

PH. D. PROGRAM IN PRIVATE LAW (30% GERMAN)  
COURSE SYLLABUS

Course Details				
<b>Code</b>	<b>Academic Year</b>			<b>Semester</b>
ÖHD159	1			1
<b>Title</b>	<b>T</b>	<b>A</b>	<b>L</b>	<b>ECTS</b>
Civil Law under the European Influence	3	0	0	7,5
<b>Language</b>	German			
<b>Level</b>	<b>Graduate</b>		<b>Postgraduate</b>	X
<b>Department / Program</b>	Civil Law			
<b>Forms of Teaching and Learning</b>	Lecture			
<b>Course Type</b>	<b>Compulsory</b>		<b>Elective</b>	X
<b>Objectives</b>	Students learn the importance that the legal sources of European Union law have gained for the content, structure of the German Civil Code and other laws and for their interpretation (P1). Students are able to incorporate requirements of European Union law into the interpretation of domestic law (2).			
<b>Content</b>	Legal sources of European Union law, their direct or indirect effect in domestic law; focal points of legislation in civil law; regulatory structure of regulations and directives; interpretative methods of the European Court of Justice and the Federal Supreme Court; "dialogue of the courts".			
<b>Prerequisites</b>	Basic knowledge of European law is an advantage, but not a requirement.			
<b>Coordinator</b>	-			
<b>Lecturer(s)</b>	Karl-Heinz Oehler			
<b>Assistant(s)</b>	Res. Asst. Gökçen Doğan Bandır & Res. Asst. Eylül Yağmur Coşan			
<b>Work Placement</b>	-			
Recommended or Required Reading				
<b>Books / Lecture Notes</b>	Grundlagen: Streinz, Europarecht, insb. § 5 Quellen des Unionsrechts; Geiger, Staatsrecht III, insb. §§ 44 und 45, Rechtsakte der Union, Auslegung Gebauer/Wiedemann, Europäisches Zivilrecht; Stürner/ Wagner, Die Schuldrechtsreform 2020			
<b>Other Sources</b>	EU directives on consumer rights and on the sale of goods; predecessor directives; decisions of the European Court of Justice and the German Federal Supreme Court			
Additional Course Material				
<b>Documents</b>	Lecture Script			
<b>Assignments</b>	-			
<b>Exams</b>	-			

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Course Composition			
Social Sciences	100		%
Educational Sciences			%
Natural Sciences			%
Health Sciences			%
Expert Knowledge			%
Assessment			
Activity	Count	Percentage (%)	
Midterm Exam			
Quiz			
Assignments	Voluntary, maximum 1	10-20 (Additional Points)	
Attendance			
Recitations			
Projects			
Final Exam	Term paper/oral presentation (2)	80+20	
<b>Total</b>			<b>100</b>
ECTS Points and Work Load			
Activity	Count	Duration	Work Load (Hours)
Lectures	14	3	42
Self-Study	179	1	179
Assignments			
Presentation / Seminar Preparation	1	2	2
Midterm Exam			
Recitations			
Laboratory			
Projects			
Final Exam	1	2	2
<b>Total Work Load</b>			<b>225</b>
<b>ECTS Points (Total Work Load / 30)</b>			<b>7.5</b>
Learning Outcomes			
1	Fundamentals of European Union legislation		
2	Direct effect or transposition of EU law		
3	Dialogue between the European Court of Justice and the Federal Supreme Court		
4	Methods of interpretation by the European Court of Justice and the Federal Court of Justice		

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5	Incorporation of European law into the interpretation of civil law
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12	

**Weekly Content**

1	Effect of regulations and directives
2	Case Study: right of withdrawal in EU law and in the German Civil Code
3	Interpretation of domestic law in conformity with EU law and its constitutional limits
4	Focus of European law in civil law
5	The Influence of European Law on the Sales Law of the German Civil Code; Conflict of Aims: Anti-discrimination Directives and Freedom of Contract
6	Distance Selling and Digital Communication
7	Student's presentations
8	Student's presentations
9	Student's presentations
10	Student's presentations
11	Student's presentations
12	Student's presentations
13	Student's presentations
14	Final exam
15	

**Contribution of Learning Outcomes to Program Objectives (1-5)**

	P1	P2	P3	P4	P5	P6	P7
1	4	5					
2	5	5					
3	4	4					
4	4	5					
5	5	5					
6							
7							
8							

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9							
10							
11							
12							
<b>Contribution Level</b>	1: Low 2: Low-intermediate 3: Intermediate 4: High 5: Very High						
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<b>Compiled by:</b>	Karl-Heinz Oehler						
<b>Date of Compilation:</b>	14. November 2023						