



UNIVERSITETI I EJL
ЈНЕ УНИВЕРЗИТЕТ
SEE UNIVERSITY

FACULTY OF LAW

STUDY PROGRAMME FOR POSTGRADUATE STUDIES

(Master of Arts)

NAME OF THE PROGRAMME:

CIVIL LAW STUDIES

INTRODUCTION

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| Faculty of Law | |
| 1. Institution/ Title issuing body | SEE University |
| 2. Academic Institution | SEE University |
| 3. Location of Instruction | SEEU Campus (Tetovo) |
| 4. Programme accredited by | Accreditation Board |
| 5. Final scholarly degree | MA |
| 6. Programme | Civil Law Studies |
| 7. Completion date/revision | September, 2007 |
| 8. Student group | 2008/2009 Academic Year Generation |

9. Programme Objectives

- By the completion of the programme students will acquire knowledge and understanding in all the fields of Civil Law such as: Civil Material Law, Real Property Law, Civil Procedure, Law of Obligations, Family and Probate Law, European Private Law, Industrial Property Law, Business Law, Fiscal Law, etc. as well as the essential rules relevant for the key areas of the Criminalistics, Juvenile Delinquency etc., as well as the essential rules relevant to the key areas of Civil Law, theoretical perspectives and academic debates that fundamentally focus on the legal areas, key aspects, political problems and principles related to the functioning of the institutions of authority related to the Private Law.
- The student will be skilled:
 - to successfully apply the knowledge acquired from the Civil Law field in numerous situations that examine relevant practical and theoretical problems.
 - to assess problems considering their context, relevance and importance and relate the relevant information and key sources offered through electronic or other means.
 - to assess problems and find solutions related to the implementation of the Criminal Law in the state, to formulate arguments on main issues and controversial areas and present rational reasoning based on relevant materials.
 - to recognize potential alternative arguments and counter evidence according to personal opinion and to present them.
 - to demonstrate free thought of mind and ability to provide critical challenge that follow the acquired knowledge about individual problems.
- To provide constructive expression of scientific progress.

SECOND CYCLE OF CIVIL LAW STUDIES

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| <p>10. Learning outcomes The second cycle of the programme in Civil Law provides solid knowledge and systematic understanding of the institutional structures, key legal principles and certain contexts of Civil Law.</p> | |
| <p>Acquired knowledge</p> | <p>Lectures/instruction, or teaching methods and assessment strategies used for acquiring and presenting of the outcomes</p> |
| <p>A. Acquired knowledge and comprehension in:</p> <p>1. The programme encourages students to give original and advanced comments that satisfy the higher scientific standards and aids students in the development of critical, analytical and research skills that may be applied in many fields.</p> <p>2. The programme is structured in order to develop the skills from the legal academic research field, especially through written presentation of the arguments in a manner that integrates the relevant academic rules and helps those students who consider continuing their academic research at a higher level in the acquisition of good basis in terms of the required techniques and research methods which are part of the specialized courses.</p> <p>3. This programme will provide valuable postgraduate qualifications to the students aiming for leading roles in the process of justice reforms, making of laws, and providing services to people from the field of Civil and Material Law.</p> | <p>Lectures/ instruction</p> <p>Lectures will be in form of three-hour seminars held every second week. At the beginning of the lecture, the instructor will expose the general context of the course and the key issues and will identify the areas to be discussed in future. This introduction will be available for the students in the suggested literature, and aims to focus the seminars on detailed discussion of certain topics, usually based on student presentations and essays and introduction to discussions on the critical issues. The presentations require students to form personal point of view in the particular field and develop discussion with the instructor and colleagues.</p> <p>Assessment The assessment of the knowledge acquired in the courses is a combination of written examinations (mid-term and final exam), 4000- 5000-word essays that need to be submitted for every taken course, the mid-term and final exam. The second part of the programme requires students to research, write and submit a dissertation of 15000- 20000 words, on a previously chosen topic from the Civil-Legal field, supervised by a member of the academic staff experienced in that field.</p> |

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| B. Skills and other features Abilities for intellectual skills Transfer | Lectures/instruction |
|---|---|
| Upon successful completion of the programme students will be able: 1. To acquire skills for dealing with legal issues related to property disputes, family-legal relations, hereditary-legal relations etc. and develop critical awareness about the functioning of the institutions of the Private Law. 2. To develop critical awareness about the functioning of the Public Law institutions. 3. To further continue their career in the field of Civil Law at both academic and practical level. | The intellectual skills listed are developed primarily through preparation and participation on seminars, and less through formal lectures. This provides an opportunity for critical examination of the different policies and interpretations of the Law, and comparative evaluation of the alternative positions. Seminar presentation may be directed towards fields that provide more room for discussion and debate and for which there is an appropriate interest. The course evaluation allows and encourages advanced discussions and presentation of such discussions which are in accord with the code of academic expression. |

