

SYLLABUS

1. Course title:

INTERNATIONAL PRIVATE LAW

2. Code:**3. Cycle of study:**

1

4. ECTS credits:

6

5. Type of course: Mandatory Elective**6. Prerequisites:**

NONE

7. Class restrictions:

NONE

8. Duration / semester:

1

7

9. Weekly contact hours:

9.1. Lectures:

4

9.2. Seminars:

0

9.3. Laboratory/Practice classes:

1

10. Faculty:

FACULTY OF LAW

11. Department/study program:

GENERAL COURSE - LAW

12. Lecturer:

Dr Jasmina Alihodžić, associate professor

13. Lecturer's e-mail:

jasmina.altumbabic@untz.ba

14. Web site:

www.untz.ba

15. Course aims:

Introducing and understanding of the essence of private law relations with foreign element;

- Enabling students to analyze and properly apply the conflict of law rules;
- Acquisition of the necessary knowledge and skills that students can apply in trying to solve private law relations with a foreign element.

16. Learning outcomes:

- Enabling students to successfully master the private law cases that have international characteristics;
- Identifying the factual and legal private law relations with foreign elements and their relationships procuring the appropriate choice of law rule;
- Comparing the institution of private international law in BH legislation with the respective institutes of comparative/national and EU Law;
- Analysis of national and foreign court decisions in the field of private international law;
- Practical solving cases with foreign element.

17. Course content:

- The private law relations with an international element, a special way of their legal regulation and processing;
- Conflict (collision) of the laws of different countries regarding specific private law relations with international characteristics and possible solutions, the doctrine of lex fori and foro proprio, unification of national legislations, connecting method, connecting factors, conflict of law rules.
- Handling with sources of PIL, the status of PIL in the state legal system;
- Historical development of PIL, theoretical concepts, fundamentals of modern PIL;
- Qualifications problem, the problem of determining the content of foreign law and its interpretation, adaptation, theory of qualification, autonomous concepts and its practical applicability;
- The reasons for not applying the foreign law, the provisions of direct application and the reserve of public order;
- Fraus legis, renvoi, a problem of a state with a complex legal system;
- The role of reciprocity and retorsion in PIL;
- Applicable law to the personal status of individuals and legal entities;
- Applicable law to family, succession, property and obligation law relations;
- The Private International Law in the European Union;
- Case study - practical analysis of cases (national and international court decisions, selection).

18. Learning methods:

Lectures: interactive, with the maximum involvement of students in the discussion on all the issues concerned, and practical classes (theoretical and practical character) - Interactive and case study based - examples from legal practice in order to test the performance of students due to the process of previously acquired knowledge.

19. Assessment methods:

In the second half of the semester students are supposed to write colloquium which includes previously treated topics on lectures and exercises. Colloquium consists of 15 questions. Each correct answer scored 1 point, respectively, which means that student at the colloquium can achieve a maximum of 15 points. As part of the pre-exam obligations, students are required to make individual or group seminar paper concerning topics from the contents of the subject. Seminar paper is to be submitted in writing to the teacher for review and evaluation, and then presented orally. In the preparation and presentation of the group seminar paper, all students from the group are to be engaged equally, whose participation is valorized individually. For the finished and presented seminar, student can achieve from 0 to 15 points. Also, for continuous interactive role during the lectures and exercises throughout the semester, the student can achieve from 0 to 10 points.

The final exam is oral.

At the oral exam students answer three questions from the program/content of the course. Oral exam is considered to be passed if a student gives at least partial answers to all three questions. At the oral exam student can achieve 50 points.

In order for the student to pass the exam, he/she must achieve a minimum of 54 cumulative points of which a minimum of 20 points at the final oral exam.

20. Assessment components:

Exam grade is based on the total number of points a student achieves by completing pre-exam requirements and oral exam, according to the quality of the acquired knowledge and skills, contains a maximum of 100 points, and is determined according to the following scale:

Obligations of Student	points
Participation in lectures	5
Participation in exercises	5
Active role during the lectures and exercises	10
Seminar paper	15
colloquium	15
Total pre-exam activities	50
Final Exam	20-50

21. Required reading list:

1. Muminović, E. (2006) Međunarodno privatno pravo. Sarajevo: Pravni fakultet Univerziteta u Sarajevu.
2. Stanivuković, M., Živković, M. (2013) Međunarodno privatno pravo - opšti deo. Beograd: Službeni glasnik.
3. Alihodžić, J. (2012) Razvoj evropskog međunarodnog privatnog prava: pravci reforme zakonodavstva u Bosni i Hercegovini. Tuzla: OFF-SET.
4. Službeni list SFRJ br. 43/1982, 72/1982. Zakon o rješavanju sukoba zakona sa propisima drugih zemalja u određenim odnosima.

22. Web sources:**23. Applicable starting from the academic year:**

2016/17

24. Adopted in the Faculty/Academy session: