

Name of university, Name of faculty: Trnava University  
Faculty of Law

### INFORMATION SHEET OF THE SUBJECT

<b>Code:</b> YNOPm599	<b>Name:</b> Introduction to Private International Law		
<b>Cover:</b> Department of Civil and Commercial Law			
<b>Type of educational activity:</b> Lecture, Practise		<b>Number of credits:</b> 4	<b>Recommended semester:</b> WT
<b>Scope of educational activity (in hours):</b> <b>Weekly:</b> 1/1 <b>For term of study:</b> ZS 24,24/,24			<b>Study grade:</b> Master
<b>Method of educational activity:</b> Combined			
<b>Recommended semester</b>	<b>Study programme</b>		
2.year WT	Law (YDŠMgr-PR)		
<b>Underlie subjects:</b>			
<b>Conditions for passing the course:</b> <b>Method of evaluation:</b> Completion by taking an examination			
<b>Continuous evaluation:</b> <b>Final evaluation:</b> The oral exam consists of answering one question drawn from a pre-published list (50 %) and solving a case study, which assesses the student's ability to identify the relevant legislation and apply it to the stated factual situation (50 %). Evaluation: A: 100%-91%, B: 90%-81%, C: 80%-71%, D: 70%-66%, E: 65%-60%, FX: 59%-0. <b>Finished:</b> By exam.			
<b>Learning outcomes:</b> Upon successful completion of this course, students will be able to identify a foreign element in a private law relationship, compare basic methods of solving private law relationships with a foreign element, make a legal qualification of the facts and detect, search and apply relevant sources of private and procedural international law to the specified facts. The graduate of the course is able to explain the procedure for resolving a case concerning a private law relationship with a foreign element, to determine the international jurisdiction of the court and the applicable law in civil and commercial matters with a foreign element. The student will also acquire the ability to explain the process of recognition and enforcement of foreign decisions and compare it with the mechanism of cross-border effect of public documents, as well as the ability to describe the way of functioning and application of the so-called protection mechanisms in private and procedural international law and to explain the differences between public policy reservation, imperative standards, mandatory standards and security rules, including examples.			
<b>Schedule of subject:</b> 1. History, concept, subject and system of private and procedural international law, foreign element. 2. Methods of solving private law relations with a foreign element, direct and conflict method, unification, sources of private and procedural international law and their mutual relationship. 3. Basic issues of international procedural law: jurisdiction and judicial cooperation, exclusion from jurisdiction, the problem of forum shopping. 4. Interim, urgent and precautionary measures vs. main proceedings. 5. Jurisdiction in civil and commercial matters for the main proceedings (Brussels Ia Regulation, Act on International Private and Procedural Law). 6. General issues of application of governing law, issues prior to the application of the conflict rule (qualification) and application of the conflict rule, determination of foreign law, protective mechanisms of private and procedural international law (public order, imperative norms, mandatory norms). 7. Status issues and the position of persons in private and procedural international law: jurisdiction, personal status and aliens' law. 8. Obligations in civil and commercial matters in private international law, distinction between contractual and non-contractual obligations, conflict and direct regulation of obligations. 9. Contractual obligations in private international law. 10. Non-contractual obligations under private international law. 11. Rights in rem and inheritance status. 12. Recognition and enforcement of foreign judgments in civil and commercial matters, cross-border effect of public deeds, simplified cross-border recognition and enforcement mechanisms.			
<b>Recommended reading:</b> Basic recommended literature: ROZEHNALOVÁ, N. - DRLÍČKOVÁ, K. et al. Czech Private International Law. 1st ed. Brno : Masaryk University, Faculty of Law, 2015. 313 p. ISBN 978-80-210-8122-2. (Selected chapters) Available at: <a href="https://is.muni.cz/repo/1340211/Czech_Private_International_Law.pdf">https://is.muni.cz/repo/1340211/Czech_Private_International_Law.pdf</a> . ŠTEFANKOVÁ, N. International Private Law. Trnava : Trnavská univerzita v Trnave, Právnická fakulta, 2013. 113 p. ISBN: 978-80-8082-722-9. Available at: <a href="http://iuridica.truni.sk/sites/default/files/dokumenty/zahranicne-vztahy/en/publications/pdf/10International%20Private%20Law.pdf">http://iuridica.truni.sk/sites/default/files/dokumenty/zahranicne-vztahy/en/publications/pdf/10International%20Private%20Law.pdf</a> . Compendium of EU Legislation:			

European Commission, Directorate-General for Justice and Consumers: Compendium of European Union legislation on judicial cooperation in civil and commercial matters. 2018 edition. Luxembourg: Publications Office of the European Union, 2019. ISBN 978-92-79-62974-7. Available at: <https://op.europa.eu/s/syeM>.

**Legal acts:**

The Act No. 97/1963 Coll. on the private international and procedural law, as amended.

Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (Brussels I bis).

Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I).

Regulation (EC) No 864/2007 of the European Parliament and of the Council of 11 July 2007 on the law applicable to non-contractual obligations (Rome I).

Other relevant legislation, as specified in course syllabus.

**Language requirements:** English

**Notes:**

Student's workload: 100 hours

Combined study (lectures, seminars, consultations): 24 hours

Study for seminars, final evaluation and study of documents in Moodle (individual study): 76 hours

**Course evaluation:**

Assessed students in total: 4

A	B	C	D	E	FX
0%	50%	25%	0%	0%	25%

**Lecturers:**

Mgr. Bc. Martin Bulla, PhD., lecturer, examiner, instructor

JUDr. Ing. Dominika Moravcová, PhD., MBA, lecturer, examiner, instructor

doc. JUDr. Kristián Csach, PhD., LL.M., lecturer, examiner, instructor

**Date of last change:** 01.09.2024

**Approved by:** prof. PhDr. JUDr. Tomáš Gábriš, PhD., LL.M., MA