

Course SYLLABUS Form

The basic data course	
Academic Unit:	Faculty of Law
Course title:	Contemporary Civil Law
Level:	Master
Course status:	Obligatory
Year of study:	II (Semester III)
Number of hours per week:	2+1
Credits – ECTS:	5
Time / location:	Prishtina
Lecturer of the course:	Prof. Dr. Haxhi Gashi; Asist. Mr. Sc. Qerkin Berisha
Contact details:	haxhi.gashi@uni-pr.edu qerkin.berisha@gmail.com
Course description	<p>The subject: Introduction to Civil Law includes the elaboration of civil law principles in general in the contemporary manner, which are fundamental for all other parts of civil law. Judicial institutions which are object of civil law in general, will be treated based upon the Kosovo positive law and in comparative civil law in continental system and common law. Lectures and seminars of this course will be held once a week for three hours. Teaching/ lectures will be organized within the first seminar of Bachelor studies. This course is compulsory. Students will have a chance to get theoretical and practical knowledge in matters of civil law.</p>
Course Objectives:	<p>The goals of the course consists in providing possibilities to the master studies –judicial-civil direction – to develop the awareness of students in implementation of provisions by which the judicial and civil matters are regulated. The students will have the opportunity, to solve the tasks which are required in the field of civil law by using logical and analytical approach. Students will develop skills for critical approach to law and legal argument in the field of civil law.</p>
Learning outcomes:	<p>The main outcomes of this course includes gaining of theoretical and practical knowledge in the field of civil law such as: which kind of legal relationships are governed by the civil law, subjects in civil relations,</p>

	legal capacity, ways of establishment of civil law relations, modification and similar topics. All these topics will be concretized and simulated with practical cases and examples during lectures and exercises with students.		
Student contribution (which should correspond with student learning outcomes)			
Activity	hour	Day/week	Total
Lecture	2	1/15	30
Theoretical exercises/laboratory	1	1/15	15
Practical work	1	1/15	15
Contact with lecturer/consultations	1	1/15	15
Field exercises	1	1/15	15
Kollokvium, seminars	2	2/5	10
Homework	2	1/5	10
Self learning time of student (at the library or at home)	2	1/15	15
Final preparation for the exam	2	1/5	10
Time spent on evaluation (tests, quiz, final examl)	5	1/1	5
Projects, presentations ,etc	10	1/1	10
Total	5 ECTS	Total	150
Note: 1 ECTS credit = 30 hours of commitment, eg if the case has 7 ECTS credits a student must have 210 hours during term commitment			
Teaching Methodology:	Contemporary Civil Law will be taught through lectures and seminars, exercises by not excluding the other possible varieties. The lecture will show the presentation of the introductory basic rules and positive law of Kosova, as well as making comparisons in the comparative law of civil law institutions. Seminars will be an interactive process of learning for students, based on independent research of the subject by the students under the supervision of the course professor. The treatment of different examples will be aimed to facilitate the students in understanding the civil law. Through lectures and seminars students will be encouraged to have a critical approach toward law and court decisions through which matters in the area of civil law have been resolved. Students will be required to write at least one paper that related to the issues or topics addressed during the lectures. The written work		

