

UČNI NAČRT PREDMETA / COURSE SYLLABUS

Predmet:	Uvod v gospodarsko, delovno in obligacijsko pravo
Course title:	The introduction to the business, employment, contract and tort law

Študijski program in stopnja Study programme and level	Študijska smer Study field	Letnik Academic year	Semester Semester
Poslovna informatika, magistrski študijski program druge stopnje	-	Prvi ali drugi	Drugi ali tretji
The second cycle masters study programme Business Informatics	-	First or second	Second or third

Vrsta predmeta / Course type

Izbirni / Elective

Univerzitetna koda predmeta / University course code:

4-PI-MAG-IP-UGDOP-2022-05-27

Predavanja Lectures	Seminar Seminar	Vaje Tutorial	Klinične vaje work	Druge oblike študija	Samost. delo Individ. work	ECTS
30	-	30	-	-	90	5

Nosilec predmeta / Lecturer: red. prof. dr. Marko Novak**Jeziki / Languages:****Predavanja / Lectures:** Slovenski, angleški / Slovene, English**Vaje / Tutorial:** Slovenski, angleški / Slovene, English**Pogoji za vključitev v delo oz. za opravljanje študijskih obveznosti:**

Ni posebnih pogojev za vključitev v delo.

Prerequisites:

There are no special prerequisites for the inclusion in work.

Vsebina:

- Temelji prava
- Opredelitev prava,
- Delitev prava na materialno in procesno
- Delitev prava na javno in zasebno
- Pravna razmerja in pravni viri
- Temelji obligacijskega prava
- Splošni del
- Temeljna načela obligacijskega prava
- Nastanek obveznosti
- Učinki obveznosti Prenehanje obveznosti
- Razne vrste obveznosti
- Sprememba upnika ali dolžnika

Content (Syllabus outline):

- Introduction to law
- The definition of law,
- The division of law to public and private and to material and procedural,
- Legal relationships and legal sources
- The basics of contract and tort law
- General part
- The basic principles of law of obligations
- Creation of obligations Effects of obligations
- Cessation of responsibilities Various types of obligations
- Change of the creditor or debtor

- Posebni del
Prodajna pogodba
Darilna pogodba
Podjemna pogodba
Inominatne in aleatorne pogodbe
Izbrani (sodni) civilno-pravni primeri

- Temelji delovnega prava
Nastanek, razvoj in ustavni ter mednarodni temelji delovnega prava

Pravna ureditev individualnih delovnih razmerij:

- pogodbe delovnega prava,
- prenehanje pogodbe o zaposlitvi,
- pravice, obveznosti in odgovornosti zaposlenih

Pravna ureditev kolektivnih delovnih razmerij :

- sindikalna svoboda,
- delavska participacija pri odločanju ter
- stavka.

Delavno-pravni spori v individualnih in kolektivnih razmerjih

- Temelji gospodarskega prava
- Uvod v statusno pravo
- osebne družbe
- kapitalske družbe
- Evropska delniška družba,
- tuja podjetja in tuje podružnice v pravnoposlovni praksi
- pravni vidiki javnih služb
- Tržno pravo v slovenskem pravnem sistemu
- Pravna ureditev konkurence (omejevanje konkurence, nelojalna konkurenca, varstvo konkurence, sankcije)
- Uvod v pravice industrijske lastnine ter avtorske pravice
- Uvod v e-pravo
- Reševanje gospodarskih sporov

- Special part
Contract of sale
Gift deed
Service contract
Innominate and aleatory contracts
Selected case law

- The basics of labor law
Creation and development of labor law.
Constitutional and international labor law with particular emphasis on European law.

Legal regulation of individual employment relationships:

- contracts of employment law,
- termination of the contract,
- rights, obligations and responsibilities of employees

Legal regulation of collective labor relations:

- trade union freedom,
- workers' participation in decision-making and
- strike.

Protection of collective and individual rights of employees.