| C. Application of Specific Skills | Lectures/Instruction |
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| <p>Application and solving of a legal case. Upon successful completion of the programme students will:</p> <p>a) Through research and dissertation preparation to develop their research skills. The observation during the dissertation presentation provides students with individual progressive reasoning.</p> <p>b) be encouraged to develop higher degree of Sophistication through their dissertations, which also provides the possibility student's individual skills to surface in the written Masters Thesis.</p> <p>c) To identify cases based on prior legal experience.</p> <p>d) To provide causal reasoning and be well-informed about the possible legal actions that derive from that reasoning as well as opportunities for success.</p> | <p><i>The skill of legal problem solving is mainly developed through preparation and participation in classes of this programme, and facultative participation in the contest programme as well as work in the above-mentioned case study programme.</i></p> <p>On the seminars led in English by the international staff students are closely introduced to instructional and legal methods approved by West-European and American Universities.</p> <p>Assessment The issue on the exact course in the written exam and course evaluation including in-class tests and evaluated performance on the contest.</p> |

SECOND CYCLE OF CIVIL LAW STUDIES

| Resources, Research and Assessment | Lectures/ instruction |
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| <p>Upon successful completion of the programme students will be able to:</p> <ul style="list-style-type: none">a) To further continue their career in the field of Civil Law at both an academic and practical level.b) To identify legal issues and other related issues that require research.c) To use the primary and secondary sources in an efficient manner.d) To conduct independent legal research, by using a range of sources.e) To evaluate the field of Civil Law in a critical manner, both from the doctrine aspect and social- economical aspect.f) Be encouraged to develop higher degree of Sophistication through their dissertations, which also provides the possibility student's individual skills to surface in the written Masters Thesis. | <p>Assessment</p> <p>Course evaluation and dissertations.</p> |

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| D. Main skills: | |
| <p>Communication and literacy.</p> <p>Upon successful completion of the programme students will be able:</p> <p>a) To acquire valuable communication skills, especially students interested in employment upon completion of the studies in the field of administration of justice and barrister's calling.</p> <p>b) To use, both in oral and written form, Albanian, Macedonian and English in relation to issues from the field of Civil Law</p> <p>c) To engage in an efficient and constructive manner in evidence and discussions of complex issues in Macedonian, Albanian and English.</p> <p>d) To provide clear and coherent presentation on a topic or task, appropriately using the versatile resources.</p> <p>e) To read complex materials related or not related to the field of Civil Law.</p> | <p>Lectures/Instruction</p> <p>Seminar papers, in-class presentations, discussions. Preparation, writing and reflection on course evaluation, including dissertations.</p> <p>Assessment</p> <p>Evaluation of the written course, course presentations and the realized evaluated practice. Written and oral exams.</p> |
| <p>11. Study programme structure, admission requirements, levels, modules, credits and awards</p> <p>Postgraduate studies in the field of Civil Law are with a duration of two (2) years, that is three (3) semesters consisting of five (5) courses and one (1) semester for the Masters Thesis. The semester courses are obligatory, whereas the other courses are elective.</p> <p>From every taken course that is successfully completed the student is given six (6) credits, whereas the Masters Thesis is worth thirty (30) credits. This implies that for successful completion of the postgraduate studies a hundred and twenty (120) credits are required. Every course needs to be completed by following the requirements set with the course syllabus.</p> | |

SECOND CYCLE OF CIVIL LAW STUDIES

STUDY PROGRAMME FOR POSTGRADUATE STUDIES IN CIVIL LAW

| Semester 1 | Credits | W/S | Lectures: | Tutorials: | Overall classes: | Group size |
|-------------------|----------------|------------|------------------|-------------------|-------------------------|-------------------|
| English Language | 6 | W | 22 | 22 | 180 | |
| Law Methodology | 6 | W | 22 | 22 | 180 | |
| Civil Law | 6 | W | 22 | 22 | 180 | |
| Material Law | 6 | W | 22 | 22 | 180 | |
| Elective | 6 | W | 22 | 22 | 180 | |
| Total | 30 | | | | 900 | |

| Semester 2 | Credits | W/S | Lectures: | Tutorials: | Overall classes: | Group size |
|----------------------|----------------|------------|------------------|-------------------|-------------------------|-------------------|
| Law of Obligations | 6 | S | 22 | 22 | 180 | |
| Family Law | 6 | S | 22 | 22 | 180 | |
| European Private Law | 6 | S | 22 | 22 | 180 | |
| Probate Law | 6 | S | 22 | 22 | 180 | |
| Elective | 6 | S | 22 | 22 | 180 | |
| Total | 30 | | | | 900 | |

| Semester 3 | Credits | W/S | Lectures: | Tutorials: | Overall classes: | Group size |
|---------------------------|----------------|------------|------------------|-------------------|-------------------------|-------------------|
| Private International Law | 6 | W | 22 | 22 | 180 | |
| Civil Procedural Law | 6 | W | 22 | 22 | 180 | |
| Business Law | 6 | W | 22 | 22 | 180 | |
| Fiscal Law | 6 | W | 22 | 22 | 180 | |
| Elective | 6 | W | 22 | 22 | 180 | |
| Total | 30 | | | | 900 | |

| Semester 4 | Credits | W/S | Lectures: | Tutorials: | Overall classes: | Group size |
|------------------------|----------------|------------|------------------|-------------------|-------------------------|-------------------|
| Masters Thesis Writing | 30 | S | | | 900 | |
| Total | 30 | | | | 900 | |

