



UNIVERSITETI I EVROPËS JUGLINDORE  
УНИВЕРЗИТЕТ НА ЈУГОИСТОЧНА ЕВРОПА  
SOUTH EAST EUROPEAN UNIVERSITY

## Study program **Civil Law (2022/2023)**

|                                   |   |
|-----------------------------------|---|
| Faculty                           | Law   |
| Study Cycle                       | Second Cycle (Postgraduate)                 |
| ECTS                              | 60  |
| Code                              | N-MLAWCIV60C                                |
| Title                             | Master of Legal Sciences / Field: Civil Law |
| Accreditation archive number [60] | 03-1626/1                                   |
| Accreditation date                | 27.05.2022                                  |

## Description of the program

The Civil Law study program aims to provide a range of modules that will form the basis of information and advanced knowledge on Civil Law matters for the purpose of training students the basic legal professions related to this field by providing solid knowledge, the specific and systematic institutes, and concepts of Civil Law in RNM and comparative knowledge to the region and the EU.

## Career

Law Faculty diploma is recognized by the Chamber of Lawyers and Notaries in RNM. Exercise of legal professions requires formal registration in these rooms. The diploma of the Faculty of Law enables students to approach the relevant state bodies, especially in judicial branch as courts and public prosecutors. The Law Faculty has signed cooperation agreements with the Academy for training of judges and public prosecutors in the RNM. Students who will have the ambition to engage scientific research work, the SEEU Faculty of Law, enables the continuation of third cycle studies (PhD studies).

## Learning outcomes

### Knowledge and understanding

- Has detailed knowledge of civil law, material and procedural as well as basic norms in key areas of civil law.
- Has detailed knowledge of the principles and institutes of civil law, including the origin and contents.
- Assesses the areas of civil law in a critical manner, scientific and practical standpoint.

### Applying knowledge and understanding

- Develops and promotes analytical and research skills and of solving the problems in theory and practice through using of legislative acts and judicial practice.
- Identifies and analyses the most complex problems, taking an active part in all phases of civil procedure and can perform complex issues of civil legislation (including work as a judge, lawyer, notary) after having acquired the qualifications required under legislation RNM.

## Making judgement

- Performs more critical thinking through methods of analysing and comparing.
- Develops skills of solving problems through case-law practices of more complex national and international cases.

## Communication skills

- Utilizes proper terminology for complex and specific issues in the area of civil law sciences;
- Is able to reach decisions and work more directly and effectively in all stages of civil court procedure.
- Is involved in research based legal argumentation and debate;
- Utilizes the official languages of the University as well as more advanced computer skills in the research work.

## Learning skills

- Develops a regulation of research to be used in their profession.
- Creates a practice of lifelong learning and service through being involved in training persons that work in the state institutions of crime prevention.

## List of courses

### Semester 1

- [CM168] [6.0 ECTS] **Civil and Property Law (Applied Program)**
- [CM162] [6.0 ECTS] **Family Law (Applied Program)**
- [CM161] [6.0 ECTS] **Trade Law (Applied Program)**
- [CM160] [6.0 ECTS] **Law of Obligations (Applied Program)**
- [6.0 ECTS] **Elective Course**

### Semester 2

- [EMSET-304] [6.0 ECTS] **Master Thesis Writing**
- [CM107] [6.0 ECTS] **Civil Procedure Law (Applied Program)**
- [EM190] [18.0 ECTS] **Master Thesis**

## Description of courses

### Core courses

- **Civil and Property Law (Applied Program)**

The aim of the course Civil and Property Law (Applied Program) is: • To provide students with relevant knowledge on civil and property law, as positive branches of law and as science, including the current theoretical definition of these branches of law. • To provide students with theoretical knowledge on the main notions and institutes of civil and property law, such as: principles of civil law, legal capacity, capacity to act and liability capacity of natural and legal persons, legal affairs, property right, right of servitude, right of pledge, real burdens, the right of long-term lease on construction land etc. • To introduce students to the corpus of issues and problems related to civil and property law, as well as the path of historical development of civil and property law institutions, such as: subjective civil rights, legal affairs, property, ownership, pledge, servitude, real burden, etc. • To enable students to recognize and analyse key institutions of civil and property law in the context of legislative and theoretical references in comparison with European legislative and theoretical references and beyond. • To stimulate analytical and critical thinking among students regarding the problems faced today by the Civil and Property Law of the RNM. • To enable students to make the appropriate theoretical and practical differences of notions and phenomena of legal-civil character, respectively legal-property character in the legal system of RMV, to distinguish their basic and essential characteristics, as well as to note their importance and functioning in practice.

