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KEY=IN - NEAL DOMINIK

Understanding Labor and Employment Law in China

Cambridge University Press Continued economic prosperity in China and its international competitive advantage have been due in large part to the labor of workers in China, who for many years toiled in underregulated workplaces. More recently, labor law reforms have been praised for their progressive measures and, at the same time, blamed for placing too many economic burdens on companies, especially those operating on the margins, which in some cases have caused business failures. This, combined with the global downturn and the millions of displaced and unemployed Chinese migrant laborers, has created ongoing debate about the labor laws. Meanwhile, the Chinese Union has organized many of the Global Fortune 500 companies, and a form of collective bargaining is occurring. Workers are pursuing their legal labor rights in increasing numbers. This book provides a clear overview of the labor and employment law environment in China and its legal requirements, as well as practices under these laws used to deal with labor issues.

Labour and Employment Compliance in China

Kluwer Law International B.V. Detailed attention to compliance with labour and employment laws is crucial for success in setting up business in a foreign country. This book - one of a series derived from Kluwer's matchless publication *International Labour and Employment Compliance Handbook* - focuses on the relevant laws and regulations in China. It is thoroughly practical in orientation. Employers and their counsel can be assured that it fulfills the need for accurate and detailed knowledge of laws in China on all aspects of employment, from recruiting to termination, working conditions, compensation and benefits to collective bargaining. The volume proceeds in a logical sequence through such topics as the following: written and oral contracts interviewing and screening evaluations and warnings severance pay reductions in force temporary workers trade union rights wage and hour laws employee benefits workers' compensation safety and environmental regulations immigration law compliance restrictive covenants anti-discrimination laws employee privacy rights dispute resolution recordkeeping requirements A wealth of practical features such as checklists of do's and don'ts, step-by-step compliance measures, applicable fines and penalties, and much more contribute to the book's day-to-day usefulness. Easy to understand for lawyers and non-lawyers alike, this book is sure to be welcomed by business executives and human resources professionals, as well as by corporate counsel and business lawyers.

East Asian Labor and Employment Law

International and Comparative Context

Cambridge University Press This book deals with international labor and employment law in the East Asia Region (EA), particularly dealing with China, South Korea and Japan. It explores and explains the effects of globalization and discusses the role played by international labor law as it affects lawyers, business, labor, labor unions and human resource management, and the labor issues that can arise in dealing in EA trade and investment. The text, and the readings (from area experts), are organized and written to provide the reader with, first, a broad understanding and insight into the global dimensions of the fast-emerging area of labor and employment issues (e.g., global legal standards and their interplay with domestic and foreign laws); and second, to show how these laws and approaches play out in specific EA countries (comparing global approaches with the specific laws of each country on four common agenda items: regulatory administration, workers' rights, trade unions and dispute resolution).

Employment Law Asia

China, Hong Kong

The Protection of Trade Secrets in China

Kluwer Law International B.V. For business investors in China, the legal handling of trade secrets is often crucial. However, initiatives are often complicated by a patchwork trade secrets protection system - pieced together haphazardly over the last two decades and drawing on disparate elements of competition law, contract law, employment law, and criminal law - that diverges in significant ways from global standards and corresponding regimes in other countries. Now at last interested parties can benefit richly from a thorough and practical approach to the subject. This detailed analysis of China's trade secrets law provides in-depth information and guidance on such important factors as the following: the current framework of China's trade secrets law, its past development and its ongoing trends; legal comparison of China's trade secrets law with various international, regional, and national schemes; what constitutes trade secrets infringement in China and what remedies are available; and the legal interaction in China between employment relations and trade secrets protection. The author pays close attention to judicial practice and precedent in the areas of civil remedies, criminal punishment, and administrative penalties. She also offers insightful proposals formulated to align China's trade secrets law more efficiently with prevailing global standards and generally improve the mechanisms for its implementation. Corporate counsel and international lawyers concerned with intellectual property rights or labour law in China will greatly appreciate the knowledgeable guidance this book affords. They will gain a deeply informed perspective that allows them to avoid infringement, to battle it effectively if occasion arises, and to plan dispute resolution strategies for contingencies involving trade secrets protection in China.

