

UČNI NAČRT PREDMETA / COURSE SYLLABUS

Predmet:	
Course title:	European Private Law

Študijski program in stopnja Study programme and level	Študijska smer Study field	Letnik Academic year	Semester Semester
Prvostopenjski univerzitetni študijski program Pravo			
	Law		

Vrsta predmeta / Course typePosebni program študijskih izmenjav /
Special elective course for Erasmus students**Univerzitetna koda predmeta / University course code:**

Predavanja Lectures	Seminar Seminar	Vaje Tutorial	Klinične vaje work	Druge oblike študija	Samost. delo Individ. work	ECTS
20	30			70	60	6

Nosilec predmeta / Lecturer:

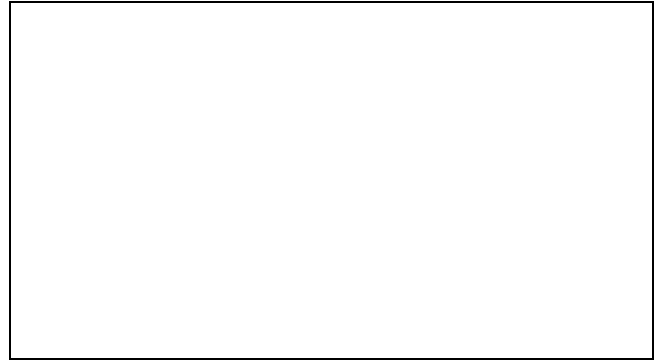
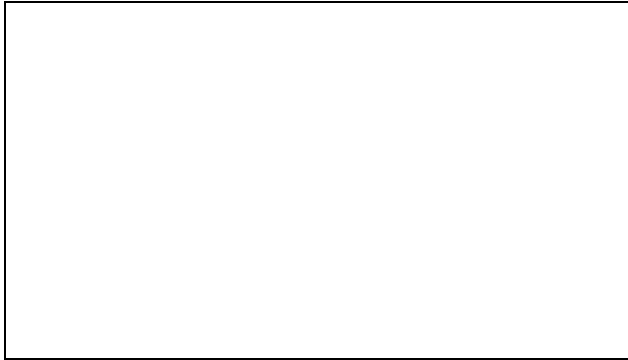
Prof. dr. Damjan Možina

Jeziki /
Languages:**Predavanja /**
Lectures: English
Vaje / Tutorial:**Pogoji za vključitev v delo oz. za opravljanje študijskih obveznosti:****Prerequisites:**

Basic knowledge of Private law (Introduction) and Law of Obligations.

Vsebina:**Content (Syllabus outline):**

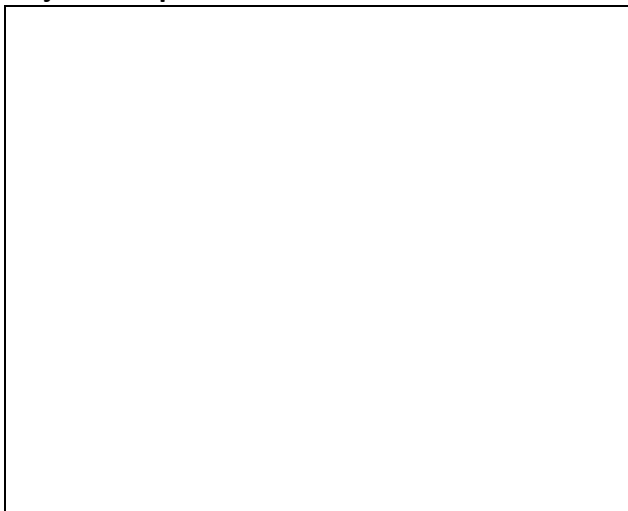
1. Introduction
 - a. Notion of European private law
 - b. Meaning and purpose of unification of private law in Europe
 - c. Historical background
 - i. The significance of Roman law
 - ii. Reception of Roman law and Formation of a system of private law in *ius commune*
 - iii. National states and national codes
 - iv. 20. century: incentives for unification
 - v. The significance of comparative law and uniform law instruments
 - d. Methods of unification and harmonisation of private law
2. European private law *de lege lata*
 - a. Competence of the EU
 - b. Directive as a means of harmonisation
 - c. The significance of ECJ case law
Non- discrimination and private law
 - d. Core areas of Existing EU Private law
 - i. Unfair terms directive
 - ii. Consumer sales and guarantees directive
 - iii. Directive on Consumer Rights
 - iv. Directive on liability of producers
 - e. Other areas
3. European private law *de lege ferenda*
 - a. Academic projects – an overview
 - b. Principles of European Contract Law
 - c. Draft Common Frame of Reference
 - d. CESL
 - e. Other



