

Master Academic Studies			
Course Title: BANKING CONTRACT LAW			
Lecturers: prof. dr Mirko Vasiljević, prof. dr Nebojša Jovanović, prof. dr Vuk Radović, prof. dr Mirjana Radović			
Status of the course: elective – Commercial Law Module			
Number of ESPB: 10			
Condition: Bachelor degree			
Aim of the course: acquiring <i>in-depth</i> knowledge about banking contracts; understanding main legal issues with regard to the relationship between a bank and its client; teaching students how banking contracts function in practice; introducing basic international and regional sources of law and tendencies in the field of banking law; following and analysis of the new legal solutions; developing a critical way of thinking about inadequate solutions in the current banking contract law.			
Learning outcome: Students will gain fundamental theoretical knowledge about banking contracts, master the main legal terminology and develop a critical way of thinking about the problems in the relationship between a bank and its client.			
Outline of the course: INTRODUCTION – Notion, subject, sources of law, relations with other branches of law GENERAL PART – notion, nature, characteristics, elements, types of banking contracts, notion of bank and client general terms of contract, general obligations of the bank (banking secret, information, advice, explanation, identification of the client), liability of the bank and its employees, general rights and obligations of the client (set off, paying commission/fee, pledge, termination of the contract) SPECIAL PART			
<ol style="list-style-type: none"> 1. Deposit transactions – money deposit, savings account, deposit of other movables, securities deposit 2. Banking account – legal basis, opening of an account, account holder, types of account, crediting and debiting of the account, provisional credit, statement of account, balance, fee, interests, termination, current account 3. Payment services – electronic funds transfer, payment services providers, payment instruments, types of funds transfer (credit transfer, debit transfer), payment order, direct debit, payment cards, cheque, unauthorised payment, 4. Credit contract – notion, characteristics, types, concluding the contract, rights and obligations of the parties, termination, discount credit, pledge credit, consumer credit, revolving credit 5. Factoring contract 6. Forfeiting contract 7. Safe deposit contract 8. Incasso contract 9. Letter of credit 10. Bank guarantee 			
Literature:			
Mandatory:			
Mirko Vasiljević, <i>Trgovinsko pravo</i> , Beograd, 2012, str. 350-440; Stevan Šogorov, <i>Bankarsko pravo</i> , Poslovni biro, Novi Sad, 2005; Ivica Jankovec, <i>Privredno pravo</i> , Beograd, 1999			
Optional:			
Zoran Antonijević, Milan Petrović, Božidar Pavićević, <i>Bankarsko pravo</i> , Beograd, 1982; Christian Gavalda, Jean Stoufflet, <i>Droit bancaire, Institutions – Comptes – Opérations – Services</i> , 3 ^e édition, Paris, 1997. or newer; E. P. Ellinger, E. Lomnicka, R. J. A. Hooley, <i>Modern Banking Law</i> , Oxford, 2002 or newer; Hans-Peter Schwintowski, Frank A. Schäfer, <i>Bankrecht, Commercial Banking – Investment Banking</i> , 1997. or newer; Siegfried Kümpel, <i>Bank- und Kapitalmarktrecht</i> , 3. Auflage, Verlag Dr. Otto Schmidt, Köln, 2004 or newer.			
Legislation:			
<ol style="list-style-type: none"> 1. Law on obligation relations, Art. 1035-1088 2. Law on protection of financial services consumers 3. Law on payment services 4. Law on banks 			
Number of classes			
Lectures: 15	Practicing skills:	Other types of classes:	Studying research work:
			Other
Teaching methods: lectures, consultations			
Grading (maximum number of points 100)			
Pre-exam obligations	points	Final exam	points
lectures	10	oral exam	70

successfully defended seminar paper	10		
other activities	maximum 10		