Employment Law Asia

For 'best practice' advice on employment laws in Asian countries and clear explanations of how these laws work in practice, *Employment Law in Asia* is unmatched. It outlines the practical aspects of managing a regional cross-cultural workforce, as well as providing an accurate, timely picture of critical employment issues in the region. For each of twelve Asian countries - China, Hong Kong, Indonesia, India, Japan, Korea, Malaysia, the Philippines, Singapore, Taiwan, Thailand, and Vietnam - *Employment Law Asia* covers such crucial issues as the following: recruiting, selecting, hiring and induction the employment contract training and development benefits, retirement and related tax issues termination and redundancy industrial relations expatriate and foreign workers. With *Employment Law in Asia*, human resources managers and consultants and employment lawyers will save significant time and money in researching and resolving Asian employment law. This title forms part of the *Asia Business Law Series*. The *Asia Business Law Series* is published in cooperation with CCH Asia and provides updated and reliable practical guidelines, legislation and case law, in order to help practitioners, policy makers and scholars understand how business is conducted in the rapidly growing Asian market. This book was originally published by CCH Asia as the loose-leaf *Employment Law in Asia* There is a revised edition available on the Chinese part of this title. *Employment Law in China*, 2nd edition (9789041127891.)

Employment Law in China

CCH Hong Kong Limited It's not easy to find out exactly what you can and can't do—legally—with the human resources you employ to help run a business in China. That is, unless you have this well informed, insightful, information-packed guide at hand. Although it's concise and easy to understand, it offers—in clear English—comprehensive, accurate and up-to-date guidance on the best HR practice in China for tackling such crucial (and often tricky) employment issues as: recruitment and induction; the employment contract; benefits, retirement, and tax issues; rules covering expatriate and foreign workers; training and development; industrial relations; dispute resolution; and termination and redundancy. Especially useful in this new edition is its coverage of the recently implemented Labour Contract Law of the PRC, which took effect on 1 January 2008, with its important clarifications in such areas as written contracts and severance pay. Translations of laws, rules, and regulations manifest CCH's unchallenged standards of accuracy and clarity. *Employment Law in China* will prove immeasurably valuable to line managers, human resource practitioners, company lawyers and other professionals involved in running day-to-day business operations in China.

Law and Fair Work in China

Routledge "China's economic reforms have brought the country both major international clout and widespread domestic prosperity. At the same time, the reforms have led to significant social upheaval, particularly manifest in labour relations. Each year, several hundred thousand disputes break out over working conditions, many of them violent, and the Chinese state has responded with both legal and political strategies. This book investigates how Chinese governments have used law, and other forms of regulation, to govern working conditions and combat labour disputes. Starting from its beginnings in the Republican period the book traces the evolution of the law of work in modern China right up to the reforms of the present day. It goes on to consider the structure of Chinese work law, drawing on both Chinese and Western scholarship to provide new insights into its unique features and assess where the law is innovative and where it is stagnant and unresponsive. Finally, the authors explore the various legal and extra-legal techniques successive Chinese governments have adopted to enforce employment law and the responses of firms, workers and organizations to these practices" --

Chinese Law

Springer Kluwer Law International

HRM, Work and Employment in China

Routledge During recent years there has been a growing interest in the way patterns of employment relations are changing in China. This up-to-the-minute book reviews the policy and practice of human resource management, work and employment in China over the last fifty years at both the macro and micro level. It fills the gaps in existing literature by addressing a number of thematic issues: the growing inequality in employment public sector reform pay systems vocational training. It explores, contemplates and reveals this dynamic subject through a combination of rigorous research and first-hand interviews with Chinese practitioners, and is a valuable resource for anyone with an interest in Chinese society, Asian studies, comparative studies, human resource management, international business and employment relations.

