

**Ministry of Education and Science of Ukraine
Yaroslav Mudryi National Law University**

Department of Civil Law No 1

P R O G R A M M E

of academic discipline

**«Problems of contractual and non-contractual law /
Проблеми договірнього та недоговірнього права»**

Level of higher education – the second (Master's) level

Degree of higher education – Master's degree

Field of knowledge – 29 "International Relations"

Speciality – 293 "International Law"

Discipline status – optional

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The programme of the academic discipline «Problems of contractual and non-contractual law /Проблеми договірнього та недоговірнього права» for students of the second (Master's) level of higher education in the field of knowledge 29 "International Relations", specialty 293 "International Law". Kharkiv: Yaroslav Mudryi National Law University, 2022. 33 p.

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1. Introduction

1.1. *The purpose and tasks of the academic discipline.*

The purpose of the academic discipline is to form students' system of scientific knowledge in the field of civil law regulation of contractual and non-contractual relations, in-depth study of the specifics of certain types of civil law contracts and types of non-contractual obligations, development of basic skills and application skills of civil legislation, promoting students' analytical thinking, conducting research work, as well as developing practical skills of a lawyer.

Tasks:

- formation of a system of theoretical knowledge about individual institutions of contractual and non-contractual law;
- mastering the tools of the sub-branch of the law of obligation, as well as its individual institutions;
- mastering the basic concepts of contractual and non-contractual law, analysis of their system, determination of the grounds for the emergence of binding relationships and features of legal regulation of contractual and non-contractual obligations;
- deepening of theoretical knowledge and formation of practical skills on issues of invalidity of contracts and application of legal consequences of their invalidity;
- analysis and research of applied problems of the procedure for concluding civil-law contracts, formation of their conditions, as well as legal consequences of breach of contractual obligations;
- determination of current problems of the institute of tortious obligations and directions of modern scientific research of this institute, clarification of the peculiarities of certain types of special torts;
- development of skills and abilities of correct interpretation and application of norms of civil legislation taking into account European standards and principles of regulation of contractual and non-contractual relations.

1.2. *Academic discipline status*: optional.

1.3. *Prerequisites*: Theory of Law, Civil Law, Civil Process.

1.4. *Co-requisites*: The Law of the European Union and its System, Legal Regulation of the EU Internal Market, Current Problems of Scientific Research Methodology, Tax Law.

1.5. *Post-requisites*: European Private International Law, International Contract Law, WTO Law, International Intellectual Property Law, EU Corporate Law and Governance, Notary and Notarial Acts of Consular Institutions.

1.6. *List of subject competencies of higher education students*:

SC1. Understanding the essence of the multifaceted theory of the concept of a civil contract as a legal fact, binding legal relationship and document.

SC2. Understanding the peculiarities of the legal regulation of non-contractual obligations and the place of the contract in the regulation of these relations.

SC3. Understanding the essence of the principle of justice, good faith and reasonableness and its importance in the field of contractual relations.

SC4. The ability to systematically interpret the content of civil law contracts.

SC5. The ability to characterize the participants of binding relations, to describe their rights and obligations.

SC6. The ability to determine the grounds for invalidating a civil contract and applying the legal consequences of its invalidity.

SC7. The ability to interpret the legal content of the contract categories of "invalidity", "nullity" and "disputability".

SC8. The ability to navigate the system of civil legislation of Ukraine.

SC9. The ability to analyse and evaluate the impact of the Convention on the Protection of Human Rights and Fundamental Freedoms, as well as the practice of the European Court of Human Rights on the development of the institution of tortious obligations.

SC10. The ability to carry out an independent analysis of civil legislation in the field of regulation of non-contractual obligations.

SC11. The ability to apply civil law principles to resolve complex legal issues, including in situations of legal uncertainty.

SC12. Knowledge of the mechanism for resolving legal conflicts in the legal regulation of contractual relations.

SC13. Understanding the peculiarities of the legal regulation of non-contractual obligations and the place of the contract in the regulation of these relations.

SC14. The ability to take a creative approach in solving problematic issues in the field of application of the "invalidity" category.

SC15. The ability to formulate a personal opinion and present it with evidence when examining the essence and content of civil law contracts.

SC16. The ability to find effective ways to protect the rights of participants in contractual relations.

SC17. The ability to independently develop drafts of various civil law contracts, taking into account the principle of freedom of contract and its limits.

SC18. Knowledge and understanding of the criteria for distinguishing contractual and non-contractual obligations and their meaning.

SC19. Knowledge of the system of contractual relations and the ability to correctly qualify civil law contracts.

The explanation of general and special competencies is presented on the map of subject competencies (Appendix 1)

List of learning outcomes of higher education students:

LO AD 1.1. Understand the general principles of obligation law as a sub-branch of civil law.

LO AD 1.2. Correlate contractual and non-contractual obligations and sources of their regulation.

LO AD 1.3. Demonstrate knowledge of the peculiarities of civil law regulation of contractual and non-contractual relations.

LO AD 1.4. Demonstrate knowledge and understanding of applied aspects of legal hermeneutics.

LO AD 1.5. Discuss the complex legal problems of applying European standards of contract and tort law.

LO AD 1.6. To carry out a comparative legal analysis of various sources of legal regulation of contractual relations.

LO AD 1.7. Operate with doctrinal approaches to solving problems related to the application of legal consequences of breach of obligations.

LO AD 1.8. Apply the legal positions of the Supreme Court on the application of measures of civil liability for breach of obligation.

LO AD 1.9. Demonstrate the skills of collecting and analyzing precedent practice of the European Court of Human Rights regarding the application of Art. 1 of Protocol 1 to the Convention on the Protection of Human Rights and Fundamental Freedoms.

LO AD 2.1. Understand the general principles (principles) of contract law and their meaning when concluding unnamed contracts.

LO AD 2.2. Provide convincing arguments when interpreting the contract, taking into account the rules of the relationship between the contract and the act of civil legislation (Article 6 of the Civil Code of Ukraine).

LO AD 2.3. Reasonably formulate your position on issues of conclusion, modification and termination of the contract.

LO AD 2.4. Analyse the nature (type) and content of a civil contract.

LO AD 2.5. Demonstrate an understanding of the content of individual types and types of civil law contracts and the ability to distinguish between them.

LO AD 2.6. Generate new ideas and use the legal positions of the Supreme Court regarding the essence of the civil law category "invalidity".

LO AD 2.7. Demonstrate an understanding of the peculiarities of concluding and executing a contract in the field of electronic commerce.

LO AD 2.8. Demonstrate skills in drafting civil legal contracts.

LO AD 3.1. Demonstrate an understanding of the system of non-contractual obligations and the reasons for their occurrence.

LO AD 3.2. Demonstrate an understanding of the content of tort obligations and their relationship with the institution of civil liability.

LO AD 3.3. To analyse the peculiarities of the legal regulation of certain special torts.

LO AD 3.4. Analyse and evaluate the judicial practice of the application of certain institutions of non-contractual law.

LO AD 3.5. To characterise non-contractual obligations, the basis of which are legitimate actions.

LO AD 3.6. Generate new ideas regarding the contractual regulation of non-contractual obligations at various stages of their existence.

LO AD 3.7. To analyse the legal positions of the Supreme Court on compensation for property and non-property (moral) damage and critically interpret them.

The explanation of the results of academic discipline mastering and the results of professionally-oriented speciality and specialisation training is presented on map of students' learning outcomes defined in competencies (Appendix 2)

1.7. Academic discipline curriculum modules.

Module 1. General provisions on obligations.

Module 2. Problems of contract law.

Module 3. Problems of non-contractual law.

The programme of the academic discipline is a set of logically ordered modules, which contributes to the mastery of certain competencies necessary to achieve specific learning outcomes. Every module has a certain logical completeness in relation to the expected learning outcomes of mastering the professional educational programme as a whole. Topics are not defined within the modules.

The modular principle of building the curriculum of an academic discipline ensures the flexibility of the content of an academic discipline, which is reflected in the possibility of its differentiation and integration. Continuity of a meaningful and logical transition between the modules of the academic discipline programme, as well as the acquisition of new knowledge become possible due to the application of the principle of the "didactic spiral".

The number of educational units (didactic scope) of the content of the academic discipline must correspond to the structure of the academic discipline and the actual study time of the students.

The didactic scope of the academic discipline is determined by the developer in an expert manner with a focus on the subject area of the academic discipline, as well as on the expected competence and learning outcomes.

Quantitative and qualitative indicators of the implementation of the academic discipline programme within the didactic structure are defined in the taxonomy of the academic discipline.

The explication of the modules of the competence-oriented programme of the academic discipline is presented in the Correlation matrix table of the academic discipline modules, learning outcomes and subject competencies in the academic discipline programme (Appendix 3).

2. Description of the academic discipline (educational units)

Course	Level of education, field of knowledge, speciality, specialisation	Didactic structure and number of academic hours
Number of ECTS credits: 4.0 Number of modules: 3 Total number of academic hours: 120 Weekly academic hours: 4	Level of education - second (Master's) Field of knowledge - 29 "International Relationships" Speciality - 293 "International Law"	Module 1 Lectures: 4 Practical classes: 4 Independent work: 16 Module 2 Lectures: 10 Practical classes: 10 Independent work: 40 Module 3 Lectures: 4 Practical classes: 6 Independent work: 26 Types of control: current control; final control (credit)

3. Content of the academic discipline curriculum

Module 1. General provisions on obligations.

The concept of mandatory law. Concept of parties in obligations. System of obligations. Replacement of persons in obligations. Cession. Debt transfer. Third parties in obligations. Grounds for obligations. Recourse obligations. Replacement of parties in the obligation.

Legal consequences of breach of obligation. Liability for a breach of obligation. Concept and legal consequences of a breach of obligation. Unilateral waiver of obligation. Termination of the contract. Concept and conditions of

liability for a breach of obligation. Grounds for exemption from liability for a breach of obligation. Liability for a breach of monetary obligation.

Module 2. Problems of contract law.

General provisions on the contract. The concept, general characteristics and meaning of a civil contract. Freedom of contract and its limits.

Types of contracts. Public contract. Accession agreement. Preliminary contract. Contract in favour of a third party. Mixed contract. Content of the contract. Standard terms of the contract. Interpretation of the terms of the contract. Contract form. Procedure and stages of conclusion of the contract. Offer. Acceptance Pre-contractual disputes. Conclusion of contracts at exchanges, auctions, competitions. Change and termination of the contract.

Agreements on the transfer of property into ownership. General provisions on the contract of sale. Rights and obligations of the parties to the contract. Legal consequences of a breach of contract. Types of sales contracts. Retail sales contract and its types: sale of goods by samples; sale of goods using machines; contract with the condition of delivery of goods to the buyer; contract of hire and sale. Agreement of purchase and sale of the enterprise. Supply agreement. Agreement on the contracting of agricultural products. Contract for the supply of energy and other resources through the connected network. Mine contract.

Agreements on transfer of property for use. Employment contract (lease). The concept, subject and term of the employment contract. Parties to the employment contract, their rights and obligations. The rights of third parties to the leased thing. Legal consequences of changing the owner of a thing transferred for hire. sublet Termination of the employment contract. Certain types of employment contract (lease). Rental contract. Land plot lease agreement. Lease agreement for a building or other capital structure. Vehicle hire (lease) contract. Leasing contract and its types.

Contracts on performance of certain work. Subcontract. Concept and types of contracts. Parties under the contract, their rights and obligations. Terms of the contract. Procedure for payment of work. Settlements between the parties in case

of accidental destruction of the subject of the contract or impossibility of completing the work. Quality and guarantees of quality of work. Types of contracts. Household contract. Construction contract. Subcontract for project and search works.

Agreements on the provision of services. Concept of "service" and service contracts. Types of service contracts. Terms of service contracts. Parties to the contract, their rights and obligations. Content of the contract for the provision of services and its execution. Contract of carriage. General provisions on transportation. Transport legislation of Ukraine. System of transport contracts. Storage contract. The concept, subject and form of the custody agreement. Parties under the contract, their rights and obligations. Storage of things determined by generic features. Liability of the custodian under the custody agreement. Warehouse storage contract. Warehouse documents. Special types of storage.

Module 3. Problems of non-contractual law.

General characteristics of non-negotiable obligations. Certain types of non-negotiable obligations.

Public promise of reward. Obligations from a public promise of remuneration and their types. A public promise of a reward without announcing a contest. Public promise of an award based on the results of the competition. Change of terms and refusal to hold the competition.

Taking actions in the property interests of another person without his authorization. The concept and assignment of obligations that arise when actions are taken in the property interests of another person without his authorization. Conditions for reimbursement of expenses incurred by a person in the conduct of other people's affairs without a mandate.

Saving health and life of an individual, property of an individual or legal entity. The concept and assignment of obligations that arise as a result of saving the health and life of an individual. Subjects of obligations that arise as a result of saving the health and life of a natural person, and the conditions for the occurrence of these obligations. Compensation for damage caused to the rescuer. The concept

and assignment of obligations arising in connection with the rescue of another person's property. Subjects of obligations arising in connection with saving the property of another person, and the conditions for the occurrence of these obligations. Conditions for compensation for damage caused to the rescuer.

Creating a threat to life, health, property of a natural person or property of a legal entity. The concept of "obligation to eliminate threats to life, health, property of a natural person or property of a legal entity." Consequences of failure to eliminate threats to life, health, property of an individual or property of a legal entity. Compensation for damage caused as a result of failure to eliminate a threat to life, health, property of a natural person or property of a legal entity.

Reparation. Obligations arising as a result of causing damage. General grounds for liability for property damage. Grounds for liability for moral damage. Compensation for damage caused by a person in case of exercise of the right to self-defence. Compensation for damage caused by the adoption of a law on the termination of ownership of certain property. Compensation for damage caused in a state of extreme necessity. Compensation by a legal entity or an individual for damage caused by their employee or another person. Compensation for damage caused by a state authority, an authority of the Autonomous Republic of Crimea, a local self-government authority or their official or official. Compensation for damage caused by illegal decisions, actions or inaction of the body of inquiry, preliminary (pre-trial) investigation, prosecutor's office or court. Compensation for property damage to an individual who suffered from a crime.

Obligations in connection with the acquisition and preservation of property without a sufficient legal basis. The concept of "obligations arising from the acquisition and preservation of property without a sufficient legal basis" (unreasonable acquisition of property). Subjects of obligations to acquire and preserve property without a sufficient legal basis. Return in kind of unreasonably acquired property. Reimbursement of income from unreasonably acquired property and expenses for its maintenance. Unreasonably acquired property that is not subject to return.