- **Family Law (Applied Program)**

In this subject the students will acquire knowledge for the contemporary forms of family relations, national and contemporary regulations of this relations, the new mechanism for the alternative dispute resolution in family disputes- family mediation, the new institutes from the family law such as (The new technology of artificial reproduction: Artificial insemination, in vitro fertilization, surrogate motherhood, "Three-parent baby" technique, co-parenting;

single mother by choice, Post humous reproduction); Joint Custody after divorce; Marriage contract; The Legal Status of Marital Home. In this subject the students also will learn about the reforms in family legislation of Republic of North Macedonia.

- **Trade Law (Applied Program)**

Objectives of the course: To enable students to become familiar with the legal rules for the pursuit of an activity. The manner of organizing the business entities, the conditions for establishment and registration of the business entities and the sole proprietor as well as the ways of termination of the business entities; the ways of establishing a business legal relationship, the conditions for the occurrence of those relationships, the effects and the consequences; working with securities: hacks for protection of industrial property rights and ways to protect business entities from unfair competition: ways to protect consumers, etc.

- **Law of Obligations (Applied Program)**

To provide students with the basic knowledge of the obligation law, necessary for concluding an obligation legal relationship; to provide students with basic knowledge on how to conclude contracts and apply the law institutes. By learning this subject, students are enabled to be able to conclude certain agreements as sources in the law of obligations, are able to distinguish what kind of responsibility it is, who should be responsible and under what conditions.

- **Master Thesis Writing**

Course aims: - Enabling students to research the objective truth through implementing research methods, techniques and instruments; - Enabling students to follow and critically interpret research results and implement them in specific situations; - Implementing fundamental research methods, data collection procedures and their statistical processing; - Enabling students to use fundamental methodological rules while writing scientific and professional papers.

- **Civil Procedure Law (Applied Program)**

Course aims: - Provide students with in-depth knowledge of the enforcement and non-contentious law, and to develop specific skills for their implementation in practice. - Provide students with theoretical knowledge on the main concepts and institutes of enforcement and non-contentious law, such as: the notion of court proceedings in general, the types of court proceedings and the relations between them, the principles of enforcement and non-contentious law, the subjects of enforcement procedures and non-contentious procedures, the procedural actions and deadlines for their execution, the decisions in enforcement procedures and non-contentious procedures, the decision-making tools, etc. - Familiarize the students with the corpus of issues and problems related to the concept of enforcement and non-contentious law as well as the historical development of their institutions. Enable students to recognize and analyse the key enforcement and non-contentious institutes in the context of legislative and theoretical references in comparison with legislative and theoretical references in Europe and beyond. - Encourage analytical and critical thinking in students related to the problems faced nowadays by the Enforcement and Non-contentious Law in the Republic of North Macedonia. - Enable students to make theoretical and practical differences between the notions and phenomena of Enforcement Law and Non-Contentious Law in the legal system of the Republic of North Macedonia; to identify their basic and essential characteristics, as well as to be able to understand their importance and function in practice.

- **Master Thesis**

This module enables students to transfer their skills and knowledge to research and make more complex task of Master-Thesis. The module is designed to be fully practical and students to acquire the necessary knowledge and skills to approach writing the thesis. The module has unique return result to enable students to write the master thesis with minimal difficulties, and with maximum efficiency. The course aims to improve research techniques and style of writing paper, taking account to stop illegal means, such as plagiarism and infringement of copyright, which are prohibited by the Statute of SEEU.

## Elective courses

- **Labour Law (Applied Program)**

Course aims: To provide students with relevant knowledge on labour law and social security as a positive branch of law and as a science; To provide students theoretical knowledge on the main notions and institutes of labour law and social security; Analyse the corpus of issues and problems that are regulated by labour and social security, and the historical development of the institutions of labour law and social security; To stimulate the analytical and critical thinking of students regarding the problems with which labour law and social security is faced today in the Republic of

North Macedonia and beyond.

