

General information on the course

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| Course: | Fundamentals of Civil and Commercial Law |
| Organisational unit: | Zakład Prawa Cywilnego i Prawa Międzynarodowego Prywatnego (Department of Civil Law and Private International Law) |
| Period: | Summer semester 2024/2025 |
| Form of classes: | Compulsory classes (14 h) |
| Form of completion: | Individual project (presentation) |
| Lecturers: | Bogna Kaczorowska PhD |
| Field of study: | I BBA, groups 2, 4 and 6 |

I. Classes programme

1. 26 February 2025 Civil and commercial law: Basic concepts
2. 13 March 2025 Obligations: Conceptualisation, typologies
3. 27 March 2025 Freedom of contract, contract formation, breach of contract and remedies
4. 24 April 2025 Consumer contracts
5. 8 May 2025 The notion of tort, categories of liability in tort
6. 22 May 2025 Types of partnerships and companies
7. 5 June 2025 Copyright; trademark as a type of intellectual property

Individual oral presentations
(classes 2–6)
in-person attendance is compulsory

Pursuant to the Dean's Regulation No. 8/2024 of 17 June 2024 on holding the remote and hybrid classes in the academic year 2024/2025, the Fundamentals of Civil and Commercial Law course (both lectures and classes) is held in a **hybrid manner**, that is the meetings are **held in person (on campus)**, and at the same time they are **streamed in real time** via the Microsoft Teams application.

II. Recommended literature

1. P. Machnikowski, J. Balcarczyk, M. Drela, *Contract Law in Poland*, Alphen aan den Rijn 2020
2. J. Cartwright, *Contract Law: An Introduction to the English Law of Contract for the Civil Lawyer*, Oxford 2023
3. H. Beale, B. Fauvarque-Cosson, J. Rutgers, S. Vogenauer, *Cases, Materials and Text on Contract Law*, Oxford–Portland 2019
4. W. van Gerven, J. Lever, P. Larouche, *Cases, Materials and Text on National, Supranational and International Tort Law*, Oxford–Portland 2000
5. *Cases, Materials and Text on Consumer Law*, eds. H.-W. Micklitz, J. Stuyck, E. Terryn, Oxford–Portland 2010

Selected supplementary literature

1. *Foundations of Law: The Polish Perspective*, eds. W. Dajczak, T. Nieborak, P. Wiliński, Warszawa 2021
2. R. Lewandowski, *Fundamentals of Polish Business Law*, Warszawa 2019
3. *An outline of Polish Commercial Law*, ed. J. Kruczalak-Jankowska, trs. D. Malcolm, Gdańsk 2018
4. R. Schulze, F. Zoll, *European Contract Law*, Baden-Baden 2016
5. C. Pédamon, *Judicial Interpretation of Commercial Contracts in English and French Law: A Comparative Perspective*, “European Business Law Review” 2021, Vol. 32, No. 6, <https://ssrn.com/abstract=4024322>
6. *Comparative Tort Law: Global Perspectives*, eds. M. Bussani, A.J. Sebok, Cheltenham–Northampton 2017
7. *European Product Liability: An Analysis of the State of the Art in the Era of New Technologies*, ed. P. Machnikowski, Cambridge 2016
8. *European Consumer Protection: Theory and Practice*, eds. J. Devenney, M. Kenny, Cambridge 2012
9. P. Machnikowski, A. Górnicz-Mulcahy, J. Balcarczyk, *Intellectual Property Law in Poland*, Alphen aan den Rijn 2020

III. Normative acts and case law

- Ustawa z dnia 23 kwietnia 1964 r. – Kodeks cywilny (Dz. U. z 2024 r. poz. 1061, z późn. zm.) (the Civil Code of 23 April 1964, Journal of Laws 2024 item 1061, as amended)
For a bilingual edition, see eg:
The Civil Code. Kodeks cywilny, tłum. E. Kucharska, weryfikacja językowa M. Le Mauviel, konsultacje prawne G.E. Domański, L. Stępiak, K. Dobkowska, A. Zbiegień-Turzańska, Warszawa 2019
- Other selected normative acts:
 - Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council Text with EEA relevance (OJ L 304, 22.11.2011, pp. 64–88, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32011L0083>)
 - Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ 1993, L 95/29), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A31993L0013>
 - Council Directive 85/374/EEC of 25 July 1985 on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products (OJ L 210, 7.8.1985, pp. 29–33), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A31985L0374>
 - Council Regulation (EC) No 2157/2001 of 8 October 2001 on the Statute for a European company (OJ L 294, 10.11.2001, pp. 1–21), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001R2157>
 - Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark (codification), OJ L 154, 16.6.2017, pp. 1–99, <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1506417891296&uri=CELEX:32017R1001>
- Case law of the Court of Justice of the European Union in Luxembourg, <https://curia.europa.eu/jcms/jcms/index.html>

IV. Requirements for completing the classes

1. Individual project (presentation)

Each Student is obliged to prepare in advance a project (presentation) in English, and present it orally in person during the class meeting. The projects (presentations) are subject to evaluation. **The requirements and criteria for completing the assigned in-person oral presentation** have been provided in a separate file in the “Files” section within the Microsoft Teams application.

2. Attendance

One absence allowed only; in case of subsequent absences, students will be expected to make up for each missed class within two weeks by an oral answer during the office hours; in the event of failure to make up for the absence from the class, the final result shall be reduced by half a grade.

3. Active participation in class discussion

Obtaining at least three notes for active participation will be the basis for raising the final result by half a grade.