#### List of Academic Publications: Professor Gu Minkang, JP

(in reverse chronological order, as at February 2024)

### ● ENGLISH PUBLICATIONS (英文發表目錄)

- I. Books in English (英語書)
- 1. Understanding Chinese Company Law, Hong Kong University Press, the First Edition was published in 2006, 339 pages. The Second Edition was published in July 2010, 389 pages. The Third Edition was published in April 2017, 380 pages. (理解中國公司法(獨著),香港大學出版社, 2017年第三版,380頁。)
- 2. Antitrust Law and Practice in China and Hong Kong, Wolters Kluwer, Hong Kong, 2016, 227 pages.(中國與香港反壟斷法與實踐(獨著), Wolters Kluwer, 香港, 2016年, 227 頁。)
- 3. Tort Law in China, (DK Srivastava and GU Minkang), Sweet & Maxwell, 2013, 248 pages.
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- II. Book Chapters in English (英語章節)
- **5.** Civil Law Legislation and Democracy in China, in Whither China's Democracy? Edited by Joseph Y.S. Cheng, City University of Hong Kong Press, 2011, pp. 101-133.

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  - (中國拐賣婦女和兒童的現狀,載Obi N. I. Ebbe and Dilip K. Das主編:《全球拐賣婦女兒童》,CRC Press,2008年,55-65頁。)
- **8.** Chinese Business Enterprise Law in the Twenty-first Century, in the book, China's Challenges in the Twenty-first Century edited by Joseph Y.S. Cheng, City University of Hong Kong Press, 2003, pp.445-464.

- (中國21世紀的商業法律,載鄭宇碩主編:《21世紀的中國挑戰》,香港城市大學出版社,2003年,445-464頁。)
- 9. Can Courts in Hong Kong Examine the Constitutionality of the Legislative Conduct of the PRC? (co-author), Chapter 11 in the book Hong Kong in Transition: One Country, Two Systems, edited by Robert Ash, Peter Ferdinand, Brian Hook and Robin Porter, Routledge Curzon Press, 2003, pp.175-191. (香港法院有權審查中國人大立法行為的合法性嗎?(第二作者)載Robert Ash, Peter Ferdinand, Brian Hook and Robin Porter主編:《香港在過渡期:一國兩制》,Routledge Curzon Press,2003年,175-191頁)
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17. Copyrightable or Not: A Review of the Chinese Provision on "Illegal Works" Targeted by WTO DS362 and Suggestions for Legal Reform (2nd Author), Asian Journal of WTO and International Health Law and Policy (SSCI Journal), Vol. 4, No. 2, 2009, pp. 335-368.

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**20.** A Superior Win and an Inferior Loss: New Developments in Chinese Bankruptcy Laws and Regulations, Int. J. Private Law, Vol. 1, Nos. ½, 2008, pp. 110-136.

(優勝劣汰:中國破產法律和法規的新發展,《國際私法雜誌》,第一卷,第一、二期,2008,110-136頁。)

- **21. Recent Development of Foreign Related M&A in China,** International Business Lawyer, October 2004, pp. 222-229.
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- **24.** Interpretation of the Basic Law: Viewpoints from a Pure Jurisprudence, (2nd Author), Journal of Chinese and Comparative Law, vol. 5, No. 1, 2001/2002, pp.73-92.

(《基本法》解釋:一種純粹從法理角度的觀點,《中國法與比較法雜誌》,第 5卷,第1期,2001/2002年度,73-92頁。)

- **25. Reform of the "Statutory Representative" under Chinese Company Law,** The Company Lawyer, Vol. 21, No. 6, June 2000, pp. 192-196. (中國公司法"法定代表人"的改革,《公司律師雜誌》,第21卷,第6期,2000年6月,192-196頁。)
- **26.** The Joint Stock Cooperative Enterprise A New Independent Legal Entity in China, Hastings International and Comparative Law Review, Vol. 23, No. 1, Fall 1999, pp. 125-147.
  (股份合作制企業-中國新的獨立實體,《黑斯廷國際與比較法雜誌》,第23卷,第1期,1999年秋,125-147頁。)
- 27. The Origins of Chinese Law (Book Review), Hong Kong Lawyer, May 1999, pp.75-76.