- **Assisted Reproductive Technology and Parental Right**

The purpose of this course is to provide students with advanced knowledge of the impact of advances in genetics and assisted reproductive technologies on family law and parental rights, human rights and child rights, including the effects of international documents on national legislation. Students will also gain knowledge of theoretical, ethical and legal discussions on biotechnology, biomedicine and their impact on parental relationships, as well as the balance between respect for human rights and fundamental freedoms and the need to ensure freedom of research for example The rights of the child to know his genetic origin. By studying this subject, students will gain knowledge about methods of the new artificial reproductive technologies that are part of the contemporary natal policy (artificial insemination; in vitro fertilization; surrogate motherhood; single mother by choice; posthumous reproduction; co-parenting "three-parent baby" technique; cryopreservation of gametes or embryos.

- **Comparative Parental Right**

In this subject the students will acquire knowledge about the most important institute of family law - Parental law in the family law of RNM and in comparative law. Apart from studying traditional parental law, students will also focus on the newest institutes of parental law: the exercise of parental responsibilities after divorce (joint custody and share custody); the child's right to express his opinion; respect of the best interests of the child in parental rights; the right of the child to know his genetic origin; the need to change the term "parental rights" to the term "parental responsibility". Students will also learn the modern way of creating parenting through the new reproductive technologies (artificial insemination, in vitro fertilization, surrogate motherhood, "three-parent baby" technique, co-parenting; single mother by choice, posthumous reproduction). Students in this course will also study the reforms in the family legislation of the RNM in the part of parental law.

- **Contemporary Property-Legal Relations of Spouses**

In this subject the students will acquire knowledge for the legal regulation of the property relations of the spouses in the Republic of North Macedonia and in comparative law. Students will gain knowledge of the regime of common property, characteristic for the countries of the former Yugoslavia; will get acquainted with the regime of joint property in the Scandinavian countries and Germany, as well as with the regime of special property that is characteristic of Great Britain. The students also will learn about the historical development of property and legal relations in the Republic of North Macedonia. In contemporary legislation, the marital (premarital) agreement is also gaining importance, through which the spouses independently regulate their mutual property relations. Students will gain deeper knowledge of marital and premarital agreement.

- **Intellectual Property Law**

The aim of the course is to: - Introduce students to copyright and related rights, their legal nature and duration. - To provide students with knowledge of industrial property law as a basis for learning the legal rules for the legal protection of inventions, trademarks, industrial designs, geographical indications, and other forms of industrial property. - To provide students with general knowledge on how to register industrial property rights, including meeting the general conditions for their protection and registration. - To inform the students in a professional way about the establishing of a license, the conditions of circulation of intellectual property rights, the effects, and the consequences of the circulation of rights and so on. - To train students for work related to the circulation of industrial property rights. - Students will also gain knowledge of the legislation that protects intellectual property rights, both nationally and internationally. - Students will gain relevant and applicable knowledge of the ways of legal protection of intellectual property rights and more specifically with criminal, civil and administrative protection of these rights.

- **Insurance Law**

Students will acquire advanced knowledge on insurance law and the legislation related to this area. This course will enable students to analyse insurance according to the positive law of the RNM and EU law. By analysing the legal regulations related to insurance (Law on Obligations) and other special laws, students will be able to determine the importance and subject matter of the insurance law. Another goal of the course is that students acquire comprehensive knowledge about insurance, which today is considered a basic prerequisite for economic and social security, both for legal entities and individuals, especially for the development of investment activity. The acquired knowledge will help them to work competently in the field of insurance.

- **Bankruptcy Law**

The purpose of the course is to enable students to independently identify and critically analyse the basic institutes of bankruptcy and bankruptcy proceedings, and to develop skills for applying the acquired knowledge in practice regarding bankruptcy and bankruptcy proceedings;

- **The Legal - Civil Responsibility for the Caused Damage**

Course aims: -To encourage students to critically analyse the implementation of the rules for compensation of damage; -To develop practical approaches to students in finding solutions for the regulation of practical cases from the obligation relations created by the damage caused; -To contribute to the understanding of students of the impact of economy in the development of the right to compensation of damage; -To demonstrate skills of solving concrete cases of caused damage and its compensation.

- **Contract Law**

Course aims: To provide students with the basic knowledge of the contract law, necessary for concluding an obligation legal relationship; to provide students with basic knowledge on how to conclude contracts and apply the law institutes. By learning this subject, students are enabled to be able to conclude certain agreements as sources in the law of obligations, are able to distinguish what kind of responsibility it is, who should be responsible and under what conditions.

- **Alternative Solution of Disputes**

Course aim is to enable students to get acquainted with the positive aspects of the alternative way of resolving disputes (mediation, conciliation, arbitration, arbitration-mediation, mini-trial, early neutral assessment), the advantages in terms of court proceedings, their effects, ethical dilemmas in mediation, etc.

- **Comparative Civil Law**

Course aims: • Provide students basic knowledge of the most important aspects of comparative law; • Introduce students to the comparative methodology in the study of civil law; • Provide students with a better understanding of the national law through the study of foreign law; • Develop critical skills in analysing and interpreting different norms of civil law from the most important legal systems through comparative methodology.

- **Land Law**

Land law is the law concerning property rights and other real rights over land or real property in general, as well as the legal regime of different types of land. In the broadest sense of the word, based on the principle of superficies solo cedit, the word 'land' refers not only to lands, but also to buildings and crops on that land. - The course aims to provide students with relevant knowledge on land law and the regulation of this field. - Students will be introduced to different classifications of land, such as construction land, agricultural land, forests, pastures, cemeteries, and their legal regulation. - Students will be introduced to the legal regulation of other types of real estate, such as buildings and will gain knowledge of the different types of buildings: residential buildings, commercial buildings, etc. - Students will be introduced to the process of territorial planning and development, the process of registration of real property rights, the process of nationalization and denationalization of property and the process of legalization. - Students will be enabled to distinguish between different types of real estate and the legal regime that applies to each type and will be introduced to the administrative procedures related to the administration of real estate.

- **Registration of Real Estate Rights**

This course is a segment of Property law, through which students will be introduced to the system of registration of real property rights in the RNM, the basic principles of registration of real property, as well as the manner of registration of real property rights. - Students will be introduced to the Geodetic-Cadastral Information System (GCIS) which enables acquisition, processing, maintenance, management, use, distribution, issuance and a single access to the data from the real estate cadastre, as well as the type of data that GCIS contains. - Students will be introduced to the work of the Agency for Real Estate Cadastre, its status and competences, the bodies of the Agency and the structure of the expert department of the Agency. - Students will be equipped with knowledge on the ways and means of creating a real estate cadastre, i.e., they will be introduced to systematic registration of real property rights, registration of unregistered real property rights after the creation of the real estate cadastre, as well as the conversion of data from the land cadastre to the real estate cadastre. - Students will be introduced to the rights, ways of registration of rights, types of registration, legal bases for registration of the real property rights in the real estate cadastre, types of data issued by the cadastre, as well as the maintenance of the real estate cadastre. - Through this course students will master the technique of proper implementation of legal rules in the field of registration of real property rights. - Students will gain multidisciplinary knowledge, not only in the field of law, but also in the field of geodetic works, which will enable them to radically resolve issues in the field of registration of real property rights. - Students' analytical and critical thinking about the problems and challenges faced by the real estate registration system in the RNM will be encouraged.

- **Gender Equality and Non-Discrimination**

The aim of this course is to present to future lawyers a picture as close as possible to the truth of gender equality and non-discrimination, so that they can form a correct understanding of these issues, eradicate prejudices and

stereotypes, which will further influence to improve their work, both through the drafting of laws and the establishment of institutions and fair systems, as well as in the fair and impartial implementation of the law. - The course aims to explain the concept of gender discrimination, gender stereotypes and prejudices, equality, integration, and gender justice. - Another goal is to raise students' awareness of the importance of gender equality as respect for the human rights of women and men, as well as to raise awareness about the consequences of gender inequality. - The course also aims to analyse the links between the problem of gender equality and the legal field, to provide advanced legislative models in the field of gender equality and to help students understand and analyse existing legislation on gender equality, domestic violence and non-discrimination in the RMV. - Students will also be introduced to international law regulation in the field of gender equality and the means and ways of legal protection against discrimination.

- **Notary Law**

The aim of the subject Notary law is to enable students to gain deeper knowledge of this part of the law and specific skills for applying it in practice. Special tasks of this program are to enable students to independently identify and critically analyse the basic notions and institutes of Notary law, to develop skills for applying acquired knowledge in practice regarding the performance of certain notary works.

- **Legal Clinic - Civil Law**

On completion of this course, students will be able to: - Actively apply theoretical legal principles to client legal casework; - Demonstrate legal practice skills in dealing with clients in legal practice, - The ability to draw up well-structured written legal advice or legal analysis for the client; - Work effectively and reliably in a professional environment, both individually and as a member of a team.

- **Conflict of Laws**

This course will teach the general institutes, as well as the notions and relations within the area of conflict of laws.