4. Resource support of the academic discipline

4.1. Forms of organisation of the educational process and types of classes

- forms of organisation of the educational process: classes; independent learning; practical training; control measures.
- types of classes: lectures, practical classes, individual classes, consultations.

4.2. Independent learning activities of higher education students

Independent learning is a type of extracurricular learning activities, which consists of carrying out certain types of work directed at mastering the discipline.

Independent work is a student's work that is planned and carried out under the pedagogical guidance, but without a direct involvement of the teacher. Carrying out this type of work, the student must independently work out the outline of lectures, literature, normative legal acts for the topics presented in practical classes.

Forms of students' independent learning activities: individual final written work; doing homework; revision of lecture materials; development of additional literature; preparation of summaries on issues submitted for independent consideration; preparation of thematic presentations; preparation of abstracts; knowledge self-monitoring, etc.

Students' independent work consists of studying additional educational and scientific literature, studying judicial practice, familiarizing themselves with normative international legal and national acts regulating relations between subjects of electronic commerce. This type of work is aimed at the formation of subject competences and the formation of professional knowledge, as well as the ability for self-education, the development of independence, activity and responsibility of students.

4.3. Educational technologies and teaching methods

The teaching of the academic discipline is carried out using the technologies of student-centred learning and problem-based learning (problematic presentation of the material), as well as the use of such teaching methods as: thematic discussion and simulation exercises.

4.4. Forms of pedagogical control and the system of assessment of the competence development quality level based on the outcomes of mastering the academic discipline

Forms of students' knowledge control are current and final control.

Current control of students' knowledge includes:

- control of the quality of students' assimilation of the academic discipline programme material during practical classes using the following tools: oral / written surveys, express surveys, solving practical tasks, participation in the development of a case, preparation of a presentation, essay, etc. The current control is aimed at checking the level of students' assimilation of the discipline programme teaching material. In the course of a practical session, a student can get a mark according to a four-point scale (0, 3, 4, 5);
- control of the quality of students' assimilation of the academic discipline programme material, which is conducted at the end of every module in the form of colloquiums.

During the semester, students carry out independent assignments (preparation of a presentation, essay, report, etc.). The maximum number of points for independent work is 10.

The form of final control of students' achievements in learning the academic discipline is the credit. The minimum number of points for getting the credit is 60.

Distribution of points between forms of organisation of the teaching process and types of control measures:

Current control							Final assessment of knowledge (credit)
Module No. 1		Module No. 2		Module No. 3		Students' independent work	
p/z	Test/control 1 paper/colloquium	p/z	Test/control ol paper/colloquium	p/z	Test/control paper/colloquium		
max 10	max 10	max 25	max 10	max 15	max 10	max 20	max 100

Criteria for assessing learning outcomes:

type of control	Points	Criteria (for every type of control)
Current control during a practical lesson	Max 5	Excellent assimilation of educational material on the topic, some minor shortcomings are possible.
	4	Good assimilation of the material on the topic, but there are some mistakes.
	3	Satisfactory level of assimilation of the material, a significant number of errors .
	Min 0	Unsatisfactory level of assimilation of the material.
Colloquium	Max 10	The results of processing the material are high, a small number of insignificant errors are possible.
	5	Satisfactory level of assimilation of the material, a significant number of errors.
	Minimum 0	Unsatisfactory level of assimilation of the material.
Students' independent work	Max 10	The work is done in accordance with the requirements of the department. The work does not contain methodological errors, there are references to sources and own conclusions. In-depth knowledge of the topic is demonstrated, as well as proof of conclusions, positions, classifications, etc.

	7	The work is done in accordance with the requirements of the department. The work contains minor methodological errors, there are references to sources, there are own conclusions. Sufficient knowledge of the topic is demonstrated, as well as proof of conclusions, positions, classifications, etc.
	5	The work is done in accordance with the requirements of the department, but with minor errors. The work contains methodological and content errors, there are references to sources, there are own conclusions. Sufficient knowledge of the topic was demonstrated, but there were problems with the argumentation of individual concepts and judgments in the work, the proof of conclusions.
	3	The work is done with errors and violations of cathedral requirements regarding the form of work. The work contains methodological and substantive errors, an insufficient number of sources were used to substantiate the research and conclusions. Difficulties arise regarding the disclosure of the content of the topic, providing arguments regarding individual provisions of the work and the validity and provenance of the conclusions.
	Minimum 0	The work is improperly done, without references to sources, and contains methodological errors. During the defence, the author of the work cannot demonstrate knowledge of the chosen topic, provide arguments for concepts and perform information analysis. The work does not correspond to the requirements of academic integrity.
Assessment	Max 100	Excellent knowledge of the subject.
	Min 60	Sufficient knowledge of the subject

4.5. Teaching, methodological and information support of the academic discipline

Normative and legal acts

1. Constitution of Ukraine: Law of Ukraine dated June 28, 1996 No. 254k/96-BP. URL: <http://zakon1.rada.gov.ua/laws/show/254k/96-BP>.
2. Economic Code of Ukraine: Law of Ukraine dated January 16, 2003 No. 436-IV. URL : <https://zakon.rada.gov.ua/laws/show/436-15#Text>.
3. Civil Code of Ukraine: Law of Ukraine dated January 16, 2003 No. 435-IV. URL: <http://zakon1.rada.gov.ua/laws/show/435-15>.
4. Procedure Code of Ukraine: Law of Ukraine dated March 18, 2004, in

the ed. of the Law of Ukraine dated 03.10.2017 No. 2147-VIII. URL : <https://zakon.rada.gov.ua/laws/show/1618-15#Text>.

