

Private International Law

Questions for oral part of the final exam

General Part

- The concept and subject matter of private international and procedural law
- Historical development of PIL
- Foreign element
- Methods of regulation of cross-border legal relations
- Unification and harmonisation of PIL
- Sources of private international law: national law and international law
- Sources of private international law: EU law
- Relationship between various types of sources of PIL
- Conflict of law rules - characteristics and structure thereof, connecting factors
- Characterisation (Qualification) in Private International Law
- Preliminary, Partial and Subsequent questions
- *Renvoi* and regulation thereof in various sources of Private International Law
- Interlocal, interpersonal and intertemporal conflicts of laws
- Bypassing the law and simulated legal acts in PIL
- Ordre public and overriding mandatory rules
- Reciprocity in PIL
- Application of foreign law, obtaining the content of foreign law
- Substantive rules of PIL, rules regulating the position of foreigners in PIL

Special Part

- Jurisdiction in civil and commercial matters, relation between various types of sources
- Exclusive jurisdiction
- Prorogation of jurisdiction
- The approach of the court to reviewing its jurisdiction
- Jurisdiction in matrimonial matters
- Legal personality and capacity of natural persons (jurisdiction and law applicable)
- Legal personality and capacity of legal entities (jurisdiction and law applicable)

- The position of foreigners in PIL
- Validity of legal acts in Private International Law (law applicable)
- Rights in rem in PIL (jurisdiction and the law applicable)
- Law applicable to property relations between spouses
- Contractual obligations in Private International Law: conflict of law rules and (direct) uniform substantive rules, sources of law and application thereof
- Contractual obligations in Private International Law: choice of law by parties
- Contractual obligations in MPS: determination of the law applicable in the absence of choice
- Consumer protection in Private International Law
- Individual labour relations in Private International Law
- Non-contractual obligations in Private International Law (definition, relation to contractual obligations, sources of law and their scope)
- Non-contractual obligations according to the Rome II regulation
- Legal regulation of Traffic accidents in Private International Law
- Recognition and enforcement of foreign judgments
- The use and enforcement of foreign (public) authentic instruments
- Judicial Cooperation and assistance (taking of evidence, service of documents)
- Provisional measures in PIL (jurisdiction, recognition and enforcement)
- European order for payment
- European small claims procedure
- European Enforcement Order for uncontested cross-border claims