

SYLLABUS
Academic Year 2023/2024
2nd Year of Study/ First Semester

1. Information about the program

1.1. Institution	„1 Decembrie 1918” University of Alba Iulia
1.2. Faculty	Faculty of Economics
1.3. Department	Business Administration and Marketing
1.4. Study field	Business Administration
1.5. Level	Master
1.6. Study program	Master of Business Administration 242213 Expert accessing European structural and cohesion funds, 242222 Business Information Analyst, 242232 Sustainable Development Expert

2. Information about discipline

2.1. Discipline title	Business Law and Mediation			2.2. Course code	BA 212		
2.3. Course coordinator	Assistant professor PhD Bogdan Florea						
2.4. Seminar coordinator	Assistant professor PhD Bogdan Florea						
2.5. Study year	II	2.6. Semester	I	2.7. Evaluation type (E/C/VP)	E	2.8. Type of course (C – compulsory, Op – optional, F - Facultative))	C

3. Number of teaching hours per semester

3.1. Teaching hours per week	3	from wich: 3.2. course	2	3.3. seminar	1
3.4. Total of hours per semester	42	from wich: 3.5. course	28	3.6. seminar/laboratory	14
Distribution of time					Number of hours
Study from course book					40
Suplimentary documentation					30
Preparing for seminars, papers					30
Mentoring					-
Exams					2
Other activities: studying in session					6

Total of hours per individual study	108
3.8 Total of hours per study plan	42
3.9 Total of hours per semester	150
3.10 Number of ECTS credits allocated	6

4. Preconditions (when is the case)

4.1. of curriculum	-
4.2. of competences	-

5. Conditions (when is the case)

5.1. for the course	<i>Room equipped with video projector / blackboard.</i>
5.2. for the seminar	<i>Room equipped with video projector / blackboard.</i>

6. Specific competences

Professional competences	<i>S3. Ability to lead working groups and communicate in the more diverse contexts of business;</i> <i>S5. Leadership skills and a strong commitment to own professional development;</i> <i>S10. Acquiring theoretical and practical knowledge in the field of business development;</i>
Additional competences	-

7. Discipline objectives

7.1 General objective	<i>Description of concepts, theories, paradigms and methodologies used in the legal field, as well as using the written and oral legal language and legal logic tools to explain and interpret concepts and theories specific to the field of law, to find arguments in the specific field, to evaluate concepts, theories and methods established in the legal field and to develop professional projects</i>
7.2 Specific objective	<i>Defining and classifying the theories, paradigms and principles used in the study of law</i> <i>Use of legal concepts and theories to explain and interpret national, European and international law (legal norms)</i> <i>Applying theories, principles and concepts in a determined context</i> <i>Analyzing preliminary data, interpreting them, making classifications and conceptual delimitations</i> <i>Developing professional projects using the theories, principles and methods specific to the law</i>

8. Content

8.1. Course	Teaching methods	Obs.
1. Introduction to Business Law Concept, object and definition. The notion of market. Internal market and single market.	Lecture, talks, 2 hours	B. Florea, Business Law and Mediation, Electronic course support I. Lazar, <i>European Union Competition Law</i> , București, Universul Juridic Publishing House, 2016.
2. Principles of Business Law. The sources of Business Law. Subjects of law and commercial facts.	Lecture, talks, 2 hours	B. Florea, Business Law and Mediation, Electronic course support
3. Businesses and professionals. The professional and the trader Categories of traders - individuals - legal persons of public and private law - associations in holding, trust, cooperation, etc	Lecture, talks, 2 hours	B. Florea, Business Law and Mediation, Electronic course support
4. Companies Definition, establishment and operation of companies Modification, dissolution and liquidation of companies Types of companies	Lecture, talks, 2 hours	B. Florea, Business Law and Mediation, Electronic course support
5. The legal report. The civil legal report Commercial obligations.	Lecture, talks, 2 hours	B. Florea, Business Law and Mediation, Electronic course support
6. The fiscal legal relationship between traders and the	Lecture, talks, 2 hours	B. Florea, Business Law and