Chinese Commercial Law

A Practical Guide

Kluwer Law International B.V. The rapid and continuing development of the Chinese economy and its markets has made business with China an integral component of the strategies of countless foreign companies, regardless of their size or form. However, in order to turn opportunities into successful enterprises, managers need a practical guide on the legal aspects of conducting business in China, and on the strategies for effectively circumventing unnecessary risks while simultaneously using the legal system to strengthen operations and protect interests. This remarkable book provides the necessary insight and guidance to devise a corporate strategy, and to tackle issues relating to common aspects of doing business with Chinese counterparts, investing in a Chinese enterprise, and engaging in business operations there. Drawing on expertise gained during eight years in China serving the legal needs of foreign companies, the author shows how many of the mistakes that foreign companies make can easily be avoided by conducting a proper due diligence and understanding how applicable laws work in practice. He clearly describes the opportunities and pitfalls exposed as a foreign investor engages with such elements of business in China as the following: negotiating a detailed written contract; performing a legal and commercial due diligence on a prospective partner; resolving disputes through negotiation, arbitration or litigation; establishing and enforcing trademarks, patents and other intellectual property rights; investing in China; considering the joint venture structure; expanding through a merger or acquisition; restructuring or liquidating an operation; designing and implementing effective corporate governance; retaining, managing and terminating employees; arranging funds into and out of China; ensuring both tax efficiency and tax compliance; and avoiding criminal liabilities in the course of doing business. Whether seeking to source from China or to establish manufacturing facilities in China to produce for export, to sell products or services on the domestic market, or even just to act as a conduit between China and the outside world, business managers and their counsel from all over the globe and across all industries will benefit enormously from this deeply informed, insightful, and practical guide

China Law Deskbook

A Legal Guide for Foreign-invested Enterprises

American Bar Association

Labor Law in China

Progress and Challenges

Springer The primary aim of this book is to help readers understand the development of the theory and practice of labor law in China, and to familiarize them with major advances and remaining challenges in this field. The author also puts forward suggestions on how to improve labor law in China on the basis of an analysis of key problems and comparative study. The book can also serve as a useful guide, allowing HR experts at companies with Chinese employees or doing business in China to better understand Chinese labor law and regulations. It covers a broad range of labor law issues, including the meaning of labor relations, definition of the employee and employer, the duties of employers and employees, anti-discrimination, labor dispatch, minimum wage, termination of labor contracts, work injury insurance, labor inspections and labor dispute resolution.

China and ILO Fundamental Principles and Rights at Work

Although China is not new to labour law - it was among the founders of the International Labour Organisation (ILO) in 1919 - labour conditions in China today are the subject of concern to observers both inside China and in the international community. In response, China has devoted much attention recently to reforming its labour law system, a process driven by a political reorientation towards labour protection in the context of economic globalization. However, labour disputes and labour unrest continue to proliferate. Using as its starting point an international research seminar held at Helsinki University in January 2013, this volume gathers a remarkable array of academic perspectives on China and its legal system by scholars from China, the United States, and Europe into a stimulating and unique combination of commentary and analysis of the challenges relating to implementation of fundamental labour rights as spelled out in the landmark 1998 ILO Declaration on Fundamental Principles and Rights at Work in the Chinese setting. Importantly, the analysis fully takes into account action in relation to the promotion of labour rights by not only the Chinese government but local governmental authorities, trade unions, enterprises, and other actors. Each author focuses on a different aspect of how these fundamental labour rights operate in the Chinese legal environment and the kinds of obstacles met in their protection. Among the issues that arise are the following: gaps between ILO conventions and Chinese national laws occurring in the transformation of international obligations into domestic laws; how parties to a labour dispute cases may invoke ILO conventions before courts or administrative authorities; market obstacles caused by linking trade with observance of labour standards; the trade union rights framework in China; bottom-up pressures from workers' collective action; conflicts between Chinese state-owned enterprises and their employees; complications in informal employment labour relations; the growing divide between statute law and legal practice; implementation of the anti-discrimination law; discrimination due to China's household registration system; and corporate social responsibility. Many of the challenges relating to implementation of fundamental labour rights discussed in this volume can be considered common to many countries. The book offers new research questions and a wider scope of analysis, and also provides new tools for discussion regarding the promotion of fundamental labour rights.

Human Resources in China

Springer Science & Business Media Due to the rapidly changing nature of the labor market and the laws that govern it in China, it can be very difficult for foreign investors and managers to understand how to manage human resources on the mainland. Specifically designed to cover the most important issues relating to managing a Chinese workforce, this guide details the HR issues that both local managers in China and investors looking to establish a presence on the mainland should know. China Briefing's guides are leaders in their field, providing practical and pragmatic legal and tax information to foreign investors in the People's Republic of China. They will interest all business people, lawyers, accountants and academics working in the field.

