

<b>Program:</b> Doctoral Academic Studies
<b>Course title:</b> <b>NOTARIAL LAW</b>
<b>Teachers:</b> Prof. dr Mirko Vasiljević, prof. dr Aleksandar Jakšić, prof. dr Dragor Hiber, prof. dr Dejan Đurđević, prof. dr Marko Đurđević, prof. dr Miloš Živković
<b>Course status:</b> optional for 1. Civil law – II module 2. Civil law – III module
<b>Number of ECTS:</b> 10
<b>Requirements:</b> /
<b>Aims of the course:</b> The main aim is to familiarize students of doctoral studies with the institution of public notaries, its organisation, its functions in the judicial system and the method of performing the duties of a public notary. The course is focused on enabling students to connect previous knowledge of civil law and civil procedural law with the institution of public notaries and to give them in depth theoretical knowledge in the field of organisation, functions and methods of performing the activities of public notaries and the interconnection and importance of public notaries for normal development of private law relationships in our legal system.
<b>Course result:</b> Strong knowledge of notarial law, which this course should provide to its participants, is a guarantee of a more complete and more multi-sided understanding of civil and civil procedural law, which will be strongly influenced by the practice of public notaries. This course should also promote multidisciplinary and varied (by aspects under consideration) analysis of civil and civil procedural law in their entirety, and an additional way of looking at institutions and problems of these two areas of the legal system.
<b>Course content:</b> <i>1. week</i> subject: Notion of public notary and notarial law and the types of public notaries in comparative law; history of public notaries; Latin type public notaries; general characteristics of public notaries in Serbia; <i>2. week</i> subject: Organisation of public notaries: place, official area and seat of a public notary. Requirements and principles of the activity of public notaries: use of language and script, seal, stamp and signature, office of a public notary, working hours and establishing an office. <i>3. week</i> subject: Subjects of notarial activity: public notaries, assistants and trainees, replacement public notary and acting public notary – requirements for appointment and procedure, competencies and termination of activities; administrative staff. <i>4. week</i> subject: Activities of public notaries – general provisions: duty of performing an official act, exclusion, prohibitions for public notaries and the duty of secrecy; civil liability of public notaries and insurance from such liability; searching of the offices of a public notary and deciding on the arrest of a public notary. <i>5. week</i> subject: Notarial documents: notion and types; forms; procedure for drafting. <i>6. week</i> subject: certain types of notarial documents: notarial deeds – transactions which are made in this form, contents and enforceability of notarial deeds. Notarial protocol – facts which are recorded and contents; notarial confirmations. <i>7. week</i> subject: certain types of notarial documents – notarial protocol – facts which are recorded and contents; notarial confirmations and verifications (legalisation, solemnisation, authentication of copies and translations and authentication of representatives of legal persons); <i>8. week</i> subject: Duties which a public notary performs as delegated duties; <i>9. week</i> subject: Notarial registers and documents: safekeeping and keeping of registers, original, excerpt, copy and authentication of notarial documents; safekeeping and restoration of documents and deeds, archive. <i>10. week</i> subject: Chamber of Public Notaries: internal organisation, financing, competence. <i>11. week</i> subject: Remuneration for the work of public notaries and compensation of expenses. Notarial examination. <i>12. week</i> subject: Disciplinary liability of public notaries. <i>13. week</i> subject: notarial deposit. <i>14. week</i> subject: Final remarks about the organisation and statues of public notaries in Serbian and the perspectives of its further development.
<b>Literature:</b> <b>Mandatory:</b> Law on Public Notaries, Regulation on the office of a public notary and the working hours of a public notary, Regulation on public notary examination. D. Đurđević, <i>Predgovor</i> , Zakon o javnom beležništvu, Službeni glasnik, Beograd 2011; D. Đurđević, Javnobeležnička delatnost, Dosije studio, Beograd 2014; D. Đurđević, Utvrđivanje identiteta učesnika u postupku sastavljanja notarske isprave, Pravni život br. 12/2011. <b>Additional:</b> Nebojša Šarkić (priređivač), O javnom beležniku (notaru), Glosarijum, Beograd 2004; Milena Trgovčević Prokić, Ovlašćenja javnog beležnika, Službeni glasnik, Beograd 2007; Slobodan Spasić, Nebojša Šarkić, Đorđe Sibinović, Pravosudna profesije, Službeni glasnik, Beograd 2011 (str. 179 do 198); Dejan Đurđević, Notarski testament u nemačkom pravu, u Uvod u pravo Nemačke (ur. M. Vasiljević, V. Čolović), Institut za uporedno pravo

– Pravni fakultet u Beogradu, Beograd 2011; Dejan Đurđević, Pravni položaj notara u evropskim pravnim porecima i u srpskom pravu, u Perspektive implementacije evropskih standarda u pravni sistem Republike Srbije, Knjiga 1 (priređio S. Lilić), Pravni fakultet Univerziteta u Beogradu, 2011. Miraš Radović, Enes Bikić, Sefedin Suljević, Notarijat u Crnoj Gori, Ministarstvo pravce Crne Gore, Podgorica 2010; Meliha Povlakić, Christoph Schalast, Vesna Softić, Komentar zakona o notarima u Bosni i Hercegovini, GTZ, Sarajevo 2009.

<b>Number of lectures – active classes</b>	<b>Theoretical classes: 75</b>	<b>Practical classes :</b>	
<b>Instruction method:</b>			
<b>Grading system (maximum number of points 100)</b>			
<b>Pre-exam obligations</b>	points	<b>Final Exam</b>	points
Activities during lectures	30	Oral exam	70
Activities during practical classes			
Tests			
Seminar classes			