



Optional courses

Faculty of law » LL.M. » Specialisations » Specialisation I

- [EU Law - General Introductory Course](#)
- [Public Regulatory Policy: An Economic Perspective](#)
- [Social Rights and Their Protection](#)
- [Comparative Private Law](#)
- [Public Law Regulation of Business Activities](#) (Administrative and Environmental Law)
- [Introduction to Financial Law](#)
- [Intellectual Property Law](#)

EU Law - General Introductory Course

Lecturer:

doc. JUDr. Richard Král Ph.D., LL.M.

1. Evolution of EU

- Establishment of 3 European Communities
- Establishment of EU
- Treaty of Lisbon

2. EU membership

- Origination
- Content
- Termination

3. EU citizenship

- Notion
- Catalogue of rights of EU citizens
- Right of free movement and residence

4. Main EU institutions

- European Council
- Council
- European Commission
- European Parliament

5. EU legislative and decision making process

- Ordinary legislative procedure
- Special legislative procedure
- Involvement of national parliaments

6. EU law

- Sources
- Effects in EU Member States

- Eur-lex database

7. Court of Justice of the EU

- Structure
- Main tasks
- Main procedures

8. EU budget

- Resources
- Expenditures
- Drafting and implementation

Course description:

This course is primarily designated for those participants of the LL.M. program who have not completed a comprehensive EU law course during their previous undergraduate studies, i.e. particularly for participants from non-EU countries. For such students this course shall be mandatory. The course is included in both the business and the human rights program modules. The aim of the course is to provide general knowledge regarding the structure of EU, its functioning, institutions, key policies and law, i.e. knowledge which will contribute to the efficient handling of specialized courses on EU law. The general introductory EU law course will therefore be offered before the specialized EU law courses.

Public Regulatory Policy: An Economic Perspective

Lecturer:

Ing. Helena Chytilova, M.A., Ph.D.

MICROECONOMICS

I. Homo Oeconomicus and its Behavior

principles of economics, consumer choice, indifference analysis, market demand

producer choice in perfect competition, production functions, cost and revenue functions, profit maximization, specialization and comparative advantage

supply, demand and market equilibrium, Pareto-efficiency

II. Government Regulation

state price interventions, taxes and subsidies, tariffs, quotas

monopoly-legal and natural, price discrimination, regulation, cartels, antitrust law, monopolistic competition

III. Market for Factors of Production

labor demand and diminishing marginal productivity, labor supply and indifference analysis, equilibrium wage, minimum wage laws, trade unions and unemployment, efficiency wages, job search and matching

capital markets and the interest rate, present and future value, usury laws

IV. Market Failures

property rights, externalities, transaction costs, Coase theorem, free common resources, free goods, public goods, free rider problem, moral hazard, adverse selection, principal-agent problem

MACROECONOMICS

V. Measuring a Nation's Income

Gross domestic product, Gross national product, GDP deflator, consumer price index, aggregate expenditures

VI. Economic Growth

Productivity and production function, physical and human capital, technologies, catch-up effect, role of institutions

VII. Money and Inflation

money, money supply and state monopoly over money creation, money demand, liquidity preference, inflation, quantity theory of money, money neutrality, nominal and real interest rate

VIII. Open Economy and Trade policy

export, import, trade balance, nominal and real exchange rate, model of net capital outflow, international trade regulations

IX. Business Cycle and Macroeconomic Regulation

aggregate demand and aggregate supply model, sticky wage, sticky price model and imperfect information model, monetary policy, fiscal policy, rules and discretion, Phillips curve, short run and long run

Course Description

The course focuses on contemporary economics and provides a conceptual foundation for analysis of policy. Decision making by individual agents such as households and firms and their interaction in a market will be subject to attention. The conditions for proper functioning of markets will be discussed, analysing further when those conditions fail and how regulation relates to that. The course will combine theory and practical relevance with focus on a range of issues including the regulation on competitive markets, taxation, trade policy, the problems of unemployment, inflation, and economic growth and the conduct of fiscal and monetary policy and how those affect economic outcomes.

Social Rights and Their Protection

Lecturers:

JUDr. Martin Štefko, Ph.D.

JUDr. Kristina Koldinská, Ph.D.