Chinese Commercial Law

A Practical Guide

Kluwer Law International B.V. The rapid and continuing development of the Chinese economy and its markets has made business with China an integral component of the strategies of countless foreign companies, regardless of their size or form. However, in order to turn opportunities into successful enterprises, managers need a practical guide on the legal aspects of conducting business in China, and on the strategies for effectively circumventing unnecessary risks while simultaneously using the legal system to strengthen operations and protect interests. This remarkable book provides the necessary insight and guidance to devise a corporate strategy, and to tackle issues relating to common aspects of doing business with Chinese counterparts, investing in a Chinese enterprise, and engaging in business operations there. Drawing on expertise gained during eight years in China serving the legal needs of foreign companies, the author shows how many of the mistakes that foreign companies make can easily be avoided by conducting a proper due diligence and understanding how applicable laws work in practice. He clearly describes the opportunities and pitfalls exposed as a foreign investor engages with such elements of business in China as the following: negotiating a detailed written contract; performing a legal and commercial due diligence on a prospective partner; resolving disputes through negotiation, arbitration or litigation; establishing and enforcing trademarks, patents and other intellectual property rights; investing in China; considering the joint venture structure; expanding through a merger or acquisition; restructuring or liquidating an operation; designing and implementing effective corporate governance; retaining, managing and terminating employees; arranging funds into and out of China; ensuring both tax efficiency and tax compliance; and avoiding criminal liabilities in the course of doing business. Whether seeking to source from China or to establish manufacturing facilities in China to produce for export, to sell products or services on the domestic market, or even just to act as a conduit between China and the outside world, business managers and their counsel from all over the globe and across all industries will benefit enormously from this deeply informed, insightful, and practical guide

Landmark Labor Law Cases in China

An In-Depth Analysis

Kluwer Law International B.V. The Labor Law of the People's Republic of China, originally promulgated in 1994, has undergone many changes and continues to be subject to judgments and arbitral awards arising from disputes and such claims as breaches of labor contract and denial of benefits. This book provides most updated, detailed, and comprehensive interpretation of Chinese labor law issues, focusing on detailed analysis of twenty leading cases. The first part of the book describes in depth the role of labor law in Chinese society, elaborating on its development and its characteristic features. The cases that follow, each described in minute detail, thoroughly explicate the issues that underlie the dynamic growth of Chinese labor law, such as the following: establishment and identification of the employment relationship; performance, change, dissolution, and termination of the employment contract; determining atypical employment relationships; fiduciary duties; health insurance provisions; work-related injury; labor dispatching service; legal remedies—mediation, arbitration, litigation; labor inspection; legal issues on foreigners' employment in China; violation of rights to privacy, human dignity, and equal employment; enterprise dissolution or merger; employer's right to dismissal; economic compensations arising from illegal dismissal; and worker's damages arising from illegal dissolution of the employment contract. The carefully selected cases span the full range of labor law issues, with perspectives from parties to the action, attorneys, and judicial personnel as well as the editor's expert analysis of the legal principles, statutes, and case law involved. This English translation of a book published in 2016—the first to focus on labor and employment-related issues in China in a comprehensive way via case law—will help the international community to understand China's labor law environment and its current achievements. It will prove of immeasurable practical value for practitioners, arbitrators, and academics, as well as for employers and workers with an interest in China.

Labor Contract Law of the People's Republic of China (2007)

DigiCat The Labor Contract Law of the People's Republic of China is the primary source of labor law in China and went into effect on January 1, 2008, following a series of staff-sacking scandals in many companies. While the enforcement of the law and its efficacy is sometimes questioned, the labor contract law promised to enable workers to get their employment granted only on basis of a contract, provide guidelines for standing working hour regulations of maximum 40 hours per week, non-tolerance for delayed payment of wages, relaxations in terms of paid leave etc.

