

Transilvania University of Braşov, Romania

Study program: European Legislation and Judicial Careers

Syllabus for ERASMUS + students

Faculty of Law

Study period: 2 years (master)

1st Year

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Institutions of Civil Law	CIVIL1	Romanian	6	2	2		

Course description (Syllabus): The notion, regulation and classification of civil legal acts. Capacity of legal entities of private law; Nullity of the civil legal act; The effects of the civil legal act; Modalities of ownership; Acquiring and defending the property right; Sources of obligations; Translatable civil rights contracts; Matrimonial regimes; Liberties: the donation contract and the will; The legal regime of the main testamentary provisions; Limits of inheritance right.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Institutions of Criminal Law	PENAL1	Romanian	6	2	2		

Course description (Syllabus): Criminal law and its limits of application; Principal punishments. Accessory penalties. Complementary punishments; Safety measures. Minority. Criminal liability of the legal person; Causes that remove criminal liability. Causes that remove or change the execution of the punishment. Causes that remove the consequences of the conviction; Crimes against the person and property; Crimes against justice; Crimes against public safety; Crimes affecting social life relations; ECHR case law.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Institutions of Civil Proceeding Law	PRCIV1	Romanian	6	2	2		

Course description (Syllabus): Free access to justice in the light of the fundamental principles covered by the New Civil Procedure Code; The active role of the judge in the civil process and its limits; Regulatory requirements for the right to a fair trial; Theoretical and practical aspects regarding the determination of competence according to the value of the object of the court application; Procedural Incidents Regarding Court Competence; The legal status of the nullity of procedural acts in the current civil procedural law; On civil procedure acts. Defenses in the civil process; The appeal system in the light of the new regulation.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Institutions of Criminal Proceeding Law	PRPENAL1	Romanian	6	2	2		

Course description (Syllabus): Principles and limits of the application of criminal procedural law, Criminal proceedings and civil action in criminal proceedings; Participants in the criminal trial; Preventive measures and other procedural measures; Procedural acts; Criminal Investigation; Preliminary Chamber; Judgment in first instance; Ordinary ways of attack; Outstanding ways to attack; Special Procedures; Execution of criminal decisions.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Constitutional Justice – the National and European Perspective	JUCONS1	Romanian	6	2	2		

Course description (Syllabus): Constitutional Court - general notions. Legal nature and role; Competence of the Constitutional Court; The objection of unconstitutionality; Exception of unconstitutionality; Control of the constitutionality of treaties or other international agreements - notion, procedure before the Constitutional Court; Control of Parliament's regulations; Conflicts of a constitutional nature; Control of the referendum and legislative initiative; The mandatory character of the Constitutional Court's acts; Functioning of the Constitutional Court; Constitutional justice in Western European states; Constitutional justice in the states of Central and Northern Europe; Constitutional justice in the Eastern and Southern states of the European Union; Jurisprudence on the jurisdiction of the Constitutional Court; Jurisprudence on the control of the constitutionality of laws; Jurisprudence on other forms of control exercised by the Constitutional Court.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Intellectual Property Rights and the European Patent	BREVET2	Romanian	5	2	1		

Course description (Syllabus): General considerations on intellectual creation; Copyright; Managing and protecting copyright; Industrial Property Rights; Inventions - the subject of inventor's right; The subjects of legal protection of inventions; Protection of Inventions; Rights and obligations regarding inventions; The European patent; Other objects of industrial property protection; Special contracts in the field of industrial property.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
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European Protection of Human Rights	PEDO2	Romanian	5	2	2		

Course description (Syllabus): Protection of human rights. Institutions and content; Human rights in public international law and European law; European Convention on Human Rights; The European Charter of Human Rights, European systems for the protection of human rights; The judicial procedure for the European protection of human rights; Relationship between the Universal Declaration of Human Rights, the European Convention on Human Rights and the European Charter of Human Rights; Other systems for the protection of human rights; Sanctions; ECHR case law. Cases against Romania.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Academic Ethics and Integrity	ETICA2	Romanian	5	2	1		

