

Course Description

Course title:	European Law of Obligation	
Neptun code:	AJPJTERASMUS1	
Type (core, specialization, optional, dissertation, other):	core	
Lecture/ Seminar (practical); hours per week:	2 hours per week	
Name and position of lecturer:	Ágnes Juhász assistant professor, PhD; Réka Pusztahelyi, assistant professor, PhD	
Contact of lecturer:	jogreka@uni-miskolc.hu ; civagnes@uni-miskolc.hu	
Prerequisite course(s):	none	
Language of the course:	English	
Suggested semester: autumn /spring, 1-6	spring, 2nd semester	
Number of credits:	60	
Requirements (exam/practical mark/signature/report, essay):	exam/essay	
Course objectives (50-100 words):	<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>	
Course structure:	Week	Topic
	1.	European Contract Law: concept of contract
	2.	European Contract Law: conclusion and content of contracts interpretation and unexpressed obligations, pre-contractual duties, incorrect information and its effect on the contract
	3.	European Contract Law: impropriety in the contracting process, unfair contract terms, right of withdrawal
	4.	European Contract Law: performance obligations
	5.	European Contract Law: consequences of non-performance
	6.	European Contract Law: preclusion and prescription
	7.	European Tort Law: base of the liability, causation
	8.	European Tort Law: liability for fault
	9.	European Tort Law: strict liability
	10.	European Tort Law: multiple tortfeasors
	11.	European Tort Law: contributory conduct or activity of the victim, damages, pecuniary and non-pecuniary damages
	12.	Other issues on obligations: unjust enrichment, benevolent intervention in another's affairs
	13.	Other issues on obligations: concurrence of actions.

<p>Required readings:</p>	<p>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.</p> <p>Reiner Schulze – Fryderyk Zoll: European Contract Law, Beck-Hart-Nomos, 2016.</p> <p>Reinhard Zimmermann: The Law of Obligations : Roman Foundations of the Civilian Tradition. Oxford University Press, 1996.</p>
<p>Recommended readings:</p>	<p>Reiner Schulze and Fryderyk Zoll: The Law of Obligations in Europe: A New Wave of Codifications, 2014.</p> <p>Helmut Koziol – Reiner Schulze (eds.): Tort Law of the European Community. Tort and Insurance Law, Vol 23. Springer, Wien-New York, 2008.</p> <p>Von Bar, Christian – Drobnig, Ulrich (eds.): The interaction of Contract Law and Tort and Property Law in Europe. Sellier, München, 2004.</p> <p>European Group on Tort Law: Principles of European Tort Law. Text and Commentary, Springer, 2005.</p> <p>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.</p> <p>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.</p>
<p>Evaluation method:</p>	<p>1-5 mark</p>