



SYLLABUS OF THE SUBJECT "CIVIL LAW GENERAL PART"

Basic data of the subject	
Academic unit:	Law Faculty
Subject title:	Civile Law gjeneral part
Program:	Law
Level:	Bachelor
Case Status:	Obligatory
Year of studies:	II
Number of hours per week:	3
Credit value – ECTS:	7
Time / location:	Time / location (lecture date and hall), as well as other details will be determined in cooperation with the Faculty.
Subject teacher:	Prof. Asoc. Dr. Muharrem Faiku
Contact details:	e-mail: muharem.faiku@uni-prizren.com
Course description:	The purpose of this module is for second-year students to provide you with knowledge of issues in the Faculty of Law and civil law in general. This course will provide students with very important knowledge on legal capacity and capacity to act, then, will be taught about Basic Law Institutions Civil ownership, possession, servitude, right of Pledge, Representation of Mortgage, Legal Action, Relations juridical-civil, classification of subjective civil law, sources of civil law.
Purpose of the course:	After completing this course (subject), the student will be able to: 1. Describe the position of civil law in the general justice system; 2. Not being able to describe the functioning of legal-private relations; 3. Will be able to compare civil justice institutions; 4. Will be able to develop ideas on ways to create, develop and change the legal system in general.
Learning outcomes:	At the end of the semester, the student is expected to be able to: - know the meaning and division of the general civil - understand the basic principles of the 2nd general civil law - define the sources of the civil law - distinguish the subjective Civil Law; - recognize the types of invalidity of subjective civil rights



	- conduct research in the field of general civil law.		
Student workload (should correspond to the student's learning outcomes)			
Aktivitet	Hour	Day/week	Total
Lectures	3	15	45
Theoretical/laboratory exercises	2	15	30
Practical work			
Contacts with the teacher/consultations	0.5	15	7.5
Field exercises			
Colloquiums, seminars	1	1	1
Homework			
Student's independent study time (in the library or at home)			
Final exam preparation	3	15	30
Time spent on assessment (tests, quizzes, final exam)	3	15	30
Projects, presentations, etc			
Total			142.5 hour (7 ECTS)
Teaching methodology:	<p>The methodology of the lectures will focus on creating opportunities for students to gain knowledge on Public International Law. Students will be encouraged to actively participate in the lecture through essay presentations or term papers from this area of law. The lecture will be presented according to the interactive method. During the course of lectures, contemporary teaching methods will be used, so that this discipline of law becomes more accessible, clearer and easier to learn and apply.</p>		
Evaluation methodology:	<p>The preparation for the intermediate assessment is done during the exercises by the assistant and the assessment is done by the Professor through a written test at the end of the 3rd semester where it is assessed with 20% (the student must achieve 10% of the passing intermediate assessment in the test in the exercises, as it is a condition to enter the final exam with the Professor of the subject).</p> <ul style="list-style-type: none"> • Tasks or other engagements in lectures and exercises: 10%; 		



	<ul style="list-style-type: none"> • Regular attendance: 10%; • Final exam: 60% (mandatory for all students); total 100% <p>Method Percentage (%) Regular attendance and engagement 1 10% Intermediate assessment 1 to 20% Presentation of the project 1 10% Final exam 1 60% Total 100%</p>
Literature	
Primary literature:	<p>Basic Literature</p> <ol style="list-style-type: none"> 1. "Civil Law (general part)" - authorized lectures, Prof.Assoc.Dr. Muharem Faiku, Msc. Sidorela Kreziu, Prizren, 2021; 1. Andrew Gams: 'Introduction to Civil Law', Pristina, 1988 2. Abdulla Aliu: "Civil Law", General Part, Pristina 20013; 3. Ardian Nuni: Civil Justice, General Part, Tirana 2009; 4. Peter Bydlinski, Civil Law, translated and adapted by ; Prof.Assoc.Iur Iset Morina LL.M, Bekim Sermahaj Tirane, MA, Education Center shpk, 2013
Literatura shitesë:	<p>Supporting literature:</p> <ol style="list-style-type: none"> 1. Francesco Galgano, "Private Law", Tirana, 2003; 2) Perner, Spitzer, Kodek; Bürgerliches Recht, Vienna 2012;

Designed lesson plan:		
Week	Lectures	Exercise
First week:	-Introduction, introduction to the subject program, teaching methodology, etc.;	
Second week:	- General notions; - Law and law (legal sources) - Objective right - Understanding and applying the law	
Third week:	- In general, legal subjects, legal objects - Natural persons in particular -Special limitations of minors	
Fourth week:	- Legal entities in general - Protection of legal personality -Portrait protection	

