

TEMATICA

de concurs pentru ocuparea postului de CONFERENȚIAR, poziția 7,
din Statul de funcțiuni al Departamentului de Drept și Administrație Publică

1. CIVIL LAW. GENERAL THEORY OF LIABILITY

1. Reports of civil obligations

Definition of civil obligation, classifications, sources

2. Civil obligation – general elements.

1. The concept of civil obligation
2. The structure of civil obligation
3. Classifications of obligations

3. General theory of civil agreement

1. The concept of civil agreement
2. Classification of agreements

4. Effects of Agreements

1. The special effects of the synallagmatic agreements
2. Interdependence and reciprocity of the synallagmatic agreements' effects
3. Effects of agreements for the third parties

5. Unilateral legal act of civil law

6. Legitimate legal facts – sources of obligations

7. Civil liability

1. General considerations regarding civil liability
2. The concept of civil liability. Principles. Functions. Delimitation

8. Tort liability for one's own deed.

1. Liability of the natural person for his own deed: damage wrongful act, the causal link between the wrongful act and the damage, the fault.
2. Liability of the legal person for the his own deed

9. Tort liability for the acts of another person.

1. Parental liability for the damage caused by minors and the judgment of interdiction
2. Principals' liability for the damage caused by the officials in charge in the allotted positions.

10. Objective tort liability

1. Liability for damages caused by things;

2. Liability for damage caused by animals;
3. Liability for the ruin of the edifice;
4. Liability for the damage caused by the acts of public authorities that injures the right of the individuals or legal person;
5. Liability for defective products

11. Contractual liability

1. Tort liability and contractual liability
2. The causes which exclude the existence of civil liability

12. Statics and dynamics of obligations

1. Dynamics of obligations: novation, delegation
2. Legal means for obligation transformation

13. Guarantee and discharge from obligations

1. Guarantee for obligation performance
2. General considerations regarding the guarantee of obligation fulfillment
3. Personal guarantees of creditors
4. Real guarantees
5. Discharge of obligations by compensation, payment commissioning, confusion of rights, remission of debt, fortuitous impossibility of performance by the debtor.

Bibliography:

1. **L. Pop**, *Consideratii generale privind obligațiile civile*, in the paper works of L. Pop, I. Fl. Popa, S.I. Vidu, *Tratat elementar de drept civil. Obligațiile conform noului Cod civil*, Universul Juridic Publishing House, Bucharest, 2012;
2. **Liviu Pop**, *Drept civil român, Teoria generală a obligațiilor*, Lumina Lex Publishing House, Bucharest, 2000.
3. **C. Stătescu, C. Bârsan**, *Tratat de drept civil, Teoria generală a obligațiilor*, 8th edition, C.H. Beck Publishing House, Bucharest, 2008.
4. **Boilă Lacrima Rodica**, *Răspunderea civilă delictuală obiectivă*, C.H. Beck Publishing House, Bucharest, 2008;
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7. **L. Pop**, *Tabloul general al răspunderii civile în textele noului Cod civil*, in the Review "Revista română de drept privat", no.1/2010,
8. **I. F. Popa**, *Rezoluțiunea și rezilierea contractelor în Noul Cod civil*, in the Review "Revista română de drept privat", no. 57/2010, p.105-136, and no. 6/2010, p. 82-117;

Foreign literature:

1. **R. Savatier**, „*Traité de la responsabilité civile en droit français*”, 2^{ème} édition, tome II, Librairie Générale de Droit et de Jurisprudence, Paris, 1939.

2. **Fr. Terré, Ph. Simler, Y. Lequette**, „*Droit civil. Les obligations*”, Dalloz Publishing House, Paris, 9th edition, 2005.

3. **G. Viney**, „*Introduction à la responsabilité*”, in „*Traité du droit civil*” under the guidance of J. Ghestin, Librairie Générale de Droit et de Jurisprudence, Paris, 2nd edition, 1994

4. **G. Viney, P. Jourdain**, „*Lés conditions de la responsabilité*», in „*Traité du droit civil*” under the guidance of J. Ghestin, Librairie Générale de Droit et de Jurisprudence, Paris, 1998.

2. FAMILY LAW

1. General Characterization Of Family Relationships

2. Concepts And General Principles Of The Family Law

3. Termination Of Marriage

4. Effects Of Marriage

5. Property Relationships Between Spouses

6. Abolition Of Marriage

7. Termination And Dissolution Of Marriage

8. Kinship And Affinity

9. Filiation

10. Legal Status Of The Child Outside Marriage

12. Definition And Types Of Adoption, Requirements At The End Of Adoption 13. Conditions Set For Alimony

14. Child Rights' Protection According To The New Civil Code And Law No. 272/2004.

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1. **Emese Florian**, *Dreptul familiei, în reglementarea Noului Cod civil*, 4th, C.H. Beck Publishing House, Bucharest, 2011.

2. **Ioan P. Filipescu, A. I. Filipescu** – *Tratat de dreptul familiei*, 8th edition, All Beck Publishing House, Bucharest, 2006

3. **Emese Florian**, *Protectia drepturilor copilului*, All Beck Publishing House, Bucharest, 2006

3. CIVIL LAW. SPECIAL AGREEMENTS (CONTRACTS)

1. Purchase agreement

2. Lease agreement

3. Agricultural lease agreement

4. Contractor agreement

5. Mandate agreement

6. Loan agreement

7. Commercial storage agreement

8. Memorandum of association (agreement)

9. Life income agreement

10. Maintenance agreement

11. Insurance agreement

12. Settlement agreement

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2. D. Chirică, *Tratat de drept civil. Contracte speciale*, vol.I. *Vânzarea și schimbul*, C.H. Beck Publishing House, Bucharest, 2008;

3. D. Chirică, *Contracte speciale civile și comerciale*, vol. I, Rosetti Publishing House, 2005;

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5. Fr. Deak, *Contracte speciale*, Universul juridic Publishing House, Bucharest, 2006.

DIRECTOR,

PROF.UNIV.DR. ROMULUS GIDRO