Temeljni literatura in viri / Readings:

1. Christian Twigg-Flesner (ed.), The Cambridge Companion to European Union Private Law, selected chapters, Cambridge University Press, 2010.
2. Hein Kötz, Europäisches Vertragsrecht, 2.ed., Mohr Siebeck, 2015 (selected chapters).
3. Reiner Schulze, Fryderyk Zoll, European Contract Law, Beck-Hart-Nomos, 2015 (selected chapters).

Cilji in kompetence:



Objectives and competences:

The purpose of the course is to provide historical and legal background as well as basic theoretical knowledge about the most important legal project of our time – process of unification and harmonisation of private law in Europe. Students learn about the purpose and ways of “Europeanization” of private law, with an emphasis on law of contracts and torts, but an overview of other areas of private law is provided as well. Students gain an overview over the present complicated interplay of European and national law and some possible ways of future development.

Predvideni študijski rezultati:

Znanje in razumevanje:

Intended learning outcomes:

Knowledge and understanding:

Students should be able to understand reasons and means of unification of private law in Europe and the basics of the complex interplay of European and national law.

Metode poučevanja in učenja:

Learning and teaching methods:

	<ul style="list-style-type: none"> - presentation of basic theoretical knowledge through lectures; - seminars (analysis of case law and legislative acts); - individual assignments
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Delež (v %) /

Načini ocenjevanja:

Weight (in %)

Assessment:

Način (pisni izpit, ustno izpraševanje, naloge, projekt)		Type (examination, oral, coursework, project): Oral examination
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Reference nosilca / Lecturer's references:

MOŽINA, Damjan. Retail business, platform services and information duties. EuCML, ISSN 2364-4710, 2016, vol. 5, 1, p. 25-30.

MOŽINA, Damjan. Non material damages for loss of enjoyment of holidays : Leitner in Slovenia. Harmonius, ISSN 2334-6566, 2013, god. 2, br. 2, p. 36-56

MOŽINA, Damjan. Evropeizacija in modernizacija obligacijskega prava. V: Dnevi slovenskih pravnikov 2008 od 16. do 18. oktobra, Portorož, (Podjetje in delo, ISSN 0353-6521, Letn. 34, št. 6/7). Ljubljana: GV Založba, 2008, str. 1270-1283.

MOŽINA, Damjan. European contract law and the CFR - development and perspectives. V: JAGIELSKA, Monika (ur.), ROTT-PIETRZYK, Ewa (ed.), WIEWIÓROWSKA-DOMAGALSKA, Aneta (ur.). Kierunki rozwoju europejskiego prawa prywatnego : wpływ europejskiego prawa konsumenckiego na prawo krajowe. Warszawa: C. H. Beck, 2012, str. 43-58. MOŽINA, Damjan, Damages and Interest, in: SCHULZE, Reiner (ed.). Common european sales law (CESL) : commentary. Baden-Baden: Nomos; München: C. H. Beck; Oxford: Hart, cop. 2012. XXXVI, 780 str. ISBN 978-3-8329-7205-9. ISBN 978-3-406-63418-5. ISBN 978-1-84946-365-2.