(中國法的起源(書評),《香港律師》,1999年5月,75-76頁。)

- **28.** An Analysis of the Legislative Interpretation System in the PRC (both in English and Chinese), co-author, Hong Kong Lawyer, August 1999, pp.56-63. (中國立法解釋制度的分析(合著),《香港律師》,1999年8月,56-63頁。)
- **29.** Acquisition of State-Owned Shares through Chinese Securities Markets: a Way of Privatization? International Business Lawyer, Vol.27, No. 9, 1999, pp.386-389. (通過證券市場取得國有股:一種私有化的途徑?《國際商業律師》,第27卷,第9期,386-389頁。)
- 30. China Incorporated: The First Corporation Law of the People's Republic of China, (2nd Author), 20 Yale Journal of International Law (1995), pp. 273-308. Reprinted by Tahirih V. Lee, Foreigners in Chinese Law (book), start with page 329 (Garland Publishing, Inc., 1997) (中國成立公司:中國第一部公司法(第二作者),《耶魯國際法雜誌》,第20期,1995年,273-308頁。再載Tahirih V. Lee:《外國人看中國法》,Garland Publishing, Inc., 1997,329頁始。)
- **31. Securitization of State Ownership Chinese Securities Law**, (1st Author), 18 Michigan Journal of International Law, (1996), pp.115-139. (國家所有權的證券化-中國證券法(第一作者),《密西根國際法雜誌》,第 18期,1996年,115-139頁。)

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- IV. Books in Chinese (中文書稿)
- **32.** 逮捕、搜查與扣押的憲法問題:美國的經驗教訓(獨著),法律出版社,2009年12月,268頁。
  - (**Police's Arrest and Seizure: American Experiences**, the Law Press, Beijing, 2009, 268 pages.)
- **33.** WTO反傾銷法-蘊於實踐的理論(獨著),北京大學出版社2005年版,196 頁。
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**34.** 中國刑事訴訟法講話(第一作者), 上海交通大學出版社, 1986年版。 (General Guide to the Criminal Procedure Law of the People's Republic of China, (First author), Shanghai Jiaotong University Publishing House (Shanghai, 1986).)

#### V. Edited Books (編輯書稿)

- **35.** 第三屆"信用法治·韶山論壇"優秀論文集(譚曼、顧敏康),法律出版社,2021年 10 月。
  - (Excellent papers of Third Credit Law-Shaoshan Forum Edited by Tan Man and Gu Minkang, the Law Press, October 2021.)
- 36. 首屆"信用法治·韶山論壇"優秀論文集(譚曼、顧敏康主編),法律出版社, 2019年10月。
  - (**Excellent papers of First Credit Law-Shaoshan Forum** Edited by Tan Man and Gu Minkang, the Law Press, October 2019.)
- 37. 第二屆"信用法治·韶山論壇"優秀論文集(譚曼、顧敏康),湘潭大學出版社, 2020年10月。
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- 38. 《社會信用法概論》(顧敏康、肖偉志),中國計畫出版社,2021年9月。
  (The Introduction to Social Credit Law, Chief Editor (Gu Minkang), China Planning Press, forthcoming in 2021.)

#### VI. Book Chapters in Chinese (中文章節)

- **39.** "一國四地"背景下的投資爭端解決,載饒革平主編:《燕園論道看港澳》,北京大學出版社,2014年,268-276頁。
  - (Investment Dispute Resolution under "One Country and Four Regions", book chapter edited by Rao Geping, Peking University Press, 2014, pp. 268-276.)
- **40.** 粤港澳緊密合作區的若干法律問題探研,(第一作者)《粤港澳緊密合作中的法律問題研究》(慕亞平主編),中國民主法制出版社,2011年版,第55至67頁。
  - (Legal Obstacles of and Suggestions to the Construction of Closer Cooperative Zone among Hong Kong, Macau and Guangdong, (1st Author) in Mu Yaping (ed.), On Legal Issues under the Closely Cooperation between Guangdong, Hong Kong and Macau, the Press of China's democratic and legal system (Beijing), 2011, pp. 55-67.)
- **41.** 香港保留"功能組別"的法律依據,《比較法在中國》(劉兆興主編),社會科學文獻出版社,2009年版,第126至132頁。
  - (Legal Basis for Keeping the "Functional Constituencies" in Hong Kong, in Liu

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- **42.** 中國執行反傾銷法的歷史回顧,載莫世健與史曉麗主編:《世貿與公平貿易:當前問題與中國對策》,人民法院出版社(北京),2006年,121-134頁。
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- **44.** 大陸在台直接投資的法律問題,載王貴國主編:《大陸、香港、澳門、臺灣經貿安排的研究》,北京大學出版社,2006年,173-189頁。
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- **49.**第十六章,城市環境保護的法制發展戰略,《上海法制發展的戰略研究(何勤華主編),復旦大學出版社,1993年。
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- **53.** 論行政性失信懲戒中"履職需要"之界定(第一作者),《湘潭大學學報》(哲學社會科學版),第47卷,第2期,2023年,57-63頁。
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- **55.** 公共信用資訊異議制度的立法實踐與優化路徑(第一作者),《求索》,2022年第五期,160-169頁。
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- **58.**學前兒童在園安全責任的多方博弈(第二作者),學前教育研究. 2022, (04), 83-86頁。
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