

UČNI NAČRT PREDMETA/COURSE SYLLABUS	
Predmet:	Poslovno pravo
Course title	Business Law

Študijski program in stopnja Study programme and level	Študijska smer Study field	Letnik Academic year	Semester Semester
Poslovna ekonomija 2	Poslovna ekonomija	2.	3.
Business Economics 2	Business Economics	2 nd	3 rd

Vrsta predmeta/Course type	izbirni/elective
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Univerzitetna koda predmeta/University course code	
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Predavanja Lectures	Seminar Seminar	Sem. vaje Tutorial	Lab. vaje Laboratory work	Teren. vaje Field work	Samost. delo Individ. work	ECTS
24		16				7

Nosilec predmeta/Lecturer:	Izr. prof. dr. Franci Avsec
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Jezik/ Languages:	Predavanja/Lectures:	slovenski/Slovenian
	Vaje/Tutorial:	slovenski/Slovenian

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

<ul style="list-style-type: none"> Pogoj za vključitev v delo je vpis v drugi letnik študijskega programa. Študent mora pred izpitom pripraviti portfolio s poročili projektnega dela. 	<ul style="list-style-type: none"> The condition for inclusion is entry in the second year of study. Student has to prepare portfolio with reports on project work before the exam.
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Vsebina:

<ul style="list-style-type: none"> <i>Splošni pojmi o obligacijah in obligacijskih razmerjih</i> (viri obligacijskega prava, načela obligacijskih razmerij, vrste obveznosti, stranke in zastopniki v obligacijskih razmerjih). <i>Nastanek in učinki obveznosti</i> (obveznostne pogodbe ter odškodninske obveznosti, povračilne obveznosti, učinki obveznosti (relativna razmerja, izpolnitev, kršitev obveznosti, nepravilna izpolnitev, vpliv spremenjenih razmer in obveznosti, nevarnost in pogodbena odškodninska odgovornost). <i>Prenos obligacij in utrditev obveznosti</i> (odstop, prevzem dolga, nakazilo, poroštvo, zastava, kavcija, pridržana pravica, ara, pogodbena kazen, predujem, 	Content (Syllabus outline): <ul style="list-style-type: none"> <i>General concepts of obligations and obligational relations</i> (sources of the law of obligations, principles of the obligatory relationships, types of liabilities, clients and agents in obligatory relationships). <i>Origin and effects of liabilities</i> (liability contracts and liability for damages, repayment obligations, the effects of liabilities (relative ratios, fulfillment, breach of obligations, improper fulfillment, impact of changed circumstances and liabilities, danger and contractual liability). <i>Transfer of obligations and consolidation of liabilities</i> (resignation, debt acceptance, deposit, guarantee, pledge, security deposit, reserved right, deposit,
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<p>pripoznanje dolga, pridržek lastninske pravice).</p> <ul style="list-style-type: none"> • <i>Spremembe in prenehanje obveznosti</i> (poravnava, zastaranje, stečaj, normalni in izjemni primeri prenehanja, prenehanje obveznosti po volji ene ali obeh strank, prenehanje brez volje strank – ipso iure). • <i>Temeljna razvrstitev pogodb</i> (pogodbe o odsvojitvi, pogodbe o storitvah, pogodbe o uporabi, pogodbe o udeležbi, pogodbe o tveganju). • <i>Obseg gospodarsko pravnih poslov</i> (gospodarsko pogodbeno pravo v pravnem sistemu, viri gospodarskega pogodbenega prava, zastopanje gospodarskih subjektov, sklenitev pogodbe, kršitev pogodbe, plačila in instituti za zavarovanje pogodbenih obveznosti). • <i>Podrobnejše o posameznih pogodbah</i> (prodajna pogodba, posredniška pogodba, komisijska pogodba, agencijska pogodba, distribucijska pogodba, špedicijska pogodba, skladiščna pogodba, pogodba o kontroli blaga in storitev, gradbena in z gradnjo povezane pogodbe). 	<p>contractual penalty, advance, debt recognition, reservation of title).</p> <ul style="list-style-type: none"> • <i>Changes and cessation of liabilities</i> (settlement, limitation, bankruptcy, normal and exceptional cases of termination, termination of one or both of the parties' obligations, termination without the will of the parties - ipso iure). • <i>Fundamental classification of contracts</i> (divestiture contracts, service contracts, contracts on the use, participation contracts, risk contracts). • <i>The scope of economic transactions</i> (commercial contract law in the legal system, sources of commercial contract law, representation of economic operators, conclusion of a contract, breach of contract, payments and institutes for insurance contractual obligations). • <i>More specifically on individual contracts</i> (sales contract, brokerage contract, commission agreement, agency contract, distribution agreement, freight forwarding contract, warehouse agreement, contract on the control of goods and services, construction and construction-related contracts).
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Temeljna literatura in viri/Readings:

- Cigoj, S. (1979). Kontrakti in reparacije – posebni del obligacijskega prava. Ljubljana: Uradni list SRS.
- Cigoj, S. (1989). Teorija obligacij – splošni del obligacijskega prava. Ljubljana: Uradni list SRS.
- Juhart, M. in Plavšak, N. (2003). Obligacijski zakonik s komentarjem, 1.-4. knjiga. Ljubljana: GV Založba.
- Krajnc, V. (2006). Gospodarsko pogodbeno pravo. Ljubljana: GV Založba.
- Puharič, K. (2006). Pravo družb in poslovno pravo. Ljubljana: Uradni list RS.

