

DISCIPLINE DESCRIPTION

1. Information on the study programme

1.1 Institution of higher education	West University of Timișoara
1.2 Faculty	Faculty of Law
1.3 Department	Department of Private Law
1.4 Field of Study	Law
1.5 Cycle of study	Master's Studies
1.6 Programme of study / Qualification	European Union Law

2. Information on the discipline

2.1 Discipline denomination	Conflicts of Laws and of Jurisdiction in the European Union						
2.2 Responsible for class activities	Lecturer Sergiu POPOVICI, PhD						
2.3 Responsible for seminar activities	Lecturer Sergiu POPOVICI, PhD						
2.4 Year of study	I	2.5 Semester	1	2.6 Type of evaluation	Ex	2.7 Discipline regime	C

3. Total estimated time (number of hours of teaching activities per semester)

3.1 Number of hours per week	3	out of which: 3.2 class	2	3.3 seminar/laboratory	1
3.4 Total number of hours included in the curriculum	42	out of which: 3.5 class	28	3.6 seminar/laboratory	14
Distribution of time:					Hours
Study using textbooks, support materials, bibliography and notes					30
Additional research in the library, using specialized electronic platforms / field research					14
Preparation for seminars / laboratories, homework, projects, essays					14
Tutoring					-
Examination					6
Other activities					-
3.7 Total number of hours of individual study	58				
3.8 Total number of hours per semester	100				
3.9 Number of credits	4				

4. Preconditions (if any)

4.1 curriculum-related	-	-
4.2 competence-related	-	-

5. Conditions (if any)

5.1 regarding classes	-	-
5.2 regarding seminars/ laboratories	-	-

6. Specific accumulated competences

Professional competences	<ul style="list-style-type: none"> - Appropriate knowledge and use of Private International Law terminology; - Appropriate use of the rules and legal institutions specific to conflicts of laws and of jurisdiction; - Critical evaluation of the European legislation and jurisprudence on conflicts of law and of jurisdiction.
Cross competences	<ul style="list-style-type: none"> - Carry out professional tasks in an efficient and responsible manner; - Apply techniques of efficient group work (with cross-branch elements); - Efficiently use communication resources, information resources and assisted professional formations resources.

7. Discipline objectives (resulting from the grid of specific accumulated competences)

7.1 General discipline objective	Transmitting to students and helping them acquire knowledge on the rules of Private International Law, on doctrine and jurisprudence in the field of conflicts of laws and of jurisdiction, as well as helping students understand and use research methods and paradigms in this field.
7.2 Specific objectives	<ul style="list-style-type: none"> - Appropriate knowledge of Private International Law institutions, as well as proper use by the students of specific Private International Law terminology; - Appropriate knowledge and proper use by the students of the concepts, principles and methods specific to Private International Law; - Proper interpretation of European legislation and jurisprudence in the field of Company Law, leading to the acquisition of adequate knowledge by the students regarding conflicts of laws and of jurisdiction; - Understanding of the effects that the recent changes in European relevant legislation caused, and the relation between the former legislation and the current one, as well as proper application of transitory rules.

8. Contents

8.1 Class	Teaching methods	Observations
1. Introduction in the field of conflicts of laws and of jurisdiction in the EU 1.1. Private International Law 1.2. The foreign element 1.3. <i>Lex fori, lex causae</i> 1.4. Methodology in Private International Law 1.5. The field of Private International Law 1.6. Sources of Private International Law 1.7. Conflicts of qualification 1.8. Renvoi 1.9. Public policy in Private International Law 1.10. Fraude in Private International Law	Exposition, conversation, problematization, logical demonstration	4 hours
2. Conflicts of jurisdiction in the EU 2.1. Jurisdiction, procedural law, recognition enforcement – component parts of conflicts of jurisdiction 2.2. Regulation no. 1215/2012; relation with Regulation no. 44/2001 2.3. Regulation no. 2201/2003 2.4. Other regulations in the field of conflicts of jurisdiction 2.5 Jurisprudence of the ECJ	Exposition, conversation, problematization, logical demonstration	12 hours
3. Conflicts of laws in the EU 3.1. Specificity of regulations in the field of applicable law; differences from the regulations on jurisdiction, recognition and enforcement 3.2. Regulation no. 593/2008 (Rome I) 3.3. Regulation no. 864/2007 (Rome II) 3.4. Jurisprudence of the ECJ	Exposition, conversation, problematization, logical demonstration	12 hours
8.2 Seminar / laboratory	Teaching methods	Observations
1. Introduction in the field of conflicts of laws and of jurisdiction in the EU 1.1. Private International Law 1.2. The foreign element 1.3. <i>Lex fori, lex causae</i> 1.4. Methodology in Private International Law 1.5. The field of Private International Law 1.6. Sources of Private International Law 1.7. Conflicts of qualification 1.8. Renvoi 1.9. Public policy in Private International Law 1.10. Fraude in Private International Law	Exposition, conversation, problematization, logical demonstration	2 hours

