

UČNI NAČRT PREDMETA / COURSE SYLLABUS

Predmet: Uvod v stvarno pravo
Course title: Introduction to Property Law

Študijski program in stopnja Study programme and level	Študijska smer Study field	Letnik Academic year	Semester Semester
Pravo in management infrastrukture in nepremičnin - 1. stopnja		2	2
Law and Management of Infrastructure and Real Estate – 1st degree		2	2

Vrsta predmeta / Course type obvezni / mandatory

Univerzitetna koda predmeta / University course code:

Predavanja Lectures	Seminar Seminar	Vaje Tutorial	Klinične vaje work	Druge oblike študija	Samost. delo Individ. work	ECTS
50	0	40	0	0	110	8

Nosilec predmeta / Lecturer: izr. prof. dr. Nana Weber / Assoc. Prof. Dr. Nana Weber

Jeziki / Languages:
Predavanja / Lectures: Slovenski jezik /Slovenian
Vaje / Tutorial: slovenski jezik /Slovenian

Pogoji za vključitev v delo oz. za opravljanje študijskih obveznosti:

Vpis v 1. letnik dodiplomskega študija.

Vsaj 80% prisotnost na predavanjih in vajah.

Prerequisites:

Enrollment in the 1st year of undergraduate study.

At least 80% attendance at lectures and tutorials.

Vsebina: **Content (Syllabus outline):**

V okviru predmeta se bodo študentke in študente seznanili s temeljnimi načeli in instituti stvarnega prava.

Obravnavana bodo naslednja področja:

- Temeljna načela in pojmi stvarnega prava
- Posest
- Evidentiranje nepremičnin (zemljiška knjiga in kataster)
- Lastninska pravica
- Zastavna pravica
- Služnosti (stvarne, osebne)
- Druge stvarne pravice

Within the course, students will be introduced to the basic principles and institutes of property law.

The following areas will be addressed:

- Basic principles and concepts of property law
- Possession
- Real estate registration (estate register and cadastre)
- Right of ownership
- Pledge
- Easements (real, personal)
- Other property rights

Temeljna literatura in viri / Readings:

1. JUHART, Miha, TRATNIK, Matjaž, VRENČUR, Renato. *Stvarno pravo. 2.*, spremenjena in dopolnjena izdaja Ljubljana: GV založba, 2023.
2. TRATNIK, Matjaž, *Stvarnopravni zakonik (SPZ) s praktičnim komentarjem*, Lexpera GV Založba, Ljubljana 2020.
3. Stvarnopravni zakonik (SPZ, Uradni list RS, št. 87/02 in nasl.) – OBVEZNA LITERATURA
4. Zakon o zemljiški knjigi (ZZK-1, Uradni list RS, št. 58/03 in nasl.)
5. Law of Property Code (Official Gazette of RS, no. 87/02 and next)
6. Land Register Act (Official Gazette of RS, no. 58/03 and next)
7. Rainer J. Michael (ur.), Filip -Fröschl Johanna (ur.), *Transfer of title concerning movables, Part 1*, Peter Lang, Frankfurt 2006.
8. Kramberger, J., Vlahek, Ana: *Property and Trust Law in Slovenia*. Wolters Kluwer 2016.

Cilji in kompetence:

Študenti/ke bodo pridobili naslednje predmetno specifične kompetence:

- Seznanitev študentov z osnovnimi pojmi stvarnega prava ter njegovimi temeljnimi inštituti;
- Osvojitev temeljnih vprašanj stvarnega prava

Študent/ka:

- razvije kritično razumevanje stvarnega prava;
- je zmožen/na kritične presoje ter analize in interpretacije dogodkov in usmeritev iz stvarnega prava – splošni in posebni del v sodobnem obdobju;

Objectives and competences:

Students will gain the following subjects specific competences:

- To introduce students to the fundamental concept of property law and to its fundamental principles;
- Acquiring the fundamental knowledge of property law;

Student:

- develops a critical understanding of the events and guidelines relevant to the property law – in modern period;