Maritime Law in China

Emerging Issues and Future Developments

Routledge The Chinese maritime and shipping market has been expanding enormously in recent times as its commercial capacity to perform shipping, ship building, banking and insurance activities grows and the role of the State as guarantor of commerce is gradually reduced. This book provides a detailed guide to current Chinese maritime law, written by an expert team of contributors and systematically covering key areas such as carriage of goods by sea, international trade, vessels and seafarers and maritime liabilities. The authors explore cutting-edge issues within each topic, and analyse current trends in law reform. The book will be of interest to academics researching commercial and maritime law, as well as maritime law practitioners and shipping industry professionals working with aspects of Chinese maritime practice.

Chinese Immigration Law

Routledge Lacking a single immigration code, Chinese immigration law is widespread, encompassing a variety of laws, regulations and policies, some of which are internal and closed. There is also no immigration cases system. These factors have combined to make the study and understanding of the system difficult for those outside or unfamiliar with this area of Chinese law. To add to this complexity, since the reform and opening-up policy in 1978, Chinese immigration law has been experiencing significant change. In particular, that brought about by the acceptance of a market economy in 1991, and with access to World Trade Organization membership in 2001. Due to the dilation of the legislation, the issue of conflict between Chinese immigration law and other Chinese laws has become serious. This book provides a comprehensive, up-to-date, and readily-accessible reference to Chinese immigration law. It provides the necessary detail, insight and background information for a thorough understanding of this complex system. The book has been written on the basis of Chinese statutes while also including coverage of the relevant international instruments. The work draws on and compares Chinese and English language sources, making it an invaluable resource for both Chinese and non-Chinese readers alike.

China, the Art of Law

Chronicling Deals, Disasters, Greed, Stupidity and Occasional Success in the New China

CCH Hong Kong Limited

Interpreting China's Legal System

World Scientific This book systematically and concisely expounds the construction process of China's legal system since China's reform and opening-up. Chapter 1 defines the legal system in China and describes the development of China's legal system from 1949 to 1978. Chapter 2 introduces China's legislative system, including its historical development, division of legislative functions and power, and legislative procedures. Chapter 3 compares the differences between the law systems of other countries and China's law system and how other law systems in the world influences the law system in China. Chapter 4 studies China's constitutional law system, including its historical development, forms of law and enforcement of the constitution. Chapter 5 introduces China's administrative legal system, including main principles, administrative legislation and administrative compensation. Chapters 6, 7, 8, 9 describe China's civil and commercial legal system, China's economic legal system, China's social legal system and China's criminal legal system respectively. Chapter 10 introduces China's legal system in litigation and non-litigation procedure in terms of criminal, civil, administrative and non-litigation procedures. Chapter 11 analyses the legal system of the special administrative regions in China and its relationship with China's legal system. The last chapter, Chapter 12 studies the relationship between the international law and China's domestic law system. Contents: Introduction to China's Legal SystemChina's Legislative SystemLaw System with Chinese CharacteristicsChina's Constitutional Law SystemChina's Administrative Legal SystemChina's Civil and Commercial Legal SystemChina's Economic Legal SystemChina's Social Legal SystemChina's Criminal Legal SystemChinese Legal System in Litigation and Non-litigation Procedure"One Country, Two Systems" and Legal System in the Special Administrative RegionInternational Law and China's Law System Readership: Policymakers, professionals, academics, undergraduate and graduate students interested in China's legal system. Keywords: China;Legal System;International Law;Special Administrative Region;Economic Legal System;Social Legal System;Criminal Legal System;Litigation and Non-litigation ProcedureReview: Key Features: Provides comprehensive and systematic analysis of China's legal system