	will be calculated in the student's final evaluation.												
Evaluation methods:	<p><u>Students obligations:</u></p> <ul style="list-style-type: none"> • Participation in lectures • Participation in exercises • Active participation and discussions • Seminars and research projects • Participation in tests • Individual work in small groups and case studies • Final exam <p><u>The evaluation of students (%):</u></p> <ul style="list-style-type: none"> • First test: 30% • Second test 25% • Exercises and homeworks 10% • Regular participation in lectures 5% • Final exam 30% <p><u>Grades:</u></p> <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;"><u>%</u></th> <th style="text-align: center;"><u>Grade</u></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">91-100</td> <td style="text-align: center;">10 (ten)</td> </tr> <tr> <td style="text-align: center;">81-90</td> <td style="text-align: center;">9 (nine)</td> </tr> <tr> <td style="text-align: center;">71-80</td> <td style="text-align: center;">8 (eight)</td> </tr> <tr> <td style="text-align: center;">61-70</td> <td style="text-align: center;">7 (seven)</td> </tr> <tr> <td style="text-align: center;">51-60</td> <td style="text-align: center;">6 (six)</td> </tr> </tbody> </table>	<u>%</u>	<u>Grade</u>	91-100	10 (ten)	81-90	9 (nine)	71-80	8 (eight)	61-70	7 (seven)	51-60	6 (six)
<u>%</u>	<u>Grade</u>												
91-100	10 (ten)												
81-90	9 (nine)												
71-80	8 (eight)												
61-70	7 (seven)												
51-60	6 (six)												
Literature													
Basic Literature:	<p>Aliu, Abdulla "E drejta civile" Prishtinë 2013</p> <p>Aliu, Abdulla, Burimet e së drejtës civile në Kosovë, Prishtinë, 1999.</p> <p>Gams A., Bazat e të drejtës reale, Prishtinë, 1988</p> <p>Zweigert, K & H. Köty, An Introduction to Comparative Law (third edition), Clarendon Press, Oxford, 1998</p>												
Additional Literature:	<p><i>Aliu, Abdulla, E Drejta e Autorit (Ligjërata të autorizuar), Prishtinë, 2004.</i></p> <p><i>Aubert, Jean-Luc, Introduction au droit et thèmes fondamentaux du droit civil (10 édition), Paris, 2004.</i></p> <p><i>Bénabent, Alain, Droit civil: Les contrats spéciaux civils et commerciaux (5 édition), Montchrestien, Paris, 2001.</i></p> <p><i>Bühr, Philippe, Droit civil général (15 édition), Paris, 2004.</i></p> <p><i>Bikić, Abedin, Obligaciono Pravo (posebni dio), Sarajevo, 2005.</i></p> <p><i>Bikić, Abedin, Obligaciono Pravo (opti dio), Sarajevo, 2004.</i></p> <p><i>Carbonnier J., Droit civil - Introduction, Paris, 1982.</i></p>												

