

	UČNI NAČRT PREDMETA/COURSE SYLLABUS
Predmet	Pravni okviri poslovanja
Course title	Legal Framework of Business Operations

Študijski program in stopnja Study programme and level	Študijska smer Study field	Letnik Academic year	Semester Semester
Poslovna informatika / I. stopnja	Poslovna informatika	2./3. letnik	4./5.
Business Informatics / I st Cycle	Business Informatics	2 nd /3 rd year	4 th /5 th

Vrsta predmeta/Course type

izbirni / elective

Univerzitetna koda predmeta/University course code

I_PI_IP_UN4

Predavanja Lectures	Seminar Seminar	Sem. vaje Tutorial	Lab. vaje Laboratory work	Teren. vaje Field work	Samost. delo Individ. work	ECTS
30		30			90	6

Nosilec predmeta/Lecturer:

izr. prof. dr. Franci Avsec

Jeziki/ Predavanja/Lectures:
Languages:

slovenski/Slovenian

Vaje/Tutorial:

slovenski/Slovenian

Pogoji za vključitev v delo oz. za opravljanje študijskih obveznosti:

Prerequisites:

- Vpis v drugi ali tretji letnik študijskega programa.
- Študent mora pred izpitom pripraviti in predstaviti seminarsko nalogo.

- The prerequisite for inclusion is enrolment in the second or third year of study.
- Students have to successfully prepare and present a seminar paper before the examination.

Vsebina:

Content (Syllabus outline):

- *Temeljni pravni pojmi.* Pojem in sestavine pravnega reda. Statični pojem prava: sestavine in razvrstitev pravnih pravil. Dinamični vidik prava: normativni pravni akti, njihova hierarhija in skladnost.
- *Ustavni sistem Republike Slovenije.* Pojem pravne in socialne države.

- *Basic legal concepts.* The concept and components of the legal system. Static concept of law: the inner structure and the classification of legal rules. Dynamic aspect of the law: normative legal acts, their hierarchy and conformity.
- *The constitutional system of the Republic*

<p>Človekove pravice in temeljne svoboščine. Gospodarska in socialna razmerja. Delitev oblasti. Ustavnost in zakonitost. Organiziranost državne uprave in sodstva. Alternativno reševanje sporov. Lokalna samouprava.</p> <ul style="list-style-type: none"> • <i>Uvod v pravo Evropske unije.</i> Evropske skupnosti in Evropska unija. Primarno in sekundarno pravo ter mednarodne pogodbe EU, pojem neposrednega učinka in razmerje med pravom EU in pravom države članice. Pravno varstvo pred sodiščem EU. • <i>Osnove korporacijskega prava.</i> Pravno razmerje. Pojem pravice, zastaranje in prekluzija. Pravni subjekti. Pravna, poslovna in deliktna sposobnost. Pravne osebe in njihove organizacijske oblike. • <i>Osnove stvarnega prava.</i> Stvari kot objekti pravnih razmerij. Stvarne pravice in posest. • <i>Osnove obveznostnega prava.</i> Splošno o obveznostnih razmerjih. Pogodbene obveznosti. Odškodninske obveznosti po različnih temeljih. Utrditev obveznosti. Sprememba obveznostnih razmerij. Prenehanje obveznosti. • <i>Gospodarske pogodbe.</i> Prodajna pogodba. Zakupna (najemna) pogodba. Podjemna, gradbena in prevozne pogodbe. Licenčna pogodba. Skladiščna pogodba. Mandatna pogodba. Komisijška pogodba. Pogodba o trgovinskem zastopanju. Posredniška pogodba. Špedicijska pogodba. Pogodba o kontroli blaga in storitev. Zavarovalna pogodba. • <i>Uvod v pravo vrednostnih papirjev.</i> Bistvo in vrste vrednostnih papirjev. Menica. Ček. Delnica. Obveznica. Skladiščnica. Nakladnica. • <i>Temelji bančnih poslov.</i> Dokumentarni akreditiv. Bančna garancija. Drugi bančni posli. Nakazilo. Denarne 	<p><i>of Slovenia.</i> The concept of state governed by the rule of law and the concept of social state. Human rights and fundamental freedoms. Economic and social relations. Separation of powers. Constitutionality and legality. The structure of the state administration and judiciary. Alternative dispute resolution. Local self-government.</p> <ul style="list-style-type: none"> • <i>Introduction to the Law of the European Union.</i> The European Communities and the European Union. Primary and secondary law and international treaties of the EU. The concept of direct effect and the relationship between the EU law and the law of the Member States. Legal protection before the Court of the EU. • <i>Fundamentals of corporate law.</i> Legal relationship. The concept of right, limitation and time-barring. Subjects in law. Legal and contractual capacity, responsibility in law. Legal entities and their organisational forms. • <i>Fundamentals of property law.</i> Things as objects of legal relations. Rights in rem and possession. • <i>Fundamentals of law of obligations.</i> Obligational relationships in general. Contractual obligations. Liability for damages. Securing of obligations. Changes of obligational relationships. Termination of obligations. • <i>Commercial contracts.</i> Sales contract. Lease (rental) contract. Contract for work. Building contract. Contracts of carriage. • License agreement. Contract of storage. Contract of mandate. Commission agency contract. Commercial agency contract. Brokerage contract. Shipping contract. Contract on control of goods and services. Insurance contract. • <i>Introduction to the law of negotiable instruments.</i> The essence and types of negotiable instruments. Bill of
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<p>obveznosti po določbah Obligacijskega zakonika.</p> <ul style="list-style-type: none"> • <i>Uvod v pravo intelektualne lastnine.</i> Avtorske in sorodne pravice. Pravice industrijske lastnine. • <i>Uvod v delovno pravo.</i> Viri in temeljna načela delovnega prava. Nastanek in prenehanje delovnega razmerja ter temeljne pravice delavca in delodajalca. 	<p>exchange. Cheque. Share. Bond. Warehouse receipt. Bill of lading.</p> <ul style="list-style-type: none"> • <i>Fundamentals of banking transactions.</i> Documentary letter of credit. Bank guarantee. Other banking transactions. Assignment. Monetary obligations under the provisions of the Code of Obligations. • <i>Introduction to intellectual property law.</i> Copyright and related rights. Industrial property rights. • <i>Introduction to labour law.</i> Resources and basic principles of labour law. Conclusion and termination of the employment relationship. Fundamental rights of worker and of employer.
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Temeljna literatura in viri/Readings:

Temeljna literatura/Basic literature

- Avsec, F. (2017). Pravni okviri poslovanja. Novo mesto: Fakulteta za upravljanje, poslovanje in informatiko Novo mesto. Spletna stran: <http://www.vsnm.si/publikacije/favsec/pop/mobile/index.html#p=1>.

Priporočljiva literatura/Recommended literature

- Trstenjak, V. in Brkan, M. (2019). Pravo EU: ustavno, procesno in gospodarsko pravo EU. Ljubljana : Lexpera, GV založba.
- Kocbek, M. in sod. (2014). Veliki komentar Zakona o gospodarskih družbah. Ljubljana : IUS Software, GV založba.
- Korže, B. (2019). Pravo družb in poslovno pravo. Ljubljana : Uradni list Republike Slovenije.
- Vodovnik, Z. in Tičar, L. (2018). Osnove delovnega in socialnega prava. Ljubljana: Lexpera, GV založba.
- Cepec, J., in Kovač, M. (2019). Poslovno pravo : osnove s praktičnimi primeri. Ljubljana: Lexpera, GV založba.
- Plavšak, N. in sod. (2003/2004) Obligacijski zakonik (OZ) : s komentarjem. Ljubljana: GV založba.

Cilji in kompetence:

Učna enota prispeva predvsem k razvoju naslednjih splošnih in specifičnih kompetenc:

- poznavanje in razumevanje utemeljitve in zgodovine temeljnih disciplin s področja poslovnega prava;
- koherentno obvladanje temeljnega znanja, pridobljenega pri predmetu ter sposobnost povezovanja znanja iz različnih področij in njegova

Objectives and competences:

The learning unit mainly contributes to the development of the following general and specific competences:

- knowledge and understanding of the rationale and history of the core disciplines in the areas of business law;
- a consistent mastery of basic skills acquired in the subject and the ability