- sposoben/na kritično oceniti in se opredeliti do prakse rednih sodišč;
- je sposoben/na kritičnega presojeti, analizirati in razlagati dogodke in politike, povezane z vidiki stvarnega prava v sodobnem obdobju;

Študenti/ke bodo pridobili naslednje splošne kompetence:

Cilj predmeta je, da študent pridobi temeljna teoretična znanja s področja stvarnega prava, prav tako pa tudi dobro poznavanje veljavne zakonodaje in sodne prakse na tem področju. Študentke in študenti bodo poleg teoretičnega znanja pridobili tudi določene praktične veščine. S pomočjo različnih oblik izvajanja študijskega procesa, zlasti tudi preko aktivnega sodelovanja študentov (seminarji, vaje, konzultacije), bodo razvijali sposobnosti razumevanja stvarnopravne problematike ter analize in iskanja rešitev za konkretne življenjske primere.

Na podlagi osvojenega znanja bo študent v praksi sposoben samostojne analize konkretnega življenjskega primera, opredelitve pravnega problema, uporabe veljavnih pravnih predpisov in sprejetja ustrezne rešitve za konkretni primer.

- is able to the critical judge, analyse and interpret events and policies related to property law – specific perspectives in the modern period;
- knows and uses basic methodological approaches to property law

Students will gain the following general competences:

The basic knowledge that student should acquire after successfully completed course consists of knowledge of the general principles and institutes of property law, both through legal theory and case law. Theoretical knowledge and acquired comprehension skills will be useful in interpreting the legislation. Through knowledge of the basic principles of property law and institutes that are common in legal transactions, students will develop their own skills of understanding, legal thinking and analysing of concrete cases.

Students will be able to actively participate in the learning process. So they will be able to develop their own thinking and research skills, as well as analysing relevant literature and case law.

Predvideni študijski rezultati:

Znanje in razumevanje:

Študent/študentka:

- Seznanitev študentov z osnovnimi pojmi in načeli stvarnega prava.
- Osvojitev teoretičnega in praktičnega znanja o temeljnih institutih stvarnega prava.

Intended learning outcomes:

Knowledge and understanding:

Student / student:

- To introduce students to the fundamental concepts of property law and to its basic principles;
- Acquiring the theoretical and practical knowledge of property law institutes.

Metode poučevanja in učenja:

Learning and teaching methods:

Oblike dela:

Frontalna oblika poučevanja
 Delo v manjših skupinah oz. v dvojicah
 Samostojno delo študentov
 e-učenje
 drugo (vpišite) _____

Metode (načini) dela:

Razlaga
 Razgovor/ diskusija/debata
 Delo z besedilom
 Proučevanje primera
 Igra vlog
 Druge vrste nastopov študentov
 Reševanje nalog
 Študijski obiski podjetij ipd.)
 Vključevanje gostov iz prakse
 Udeležba na okrogli mizi, na konferenci

Types of learning/teaching:

Frontal teaching
 Work in smaller groups or pair work
 Independent students work
 e-learning
 other _____

Teaching methods:

Explanation
 Conversation/discussion/debate
 Work with texts
 Case studies
 Role-play
 Different presentation
 Solving exercises
 Field work (e.g. company visits)
 Inviting guests from companies
 Attending round table and conference

Delež (v %) /

Načini ocenjevanja:

Weight (in %)

Assessment:

Način (pisni izpit, ustno izpraševanje, naloge, projekt)	Delež (v %) / Weight (in %)	Type (examination, oral, coursework, project):
Pisni ali ustni izpit	90%	Written or oral examination
Udeležba na glavni obravnavi in poročilo	10%	Attendance at court hearing and report

Reference nosilca / Lecturer's references:

Nana Weber je izredna profesorica za civilno in gospodarsko pravo na Evropski pravni fakulteti, docentka za delovno pravo na MLC Fakulteti za management in pravo Ljubljana in docentka za poslovne vede na B2 Visoki šoli za poslovne vede. Leta 2003 je diplomirala na Pravni fakulteti v Ljubljani. Tam je s podiplomskim študijem nadaljevala in leta 2010 magistrirala na področju civilnega in gospodarskega in leta 2013 doktorirala na področju civilnega prava. Leta 2010 je diplomirala še na Akademiji za glasbo (profesorica glasbe).