Course description (Syllabus): Introductory aspects regarding the ethics of the legal professions. Introductory aspects regarding academic integrity. Romanian, European and international legal norms regarding the ethics of legal professions and academic integrity. The values of professional ethics and their analysis. Specific aspects of writing scientific papers in the field of law. Use of specialized legal language to explain and interpret the concepts and theories specific to the field of law. Making the correct and argued selection among several solutions that can be given to a factual situation, from the legal and moral perspective. Good reputation of the person. Relationship with the press. Independence. Legal statute of judge, prosecutor and lawyer. Particular ethical aspects for the teacher and researcher. Problems of professional ethics and deontology solved by the competent bodies of the legal professions. Particular aspects of ethics in academic writing. Particular aspects of student's ethics.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Transfer of Proceedings in Criminal Matters	TRANSFER 2	Romanian	5	2	2		

Course description (Syllabus): The European Convention on the Transfer of Proceedings in Criminal Matters; Tracking competence; Trace Request; Transfer procedure; Effects of the request for prosecution in the requesting State; Effects of the prosecution application in the Requested State; Provisional measures in the Requested State; The plurality of criminal proceedings; Request for transfer of criminal proceedings. Procedure and submission of the application;

Effects of transfer; Taking over of the prosecution or criminal proceedings; Provisions for the implementation of the Convention of 19 June 1990 implementing the Schengen Agreement of 14 June 1985. Application of the principle of non bis in idem.

2nd Year

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
European Business Law	ÎNTREPRIN3	Romanian	8	2	2		

Course description (Syllabus): General aspects of European Law. EU Treaties. The concept of European business law. European enterprise law. Directives and regulations. Subjects of European business law. Corporate structures. Natural persons and associations of natural persons. Advertising of acts issued by companies, at European and national level. The meanings of the publicity obligation and the sanction of its violation. European regulation of joint stock companies. Constitution, invalidity. Modification of the articles of incorporation of the joint stock company. Capital adequacy. Merger and division. Establishment, organization and functioning of the European Society (ES). Establishment, organization and functioning of the European Economic Interest Groups (EEIG). Establishment, organization and functioning of European Cooperative Companies (ECC). Cross-border procedures - merger and insolvency. Moving the headquarters of an ES. Administration of companies. Alternative systems of European and national law. Shareholding democracy. Shareholders' rights and their protection. Majority and minority abuse. The legal regime of the unipersonal society in European law. Principles of corporate governance.

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European Capital Market Law	CAPITAL3	Romanian	7	2	2		

Course description (Syllabus): Open-ended companies. European capital market regulations. The main European capital markets. General principles of the European capital markets and the codes of conduct of the European stock exchanges. The Romanian capital market - organization and fundamental notions. Bucharest Stock Exchange. AeRO secondary market. Conditions for admission to trading of shares on the two markets. Conditions for admission to trading of the bonds on the two markets. Corporate governance from the perspective of the BVB and ASF Code of Conduct. The Central Depository and the independent registry companies. Investor Compensation House

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Systems and Jurisdictional Procedures in the EU	PROCEDUR I3	Romanian	8	2	2		

Course description (Syllabus): Judicial systems. EU jurisdictions; The institutional role of the CJEU; The Tribunal and its institutional role; Written and oral procedure before the CJEU; The question referred for a preliminary ruling; Statute of the European Judge; Actions before the CJEU; Judicial systems in the Member States; Mediation in the EU and in the Member States.

Course title	Code	language of instruction	No. of credits	Number of hours per week			
				course	seminar	laboratory	project
Law of Treaties	TRATAT3	Romanian	7	2	2		

Course description (Syllabus): The international treaty as the source of international law; The right of treaties, as a branch of international law; International Negotiation; Successive stages of the conclusion of the treaties (after negotiation); Effects of the Treaties. The principle of pacta sunt servanda. Effects on third parties; Reservations and statements to treaties. Definitions. Formal and substantive conditions; Amendments to treaties. Suspension of treaties, Nullity of treaties. Termination of treaties, Successive treaties and the issue of "fragmentation of international law"; Provisions of Romanian legislation on treaties, with special reference to Law 590/2003 on Treaties, Applying treaties in domestic law.