Elective Courses:

- International Arbitrage
- Bankruptcy Law
- Intellectual Property Law
- Comparative Law

OBLIGATORY COURSES DESCRIPTION

SEMESTER 1

Law Methodology

The course in Law Methodology studies the methods of perceiving the Law and its types, as well as methods of creating, interpreting and applying the Law, which are necessary for the research process in all legal fields and at all levels of academic education.

Civil Law

The course in Civil Law initially examines the fundamentals of the Civil Law, and then further continues to examine and analyze the civil-legal concepts stipulated within the Legal System of the R. Macedonia. It follows the development of these concepts in our Law and their contemporary modifications, pinpointing their importance as a basis for every legal practice.

Material Law

The course analyzes the material-legal concepts applied in our Law. Thus, the Property Law and other Material Laws are thoroughly examined. The course focuses on the concepts of mortgage, lien, formalities etc., thus founding the legal basis for further practical work for students in this field.

SEMESTER 2

Law of Obligations

The course in Law of Obligations includes Contract Law and Torts. It analyzes the basic principles of the Contract Law and thus thoroughly examines the contracts within the legal system of the R. Macedonia, by determining their characteristics, conditions for entering and breaching etc. Torts are thoroughly described along with their concepts such as the damage, property acquisition without real grounds, management without authorization.

Family Law

The course in Family Law examines the family-legal relations, Marriage Law and Parent Law. After the brief historical overview of the types of families through history, the course focuses on contemporary topics, that is the condition in the R. Macedonia with regards to these relations. It is a specific legal branch which thoroughly examines the

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legal frame for marriage, divorce, attaining and terminating parental rights, custody rights etc.

European Private Law

The course in European Private Law examines and analyzes the legal documents of the European Union which regulate the Private Law fields. The course examines the basic concepts of the European Private Law and the dynamics of its development.

Probate Law

The course in Probate Law includes the hereditary-legal relations which originate between the deceased person and his/her heirs. The course describes the legal provisions that regulate the relations.

SEMESTER 3

Private International Law

The Private International Law as a legal branch of the positive legal system of a certain state regulates the private legal relations with a foreign element and predicts the modes of its regulation. It studies the national and international sources of regulating the relations, as well as the hierarchy of the sources in terms of priority of their implementation for regulating the relations which through the subject or object or the rights and obligations are related to the sovereignty of the foreign countries. This course also provides content knowledge about the units that constitute this branch of the Law, such as: the unit on the civil rights of foreign citizens to build private- legal relations with a foreign element on the territory of the home country; the unit on the civil rights of domestic citizens to build private-legal relations with a foreign element; the unit on collision of jurisdictions, as well as law collision.

Civil Procedural Law

The Civil Procedural Law examines the regulations dealing with the procedure among citizens in disputes of real-property and obligatory- legal relations, regulates the application of legal remedies etc. The course covers: the procedure itself, post-procedure and executive procedure.

Business Law

The course in Business Law examines the trade-legal relations that are created between trading subjects: the sole proprietor and trade company. The Business Law also examines the relations that are created when issuing securities, until the moment of their completion. Trade contracts, as well as the rights of industrial property are also examined in the course in Business Law.

Fiscal Law

The course in Fiscal Law examines the Fiscal Law as a separate branch of the legal system. It examines the fiscal- legal relations as public-legal relations, as, on the one hand, the country, that is state authorities, are always the subject, whereas, on the other hand, physical persons and entities are always subjects as tax payers, customs duty etc.

ELECTIVE COURSES DESCRIPTION

International Arbitrage

The course analyzes the problems in the International Trade and economic relations of international nature and their solving at an international level, through international arbitrary courts.

Bankruptcy Law

This course examines the Bankruptcy Law of the R. Macedonia, thus analyzing the current situations in the country with regards to bankruptcy and its realization through judicial bodies.

Industrial Property Law

Industrial Property Law examines the legal provisions relevant to the field of patents and industrial property, by analyzing the developmental currents of this growing legal branch.

Comparative Law

The course in Comparative Law starts with historical analysis of the Comparative Law as a science, further continues with its contemporary definition and application, and finally represent the Macedonian Legal System as a part of the global legal systems and families, such as: Continental, Anglo- Saxon and other legal systems, as well as religious and mixed legal systems. The course will also emphasize the different legal sources in the various legal systems and their institutions, thus making distinction between legal professions within different legal systems.