- The basics of business law
- Introduction to corporate law
- Sole proprietorships & partnerships
- Other types of companies
- Societas Europaea
- Foreign companies and foreign affiliates in practice
- Legal aspects of public services
- Market law in the Slovenian legal system - -
- Regulating competition (the restriction of competition, unfair competition, protection of competition, sanctions)
- Introduction to industrial property rights and copyright
- Introduction to E-commerce law
- Settlement of commercial disputes

Temeljni literatura in viri / Readings:

- Korže, B. (2020). Pravo družb in poslovno pravo. Založba Uradni list RS: Ljubljana (izbrana poglavja).
- Vodovnik, Z., Tičar, R. (2017). Osnove delovnega in socialnega prava. GV Založba: Ljubljana (izbrana poglavja).

Cilji in kompetence:**Splošne kompetence:**

- Sposobnost skrbeti za kakovost strokovnega dela skozi avtonomnost, samoiniciativnost, (samo)kritičnost, (samo)refleksivnost in (samo)evalviranje.
- Sposobnost fleksibilne uporabe znanja v praksi.

Predmetno-specifične kompetence:

- Sposobnost uporabe relevantnih domačih in mednarodnih virov, uporabe elektronskih virov in kritične analize relevantne literature;
- Sposobnost argumentacije družbene odgovornosti;
- Sposobnost zagovarjanja državljske svobode, enakosti, dostojanstva, pravic in odgovornosti;
- Spodbujanje razvoja obveščenih in aktivnih državljanov;
- Razvoj potrebe po doseganju družbene pravičnosti in podpiranju raznolikosti;

Objectives and competences:**General competences:**

- The ability to manage quality of professional work through autonomy, initiative, as well as (self-)criticism, (self-)reflection and (self-)evaluation.
- The ability of flexible usage of knowledge in practice.

Subject-specific competence:

- The ability to apply relevant national and international sources, to apply electronic sources and critical analysis of relevant literature;
- Ability to argument the social responsibility;
- The ability to advocate citizens' freedom, equality, dignity, rights and responsibilities;
- Promoting the development of informed and active citizens;
- Development of the need to achieve social justice and support the diversity;
- Development of interdisciplinary thinking

Predvideni študijski rezultati:

Študenti so zmožni: • določiti relevantne predpise in institute s področij gospodarskega, delovnega in obligacijskega prava.

- uporabiti vire ter samostojno uporabljati predpise.

Intended learning outcomes:

Students will be able to: • determine relevant laws and institutes in the fields of business, employment, contract and tort law.

- use the legal sources and regulations independently.

Metode poučevanja in učenja:

- Predavanja s primeri
- Študij predvidene literature,
- Samostojen študij predpisov in literature

Learning and teaching methods:

- Lectures with cases
- Studying the provided literature
- Individual study of regulations and literature

Načini ocenjevanja:

Delež (v %) /
Weight (in %)

Assessment:

Način:		Type:
<ul style="list-style-type: none"> • pisni izpit 	100 %	<ul style="list-style-type: none"> • written exam

Reference nosilca / Lecturer's references:

- NOVAK, Marko. Pravna argumentacija v teoriji in praksi : integralni pogled na utemeljevanje v pravu. 1. natis. Ljubljana: Uradni list Republike Slovenije, 2021. 299 str., graf. prikazi. ISBN 978-961-204-684-2. [COBISS.SI-ID 72278531].
- NOVAK, Marko. Uvod v teorijo prava. 1. izd. Nova Gorica: Nova univerza, 2021. ISBN 978-961-95520-1-8. [COBISS.SI-ID 79181827].
- NOVAK, Marko. Stabilitas legis and the rule of law : the problem of Slovene corporate legislation. V: TUCAK, Ivana (ur.). *Current problems of legal theory and comparative law*. Osijek: University of Osijek, Faculty of Law, cop. 2017. Str. 127-143. Library of law and theory, 1. ISBN 978-953-8109-19-5. [COBISS.SI-ID 2053151158].
- NOVAK, Marko. Oris slovenskega ustavnega gospodarskega prava. Dignitas, ISSN 1408- 9653, 2014, [Št.] 61/62, str. 197-215. [COBISS.SI-ID 81419777].