5. On currency and currency transactions: Law dated June 21, 2018 No. 2473-VIII. URL : <https://zakon.rada.gov.ua/laws/show/2473-19#Text>.

6. On responsibility for untimely fulfillment of monetary obligations: Law of Ukraine dated November 22, 1996 No. 543/96-VR. URL: <http://zakon2.rada.gov.ua/laws/show/543/96-вр>.

7. About notary: Law of Ukraine dated September 2, 1993 No. 3425-XI. URL : <https://zakon.rada.gov.ua/laws/show/3425-12>.

8. On the lease of state and communal property: Law of Ukraine dated October 3, 2019 No. 157-IX. URL: <https://zakon.rada.gov.ua/laws/show/157-20#Text>.

9. On liability for damage caused as a result of a product defect: Law of Ukraine dated May 19, 2011. URL: <https://zakon.rada.gov.ua/laws/show/3390-17>.

10. On technical regulations and conformity assessment: Law of Ukraine dated January 15, 2015. URL : <https://zakon.rada.gov.ua/laws/show/124-19>.

11. On state registration of property rights to immovable property and their encumbrances: Law of Ukraine dated July 1, 2004 No. 1952-IV as amended. of the Law of Ukraine dated February 11, 2010 No. 1878-VI. URL: <http://zakon1.rada.gov.ua/laws/show/1952-15>.

12. On the protection of consumer rights: Law of the Ukrainian SSR dated May 12, 1991, No. 1023-XI, in ed. of the Law of Ukraine dated 01.12.2005 No. 3161-IV. URL: <http://zakon2.rada.gov.ua/laws/show/3161-15>.

13. On standardization: Law of Ukraine dated June 5, 2014. URL : <https://zakon.rada.gov.ua/laws/show/1315-18>.

14. On electronic commerce: Law of Ukraine dated September 3, 2015 No. 675-VIII. URL : <https://zakon.rada.gov.ua/laws/show/675-19>.

15. Statute of railways of Ukraine: approved. by resolution of the Cabinet of Ministers of Ukraine dated 04/06/1998 No. 457. URL: <http://zakon2.rada.gov.ua/laws/show/457-98-п>.

16. Practice of consideration by courts of civil cases on recognition of transactions as invalid / Supreme Court; Generalization of court practice from November 24, 2008. URL : <http://zakon2.rada.gov.ua/laws/show/n0003700-08>.

17. On the practice of consideration by courts of civil cases based on claims for damages: resolution of the Verkhov Plenum. of the Court of Ukraine dated March 27, 1992 No. 6. URL: <http://zakon2.rada.gov.ua/laws/show/v0006700-92>.

18. On the practice of consideration of civil cases by courts on claims for compensation of damage: Resolution of the Plenum of the Supreme Court of Ukraine of March 27, 1992 No. 6. URL: <http://zakon2.rada.gov.ua/laws/show/v0006700-92>.

19. On judicial practice in cases of compensation for moral (non-property) damage: resolution of the Verkhov Plenum. of the Court of Ukraine dated March 31, 1995 No. 4. URL: <http://zakon3.rada.gov.ua/laws/show/v0004700-95>.

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4. Official web portal of the President of Ukraine. URL : <http://www.president.gov.ua>
5. Official web portal of the Cabinet of Ministers of Ukraine. URL : <http://www.kmu.gov.ua>
6. The official web portal of the Constitutional Court of Ukraine. URL : <https://ccu.gov.ua/>

7. Official web portal of the Supreme Court. URL : https://supreme.court.gov.ua/supreme/gromadvanam/perelik_sprav/
8. Official web portal of the Ministry of Justice of Ukraine. URL : <https://minjust.gov.ua/>

SEEMK

Standardized electronic educational and methodological complex of the Department of Civil Law No 1. URL : <https://library.nlu.edu.ua/senmk/item/224-tsvvilne-pravo-ukrainy-2-chastyna.html>

Standardized electronic educational and methodological complex of the Department of Civil Law No 2. URL : <https://library.nlu.edu.ua/senmk/item/229-tsvvilne-pravo-ukrainy-1-chastyna.html>

Appendix 1

Map of academic discipline competencies

Code and definition of speciality and specialisation competences	Code and definition of academic discipline subject competences
GC - general (universal) competences	SC - subject competences of the academic discipline
GC 1. The ability to think critically, analyse and synthesise.	SC1. Understanding the essence of the multifaceted theory of the concept of a civil contract as a legal fact, binding legal relationship and document. SC2. Understanding the peculiarities of the legal regulation of non-contractual obligations and the place of the contract in the regulation of these relations. SC3. Understanding the essence of the principle of justice, good faith and reasonableness and its importance in the field of contractual relations. SC4. The ability to systematically interpret the content of civil law contracts. SC5. The ability to characterise the participants of binding relations, to describe their rights and obligations. SC6. The ability to determine the grounds for invalidating a civil contract and apply the legal consequences of its invalidity. SC7. The ability to interpret the legal content of the contract categories of "invalidity", "nullity" and "disputability".

