Course Description

|  |
| --- |
| **University:** Academy of the Police Force in Bratislava |
| **Course Code:** 831 14 VP 6 AJ**:** 832 D 22 PP 4 | **Course Name:** European Criminal LawObchodné právo |
| **Type, Extent and Method of Instruction:** **Type:** **L/E**P, C**Recommended Course Format:** 1/1 hour of lecturing, exercises per week2 hodiny prednášok/ 2 hodiny cvičení týždenne **Methods:** Attendance Methodprezenčná |
| **Number of Credits**: 54 |
| **Recommended Term:** 6th Semester2. semester |
| **Degree of Study:** 1st Degree2. stupeň |
| **Pre-requisites:**  |
| **Course Requirements:****Continuous Assessment:** One written test and a seminar assignment consisting of written essay on one of the provided topics as well as its presentation. Both test and the assignment are worth up to maximum of 50 points. The grade distribution is as follows: A - at least 94 points, B - at least 86 points, C - at least 76 points, D - at least 66 points, and E - at least 56 points. A student needs to earn at least 28 points in both parts of the continuous assessment. A student's admittance to an exam is pre-conditioned by his or her meeting the conditions prescribed for continuous assessment.**Final Assessment:** Exam „E“ - exam result |
| **Course Outcome:** Student passing the subject will acquire knowledge in the field of European criminal law with a focus on the influence of the European Union’s legislation on the national criminal substantive law as well as criminal procedure. Emphasis will be put on provisions concerning minimum standards regarding the general conditions of criminal liability, so-called european crimes, fundamental rights of the subjects of criminal procedure, selected instruments of judicial cooperation in criminal matters and lastly the instrumental framework for combating crime in the European Union. Analyses of important CJEU’s rulings constitute a vital part of the course.Absolvovaním predmetu Obchodné právo študent nadobudol všeobecný prehľad o základných obchodnoprávnych inštitútoch, poznatky o právnej ochrane hospodárskej súťaže, prehľad subjektívnych a nesubjektívnych formách podnikania i obchodných záväzkových vzťahoch vrátane praktického zvládnutia zmluvnej typológie podľa Obchodného zákonníka. Zároveň získal relevantné poznatky z procesov konkurzu a reštrukturalizácie a verejného obstarávania i z hľadiska ich bezpečnostného aspektu. |
| Course Description:1. Introduction to European Criminal Law and its historical development.
2. The europeanisation of criminal law in the context of the European Union
3. CJEU and its influence on the development of European Criminal Law
4. Substantive European Criminal Law I - basic principles of criminal liability in the context of EU Charter of Fundamental rights, criminal liability of legal persons, harmonization of criminal punishments.
5. Substantive European Criminal Law II - selected european crimes: terrorism, human trafficking, money laundering, illicit drug trafficking, racism and xenophobia, environmental crime, organized crime.
6. Procedural European Criminal Law I - basic rights of accused persons: right to a fair trial, presumption of innocence, *ne bis in idem*, right to information in criminal proceeding, right to be present at the trial; protection of the victims of crime.
7. Procedural European Criminal Law II - selected instruments of judicial cooperation in criminal matters - European Arrest Warrant, European Investigation Order, Order Freezing Property or Evidence, cross border surveillance.
8. Institutional framework for combating crime in EU - joint investigation teams, EUROPOL, Eurojust, OLAF. 1. Pojem, predmet, pramene obchodného práva 2. Základné inštitúty obchodného práva (podnikanie, podnikateľ, podnik....)

 3. Právna ochrana hospodárskej súťaže 4. Subjektívne a nesubjektívne formy podnikania 5. Obchodné záväzkové vzťahy 6. Zmluvná typológia podľa Obchodného zákonníka 7. Konkurz a reštrukturalizácia. Verejné obstarávanie  |
| **Recommended Reading:**ATKINSON, D. (ed.) *EU law in criminal practice*. Oxford: Oxford University Press, 2013.KORDÍK M., GORYLOVÁ M., TURÁKOVÁ V. *European criminal law*. Bratislava: APZ, 2016. Available online at: https://www.akademiapz.sk/sites/default/files/KVPV/KTP/European%20criminal%20law\_Textbook.pdfKLIP, A. *European Criminal Law. An Integrative Approach.* 3rd ed. Cambridge; Antwerp; Portland: Intersentia, 2017.AMBOS, K. *European Criminal Law.* Cambridge: Cambridge University Press, 2018. |
| **Knowledge of Language Required to Successfully Complete the Course:** Englishslovenský |
| **Notes:** (odporúčam uvádzať len najnižší počet študentov pre PV a VP (obmedzenú kapacitu len v predmetoch realizovaných v špecifických podmienkach či špeciálnych učebniach). Napr.: Predmet sa poskytuje len ak si ho zapíše najmenej 10 (15?) študentov. |
| **Course Assessment:**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| A | B | C | D | E | FX |
| A | B | C | D | E | FX |
|  |  |  |  |  |  |

 |
| **Provided by:** Assoc. Prof. JUDr. Veronika Marková, PhD. JUDr. Daniela Benedeková, PhD. Mgr. Sebastián Janko, PhD.Prednášky: Doc. JUDr. Milan Šmátrala, CSc. Cvičenia: Doc. JUDr. Milan Šmátrala, CSc., JUDr. Ing. Štefan Neszméry |
| **Date of Last Amendment:** January 26th 202315. 1. 2014 |
| **Approved by:**  |