Fundamental Labour Rights in China - Legal Implementation and Cultural Logic

Springer This volume gathers together chapters that address the theme of implementing fundamental labour rights in China. It explores the legal framework as well as key institutions and other actors along with the socio-economic context involved in interpretation, implementation, enforcement and overall promotion of fundamental labour rights in China. As a collection of chapters, it assembles comparative and mutually complementary perspectives and insights by distinguished scholars from China, Europe and the United States. With its broad perspective on implementation, the book discusses the most topical challenges to realizing fundamental labour rights in China. China was among the founding members of the ILO. With the regulatory approach of the ILO, fundamental labour rights have gained a new foothold as a key pillar in managing the social dimension of globalization. The development of fundamental labour rights protection in China can be viewed as part of a larger development within China's domestic economic and social transition as well as its integration into the global economic system. While China has ratified four of the eight ILO core conventions, the challenge of effective implementation and enforcement in the domestic context remains. With its in-depth research on fundamental labour rights in the particular cultural context of the Chinese experience, this book studies Chinese labour law from multiple perspectives, at the same time examining the wider role of international labour standards in developing Chinese law and society. This volume is a remarkable enlargement of existing scholarship on international labour standards, on the one hand, and fundamental labour rights in China on the other. These chapters thoroughly analyse the legal and institutional framework for implementing labour law in China. Among the topics covered are fundamental labour rights including freedom from forced labour, prohibition of use of child labour and non-discrimination. In addition, this volume benefits from socio-historical observations on the cultural logics that inform implementation of fundamental labour rights in China in which the history and current development of Chinese labour law are equally reflected with substantive depth.

China's Socialist Rule of Law Reforms Under Xi Jinping

Routledge Under the direction of the Communist Party of China (CPC), key legal challenges have been identified which will shape the modernization of China's legal and administrative institutions. An increasingly complex set of legal actors now seek to influence this development, including securities regulators, bankers, accountants, lawyers, local-level mediators and some of China's newly rich. Whilst the rising middle class wants to voice its interests and concerns, the CPC strives to maintain its leading role. This book provides a critical appraisal of China's deepening socialist rule of law and looks ahead to the implications of the domestic reforms for the international legal domain. With contributions from leading Chinese law specialists, it draws on specific illustrations from judicial reform, constitutional law, procedural law, anti-corruption, property law and urban development, socio-economic dispute resolution and Chinese macro-economics. The book questions how China's domestic law reforms will impact international legal systems, and how international law can be used in managing key regional and bilateral relationships and in dispute resolution, such as in the South China Sea and international trade. Assessing the state and direction of domestic law reform and including debates around the legal implications of some of China's most pressing foreign policy challenges today, this volume will be of huge interest to students, scholars and practitioners with an interest in Asia law, Chinese law, international law, comparative law and law reform.

Equality and Anti-Discrimination The Road to Equal Rights in China

Chinese Perspectives on Human In Equality and Anti-Discrimination: The Road to Equal Rights in China. Professors Liu Xiaonan and Wang Liwan collect experienced scholars in the field of anti-discrimination law to conduct deep discussions on the manifestations, causes, and solutions of discrimination issues in China.

Commercialization of IP Rights in China

Designed to help attorneys, executives, and finance professionals navigate the challenges represented by the differences between the Chinese intellectual property system and the models found in the United States, this book provides the background and analysis necessary for approaching licensing negotiations from a position of strength and knowledge. Topics include: The laws, regulatory framework, and infrastructure governing the procurement, enforcement, and transfer of patent rights; A domestic corporate rights owner's perspective on the definition, motivation, status, and policies behind the commercialization of IP in China; A look at the intersection of education and commercialization in Chinese academic institutions; The roles and risks of investing and developing IP rights in foreign-invested entities in China.

Chinese Refugee Law

BRILL Chinese Refugee Law offers a comprehensive, up-to-date, and readily-accessible reference to Chinese refugee law and focuses on legal theories, practical issues and law making. It provides the necessary detail, insight and background information for a thorough understanding of this complex system.

Applications of Intellectual Property Law in China

RIPL's Special Issue 2012

Quid Pro Books

Chinese Contract Law - Theory & Practice

Second Edition

BRILL Chinese Contract Law (2nd Ed) contains the latest developments of contract legislation, adjudication and practices in China and provides all information necessary to comprehend contemporary Chinese contract law.

Research on Selected China's Legal Issues of E-Business

Springer This book focuses on various problems arising as a result of China's e-business development. These include e-commerce aspects of the internet industry and e-governance aspects of the presiding agencies. E-privacy and online IPR protection will be of particular interest to readers, as these are important international problems that China has been trying its best to deal with for many years. Each paper in this book presents valuable guidelines and suggestions to allow readers to form a sound understanding of China's e-business development.