1. Law of Social Protection and its History in Europe

- History of Social Protection
- Development of the Welfare State, Types of Welfare State, the Crisis of the Welfare State
- Sources of Law (international and EC law)
- Social Welfare Rights, Functions and Aims of Labour Law and Social Security Law

2. Employment Relationship, Definitions

- Employee, EC Worker, Dependent Work
- Employer's Risks
- General Principles
- Other Types of Employment Relationships

3. Protection of Work, Liberalisation of Employment Law (Flexicurity)

- Choice of Law Rules
- Non Competition Covenants
- Posting of Workers, Working Conditions in Central and Eastern Europe

4. Contract of Employment, Employment Relationship, Establishment, Changes and Termination

- Freedom of Contract
- Definitions
- Express terms (Essentialia Negotii)
- The EU Dimension of the Law on Dismissals

5. Working Time, Rest Periods, Payments

- The Purpose of Regulation
- Basic Framework
- Overtime, Night Work
- Paid Leave
- Public Holidays
- Minimum Wage, Determination of Wage

6. Social Security Law

- Social Insurance, State Support and Welfare Assistance
- Social Risks
- General Principles
- Coordination of Social Security Laws

7. Pregnancy, Maternity, Working Conditions of Parents

- Constitutional Framework
- EU Law, International Legal Sources, National Laws and Secondary Legislation

8. Sickness, Invalidity, Occupational Injury and Occupational Disease, Aging, Poverty and Social Exclusion

- Constitutional Framework
- EU Law, International Legal Sources, National Laws and Secondary Legislation

Course description:

The course examines and compares the history, structure and regulations of both Employment Law (Labour Law) and Social Security Law in Central Europe (mainly the Czech Republic, Austria, Germany, Poland and Slovakia). After a definition of general terms and a brief review of both legal theory and history, the course focuses principally on social rights and benefits guaranteed by the said branches of law (for example employees

rights or both benefits and protection acquired during pregnancy, maternity, sickness, disability to work, unemployment, invalidity or death of a breadwinner). The course provides a comprehensive study of current EC law, international law, and Czech labour and social security law including case law. If appropriate, there will be comparisons with other Central European countries. Special attention is devoted to the Posted Workers Directive, and pension and health care reforms in Central Europe.

Comparative Private Law

Lecturers:

Prof. JUDr. Michael Bogdan, B.A., LL.M.,

Prof. Dr. Dr. h. c. Kurt Siehr, M.C.L

1. Introduction to comparative law and the study of foreign law

- The nature, subject and uses of comparative law
- Some problems connected with the study of foreign law

2. Comparing, explaining and evaluating national legal solutions

- The problem of comparability
- Explaining similarities and differences between legal systems
- Common core of legal systems
- Comparative evaluation of the compared national solutions

3. World map of legal systems

- The concept of legal families
- Geographic spread of common law
- Geographic spread of continental European law
- Geographic spread of the other main legal cultures

4. Common Law I

- English, American and Law of the former Commonwealth
- Statutory Law, Judicial Precedents and Literature
- Substantive Law and Procedural Law

5. Common Law II

- Contracts
- Torts
- Family Law
- Succession Law and Trusts

6. German-Speaking Systems: Austria, Germany and Switzerland

- Codified Law: ABGB, BGB, OR and ZGB
- Contracts and Torts
- Family and Succession Law
- Procedural Law: JN, ZPO; ZPO, FamFG; ZPO

7. French-Speaking and French-Influenced Legal Systems: France, Belgium, Italy,

- Spain, Latin-American Countries
- Code civil of 1804 and its influence
- Contracts and Torts
- Family and Succession Law
- Procedural Law

8. Islamic law and the law of the Far East

- Sources of Islamic law
- Islamic legal method
- Main features of Chinese legal development

Course description:

The course on Comparative Private Law is intended to make the students acquainted with the fundamental features of the principal legal cultures (Common law, German law, French law, Chinese law and Islamic law) regarding private-law issues. Another purpose of the course is to make the students understand the main problems arising with the study of foreign law in general, as well as to introduce them to the theoretical and practical aspects of comparing, explaining and evaluating national solutions to private-law problems.

Public Law Regulation of Business Activities (Administrative and Environmental Law)

Lecturers :

Prof. JUDr. Milan DAMOHORSKÝ, DrSc.

Doc. JUDr. Zdeněk KUEHN, PhD., SJD, LL.M.

JUDr. Michal SOBOTKA, PhD.

1. Principles of administrative procedure

- guarantees of legality in administrative proceedings
- principles of good administration in Czech administrative law
- public contracts in Czech law
- the exercise of public power by private persons

2. The protection of public rights in the Czech administrative judiciary

- the conception of public rights
- the conception of administrative acts
- which administrative acts are subject to judicial review
- which actions by public power are actionable
- the basic characteristics of Czech judicial review
- the position of the Supreme Administrative Court
- Czech administrative judiciary in comparative dimension

3. Administrative penal law and judicial review

- the nature of administrative penal law
- Czech administrative penal law as a product of judge-made law
- specifics of judicial review of administrative penal acts
- constitutional problems of judicial review of administrative penal acts

4. Zone planning

- zone plans in Czech law
- basic principles of zone planning
- judicial review of zone planning

5. Public interests as limits for business activities

- the scope of public interests (human health, environmental protection, cultural heritage, etc.)
- public administration system
- statutory limitations
- decision making process

6. Liability for environmental harm

- the concept of environmental harm
- Czech approach to ELD implementation
- public administration responses to environmental harm and means for its reparation

Course description:

This course shall introduce students to the area of legal regulation that provides for the protection of public interests. The promotion of public interests (such as public order, protection of cultural heritage, environmental protection etc...) represents significant limits for the execution of individual rights. The powers of public authorities and means for their enforcement will be discussed as well as their judicial control.

