conclusion (reaches the conclusion) that...

Summing all it up he points out that...

In my opinion / to my mind this text (book, monograph etc.) is of great (certain) value; up-to-date/outdated a bit; of great importance to/for scientists in the field of Criminal law (to/for criminal jurists)

## **GRAMMAR FOCUS**

**Task 1. Turn the following questions into reported speech. Use the appropriate reporting verbs and your own ideas.**

1. "What branches has the British Constitution in theory?" \_\_\_\_\_
2. "What is the difference between British Parliament and the Government?" \_\_\_\_\_
3. "Is the Queen officially head of all three branches of the British Constitution?" \_\_\_\_\_
4. "What parts does British Parliament consist of?" \_\_\_\_\_
5. "Who usually becomes the Prime Minister in Great Britain?" \_\_\_\_\_
6. "Is the Prime Minister usually the leader of the government in the UK?" \_\_\_\_\_
7. "Is there any difference between 'hereditary peers' and 'life peers'?" \_\_\_\_\_
8. Has the composition of the Lords changed since 1958, when it became possible to award 'life peerages' through the honours system? \_\_\_\_\_
9. "Where may Bills be introduced and by whom?" \_\_\_\_\_
10. "What does 'Royal assent' mean?" \_\_\_\_\_

11. "When does the Bill become an Act of Parliament?" \_\_\_\_\_
12. "Why is the Royal assent considered to be a formality nowadays?" \_\_\_\_\_
13. "What are the main functions of the Prime Minister?" \_\_\_\_\_
14. "Could you explain the notion "collective responsibility?" \_\_\_\_\_
15. "When is the leader of the party formally invited by the Sovereign to form a government?" \_\_\_\_\_

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