

European Law of Obligations

Tantárgy neve: European Law of Obligations	Tantárgy Neptun kódja: nappali: AJPJT101LLMN2 levelező: AJPJT101LLML2 Tárgyfelelős intézet: Civilisztikai Tudományok Intézete Polgári Jogi Intézeti Tanszék Tantárgyelem: kötelező
Tárgyfelelős: Dr. Juhász Ágnes egyetemi adjunktus	
Közreműködő oktató: Dr. Pusztahelyi Réka egyetemi adjunktus	
Javasolt félév: 2. félév (tavaszi)	Előfeltétel: -
Óraszám: nappali: 2 óra/hét levelező: 10 óra/félév	Számonkérés módja: kollokvium
Kreditpont: 4	Munkarend: nappali/levelező
Tantárgy feladata és célja: <p>The course aims at the introducing of the students to the Europeanization of the law of obligations, included contract law and tort law as well. On the one hand, it reviews the main development tendencies in the field of European civil law and the pros and cons on the adopting of a future European Civil Code. On the other hand it intends to make the students acquainted with the actual outcomes of these working processes. Accordingly, through the introduction of the main regulation models (model laws) for common European law of obligations, such as the Draft of Common Frame of Reference (DCFR, 2009), the Proposal for a Common European Sales Law (CESL, 2011) and the Principles of European Tort Law (PETL, 2005) and case studies, the course offers a comparative law approach of the law of obligations for the students.</p> <p>Since the European Commission has retracted its Proposal CESL and has proposed other measures in the area of single digital market (see: Proposal for a directive on certain aspects concerning contracts for the supply of digital content, COM (2015) 634 final and Proposal for a directive on certain aspects concerning contracts for the online and other distance sales of goods, COM (2015) 635 final), but the CESL did not vanish without any effect upon the harmonization of a common European law of obligation.</p>	
Fejlesztendő kompetenciák: tudás: T3, T4, T5, T9 képesség: K1, K2, K3, K4, K5, K6, K7, K8 attitűd: A1, A2, A3, A4, A5 autonómia és felelősség: F1, F2, F3, F4, F5, F6	
Tantárgy tematikus leírása: <ol style="list-style-type: none"> 1. The Europeanization of the law of obligations - contract law and tort law 2. The main development tendencies in the field of European civil law 3. The future of European Civil Code 4. The introduction of the main regulation models (model laws) for common European law of obligations 5. Draft of Common Frame of Reference (DCFR, 2009) 6. Proposal for a Common European Sales Law (CESL, 2011) 7. Principles of European Tort Law (PETL, 2005) 8. Case studies 	

9. Proposal for a directive on certain aspects concerning contracts for the supply of digital content, COM (2015) 634 final
10. Proposal for a directive on certain aspects concerning contracts for the online and other distance sales of goods, COM (2015) 635 final

Félévközi számonkérés módja és értékelése: -

A kollokvium teljesítésének módja, értékelése:

A written exam will take place on the basis of the determined topics, the obligatory readings and the material of the lectures.

There is a five-scale grading (1-5) where the thresholds are determined as follows: 0-60% fail, 61-70% pass, 71-80% satisfactory, 81-90% good, 91-100% excellent.

Kötelező irodalom:

1. Von Bar, Christian (et al.) (eds.): Principles, Definitions and Model Rules of European Private Law. Draft Common Frame of Reference (DCFR) Outline Edition. Prepared by the Study Group on a European Civil Code and the Research Group on EC Private Law (Acquis Group) Based in part on a revised version of the Principles of European Contract Law. Sellier, Munich, 2009.
2. Reiner Schulze – Fryderyk Zoll: European Contract Law, Beck-Hart-Nomos, 2016.
3. Reinhard Zimmermann: The Law of Obligations : Roman Foundations of the Civilian Tradition. Oxford University Press, 1996.

Ajánlott irodalom:

1. Reiner Schulze and Fryderyk Zoll: The Law of Obligations in Europe: A New Wave of Codifications, 2014.
2. Helmut Koziol – Reiner Schulze (eds.): Tort Law of the European Community. Tort and Insurance Law, Vol 23. Springer, Wien-New York, 2008.
3. Von Bar, Christian – Drobnig, Ulrich (eds.): The interaction of Contract Law and Tort and Property Law in Europe. Sellier, München, 2004.
4. European Group on Tort Law: Principles of European Tort Law. Text and Commentary, Springer, 2005.
5. Benedict Winiger – Helmut Koziol – Bernhard A. Koch – Reinhard Zimmermann (eds.): Essential Cases on Natural Causation. Digest of European Tort Law Vol. 1. Springer, Wien-New York, 2007.
6. Benedict Winiger – Helmut Koziol – Bernhard A. Koch – Reinhard Zimmermann (eds.): : Essential Cases on Damage. Digest of European Tort Law Vol 2. Springer, Wien-New York, 2011