

## INFORMATION FOR STUDENTS AND CURRICULUM

<i>Course title: Private International Law</i>				
<i>Course code</i>	<i>Course status</i>	<i>Semester</i>	<i>Number of ECTS credits</i>	<i>Class load</i>
	<i>compulsory</i>	<i>VI</i>	<i>8</i>	<i>4+1</i>
<i>Study program:</i> Basic academic studies at the Faculty of Law				
<i>Prerequisites:</i> none				
<i>Course objectives</i> Introducing students to the basic concepts of Private International Law in the fields of: applicable law, international jurisdiction, recognition and enforcement of foreign court decisions and rights of foreigners to enter into civil law relations				
<i>First and last name of the teacher and teaching assistant:</i> Prof. dr Maja Kostić-Mandić				
<i>Study methods:</i> Lectures, exercises, practical classes, consultations				
<b>TEACHING PLAN</b>				
<i>Week and data</i>	<i>Name of methodological units for lectures (T), exercises (E) and other teaching contents (O)Planned examination method (EM: homework, tests, mid-term exams...)</i>			
I -1)	<i>L/E/O/EM<sup>2)</sup></i>	Introductory remarks on the course and literature		
II-	<i>L/E/O/EM</i>	Concept and subject of Private International Law, relations with other branches of law, sources (including EU law)		
III-	<i>L/E/O/EM</i>	Conflict of law rules, problem of qualification, interpretation (including EU law), determination of the applicable law		
IV-	<i>L/E/O/EM</i>	<i>Renvoi</i> , general escape clause, public policy, overriding mandatory rules (including EU law)		
V-	<i>L/E/O/EM</i>	International Jurisdiction (including Brussels I Regulation)		
VI-	<i>L/E/O/EM</i>	Civil proceedings with foreign element, recognition and enforcement of foreign court decisions (including Brussels I Regulation, Rome IV Regulation and Regulation on taking of evidence)		
VII-	<i>L/E/O/EM</i>	International Commercial Arbitration		
VIII-	<i>L/E/O/EM</i>	Mid-term exam		
IX-	<i>L/E/O/EM</i>	Make-up exam		
X-	<i>L/E/O/EM</i>	Rights of foreigners, connecting factors, applicable law for status relations of natural and legal persons (including EU law)		
XI-	<i>L/E/O/EM</i>	Applicable law for contracts (including Regulation Rome I)		
XII-	<i>L/E/O/EM</i>	Applicable law for non-contractual obligations (including Regulation Rome II)		
XIII-	<i>L/E/O/EM</i>	Applicable law for property relations and inheritance (including Regulation Rome IV)		
XIV-	<i>L/E/O/EM</i>	Applicable law for family law relations (including Regulation Rome III and Regulation on matrimonial property regime)		
XV-	<i>L/E/O/EM</i>	Preparation for finals		

XVI-	Final exam				
XVII-	Semester verification and grades entering				
XVIII-XXI-	Additional classes and make-up final exams				
Students' obligations: Attendance and active participation in classes					
Consultations: Mondays from 9 am - 1 pm					
Students workload in hours:					
weekly <sup>3)</sup>		In semester <sup>4)</sup>			
Lectures:		Teaching and finals: 85 hours			
Exercises:		Necessary preparations (administration, registration, verification before the beginning of the semester): 10 hours			
Other teaching activities:		Total course workload: 120 hours			
Seminar papers		Additional work: 25 hours			
Individual work of students		Workload structure: 85 hours (teaching) + 10 (preparation) + 25 (additional work)			
Basic literature:					
Maja Kostić-Mandić, 'Montenegro', International Encyclopaedia of Laws: Private International Law, edited by Bea Verschraegen. Alphen aan den Rijn, NL: Kluwer Law International, 2020.					
Maja Kostić-Mandić, Međunarodno privatno pravo, Pravni fakultet Univerziteta Crne Gore, Podgorica, 2017.					
General literature:					
-Davor Babić, Christa Jessel-Holst, Međunarodno privatno pravo – zbirka unutarnjih, europskih i međunarodnih propisa, Narodne novine, GIZ, Zagreb, 2011. (bilingual)					
-Michael Bogdan, Concise Introduction to EU private international law, Europa law publishing, Groningen, 2012.					
-Geert Van Calster, European Private International Law, Hart Publishing, Oxford and Portland, 2013.					
Examination methods and grades:					
Examination methods include mid-term exam, make-up exam, finals and make-up final exam (orally) and finals in August term					
Grades are:					
- Mid-term exam – up to 60 points					
- Participation in practical classes – up to 5 points					
- Finals – up to 35 points					
- Passing grade is obtained if 50 points are cumulatively collected					
Grade	A	B	C	D	E
Points <sup>5)</sup>	90-100	80-89	70-79	60-69	50-59
Notes: In addition to the general institutes of Private International Law (PIL), the new program focuses on EU private international law. The PIL Act, in accordance with Article 80 of the Stabilization and Association Agreement, is aimed at harmonizing national law with the EU law. The new PIL explicitly provides that EU law is directly applied in the area of applicable law for contractual and non-contractual obligations with a cross-border element (provisions of the law are interpreted and applied in accordance with Regulations No. 593/2008 and 864/2007 - Rome I and Rome II). Also, the rules on applicable law for succession and maintenance obligations, as well as some rules on international jurisdiction to the great extent mirror the respective EU legislation. Based on the innovative program, the most important practice of the European Court of Justice is addressed. In line with the above, the list of literature contains the references on EU PIL.					

