

Program: Undergraduate Academic Studies			
Course title: CONSUMER CONTRACT LAW			
Teachers: Prof. dr Marko Đurđević, prof. dr Marija Karanikić Mirić			
Course status: optional			
Number of ECTS: 2			
Requirements: /			
Aims of the course: (1) acquiring in depth theoretical knowledge in the field of consumer contract law, with a special focus on certain questions of consumer protection policy; (2) understanding the basic principles and mechanisms of consumer contract law, the goals and practical application of legal norms in this area, as well as the values which provide a foundation for those rules; (3) elementary insight into the process of harmonization of consumer law at the level of the European Union; (4) acquiring basic knowledge about the fundamental elements of EU consumer law, in the degree which is necessary for understanding the origin of certain rules of Serbian consumer contract law. Study of subjects which are dealt with in the course encompasses: (1) theoretical analysis of certain institutions of consumer contract law; (2) analysis of relevant court practice (primarily of decisions of Serbian courts, but also of certain decisions of the Court of Justice of the European Union); analysis of different instruments of consumer protection policy.			
Course result: By successfully completing the course, students will acquire the capacity for critical analysis and application of legal norms. In addition, students will acquire knowledge necessary for understanding and critical analysis of regulation in the process of EU integration and harmonization of the law of the Republic of Serbia with the law of the European Union in the area of consumer contract law.			
Course content: The notion and development of consumer contract law. Policy of consumer protection. Formal sources of consumer contract law. Mandatory nature of rules of consumer contract law. Analysis of consumer contract law of the European Union: instruments and aims of harmonization of consumer contract law. Basic notions of consumer contract law. Notion of consumer. Notion of trader. Duty of information. Indication of prices. Unfair business practice. Fraudulent and aggressive business practice. Distance contracts and contracts concluded outside business premises. Right of withdrawal. Limitation of certain modes of distance communication. The measure and legal consequences of unfairness. Consumer protection in sales contracts. Conformity of goods. Warranty. Liability of producers for defective products. Consumer protection in contracts for services. Services of general economic importance. Consumer protection in contracts in the field of tourism. Protection of users of financial services. Procedure in consumer disputes. The procedure of prohibition of unfair contract terms and unfair business practice.			
Literature: Mandatory: Jelena Vilus, Pravna zaštita potrošača, Institut za uporedno pravo, Beograd 1996. Obavezni izvori: Zakon o zaštiti potrošača, Sl. glasnik RS, br. 73/2010; Zakon o zaštiti korisnika finansijskih usluga, Sl. glasnik RS, br. 36/2011; Zakon o obligacionim odnosima, Sl. glasnik RS, br. 29/78, 39/85, 45/89 i 57/89, Sl. list SRJ, br. 31/93 Additional: Danica Popov, Odgovornost prodavca za materijalne nedostatke, Zbornik radova Pravnog fakulteta u Novom Sadu, br.1-2/1989; Jakov Radišić, Garancija za trajan kvalitet i odgovornost za štetu od stvari sa nedostatkom, Institut za uporedno pravo, Beograd, 1972; Dubravka Stojanović, Prava kupaca po osnovu garancije za ispravno funkcionisanje stvari i Zakona o zaštiti potrošača, Pravo i privreda, 2007/5-8, 751-764; Dragoljub Simonović, Ugovori u zakonu o zaštiti potrošača, Pravni život, 2006/10, 1075-1096; Jelena Vilus, Elektronsko ugovorno pravo, Pravo i privreda, 1995/11-12, 1-18; Jelena Vilus, Elektronsko zaključenje ugovora, Pravni život, 2003/11, 179-192; Jelena Vilus, Elektronsko plaćanje - novi vid izvršenja obaveza dužnika, Pravo teorija i praksa, 1996/11-12, 48-62; Hans-W Micklitz, Jules Stuyck, Evelyne Terryn (eds.), Consumer Law: Ius Commune Casebooks for a Common Law of Europe, Hart Publishing, Oxford/Portland 2010, pp. 597; Hans-W. Micklitz, Norbert Reich, Peter Rott, Understanding EU Consumer Law, Intersentia, Antwerp/Oxford/Portland 2009, pp. 378; Marija Karanikic, Hans-Wolfgang Micklitz, Norbert Reich (eds.), Modernising Consumer Law. The Experience of the Western Balkan, Nomos, Berlin 2012, pp. 485.			
Number of lectures – active classes	Theoretical classes: 30	Practical classes :	
Instruction method: lectures			
Grading system (maximum number of points 100)			
Pre-exam obligations	points	Final Exam	points

Activities during lectures	20	Oral exam	60
Activities during practical classes			
Tests			
Seminar classes	20		