<p>GC 2. The ability to identify and solve problems arising in the professional sphere, to formulate and ask questions for their further solution.</p>	<p>SC11. The ability to apply civil law principles to resolve complex legal issues, including the situations of legal uncertainty.</p> <p>SC12. Knowledge of the mechanism for resolving legal conflicts in the legal regulation of contractual relations.</p> <p>SC14. The ability to take a creative approach in solving problematic issues in the field of application of the "invalidity" category.</p> <p>SC16. The ability to find effective ways to protect the rights of participants in contractual relations.</p>
<p>GC 4. The ability to generate new ideas (creativity).</p>	<p>SC11. The ability to apply civil law principles to resolve complex legal issues, including in situations of legal uncertainty.</p> <p>SC12. Knowledge of the mechanism for resolving legal conflicts in the legal regulation of contractual relations.</p> <p>SC13. Understanding the peculiarities of the legal regulation of non-contractual obligations and the place of the contract in the regulation of these relations.</p> <p>SC14. The ability to take a creative approach in solving problematic issues in the field of application of the "invalidity" category.</p>
<p>GC 7. The ability to conduct research at an appropriate level.</p>	<p>SC1. Understanding the essence of the multifaceted theory of the concept of a civil contract as a legal fact, binding legal relationship and document.</p> <p>SC7. The ability to interpret the legal content of the contract categories of "invalidity", "nullity" and "disputability".</p> <p>SC10. The ability to carry out an independent analysis of civil legislation in the field of regulation of non-contractual obligations.</p>
<p>GC 9. The ability to solve problems of an innovative nature and to find alternative solutions in professional activities.</p>	<p>SC17. The ability to independently develop drafts of various civil law contracts, taking into account the principle of freedom of contract and its limits.</p> <p>SC18. Knowledge and understanding of the criteria for distinguishing contractual and non-contractual obligations and their meaning.</p> <p>SC19. Knowledge of the system of contractual relations and the ability to correctly qualify civil law contracts.</p>
<p>GC 10. The ability to work (collect, receive, systematise and synthesise) with various types of information and large volumes of information from various sources, analyze and critically and constructively evaluate it, taking into account the cross-cultural characteristics of the subjects of international relations.</p>	<p>SC8. The ability to navigate the system of civil legislation of Ukraine.</p> <p>SC9. The ability to analyse and evaluate the impact of the Convention on the Protection of Human Rights and Fundamental Freedoms, as well as the practice of the European Court of Human Rights on the development of the</p>

	<p>institution of tortious obligations.</p> <p>SC10. The ability to carry out an independent analysis of civil legislation in the field of regulation of non-contractual obligations.</p>
GC 12. The ability to formulate a personal opinion and present it with arguments.	<p>SC15. The ability to formulate a personal opinion and present it with arguments when examining the essence and content of civil law contracts.</p> <p>SC16. The ability to find effective ways to protect the rights of participants in contractual relations.</p>
GC 13. The ability to continuous self-education and self-improvement.	<p>SC9. The ability to analyse and evaluate the impact of the Convention on the Protection of Human Rights and Fundamental Freedoms, as well as the practice of the European Court of Human Rights on the development of the institution of tortious obligations.</p> <p>SC10. The ability to carry out an independent analysis of civil legislation in the field of regulation of non-contractual obligations.</p> <p>SC11. The ability to apply civil law principles to resolve complex legal issues, including in situations of legal uncertainty.</p> <p>SC16. The ability to find effective ways to protect the rights of participants in contractual relations.</p>
Special competences (SC)	
SC 4. The ability to comprehensively use highly specialized knowledge in specific areas of regulation of international public law, international private law, and European law to solve applied problems.	<p>SC1. Understanding the essence of the multifaceted theory of the concept of a civil contract as a legal fact, binding legal relationship and document.</p> <p>SC2. Understanding the peculiarities of the legal regulation of non-contractual obligations and the place of the contract in the regulation of such relations.</p> <p>SC8. The ability to navigate the system of civil legislation of Ukraine.</p> <p>SC10. The ability to carry out an independent analysis of civil legislation in the field of regulation of non-contractual obligations.</p> <p>SC12. Knowledge of the mechanism for resolving legal conflicts in the legal regulation of contractual relations.</p>
SC 5. The ability to effectively ensure the adaptation of Ukrainian legislation to EU law in law-making, law-interpreting and law-enforcing contexts, to provide legal support to European integration and Euro-Atlantic processes in various spheres of social relations.	<p>SC3. Understanding the essence of the principle of justice, good faith and reasonableness and its importance in the field of contractual relations.</p> <p>SC8. The ability to navigate the system of civil legislation of Ukraine.</p> <p>SC9. The ability to analyse and evaluate the impact of the Convention on the Protection of Human Rights and Fundamental Freedoms, as well as the practice of the European Court of</p>

