

BACHELOR 'S PROGRAMME
PRIVATE INTERNATIONAL LAW
 4TH YEAR OF STUDY, 2ND SEMESTER

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| COURSE TITLE | PRIVATE INTERNATIONAL LAW |
| COURSE CODE | MTR |
| COURSE TYPE | full attendance/ tutorial |
| COURSE LEVEL | 1st cycle (Bachelor's degree) |
| YEAR OF STUDY, SEMESTER | 4th year of study, 2nd semester |
| NUMBER OF ECTS CREDITS | 6 |
| NUMBER OF HOURS PER WEEK | 4 (2 lecture hours + 1 seminar hours) |
| NAME OF LECTURE HOLDER | COSMIN DARIESCU |
| NAME OF SEMINAR HOLDER | ȘTEFAN TĂTARU & COSMIN DARIESCU |
| PREREQUISITES | Medium level of English |
| A | GENERAL AND COURSE-SPECIFIC COMPETENCES |
| | <p>General competences: The student will acquire : the ability to interpret the legal norms in the light of the fundamental principles established internationally ; → the necessary skills for concluding the main legal acts at international level ; → the knowledge for defending her/his subjective rights abroad.</p> <p>Course-specific competences: The student will be able to: → determine the competent courts for solving the disputes of private law with an element of extraneity; → to recognize and select the appropriate choice-of-law rules to determine the law applicable to the respective legal relationship with an element of extraneity.</p> |
| B | LEARNING OUTCOMES |
| | <p>Upon successful completion of this discipline, students will be able to: → describe the main stages of solving an international civil process; → explain the fundamental notions of conflict of jurisdictions, conflict of laws, classification, renvoi, fraud to the law, international jurisdiction, recognition of foreign judgments and exequatur; → use web resources to discover information about foreign law; → to analyze and interpret the Romanian and foreign norms of Private International Law in order to correctly solve both the conflicts of jurisdictions and the conflicts of laws.</p> |
| C | LECTURE CONTENT |
| | <ol style="list-style-type: none"> 1. PRELIMINARY NOTIONS; 2. THE FORMAL SOURCES OF PRIVATE INTERNATIONAL LAW; 3. THE NATURE OF PRIVATE INTERNATIONAL LAW RULES ; 4. FUNDAMENTALS ON THE RESOLUTION OF INTERNATIONAL JURISDICTION CONFLICTS; 5. SOLVING INTERNATIONAL JURISDICTION CONFLICTS; 6. INTERPRETATION OF CONFLICTUAL NORMS AND CLASSIFICATION; 7. SPATIAL CONFLICTS OF PRIVATE INTERNATIONAL LAW RULES - OBSERVANCE OF FOREIGN PRIVATE INTERNATIONAL LAW; 8. DIRECT AND INDIRECT APPLICATION OF FOREIGN LAW AND ITS ADAPTATION TO THE LAW OF THE FORUM; 9. CHOICE-OF-LAW RULES REGARDING THE NATURAL PERSON 10. CHOICE-OF-LAW RULES ON GOODS; 11. CHOICE-OF-LAW RULES ON SUCCESSIONS; 12. CHOICE-OF-LAW RULES REGARDING LEGAL ACTS; 13. CHOICE-OF-LAW RULES REGARDING LEGAL FACTS; 14. THE INTERNATIONAL EFFECTIVENESS OF CIVIL COURT JUDGEMENTS. |
| D | RECOMMENDED READING FOR LECTURES |
| | <ol style="list-style-type: none"> 1) Buglea, Claudiu-Paul, Dreptul internațional privat român. Ediția a II-a revăzută și adăugită, Editura Universul Juridic, București, 2015. 2) Dariescu, Cosmin, Fundamentele dreptului internațional privat, Ediția a V-a revăzută și |

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| | <p>adăugită, Editura Universul Juridic, București, 2018..</p> <p>3) Deleanu, Sergiu, <i>Drept internațional privat. Partea generală</i>. Editura Universul Juridic, București, 2013.</p> <p>4) Lupașcu, Dan și Ungureanu, Diana, <i>Drept internațional privat. Actualizat în raport de noul Cod civil, noul Cod de procedură civilă și Regulamentele Uniunii europene</i>. Editura Universul Juridic, București, 2012</p> <p>5) Macovei, Ioan, <i>Tratat de drept internațional privat</i>, Editura Universul Juridic, București, 2017.</p> <p>6) Popovici Sergiu, <i>Drept internațional privat</i>, Editura C.H. Beck, București, 2019.</p> <p>7) Sitaru, Dragoș-Alexandru, <i>Drept internațional privat. Parte generală. Partea specială. Norme conflictuale în diferite ramuri și instituții ale dreptului privat</i>, Editura C. H. Beck, București, 2013</p> |
| E | SEMINAR CONTENT |
| | <ol style="list-style-type: none"> 1. GENERAL CONCEPTS OF PRIVATE INTERNATIONAL LAW; 2. THE SOURCES OF PRIVATE INTERNATIONAL LAW, 3. THE RULES OF INTERNATIONAL COMPETENCE PROVIDED BY REGULATION (EU) NO. 1215/2012-BRUSSELS I RECAST AND BY THE ROMANIAN CODE OF CIVIL PROCEDURE; 4. RENVOI IN PRIVATE INTERNATIONAL LAW; 5. PUBLIC ORDER AND FRAUD TO THE APPLICABLE LAW; 6. CONFLICT OF LAWS REGARDING CIVIL STATUS AND FAMILY RELATIONSHIPS; 7. CONFLICT OF LAWS IN THE FIELD OF GOODS. |
| F | RECOMMENDED READING FOR SEMINARS |
| | <ol style="list-style-type: none"> 1) Chelaru, Ana-Luisa, <i>Repere actuale în dreptul internațional privat. Persoanele. Succesiunile. Familia</i>, Editura Universul Juridic, București, 2018. 2) Diaconu, Nicoleta, <i>Drept internațional privat. Curs universitar</i>. Ediția a VI-a, Editura Universitară, București, 2013. 3) Filipescu, Ion P. și Filipescu, Andrei, <i>Tratat de drept internațional privat</i>, Ediție revăzută și adăugită, Editura Universul Juridic, București, 2008. 4) Kunda, Ivana și Carlos Manuel Gonçalves de Melo Marinho, <i>Ghid practic privind Dreptul internațional privat european</i>, disponibil la următoarea adresă web: http://www.just.ro/LinkClick.aspx?fileticket=Hwm8stiD59w%3D&tabid=2285 . 5) Popovici, Sergiu, <i>Executarea silită transfrontalieră: instrument de consolidare a creditului</i>, Editura C.H. Beck, București, 2015. 6) Păncescu, Flavius George, <i>Drept procesual civil internațional</i>, Editura Hamangiu, București, 2014. |
| G | EDUCATION STYLE |
| LEARNING AND TEACHING METHODS | Lectures, discussions, paper presentations |
| ASSESSMENT METHODS | Continuous evaluation and summative evaluation, answers to the seminar, report, seminar test and written exam. |
| LANGUAGE OF INSTRUCTION | Romanian and English (the latter for foreign students). |