Chinese Civil Law

A Handbook

Bloomsbury Publishing China is a major civil law jurisdiction. Since the end of the 1990s great efforts have been made in China to codify the entire civil law. With the major statutes governing contracts, property, torts and conflict of laws promulgated in 1999, 2007, 2009 and 2010 respectively, the most crucial steps have been taken towards the creation of a Chinese Civil code. This book attempts to shed light on both the theoretical and the practical aspects of Chinese civil law, while extensive footnotes and a detailed bibliography and index allow for further study of specific areas and facilitate systematic research. The book addresses the following topics: Part I General, Part II Contracts, Part III Tort Law, Part IV Property Law, Part V Conflict of Laws. Main features: Combination of an overall picture of the specific field of law at issue and thorough analysis of fundamental issues. Combination of black letter law and law in action. Selected bibliography of publications in English, information on English translations of Chinese regulations available in the public domain, lists of the relevant statutes and judicial interpretations, as well as cases.

The China Legal Development Yearbook

BRILL This volume of *The China Legal Development Yearbook* is the fourth in a series of annual reports written by leading Chinese law and legal policy scholars and judges to appear in English translation. This 2009 yearbook reviews major legal developments in 2008, and provides valuable insight into contemporary debates in China about the substance, direction and priorities of legal reform.

Renmin Chinese Law Review

Selected Papers of The Jurist (法学家), Volume 8

Edward Elgar Publishing *Renmin Chinese Law Review, Volume 8* is the eighth work in a series of annual volumes on contemporary Chinese law which bring together the work of well-known scholars from China, offering an insight into current legal research in China. Chapters cover a wide range of topics including federalism in the Chinese legal system, labor contract law and the Chinese civil code, etc.

Law and Justice in China's New Marketplace

Springer *Law and Justice in China's New Marketplace* provides the first comprehensive multidisciplinary analysis of the jurisprudence and related law underlying the contemporary Chinese transition to the 'socialist market economy'. New 'pluralized jurisprudence' has moved beyond Marxist class analysis to consider a new balance of values relating to economic efficiency and social justice in the marketplace, and yet the interior debates and perspectives concerning these values are virtually unknown in the Western scholarly literature. By analysing the changing Chinese approach in law to the adjustment of social interests in the context of profound economic change, *Law and Justice in China's New Marketplace* provides a unique reference tool. It outlines the new vocabulary of market jurisprudence and law and examines new legal thinking on rights protection with reference to widely ranging and often hot internal debate over human rights, property law and procedural or judicial justice.

The Rise of China and International Law

Taking Chinese Exceptionalism Seriously

Oxford University Press The rise of China signals a new chapter in international relations. How China interacts with the international legal order--namely, how China utilizes international law to facilitate and justify its rise and how international law is relied upon to engage a rising China--has invited growing debate among academics and those in policy circles. Two recent events, the South China Sea Arbitration and the US-China trade war, have deepened tensions. This book, for the first time, provides a systematic and critical elaboration of the interplay between a rising China and international law. Several crucial questions are broached. These include: How has China adjusted its international legal policies as China's state identity changes over time, especially as it becomes a formidable power? Which methodologies has China adopted to comply with international law and, in particular, to achieve its new legal strategy of norm entrepreneurship? How does China organize its domestic institutions to engage international law in order to further its ascendancy? How does China use international law at a national level (in the Chinese courts) and at an international level (for example, lawfare in international dispute settlement)? And finally, how should "Chinese exceptionalism" be understood? This book contributes significantly to the burgeoning and highly relevant scholarship on China and international law.

The China Legal Development Yearbook, Volume 3

On the Development of Rule of Law in China (2008)

BRILL This 2008 yearbook reviews major legal developments in 2007, including law reform priorities, major legal policy debates and newly enacted legislation. It provides valuable insight into contemporary debates in China about the substance, direction and priorities of legal reform.

Global Labor and Employment Law for the Practicing Lawyer

Proceedings of the New York University 61st Annual Conference on Labor

Kluwer Law International B.V. In recognition of the growing importance of global labour and employment law, the Center for Labor and Employment Law at New York University School of Law dedicated its 61st Annual Conference on Labor to an in-depth examination of issues arising in this area. This volume of the proceedings of the 2008 conference contains papers presented at that meeting, all here updated to reflect recent developments, as well as additional contributions from other practitioners and academics with extensive knowledge and experience in the field. Experts from both the practicing bar and academia – twenty-seven in all – use their unique strengths to address issues worthy of concern in each juridical realm. An unusual feature of this volume in the series is its in-depth attention to comparative law in the field, with exploration of developments in China, France, and New Zealand, as well as in European Union law. As always, this annual conference captures valuable insights and syntheses of central labour and employment law issues and will be of great value to practitioners and academics in the field.