<p>aplikativna uporaba in implementacija v prakso;</p> <ul style="list-style-type: none"> • poznavanje in razumevanje procesov in stanj v poslovnem okolju iz pravnega vidika in sposobnost za njihovo analizo, sintezo in predvidevanje rešitev ter njihovih posledic v skladu z uveljavljenimi pravnimi načeli in pravili; • usposobljenost za raziskovanje na področju upravljanja in poslovanja z upoštevanjem pravnega vidika ter razvoj kritične in samokritične presoje; • fleksibilna uporaba pridobljenega pravnega znanja v praksi; • sposobnost za reševanje konkretnih delovnih problemov s področja prava v upravljanju in poslovanju; • interdisciplinarno povezovanje pravnih vsebin z ostalimi področji upravljanja in poslovanja; • sposobnost pridobivanja, selekcije in evalvacije novih informacij in zmožnost ustrezne interpretacije na področju ostalih disciplin programa upravljanje in poslovanje; • sposobnost uporabe informacijsko-komunikacijske tehnologije in sistemov za pridobivanje podatkov in informacij za reševanje pravnih problemov (zakonodaja, javni registri...); • upoštevanje poslovne morale in etike. 	<p>to connect knowledge from different fields, its applicative use and implementation in practice;</p> <ul style="list-style-type: none"> • knowledge and understanding of the processes and conditions in the business environment from legal perspective and capacity for analysis, synthesis and solutions forecasting, including their consequences in accordance with established legal principles and rules; • being qualified for research in the field of management and business with respect to legal aspects and the development of critical and self-assessment; • flexible use of the acquired knowledge in legal practice; • the ability to solve practical problems in the field of employment law and business management; • interdisciplinary integration of legal content with other spheres of management and business; • the ability to access, select and evaluate new information and to interpret the relevant disciplines of the management and business programme; • the ability to use information and communication technologies and systems to retrieve data and information for resolving legal issues (laws, public records, etc.); • observance of business morality and ethics.
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Predvideni študijski rezultati:

Študent/študentka pozna in razume:

- temeljne pravne pojme;
- temelje ustavnega sistema Republike Slovenije v okviru Evropske unije;
- temelje prava Evropske unije;
- osnove gospodarskega prava;
- osnove obligacijskega prava v povezavi z ekonomskimi temelji;
- temeljne gospodarske pogodbe in njihovo aplikacijo v praksi;
- pravne možnosti reševanja sporov;

Intended learning outcomes:

Students know and understand:

- basic legal concepts;
- foundations of the constitutional system of the Republic of Slovenia in the European Union;
- foundations of the European Union law;
- foundations of business law;
- foundations of contract law and its economic foundations;
- basic business contracts and their

<ul style="list-style-type: none"> • temeljni pravni vidik prava vrednostnih papirjev; • pravne temelje bančnih poslov; • pravne možnosti podjetniškega organiziranja, povezovanja in prenehanja. • osnove delovnega prava; • osnove prava intelektualne lastnine. 	<p>application in practice;</p> <ul style="list-style-type: none"> • legal dispute resolution options; • basic legal aspects of securities law; • legal foundations of banking transactions; • legal options for entrepreneurial organisation, integration and termination of legal entities. • the basics of employment law; • the basics of intellectual property law.
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Metode poučevanja in učenja:

Learning and teaching methods:

<ul style="list-style-type: none"> • <i>predavanja</i> z aktivno udeležbo študentov (razlaga, diskusija, vprašanja, primeri, reševanje problemov), • <i>seminarske vaje</i>: priprava, predstavitev in uspešen zagovor seminarske naloge, portfolio (reševanje problemov, študije primera, kritično presojanje, diskusija, refleksija izkušenj, vrednotenje, projektno delo, timsko delo). 	<ul style="list-style-type: none"> • <i>lectures</i> with active student participation (explanation, discussion, questions, examples, problem solving), • <i>seminar tutorial</i>: preparation, presentation and a successful defence of a seminar paper, portfolio (problem solving, case studies, methods of critical thinking, discussion, reflection of experience, evaluation, project work, teamwork).
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Načini ocenjevanja:

Delež (v %)
Weight (in %)

Assessment:

<p>Načini:</p> <ul style="list-style-type: none"> • pisni (ustni) izpit • izdelava, predstavitev in zagovor seminarske naloge 	<p>70 30</p>	<p>Types:</p> <ul style="list-style-type: none"> • written (oral) exam • preparation, presentation and defence of the seminar paper
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