

General information on the course

Course:	Fundamentals of Private 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 and number of hours:	Compulsory classes (16 h)
Form of completion:	Completion of compulsory classes in written form
Lecturer:	Bogna Kaczorowska PhD
Field of study:	I LL.B. IEEL

I. Classes programme

1. 26 February 2025 The concept and systematics of civil law; civil law relationship and its elements; subjective right; subjects of civil law
2. 5 March 2025 Obligations – basic issues: the concept and structure of obligation, debtor’s liability, sources of obligations; act of performance and its types, alternating obligation, alternating authorisation, monetary performance, interest; multiple debtors and creditors; proper completion of performance and expiration of obligations; damage, compensation for damage, principles and regimes of liability, causation, compensation; contractual liability; tort liability; contracts – basic issues (contract formation, additional contractual reservations: deposit, contractual right to withdraw from the contract, compensation, contractual penalty)
3. 12 March 2025 Freedom of contract; nominate and innominate contracts; selected types of contracts (part 1): sales contract, lease contract, mandate contract, contract for specific work
4. 19 March 2025 Selected types of contracts (part 2): construction contract, development contract, loan contract, civil partnership, donation contract, life annuity contract
5. 26 March 2025 Property law – basic issues; property rights – content and exercise, acquisition and loss of ownership, real estate transactions, protection of property rights, co-ownership
6. 2 April 2025 Inheritance, the concept and composition of inheritance; statutory and testamentary inheritance; legal position of the heir, liability for inheritance debts; legitime

7. 16 April 2025 **Completion of classes** (written assignment: open question and cases) – **in-person attendance is compulsory**
8. 23 April 2025 Family law: marriage (conclusion, termination, matrimonial property regimes); relations between parents and children, adoption

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 Private Law classes are held in a **hybrid manner**, that is they 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

Machnikowski P., Balcarczyk J., Drela M., *Contract Law in Poland*, Alphen aan den Rijn 2020

Zarys prawa cywilnego, red. E. Gniewek, P. Machnikowski, Warszawa 2024

Selected supplementary literature

Foundations of Law: The Polish Perspective, eds. W. Dajczak, T. Nieborak, P. Wiliński, Warszawa 2021

Materials prepared in the framework of the project ‘Polish Private Law’ carried out by the Institute of Legal Studies of Polska Akademia Nauk (PAN, Polish Academy of Sciences) available on the website <http://Polishprivatelaw.pl/> (www.ppl.pan.pl)

Kryla-Cudna K., *The Formation of a Contract under Polish Law*, “Prawo w Działaniu” 2016, vol. 27, <https://iws.gov.pl/wp-content/uploads/2018/09/27-Katarzyna-Kryla-Cudna.pdf>

Ossowska M., *The Numerus Clausus Issue in Property Law – European Private Law and the Polish Perspective*, “Studia Iuridica” 2019, vol. 82, <https://studiaiuridica.pl/resources/html/article/details?id=201358&language=en>

Land Registers, https://e-justice.europa.eu/content_land_registers-107-en.do

Longchamps de Bériér F., *Law of Succession: Roman Legal Framework and Comparative Law Perspective*, Warszawa 2011

Załucki M., *Impact of the EU Succession Regulation on Statutory Inheritance*, “Comparative Law Review” 2017, vol. 23, pp. 223–239, <http://apcz.umk.pl/czasopisma/index.php/CLR/article/download/CLR.2017.010/14206>

III. Normative acts

Selected provisions of several normative acts will be analysed in the course of the classes.

Reference is going to be made mostly to the Polish Civil Code:

- ustawa z dnia 23 kwietnia 1964 r. – Kodeks cywilny (Dz. U. z 2024 r. poz. 1061, z późn. zm.)

(Act of 23 April 1964 – Civil Code, 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.

IV. Requirements to complete the classes

1. Attendance (one absence allowed only); active participation in class discussion
2. In-person written assignment (open question and cases)