

COURSE DESCRIPTION

University: Comenius University in Bratislava	
Faculty: Faculty of Law	
Course ID: PraF.KPDPK/ENm17-3105/17	Course title: Private Comparative Law
Educational activities: Type of activities: lecture / seminar Number of hours: per week: 1 / 2 per level/semester: 14 / 28 Form of the course: on-site learning	
Number of credits: 3	
Recommended semester: 2.	
Educational level: II.	
Prerequisites:	
Course requirements: Continuous evaluation during the semester will account for 20% of the final grade and final oral examination will account for 80% of the final grade. Continuous evaluation: 20 % will be awarded to students based on their preparation for particular seminars and will also take into account active participation during seminars, solution of assigned case studies and preparation of assigned legal analysis. Final evaluation: 80% will be awarded based on successful completion of oral exam that will consist of solving a moot case and oral discussion on the factual and legal issues raised by the case. Classification scale: A / 1 = 91 - 100%; B / 1.5 = 81-90%; C / 2 = 73-80%; D / 2.5 = 66-72%; E / 3 = 61-65%; FX = 0-60%. During the exam, students can use all available sources of legal information, mainly legislation, commentaries, case-law, legal treatises, and legal information systems.	
Learning outcomes: The objective of the course is to introduce the students to the comparative study of systems of private law in selected jurisdictions. Building on the students' knowledge of historical foundations of various legal institutes, the course will focus dominantly on law of contracts which represents an area of law where conflict of laws between various jurisdictions is most likely to arise. Additionally the students will gain a comparative overview of other areas of private law – obligations arising from quasi-contracts and civil delicts (torts), systems of property rights in movables and immovables, general principles regarding the transfer of property rights at the death of a person and legal consequences pertaining to invasion of right to personality. Specific attention will be given to the different approaches of civil and common law manifested in legal doctrine and practice.	
Class syllabus: 1. Introduction to the Study of Comparative Law 2. Law of Obligations in General Comparative Perspective 3. Contractual Freedom and Its Limits 4. Creation of Legally Binding Contractual Relationship 5. Avoiding Contract Enforcement 6. Enforcement of Contracts and Effects of Breach 7. Unjust Enrichment 8. Overview of Liability for Civil Delicts 9. Vicarious and Strict Liability 10. Concept of Property Rights 11. Forms of Ownership and Iure in re aliena 12. Law of Inheritance in Comparative Perspective 13. Invasions of Right of Personality 14. Repetition and Final Examination	

Recommended literature:

ZWEIGERT, K. - KÖTZ: An Introduction to Comparative Law. 3rd Ed. Oxford: Oxford University Press, 1998.

KNAPP, C. - CRYSTAL, N. - PRINCE, H.: Problems in Contract Law. Cases and Materials. Frederick: Aspen Publishers, 2007.

ZIMMERMANN, R.: The Law of Obligations. Roman Foundations of the Civilian Tradition. Oxford: Oxford University Press, 1996.

BACKER, L. et al.: Comparative Corporate Law. United States, European Union, China and Japan. Cases and Materials. Durham: Carolina Academic Press, 2002.

CHEFFINS, B.: Company Law. Theory, Structure and Operation. Oxford: Oxford University Press, 2006.

Languages necessary to complete the course:

English

Notes:**Past grade distribution**

Total number of evaluated students: 0

A	ABS	B	C	D	E	FX
0,0	0,0	0,0	0,0	0,0	0,0	0,0

Lecturers: Mgr. Matej Mlkvý, PhD., LL.M., Mgr. Zuzana Illýová, PhD.

Last change: 21.01.2018

Approved by: