

**THEMES FOR THE EXAM FOR  
THE POSITION OF ASSOCIATE PROFESSOR, POS. 10 OF  
THE DEPARTMENT'S ORGANIZATIONAL CHART**

**I. CRIMINAL LAW. THE GENERAL PART I**

1. The New Criminal Code and the previous Criminal Code of 1968. Comparative presentation;
2. Organization and regulation of institutions in The New Criminal Code;
3. The vision of statutory regulation in The New Criminal Code;
4. The criminal laws and the limits of its enforcement. Theoretical and Î.C.C.J. (The High Court of Cassation and Justice) jurisprudence and C.C.R. (The Constitutional Court of Romania) jurisprudence considerations;
5. The crime;

**II. CRIMINAL LAW. THE GENERAL PART II**

1. The punishments;
2. Criminal liability of the legal person. Legislative developments and Comparative Law;
3. Causes exempting from criminal liability
4. Relapse
5. Concurrent offenses

**Bibliography:**

1. The Criminal Code (Law no. 286/2009), including subsequent amendments and additions, and its enforcement;
2. The New Criminal Code, commented on. The General Part, Ilie Pascu, collectively, 2<sup>nd</sup> Edition, revised and supplemented, U.J. Publishing House, 2014;
3. Tudorel Toader, collectively: The New Criminal Code - Commented Articles, Hamangiu Publishing House, 2014;
4. Viorel Paşca, Matei Basarab, Gh. Mateuţ: The Criminal Code, commented on, Hamangiu Publishing House, 2007;
5. The collection of the following magazines: The Law (Dreptul) 2010 - 2015; Criminal Law Journals (Caiete de drept penal) 2012 - 2015; The Criminal Law Magazine (Revista de drept penal) 2010 - 2015

\* With regard to the studies, articles and jurisprudence corresponding to the themes.

**III. ELEMENTS OF CRIMINAL LAW AND OF CRIMINAL PROCEDURE**

1. The Criminal Law as a distinct body of law;

2. Fundamental principles of the Criminal Law;
3. The sources of the Criminal Law. The rules of the Criminal Law. Enumeration. Structure. Classification;
4. The application of criminal laws in time and in space. Doctrine and Jurisprudence. The main institutions of the Criminal Law: Crime. Punishments. Criminal liability;
5. Classification and characteristics of the crimes included in The Special Part of the Penal Code and in special laws;
6. The place and role of Criminal Procedure Law as a branch of law;
7. General characterization of the criminal procedure and trial;
8. European classification of the criminal trial;
9. The principles of the criminal trial;
10. Participants in the criminal trial;
11. Evidence and exhibits in the criminal trial;
12. General aspects of prosecution;
13. The powers of the prosecution authorities and of the court of law;
14. The Pre-Trial Chamber;
15. Judgment of criminal trials;
16. The criminal sentence, legal remedies and enforcement of the criminal sentence;

#### **Bibliography:**

1. The Criminal Code and the Code of Criminal Procedure;
2. Florin Streteanu: Treaty of Criminal Law. The General Part, vol. I and II, CH Beck Publishing House, 2008 - course of the author published by U.B.B. (Babeş Bolyai University in) Cluj Napoca - The Faculty of Law;
3. Gheorghită Mateuț: Treaty of criminal procedure. The General Part, vol. I, CH Beck Publishing House, 2007 - updated course of the author published by U.B.B. Cluj Napoca - The Faculty of Law;
4. Tudorel Toader, collectively: The New Criminal Code - Commented Articles. Hamangiu Publishing House, 2014;
5. Sergiu Bogdan, collectively, The New Criminal Code - The Special Part. The Cluj Perspective, Universul Juridic Publishing House, 2014;
6. Costică Bulai, C. Mitrache: Criminal Law Institutions, Selective Course, Trei Publishing House, 2006;
7. The collection of the following magazines: The Law 2010 - 2015, Criminal Law Journals 2012 - 2015; The Criminal Law Magazine 2010 - 2015; The Jurisprudence Journal (Buletinul Jurisprudenței) 2012 - 2015; "Curierul Juridic", 2010 - 2015; "Curentul Juridic" 2009 - 2015.

\* With regard to the studies, articles and jurisprudence corresponding to the themes.

#### **IV. CRIMINAL LAW. THE SPECIAL PART**

1. The rational concept of The New Criminal Code and a comparative analysis with the old Criminal Code to clarify the crimes in The Special Part;
2. Law compared with the European legislative system;
3. Offences against the person;
4. Crimes against property;
5. Crimes against state authority and state borders;

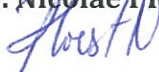
6. Offences against the administration of justice (Obstructions of justice);
7. Crimes of corruption and offenses in public position;
8. Offenses of forgery (counterfeiting);
9. Crimes against public safety;
10. Offenses that harm social relationships;
11. Crimes against national security;
12. Offences against the fighting capacity of the armed forces;
13. Crimes of genocide, crimes against humanity and war crimes;
14. Financial crimes stipulated in special laws;
15. Transitional and Final Provisions regarding the coming into force of The New Criminal Code. Doctrine and jurisprudence.

### **Bibliography:**

1. The New Criminal Code with up-to-date amendments: Monitorul Oficial (The Official Gazette) Publishing House;
2. Tudorel Toader, collectively: The New Criminal Code - Commented Articles, Hamangiu Publishing House, 2014;
3. Sergiu Bogdan, collective coordinator: The New Criminal Code - The Special Part, Explanations, Comments, Universul Juridic Publishing House, 2014;
4. Remus Șpan, Petre Pitcovici: The Role of Information in Fighting against Corruption, Sitech Publishing House, 2009;
5. The World Bank: Corruption and Fighting against Corruption, Irecson Publishing House, Bucharest, 2003;
6. Tudorel Toader: The Crimes Stipulated by Special Laws, Hamangiu Publishing House, 2014;
7. Mihail Udriou: Criminal Law Sheets. The Special Part, 2<sup>nd</sup> Edition, Universul Juridic Publishing House, 2013;
8. Collectively: Points of view relating to the harmonization of Romanian legislation with the Community one, Universul Juridic Publishing House, 2010;
9. The collection of the following magazines: The Law 2010 - 2015, The Business Law Magazine 2010 - 2015; "Curentul Juridic" 2010 - 2015; "Curierul juridic" 2010 - 2015; The Criminal Law Magazine 2010 - 2015; The Jurisprudence Journal 2010 - 2015.

\* With regard to the studies, articles and jurisprudence corresponding to the themes.

**Director,**  
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