public authority		Mediation, Electronic course support
7. The content and object of the legal report in Business Law Types of contracts encountered in Business Law: The sales contract The contract of enterprise Service contracts Rental / concession / leasing /free use loan contracts Work contract The representation contract Contract of commercial mandate and agent contract	Lecture, talks, 2 hours	B. Florea, Business Law and Mediation, Electronic course support
8. Types of contracts encountered in business law: The commission contract Bank credit agreement Commercial pledge contract The contract of real estate collateral Insurance contract / agent contract / brokerage contract.	Lecture, talks, 2 hours	B. Florea, Business Law and Mediation, Electronic course support
9. Anti-competitive agreements between enterprises The notion of understanding between enterprises Forms of manifestation of anti-competitive agreements Sanction of anti-competitive agreements	Lecture, talks, 2 hours	B. Florea, Business Law and Mediation, Electronic course support I. Lazar, <i>European Union Competition Law</i> , București, Universul Juridic Publishing House, 2016.
10. Methods for resolving conflicts in Business Law before civil and criminal courts or judicial bodies Dispute resolution in International Business Law	Lecture, talks, 2 hours	B. Florea, Business Law and Mediation, Electronic course support
11. Alternative dispute resolution -negotiation -conciliation - mediation -arbitration	Lecture, talks, 2 hours	B. Florea, Business Law and Mediation, Electronic course support B. Florea, The incidence of mediation before referral to the administrative litigation court, <i>în Annales Universitatis Apulensis, Series Jurisprudentia 19/2016</i> . pp. 106-119
12. Mediation in Business Law - Mediation of private law conflicts in Business Law - Mediation of criminal law conflicts in Business Law	Lecture, talks, 2 hours	B. Florea, Business Law and Mediation, Electronic course support B. Florea, Mediation as an efficient way of saving public money, <i>în Curentul Juridic</i> , nr. 1/2018, Târgu-Mureș, pp. 78-87
13. Mediation in Business Law - Mediation in commercial matters under European Union Law - Mediation in commercial matters under international law	Lecture, talks, 2 hours	B. Florea, Business Law and Mediation, Electronic course support B. Florea, Mediation as an efficient way of saving public money, <i>în Curentul Juridic</i> , nr. 1/2018, Târgu-Mureș, pp. 78-87
14. The legal regime of insolvency according to Law no. 85/2014	Lecture, talks, 2 hours	B. Florea, Business Law and Mediation, Electronic course support
References		

1. Florea B., Business Law and Mediation, Electronic course support
2. Cărpenaru S.D., Treaty of Romanian commercial law, 5th edition, București, Universul Juridic Publishing House, 2016
3. Boroi A., Gorunescu M., Barbu I.A., Vîrjan B, *Business Criminal Law, 6. edition*, București, C.H. Beck Publishing House, 2016
4. Lazar I., *European Union Competition Law*, București, Universul Juridic Publishing House, 2016
5. Deleanu, I., *Treaty of Civil Procedure, Volume I, New Civil Procedure Code*. București, Universul Juridic Publishing House, 2013;
6. Florea B., The administrative contract as a legal form for the provision of public services, Pro Universitaria Publishing House, București, 2018
7. Craig P., by Bîrca G., *European Union Law: Text, Cases, and Materials, fourth edition*. București, Hamangiu Publishing House, 2009
8. Leaua C., Companies, C. H. Beck Publishing House, București, 2009
9. Sîrbu M, Croitoru-Anghel D. M., *Alternative Dispute Resolution. Conflict mediation*, București, Universul Juridic Publishing House, 2015.
10. Păroșanu A, Balica E., Bălan A., *Mediation in Criminal Matters in Romania. Evaluation Study and Perspectives*, București, C.H. Beck Publishing House, 2013.
11. Gorghiu A., Bogdan N., Stătescu C., Sîrbu M., Munteanu M., Dedu I., *Mediation. Oxygen for Business*, București, Universul Juridic Publishing House , 2011.
12. Rosu A., *Mediation - Alternative Dispute Resolution of International Commercial Litigation*, București, Universul Juridic Publishing House, 2010.
13. Florea B., The incidence of mediation before referral to the administrative litigation court, *in Annales Universitas Apulensis, Series Jurisprudentia 19/2016* . pp. 106-119
14. Florea B., Mediation as an efficient way of saving public money, *în Curentul Juridic*, nr. 1/2018, Târgu-Mureș, pp. 78-87
15. Florea B., The implications of mediation in the fiscal procedure, in the Public Law Magazine no. 1/2019, pp. 102-109

Legislative annex:

16. Law no. 287/2009 regarding the Civil Code, republished in the M. Of. no. 505 of July 15, 2011
17. Law 31/1990 - Company Law, republished in M.Of. no. 1066 of November 17, 2004, as subsequently amended
18. Law no. 85/2014 on insolvency prevention and insolvency proceedings, as subsequently amended.
19. Law no. 192/2006 regarding the mediation and organization of the profession of mediator, published in M. Of. no. 441 of May 22, 2006, as subsequently amended.
20. Law no. 227/2015 regarding the Fiscal Code, published in M. Of. no. 688 of September 10, 2015, as subsequently amended.
21. Law no. 53/2003 - Labor Code, republished in M. Of. no. 345 of May 18, 2011, as subsequently amended.

8.2. Seminar		
1. Introduction to Business Law.Principles of Business Law. The sources of Business Law. Subjects of law and commercial facts.	Theory, cases, 2 hours	B. Florea, Business Law and Mediation, Electronic course support
2. Businesses and professionals. The professional and the trader. Companies	Theory, cases, 2 hours	B. Florea, Business Law and Mediation, Electronic course support
3. The legal report. The fiscal legal relationship between traders and the public authority	Theory, cases, 2 hours	B. Florea, Business Law and Mediation, Electronic course support
4. The content and object of the legal report in Business Law Types of contracts encountered in Business Law	Theory, cases, 2 hours	B. Florea, Business Law and Mediation, Electronic course support
5. Anti-competitive agreements between enterprises.	Theory, cases, 2 hours	B. Florea, Business Law and

Methods for resolving conflicts in Business Law before civil and criminal courts or judicial bodies		Mediation, Electronic course support
6. Alternative dispute resolution. Mediation in Business Law	Theory, cases, 2 hours	B. Florea, Business Law and Mediation, Electronic course support
7. Mediation in Business Law. The legal regime of insolvency according to Law no. 85/2014	Theory, cases, 2 hours	B. Florea, Business Law and Mediation, Electronic course support

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4. Lazar I., *European Union Competition Law*, București, Universul Juridic Publishing House, 2016
5. Deleanu, I., *Treaty of Civil Procedure, Volume I, New Civil Procedure Code*. București, Universul Juridic Publishing House, 2013;
6. Florea B., The administrative contract as a legal form for the provision of public services, Pro Universitaria Publishing House, București, 2018
7. Craig P., by Bîrca G., *European Union Law: Text, Cases, and Materials, fourth edition*. București, Hamangiu Publishing House, 2009
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10. Păroșanu A, Balica E., Bălan A., *Mediation in Criminal Matters in Romania. Evaluation Study and Perspectives*, București, C.H. Beck Publishing House, 2013.
11. Gorghiu A., Bogdan N., Stătescu C., Sîrbu M., Munteanu M., Dedu I., *Mediation. Oxygen for Business*, București, Universul Juridic Publishing House , 2011.
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14. Florea B., Mediation as an efficient way of saving public money, *în Curentul Juridic*, nr. 1/2018, Târgu-Mureș, pp. 78-87
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9. Corroborating the contents of the discipline with the expectations of epistemic community representatives, professional associations and representative employers in the field of the program

Graduates of the Business Law and Mediation course acquire legal concepts used in Business Law as well as concepts of alternative dispute resolution in business that allows them to offer a solution in a crisis situation within

their professional activity.

10. Evaluation type

Activity type	10.1 Evaluation criteria	10.2 Evaluation methods	10.3 Percent in the final grade
10.4 Course	- <i>Solving the exam requirements</i>	<i>Oral exam</i>	<i>60 %</i>
10.5 Seminar	- <i>Scientific correctness and rigor of the report</i>	<i>Presentation of a report</i>	<i>40 %</i>
	- <i>Scientific content of the report</i>		

10.6 Minimum performance standard: minimum grade 5

Graduates of the Business Law and Mediation must prove the following competences:
Appropriate use of specialized legal language in a given topic debate
Appropriate use of learned theories, principles and legal concepts, in a professional project
Appropriate use of Romanian, European and international legislation in a professional project

Date:
18.09.2023

Signature of course coordinator:
Lecturer PhD. Florea Bogdan.

Signature of seminar coordinator:
Lecturer PhD. Florea Bogdan

Date for Department approval:
20.09.2023

Signature of the Head of Department:
Associate Professor PhD. Maican Silvia