

Program: Doctoral Academic Studies			
Course title: CONTRACTUAL LIABILITY			
Teachers: Prof. dr Dragor Hiber, prof. dr Marko Đurđević, prof. dr Marija Karanikić Mirić			
Course status: optional for Civil law area – I module			
Number of ECTS: 10			
Requirements: /			
Aims of the course: Study of classics of Serbian civil law tradition; acquiring in depth knowledge in the area of the law of obligations; study of comparative legal solutions.			
Course result: Wide and in depth knowledge of the institutions of the law of obligations, support in writing a doctoral thesis by indication of relevant questions of the law of obligations and the literature relevant for the subject chosen by the student.			
Course content: General rules on the liability of the debtor 2. Creditor's rights; 2.1. Right to indemnity; 2.1.1. <i>General rules</i> ; 2.1.2. <i>Compensation determined by the court</i> ; 2.1.3. <i>Contractual penalty</i> ; 2.1.4. <i>Statutory interest</i> ; 2.2. Right to contest the debtor's juridical acts (<i>actio Pauliana</i>); 2.3. Right of retention (<i>ius retentionis</i>); 3.4. Rights of the creditor in some special cases.			
Literature: Mandatory: Slobodan Perović, Obligaciono pravo; Jankovec Ivica, Ugovorna odgovornost, Beograd, 1993; Komentar Zakona o obligacionim odnosima, B. Blagojević/ V. Krulj (articles 262-294). Additional: Konstantinović Mihailo, Obligacije i ugovori, Skica za Zakonik o obligacijama i ugovorima, Beograd, 1996; Zakon o obligacionim odnosima sa predgovorom prof. dr Slobodana Perovića – more editions; Miodrag Orlić, Zaključenje ugovora, Beograd, 1993; in French: Phillipe Malaurie, Laurent Aynès, Phillipe Stoffel – Munck, Les obligations, Paris, 2009; Muriel Fabre – Magnan, Droit des obligations, 1. – Contrats et engagement unilateral, Paris, 2008; Henri et Léon Mazeaud, Jean Mazeaud, François Chabas, Obligations, theorie générale, 9 ^{éd} par François Chabas, Paris, 1998; Philippe Malinvaud, Droit des obligations, Paris, 2007; Pierre Tercier, Le droit des obligations, Zurich, 2009 (relevant parts from one of the listed works); in English: J. Beatson, Anson's Law of Contract, Oxford, 2002; Laurence Koffman, Elizabeth Macdonald, The Law of Contract, London, 2004; Paul Richards, Law of Contract, Edinburgh, 2006; Jill Poole, Contract Law, Oxford, 2004 (relevant parts from one of the listed works); H.Brox, Handelrecht und Wertpapierrecht, München 1998; P.Gauch, Schweizerisches Obligationrecht – Allgemeiner Teil, Zürich, 2008; I. Schweinzer, Schweizerisches Obligationrecht – Allgemeiner Teil, Zürich, 2010 (relevant parts from one of the listed works)			
Number of lectures – active classes	Theoretical classes: 75	Practical classes :	
Instruction method: lectures, consultations			
Grading system (maximum number of points 100)			
Pre-exam obligations	points	Final Exam	points
Activities during lectures	30	Oral exam	70
Activities during practical classes			
Tests			
Seminar classes			