	<p>Human Rights on the development of the institution of tortious obligations.</p> <p>SC11. The ability to apply civil law principles to resolve complex legal issues, including in situations of legal uncertainty.</p>
<p>SC 11. The ability to ensure the implementation of international legal standards in certain areas of national legislation.</p>	<p>SC1. Understanding the essence of the multifaceted theory of the concept of a civil contract as a legal fact, binding legal relationship and document.</p> <p>SC3. Understanding the essence of the principle of justice, good faith and reasonableness and its importance in the field of contractual relations.</p> <p>SC5. The ability to characterise the participants of binding relations, to describe their rights and obligations.</p> <p>SC13. Understanding the peculiarities of the legal regulation of non-contractual obligations and the place of the contract in the regulation of such relations.</p>
<p>SC 12. The ability to conduct research and/or introduce innovations in various fields and institutions of public international law, private international law, EU law.</p>	<p>SC4. The ability to systematically interpret the content of civil law contracts.</p> <p>SC9. The ability to analyse and evaluate the impact of the Convention on the Protection of Human Rights and Fundamental Freedoms, as well as the practice of the European Court of Human Rights on the development of the institution of tortious obligations.</p>
<p>SC 13. The ability to formulate proposals for improvement and establishment of synergy between international and national law-making and law-enforcement processes.</p>	<p>SC7. The ability to interpret the legal content of the contract categories of "invalidity", "nullity" and "disputability".</p> <p>SC8. The ability to navigate the system of civil legislation of Ukraine.</p> <p>SC9. The ability to analyse and evaluate the impact of the Convention on the Protection of Human Rights and Fundamental Freedoms, as well as the practice of the European Court of Human Rights on the development of the institution of tortious obligations.</p> <p>SC14. The ability to take a creative approach in solving problematic issues in the field of application of the "invalidity" category.</p>
<p>SC. 15. The ability to make decisions in situations that require a systematic, logical and functional interpretation of the norms of international law (public/private), the law of the European Union, as well as an understanding of the peculiarities of the practice of their application.</p>	<p>SC3. Understanding the essence of the principle of justice, good faith and reasonableness and its importance in the field of contractual relations.</p> <p>SC4. The ability to systematically interpret the content of civil law contracts.</p> <p>SC7. The ability to interpret the legal content of the contract categories of "invalidity", "nullity" and "disputability".</p>
<p>SC 19. The ability to self-study, receive lifelong education, improve the level of one's own qualifications.</p>	<p>SC16. The ability to find effective ways to protect the rights of participants in contractual relations.</p>

	<p>SC17. The ability to independently develop drafts of various civil law contracts, taking into account the principle of freedom of contract and its limits.</p> <p>SC18. Knowledge and understanding of the criteria for distinguishing contractual and non-contractual obligations and their meaning.</p> <p>SC19. Knowledge of the system of contractual relations and the ability to correctly qualify civil law contracts.</p>
<p>SC 20. The ability to provide a proper legal assessment of evidence in a legal case and in a specific procedural situation, the ability to work with evidence, to solve problems related to the planning and organization of the legal process, the resolution of a legal case within different jurisdictions.</p>	<p>SC6. The ability to determine the grounds for invalidating a civil contract and to apply the legal consequences of its invalidity.</p> <p>SC15. The ability to formulate a personal opinion and present it with arguments when examining the essence and content of civil law contracts.</p> <p>SC16. The ability to find effective ways to protect the rights of participants in contractual relations.</p> <p>SC19. Knowledge of the system of contractual relations and the ability to correctly qualify civil law contracts.</p>

Appendix 2

Map of students' learning outcomes defined in competencies

Code and definition of speciality and specialization learning outcomes	Module AD	Code and definition of academic discipline learning outcomes
Programme learning outcomes (PLO)		Academic discipline learning outcomes
<p>PLO 1. To analyse multifaceted problems of international and national legal content and propose ways to solve them.</p>	No. 1	<p>LO AD 1.1. Understand the general principles of obligation law as a sub-branch of civil law.</p> <p>LO AD 1.2. Correlate contractual and non-contractual obligations and sources of their regulation.</p> <p>LO AD 1.3. Demonstrate knowledge of the peculiarities of civil law regulation of contractual and non-contractual relations.</p> <p>LO AD 1.5. Discuss the complex legal problems of applying European standards of contract and tort law.</p>
	No. 3	<p>LO AD 3.6. Generate new ideas regarding the contractual regulation of non-contractual obligations at various stages of their existence.</p>