Poklicno pot v pravu je začela v sodstvu in na različnih stopnjah sodišč, nato je delala na državnem pravobranilstvu, v odvetniški pisarni in v kabinetu ministra za javno upravo. Leta 2016 je začela samostojno pot in do nedavnega delovala kot odvetnica. Sedaj vodi družbo Weber N., pravna svetovanja, analize in mediacije, d.o.o.

Izkušnje mediatorke v Mediacijskem centru Ljubljana, pri Odvetniški zbornici Slovenije in Ministrstvu za delo družino, socialne zadeve in enake možnosti ter izvajalke izvensodnega reševanja potrošniških sporov pri Ministrstvu za gospodarski razvoj in tehnologijo so botrovale odločitvi, da pomaga reševati spore na neformalen način v okviru lastnega podjetja.

Je tudi članica državne izpitne komisije za pravniški državni izpit (področje civilnega materialnega in procesnega prava) in zborovodja Mešanega pevskega zbora Nove Univerze.

Na redni bazi piše strokovne in znanstvene članke iz različnih pravnih področij. Med drugim je ena od avtoric Družinskega zakonika (Uradni list, 2019), avtorica uvodnih pojasnil Družinskega zakonika (GV Založba, Lexpera, 2018), in avtorica zbirke Vprašanja in odgovori iz delovnega prava (GV Založba, Lexpera), v okviru katere so doslej izšle knjige Prenehanje pogodbe o zaposlitvi (2020), Ko delavca ni na delu (Dopust, regres in druge odsotnosti z dela (2021)) in Prejemki iz delovnega razmerja (2023). Je tudi avtorica uvodnih pojasnil k Zakonu o sodnih taksah (ZST-1); Odvetniška tarifa; Notarska tarifa: (neuradna prečiščena besedila) - Uradni list Republike Slovenije 2022, in avtorica Zakona o sodnih taksah (ZST-1) z uvodnimi pojasnili - Lexpera, GV založba, 2023.

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Nana Weber is associate professor for civil and corporate law at the European Faculty of Law New University, assistant professor for labour law and assistant professor for business sciences at Ljubljana School of Business. She graduated from the University of Ljubljana Faculty of Law, in 2003. She continued her postgraduate course in the same University and received a Master's degree of Science in 2010 (Civil and Commercial Law), and Doctor's degree of Science in 2013 (Civil Law). In 2010 she graduated in Music Pedagogy at the Musical Arts in 2010 (Professor of Music).

Her professional legal career began at different levels of the court, then she worked at the State's Attorney Office, at lawyer and at Ministry of Public Administration. She went freelance in 2016 and until recently worked as a lawyer. She now runs Weber N., Legal Consulting, Analysis and Mediation, d.o.o.

Her experience as a mediator at the Ljubljana Mediation Centre, the Bar Association of Slovenia and the Ministry of Labour, Family, Social Affairs and Equal Opportunities, and as a provider of out-of-court dispute resolution for consumer disputes at the Ministry of Economic Development and Technology, led to her decision to help resolve disputes in an informal way within her own company.

She is also a member of the State Examination Board for the State Lawyers' Examination (civil substantive and procedural law) and choirmaster of the mixed choir at New University.

On regular basis she writes professional and scientific articles. Among other things, she is one of the authors of the Family code (Uradni list 2019), the author of the introductory explanations of the Family Code (GV Založba, Lexpera, 2018) and author of professional collection Labour Law Questions and Answers (GV Založba, Lexpera), in which so books Termination of employment contract (2020), When the worker is not at work (Annual leave, payment for annual leave, and other absences from work) (2021)) and Employment Benefits (2023) were published. She is also the author of the Introductory Explanatory Notes to the Law on Court Fees (ZST-1); Lawyer's Tariff; Notary's Tariff: (Unofficial Consolidated Texts) - Official Gazette of the Republic of Slovenia 2022, and the author of the Law on Court Fees (ZST-1) with Introductory Explanatory Notes - Lexpera, GV založba, 2023.