Intellectual Property Law

Lecturers:

JUDr. at MgA. Petra Žiková

JUDr. Tomáš Dobřichovský, Ph.D.

JUDr. Jiří Čermák

JUDr. Pavel Tůma, Ph.D. LL.M.

1. The subject and system of IP Law

- Intellectual property – definitions, framework, relations to civil law and commercial law
- Copyright Law – basic definitions, principles of European and Anglo-American copyright law, moral rights and economic rights, copyright duration
- Industrial property Law – basic definitions and principles, framework of IP Law

2. Copyright Law – License agreements and limitations and exceptions

- License agreements – fundamental terms, types of contracts, sublicense agreements, termination of agreements, case law study
- Exceptions and limitations – three step test, personal use copy, blank copy levy, quotations, exceptions for the disabled, Information directive

3. Copyright Law – Neighboring rights, other related rights and

- collective management
- Performer's rights, producer's rights, broadcaster's rights, database sui generis rights
- Collective management – the history, basic principles, collective management in digital era, EK recommendation
- Copyright protection in Cyberspace
- copyright and its protection in cyberspace (internet and other networks)
- peer to peer networking and downloading of copyrighted works
- cyberpiracy
- liability of service providers and other intermediaries
- digital content and exhaustion of rights
- on-line licensing
- sale of goods vs. provision of services
- digital content and copyright levies

5. Protection of software, databases, know-how and other IP rights related to IT

- protection of software
- protection of software interfaces
- licensing software
- sale of goods vs. licensing of copyrighted works
- protection of underlying know-how and principles
- web applications and remote access to software
- database rights and protection of electronic databases
- sui generis rights to databases and its practical aspects
- software contract license
- support and maintenance
- source code escrow contracts

6. Industrial property – Trademarks

- introduction, the purpose of trademark protection
- registrability [absolute and relative grounds]
- infringement
- defenses
- revocation
- maintenance
- dealing
- international agreements and EU legislation

- case law

7. Industrial property – Patents, Utility models, Industrial designs, Geographical indications, Commercial names

- introduction
- excluded inventions and exceptions to patentability
- novelty and obviousness
- priority and validity
- infringing acts and defenses
- exploitation and remedies
- international agreements and EU legislation
- case law

8. International Copyright Law, EU Copyright Law

- Overview of international agreements in the Copyright field – Berne convention, Rome Convention, TRIPS
- Overview of all related EU legislation
- Related current decisions of EJC

Course description:

This course covers the whole area of Intellectual Property Law, including patents, copyrights, trademarks, trade secrets and designs. The course addresses the policies underlying the protection of intellectual property and compares the different ways organizations and individuals can use intellectual property to protect their interests. Technological developments affecting copyright are also addressed, including issues related to computer software and the internet. Special attention shall be paid to the international case law in the respective field.

Introduction to Financial Law

Lecturers:

JUDr. Petr Kotáb

JUDr. Radim Boháč, Ph.D.

JUDr. Michael Kohajda, Ph.D.

Introduction to Financial Law

- finance and financial activity
- monetary mass
- tangible and intangible money
- central and local financial organs

Theory of Taxation, Czech Tax System

- system of taxes and other budgetary revenues
- budgetary destination of taxes
- classification of taxes
- direct and indirect taxes
- basic elements of tax construction
- subject, object, tax base, tax rate and maturity of tax

Income Taxes

- individual income tax
- tax residents and non-residents
- object of taxation
- tax base and partial tax base
- corporate income tax
- taxation of non-profit entities
- source of income
- tax depreciation
- taxable and accounting period
- tax advances

VAT

- taxable persons and payers of the tax
- tax object
- European dimension of VAT – reverse charge
- tax base, tax rates
- tax exemptions with and without credit entitlement
- tax refunds
- taxable periods

Other Direct and Indirect Taxes

- property taxes
- transfer taxes
- road tax
- excise taxes
- energy taxes

Banking

- notion and classification of banks
- banking activities
- banking regulation and supervision
- deposit insurance
- bank secrecy
- credit bureaux

Monetary Law

- money and currency
- banknotes
- circulating coins and commemorative coins
- legal tender and forced circulation
- legal protection of currency circulation
- payment intercourse
- bank transfers
- European Currency Union

Financial Market

- characteristics
- money market and capital market
- investment instruments
- investment services and providers thereof
- Guaranty Fund
- collective investment
- investment funds and unit funds
- regulated markets

Course description:

The purpose of the course is to provide solidly based and professional introduction into Czech Financial Law. Special emphasis is given to the law of public revenues, in particular taxes. The course focuses on such areas of financial law that are connected to pursuing business in the Czech Republic or that affect the integration of foreigners and foreign entities in respect of their stay, existence and gainful and other activities in the Czech Republic.