<p>PLO 2. To produce new ideas for solving practical tasks in the field of professional legal activity.</p>	<p>No. 1</p>	<p>LO AD 1.4. Demonstrate knowledge and understanding of applied aspects of legal hermeneutics.</p> <p>LO AD 1.5. Discuss the complex legal problems of applying European standards of contract and tort law.</p> <p>LO AD 1.6. To carry out a comparative legal analysis of various sources of legal regulation of contractual relationships.</p> <p>LO AD 1.7. Operate with doctrinal approaches for solving problems related to the application of legal consequences of a breach of obligations.</p> <p>LO AD 1.8. Apply the legal positions of the Supreme Court on the application of measures of civil liability for a breach of obligation.</p> <p>LO AD 1.9. Demonstrate the skills of collecting and analysing precedent practice of the European Court of Human Rights regarding the application of Art. 1 of Protocol 1 to the Convention on the Protection of Human Rights and Fundamental Freedoms.</p>
<p>PLO 7. To make informed decisions based on the acquired knowledge of international public, private and EU law and to be aware of their consequences for various subjects of national and international law.</p>	<p>No. 1</p> <p>No. 2</p>	<p>LO AD 1.9. Demonstrate the skills of collecting and analysing precedent practice of the European Court of Human Rights regarding the application of Art. 1 of Protocol 1 to the Convention on the Protection of Human Rights and Fundamental Freedoms.</p> <p>LO AD 2.1. Understand the general principles of contract law and their meaning when concluding unnamed contracts.</p> <p>LO AD 2.2. Provide convincing arguments when interpreting the contract, taking into account the rules of the relationship between the contract and the act of civil legislation (Article 6 of the Civil Code of Ukraine).</p> <p>LO AD 2.3. Reasonably formulate one's own personal position on issues of conclusion, modification and termination of the contract.</p> <p>LO AD 2.4. Analyse the nature (type) and content of a civil contract.</p> <p>LO AD 2.5. Demonstrate an understanding of the content of different types of civil law contracts and the ability to distinguish between them.</p>
<p>PLO 9. To be aware of the mechanism and consequences of the implementation of the norms of international treaties, the application of acts of international intergovernmental</p>	<p>No. 1</p> <p>No. 2</p>	<p>LO AD 1.9. Demonstrate the skills of collecting and analysing precedent practice of the European Court of Human Rights regarding the application of Art. 1 of Protocol 1 to the Convention on the Protection of Human Rights and Fundamental Freedoms.</p> <p>LO AD 2.6. Generate new ideas and use the</p>

<p>organizations, the implementation of decisions of international courts in the national legal order.</p>		<p>legal positions of the Supreme Court regarding the essence of the civil law category "invalidity". LO AD 2.7. Demonstrate an understanding of the peculiarities of concluding and executing a contract in the field of electronic commerce.</p>
<p>PLO 11. To demonstrate communication skills with representatives of other professional groups of different levels, other fields of knowledge and types of activities, as well as the ability to work in an international, intercultural environment; to organize and conduct negotiations.</p>	<p>No. 2 No. 3</p>	<p>LO AD 2.8. Demonstrate skills in drafting civil legal contracts. LO AD 3.1. Demonstrate an understanding of the system of non-contractual obligations and the reasons for their occurrence. LO AD 3.4. Analyse and evaluate the judicial practice of the application of certain institutions of non-contractual law.</p>
<p>PLO 13. To acquire new knowledge throughout life, to raise the level of one's own qualifications.</p>	<p>No. 3</p>	<p>LO AD 3.2. Demonstrate an understanding of the content of tort obligations and their relationship with the institution of civil liability. LO AD 3.3. To analyse the peculiarities of the legal regulation of certain special torts. LO AD 3.5. To characterize non-contractual obligations, the basis of which are legitimate actions. LO AD 3.7. To analyse the legal position of the Supreme Court on compensation for property and non-property (moral) damage and critically interpret them.</p>
<p>PLO. 14. To demonstrate the ability to convey one's own knowledge, conclusions and arguments to specialists and non-specialists.</p>	<p>No. 2 No. 3</p>	<p>LO AD 2.2. Provide convincing arguments when interpreting the contract, taking into account the rules of the relationship between the contract and the act of civil legislation (Article 6 of the Civil Code of Ukraine). LO AD 2.3. Reasonably formulate one's own position on the issues of conclusion, modification and termination of the contract. LO AD 3.2. Demonstrate an understanding of the content of tort obligations and their relationship with the institution of civil liability. LO AD 3.4. Analyse and evaluate the judicial practice of the application of certain institutions of non-contractual law. LO AD 3.6. Generate new ideas regarding the contractual regulation of non-contractual obligations at various stages of their existence.</p>
<p>PLO 16. To determine the content and legal nature of national normative legal acts, international treaties and other</p>	<p>No. 1</p>	<p>LO AD 1.2. Correlate contractual and non-contractual obligations and sources of their regulation. LO AD 1.3. Demonstrate knowledge of the</p>