	<ul style="list-style-type: none"> -Protection of secrecy and data Other protected spheres -Examples for illustration 	
<i>Fifth week:</i>	<ul style="list-style-type: none"> -Subjective right - Legal obligations and duties - Realization of the right and limitations Appendix; - The steps during the examination of the right of request; 	
Sixth week:	<ul style="list-style-type: none"> -Relevant private-legal behaviors; - The central role of human behavior; - Action and non-action; - Behavior through legal work; - Simple factual behavior; -Intermediate forms; -Summary; 	
Seventh week:	<ul style="list-style-type: none"> - Contract; -Types of legal work; - The dualistic principle regarding the freedom of contracting and the obligation for contractual loyalty; 	
<i>Eighth week:</i>	<ul style="list-style-type: none"> - The mechanism for concluding the contract; Offer; -Acceptance, Features of concluding the contract with the use of the general conditions of the contract (KPK); 	
<i>Week nine:</i>	<ul style="list-style-type: none"> -Features of concluding a contract at a distance; -Specific provisions for concluding a commercial circulation contract electronically (electronic commerce); -Conclusion of the contract according to the right for public procurement; -Conclusion of the contract according to UNCISG; - The legal situation in the phase of contract revision; Academic policies and rules of conduct: <ul style="list-style-type: none"> - Students must have regular participation in lectures and exercises, where participation will be proven through the student attendance list (in lectures and exercises); 	

	<ul style="list-style-type: none"> - Regular participation in lectures and exercises, presentation of seminar papers and other activities will be counted in the final grade; - In lectures and exercises, only the topics provided in this syllabus should be covered; - Communication with students will be done mainly through e-mails and the attachment post; - Interpretation of the contract; 	
<i>Tenth week:</i>	<ul style="list-style-type: none"> - Conditions of validity of a legal work; -Reasons of invalidity in particular; - Initial defects during the conclusion of the contract - overview; 	
<i>Eleventh week:</i>	<ul style="list-style-type: none"> -Defects of will and their consequences -Notion, types and consequences of defects of will in general; - Simple Fraud Cunning/Cunning Coercion (intimidation); - Causing defects of will through a third person; -Filling the gaps through the legal institute of the rebus sic stantibus clause; - Large damages (laessio enormis); - Typical defects of the will; 	
<i>Week twelve:</i>	<ul style="list-style-type: none"> - Representation; - Representation as an action for another; -Characteristics of representation Notions, legal sources and definitions; 	
<i>Thirteenth week:</i>	<ul style="list-style-type: none"> - Creation and cancellation of the representation tag; -Extension of the representation tag; - Exercising the right to representation; - Legal consequences of valid representation; - Legal consequences due to the lack of representation tax; -Consideration for defects of will and mistakes during negotiations; - Analogous application of the right of representation; 	



<i>Week Fourteen:</i>	<ul style="list-style-type: none"> -Intensity of obligation/legal relationship (according to work); -Weakening of contractual obligations through legal rights to terminate the contract; - Weakening & strengthening of the contractual obligation through legal works; 	
<i>Fifteenth week:</i>	Recapitulation	
Academic policies and code of conduct		
<ul style="list-style-type: none"> - Students must have regular participation in lectures and exercises, where participation will be proven through the student attendance list (in lectures and exercises) - Regular participation in lectures and exercises, presentation of seminar papers and other activities will be counted in the final grade - In lectures and exercises, only the topics provided in this syllabus should be covered. - Communication with students will be done mainly through e-mails and the attachment post; interpretation of the contract <p>Tenth week: Validity conditions of a legal work Reasons for invalidity in particular. Initial defects during the establishment of the contract</p> <ul style="list-style-type: none"> - overview Week eleven: Defects of will and their consequences The concept, types and consequences of defects of will in general Simple fraud Cunning/Deviousness Coercion (threat) Causing defects of will through a third party Completion of loopholes through the legal institution of the clause rebus sic stantibus Immense damage (laessio enormis). <p>Typical defects of the will Week twelfth: Representation Representation as an action for another Characteristics of representation Notions, legal sources and definitions Week thirteen: Creation and extinguishment of the representation tag Extent of the representation tag Exercise of the representation tag Legal consequences of representation valid Legal consequences due to the lack of a right to representation Considerations for defects of will and mistakes during negotiations Analogous application of the right of representation Week fourteen:</p> <p>Intensity of legal obligation / relationship (by work) Weakening of contractual obligations through legal rights to terminate the contract Weakening & strengthening of contractual obligation through legal works Week fifteen: Repetition 6 in the University Information corner, and in person during consultations.</p>		