2. Conflicts of jurisdiction in the EU 2.1. Jurisdiction, procedural law, recognition enforcement – component parts of conflicts of jurisdiction 2.2. Regulation no. 1215/2012; relation with Regulation no. 44/2001 2.3. Regulation no. 2201/2003 2.4. Other regulations in the field of conflicts of jurisdiction 2.5 Jurisprudence of the ECJ	Exposition, conversation, problematization, logical demonstration	6 hours
3. Conflicts of laws in the EU 3.1. Specificity of regulations in the field of applicable law; differences from the regulations on jurisdiction, recognition and enforcement 3.2. Regulation no. 593/2008 (Rome I) 3.3. Regulation no. 864/2007 (Rome II) 3.4. Jurisprudence of the ECJ	Exposition, conversation, problematization, logical demonstration	6 hours
Bibliography Compulsory: <ol style="list-style-type: none"> Peter STONE – EU Private International Law, Edward Elgar Publishing, 2016 Optional: <ol style="list-style-type: none"> Sergiu POPOVICI – Drept internațional privat, Ed. C.H.Beck, București, 2019 Ion P. FILIPESCU, Andrei I. FILIPESCU – Tratat de drept internațional privat, Ed. Universul Juridic, București, 2008 Ioan MACOVEI – Drept internațional privat, Ed. C.H. Beck, București 2011 Dragoș-Alexandru SITARU – Drept internațional privat, Tratat, Ed. Lumina Lex, București, 2001 European Regulations: no. 44/2001, 1215/2012, 2201/2003, 593/2008, 864/2007, 1896/2006, and relevant jurisprudence of the CJEU. 		

9. Corroboration of the discipline contents with the expectations of the representatives of the epistemic community, professional associations and key employers in the field of the programme

The entire didactical activity concerning Private International Law is directed towards transmitting to the students of several professional and cross-branch skills which would provide for them, at the end of their studies, an integration into the labour market as smooth as possible, in all the specific fields.

10. Evaluation

Type of activity	10.1 Evaluation criteria	10.2 Methods of evaluation	10.3 Percentage of the final grade
10.4 Class	Evaluation of each student, by reference to minimal performance	Evaluation with grading, based on a written test. The test consists of 3-6 specific questions.	80%

	standards		
10.5 Seminar / laboratory	Evaluation of each student, by reference to minimal performance standards	Evaluation with grading, based on continuous verbal questioning. The grade reflects answers to the questions and activity performed during the seminar by every student, following their questioning concerning problems raised by the doctrine and the jurisprudence in the field of Company Law.	20%
10.6 Minimal performance standard			
<ul style="list-style-type: none"> - Proper use of the terminology specific to Private International Law; - Appropriate use of European legislation and jurisprudence in the field of Private International Law. 			

11. Online teaching and evaluation activities

E-learning platform	Video conference	Technical requirements for participation to the educational and evaluation process	E-learning platform on which the teaching material and other learning resources / bibliography may be accessed electronically
Moodle / Google Classroom			
Moodle elearning.e-uvt.ro	BigBlue Button / Google Meet, depending on the number of students and their requirements	The students are required to have access to specific IT means in order to take part in the educational and evaluation process: desktop / laptop / tablet / smartphone, with internet access allowing connection to the required e-learning platform and video conference app. To ensure an optimal teaching environment, the students are required to log in to the required e-learning platform exclusively with their institutional account (name.surname@e-uvt.ro).	Moodle elearning.e-uvt.ro Central WUT Library (BCUT)

Online evaluation: should the exam be organized online, the evaluation method will be replaced by spoken examination on Google Meet. During the semester, the students will be given 1-5 assignments, depending on their number (1-2 assignments per student), which they are required to fulfil before the end of the semester. The students' performance on these assignments shall constitute 40% of their final grade, the spoken final examination 60%. All the other substantive requirements described above for the written examination remain applicable.

Date of filling
in
15.10.2020

Signature of person responsible for
class activities
conf. dr. S. Popovici

Signature of person responsible
for seminar activities
conf. dr. S. Popovici

Date of approval by
the department
21.10.2020

Head of department's signature
Conf. dr. Florin I. Mangu