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 obvladovanje temeljnega znanja, pridobljenega pri predmetu ter sposobnost povezovanja znanja z različnih področij in njegova aplikativna uporaba implementacija v prakso;
- poznavanje in razumevanje procesov in

Objectives and competences:

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

- knowledge and understanding of the justification and history of basic disciplines in the field of business law;
- coherent management of the basic knowledge acquired in the course, as well as the ability to integrate knowledge from various fields and its application to implementation in practice;

<p>stanj v poslovnem okolju z vidika poslovnega prava in sposobnost za njihovo analizo, sintezo in predvidevanje rešitev ter njihovih posledic v skladu z uveljavljenimi pravnimi načeli in pravili;</p> <ul style="list-style-type: none"> • usposobljenost za raziskovanje na področju poslovne ekonomije 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 poslovne ekonomije; • interdisciplinarno povezovanje pravnih vsebin z ostalimi področji poslovne ekonomije; • sposobnost pridobivanja, selekcije in evalvacije novih pravnih informacij in zmožnost ustrezne interpretacije na področju poslovnega prava in ostalih disciplin programa poslovne ekonomije; • sposobnost uporabe informacijsko-komunikacijske tehnologije in sistemov za pridobivanje podatkov in informacij za reševanje problemov insolvenčnega prava (zakonodaja, javni registri ...); • upoštevanje poslovne morale in etike. 	<ul style="list-style-type: none"> • knowledge and understanding of processes and conditions in the business environment through the aspect of business law and the ability to analyze, synthesize and anticipate solutions and their consequences in accordance with the established legal principles and rules; • competence for research in the field of business economics, taking into account the legal aspect, and the development of a critical and self-critical assessment; • flexible use of the acquired legal knowledge in practice; • the ability to solve concrete business problems in the field of business economics; • interdisciplinary integration of legal content with other areas of business economics; • the ability to acquire, select and evaluate new legal information and the ability to interpret it in the field of business law and other disciplines of the business economics program; • the ability to use information and communication technology and systems for obtaining data and information for solving problems of insolvency law (legislation, public registers, etc.); • considering business morality and ethics.
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Predvideni študijski rezultati:

Znanje in razumevanje:

Študent/Študentka bo spoznal/a:

- osnove obligacijskega prava v povezavi z ekonomskimi temelji;
- temeljne gospodarske pogodbe in njihovo aplikacijo v praksi;
- pravne možnosti reševanje sporov;
- temeljni pravni vidik prava vrednostnih papirjev;
- pravne možnosti podjetniškega organiziranja, povezovanja in prenehanja;
- precizne pravne kvalifikacije dejanskega stanja, natančno vsebino obligacijskega prava ter zlasti sposobnost samostojne analize razlogov za razrešitev v posameznih primerih;
- stranke in zastopnike v obligacijskih razmerjih;
- načine nastanka obveznosti, učinke obveznosti, prenos obligacij, njihovo utrditev ter spremembe in načine

Intended learning outcomes:

Knowledge and understanding:

Students will learn about:

- bases of the law of obligation in relation to economic foundations;
- basic economic contracts and their application in practice;
- legal options to resolve disputes;
- the fundamental legal aspect of securities law;
- legal possibilities for entrepreneurial organization, integration and termination;
- the precise legal qualifications of the actual state, the precise content of the law of obligations, and in particular the ability to independently analyze the reasons for the dismissal in individual cases;
- clients and agents in obligatory relationships;
- the ways of creating a liability, the effects of liabilities, the transfer of obligations, their consolidation, and

<p>prenehanja obveznosti;</p> <ul style="list-style-type: none"> • pravne institute, ki so osnovni in najpogosteji v obligacijskih razmerjih med gospodarskimi subjekti; • posebnosti in značilnosti, ki ločujejo trgovinsko ali gospodarsko pogodbeno pravo od splošnega pogodbenega prava; • ureditev v slovenskem pravnem redu, primerjalnem pravu in pravilih mednarodnega gospodarskega prava. 	<p>changes and methods of termination of liabilities;</p> <ul style="list-style-type: none"> • legal institutes, which are basic and the most common in obligatory relationships between economic operators; • the specificities and characteristics that distinguish commercial or commercial contract law from the general contract law; • regulation in Slovenian legal order, comparative law and rules of international commercial 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>vaje</i> v povezavi s prakso (refleksija izkušenj, projektno delo, timsko delo, metode kritičnega mišljenja, diskusija, sporočanje povratne informacije, socialne igre); • <i>individualne in skupinske konzultacije</i> (diskusija, dodatna razlaga, obravnava specifičnih vprašanj); • <i>oblikovanje portfolija in samostojen študij</i> (motiviranje, usmerjanje, samoopazovanje, samouravnavanje, refleksija, samoocenjevanje). 	<ul style="list-style-type: none"> • <i>lectures</i> with active participation of students (explanation, discussion, questions, examples, problem solving); • <i>tutorial</i> in connection with practice (reflection of experience, project work, teamwork, critical thinking methods, discussion, feedback, social games); • <i>individual and group consultations</i> (discussion, further explanation, considering specific issues). • <i>designing a portfolio and independent study</i> (motivation, guidance, self-observation, self-regulation, reflection, self-assessment).

Načini ocenjevanja:	Delež (v %) Weight (v %)	Assessment:
<p>Način (pisni izpit, ustno spraševanje, naloge, projekti):</p> <ul style="list-style-type: none"> • izpit • portfolio s poročili projektnega dela 	<p>60 40</p>	<p>Types (written examination, oral examination, coursework, project):</p> <ul style="list-style-type: none"> • exam, • portfolio with reports on project work