Law, Wealth and Power in China

Commercial Law Reforms in Context

Routledge This book examines the law reforms of contemporary China in light of the Party-state's ideological transformation and the political economy that shapes these reforms. This involves analysing three interrelated domains: law reform, power and wealth. The contributors to this volume employ a variety of perspectives and analytical techniques in their discussion of key themes including: commercial law reform and its governance of wealth and regulation of economic activity; the influence and authority of the Party-state over China's economic activity; and the influence of wealth and the wealthy in economic governance and legal reform. Utilizing an interdisciplinary approach, this book presents analytical perspectives of new work, or new lines of thinking about the new wealth, power and law reforms of China. As such, critical boundaries are explored between legal and financial reforms and what these reforms signify about deeper ideological, economic, social and cultural transformations in China. The book concludes by asking whether there is a 'China model' of development which will produce a unique variety of capitalism and indigenous variant of rule of law, and examining the 'winners and losers' in the transition from a centrally planned economy to a market economy. *Law, Wealth and Power in China* will be of interest to students and academics of comparative law, Asian law, Chinese economics and politics, Chinese Studies, as well as professionals in investment banking, finance and government.

Against the Law

Labor Protests in China's Rustbelt and Sunbelt

Univ of California Press This powerful study opens a critical perspective on the slow death of socialism and the rebirth of capitalism in the world's most dynamic and populous country. Based on remarkable fieldwork and extensive interviews in Chinese textile, apparel, machinery, and household appliance factories, *Against the Law* dissects the world of Chinese workers today and finds a rising tide of labor unrest mostly hidden from the world's attention. Intense working-class agitation is being spurred by massive unemployment of Mao's socialist proletariat in the northern rustbelt and by the exploitation of millions of young workers in the southern sunbelt. Providing a broad comparative political and economic analysis of the vast mosaic of this labor struggle together with unprecedented fine-grained ethnographic detail, the book portrays the multi-faceted humanity of the Chinese working class as their stories unfold in bankrupt state factories and global sweatshops, in crowded dormitories and remote villages, at heroic moments of street protests as well as in quiet disenchantment with the corrupt officialdom and the fledgling legal system.

The level of protection provided by Chinese labour law compared to German labour law

Igel Verlag Asien This work describes the Chinese Labour Law and traces back the sources of the Chinese Labour Law regulations. In the first section, the German Labour Law and some of the most important clauses are explained. In further sections, the Chinese Labour Law itself and its coherent development, the main landmarks and the similarities to the German Labour Law, with its Romanist Tradition, are reflected. In particular the situation of the unions and their influence on management policies are named. Further more, this work displays the current situation in the Chinese corporate world and its relation towards the Chinese Labour Law. With the elaboration of three chosen cases, this thesis highlights the enforcement level and the core aspects of Chinese Labour Law that are frequently violated within Chinese joint-ventures and their partners from abroad, either from Asian or Western developed nations. In addition, this work focuses on the situation in Taiwan and Hong Kong in respect to their Labour Law systems and gives a brief overview over their core aspects and its future perspective and likelihood to keep its sovereignty under the increasing influence of China mainland. One of the main aspects is discussed in the sections dealing with the New Chinese Labour Law of 2007 and its upcoming implementation on the 1st of January 2008. Issues concerning the development and core improvements are evaluated and precisely explained. Further more, the ramifications and main changes that are likely to emerge in the near future will be discussed. This work will also shed some light on the reactions of the work force in China and multinationals in general. The fears and hopes that go hand in hand with the implementation of the new draft. Last but not least, this work will give proposals and suggestion to German and Western companies how to deal with labour law related issues that are planning to enter this viable and fast growing market. Moreover, it will give an overview over the main aspects in terms of Chinese Labour Law regulations that should be considered in order to establish a successful business in the People's Republic of China.