	<p><i>Cohn.J., Manual of German Law, London, 1968.</i> <i>Dzerov, Aleksandar, Graždansko Pravo, Sofije, 2003.</i> <i>Gams A., Hyrje në të drejtën civile, Prishtinë, 1988.</i> <i>Gavella, Nikola, Osobna prava I, Pravni fakultet u Zagrebu, Zagreb, 2000.</i> <i>Gavella, Nikola dhe të tjerët, Graždansko Pravo, Zagreb, 2005.</i> <i>Gorenc, Viliam dhe Zvonimir Slakoper, Opći deo obveznog prava i obveznopravni ugovori i jednostrani prani poslovi – opti depo, Zagreb, 2004.</i> <i>Gorenc, Komentar Zakona o Obveznim Odnosima, Zagreb, 2005.</i> <i>Grupce A., Imotno pravo, Shkup, 1983.</i> <i>Harris, J. Leslie dhe Lee E. Teitelbaum, Family Law (Second Edition), New York, 2000.</i> <i>Hennenberg, Ivan, Autorsko Pravo, Zagreb, 1996.</i> <i>Hess-Fallon, Brigitte dhe Anne-Marie Simon, Droit civil (8 édition), Paris, 2005.</i> <i>Iasok D., Polish civil Laë, Leiden, 1973.</i> <i>Karbonie, Zhan, Graždansko Pravo, Sofije, 1999.(përkthim)</i> <i>Larroumet, Christian, Droit Civil: Les Biens Droits réels principaux (Tome II, 4 édition), Economica, Paris, 2004.</i> <i>Latifi, Juliana, E Drejta Civile (Pjesa e përgjithshme), Tiranë, 2004.</i> <i>Majstorović, Irena, Bračni Ugovor, Zagreb, 2005.</i> <i>Moumami, Saâd, Droit Civil: Droits des Obligations, Marrakech, 2000.</i> <i>Popov, Danica, Graždansko pravo (opsti deo), Beograd, 2005.</i> <i>Porchy-Simon, Stéphanie, Droit Civil: Les Obligations (3 édition), Paris, 2004.</i> <i>Radolovic, Aldo, Pravilicnosti u graždanskom pravu Hrvatske, Zagreb, 1998.</i> <i>Rescinge P., Manuel des diritto privato, Napoli, 1986.</i> <i>Romac, Ante, Izvori Rimskog Prava, Informator, Zagreb, 1973.</i> <i>Séroussi, Roland, Introduction au Droit Comparé (2 édition), Paris, 2003.</i> <i>Simler, Philippe dhe Philippe Delebecque, Droit civil (3 édition), Paris, 2000.</i> <i>Stankovic O., Vodinelic, V. Uvod u graždansko pravo, Beograd, 1995.</i> <i>Stojanović, D. Uvod u Graždansko Pravo, Beograd, 1976.</i> <i>Vedris M., Imovinsko pravo, Zagreb, 1992.</i> <i>Vizner, Boris, Graždansko Pravo, Osijek, 1966.</i> <i>Galgano Françesko, E Drejta Private 1. Hyrje – Pronësia, Tiranë, 2003.</i> <i>Attorneys Stephan Elias, Richard Stim, Patent, Copyright, Trademark, 7 th edition, 2004 SHBA.</i> <i>Weill, Alex dhe François Terré, Droit civil: Introduction générale (quatrième édition), Paris, 1979.</i> <i>Ëerro, Franz, L'Européanisation du droit privé, Éditions Universitaires Fribourg Suisse, 1998.</i></p> <p><u>Journals or other material:</u> Codes and Laws: <i>Bürgerliches Gesetzbuch BeurkundungsG-Gesetz</i> <i>Ëohnungseigentums-gesetz, 1987.</i> <i>Code Civil (101 édition), Paris, 2002.</i> <i>Civil code of France 1804.</i></p>
--	--

	<i>Civil code of Germany 1900.</i> <i>Civil code of Austria 1811.</i> <i>Civil code of the Republic of Albania 1994.</i> <i>Civil code with Judicial Practice (first edition), Tiranë, 2003.</i> <i>Civil code of the Russian Federation 1994.</i> <i>Civil code of Brasil, 1831.</i> <i>Civil code of Chile, 1835.</i> <i>Civil code of Argentina, 1869.</i> <i>Civil code of Uruguay , 1869.</i> <i>Civil code of Habitat, 1826.</i> <i>Civil code of Louisiana, USA.</i> <i>Civil code of Quebec, Canada.</i> <i>Law on the relation of obligations 1978.</i> <i>Law on the essential judicial-property relations - 1980.</i>
--	---

Designed plan of lesson:

Week	The lecture that will be held
Week I:	Introduction to contemporary Civil Law
Week II:	History and development of civil law
Week III:	sources of civil law
Week IV:	Positive sources of contemporary civil law
Week V:	Positive sources of civil law in Kosova
Week VI:	Positive subsidiary sources civil law
Week VII:	Civil Legal relationship
Week VIII:	Classification of civil subjective rights
Week IX:	Legal works
Week X:	Statue Limitations
Week XI:	Presentations of seminar papers in a round table - discussion
Week XII:	Denial of legal works (Actio Pauliana)
Week XIII:	Practical Session with participation of Judges
Week XIV:	The exercise and protection of subjective civil rights
Week XV:	Practical Session with Judges

Academic policies and rules of conduct:

Students must strictly observe the statutory norms and code of conduct and ethics at the University of Prishtina “Hasan Prishtina”