

CONTENTS

Chapter 1	FUNDAMENTALS OF LEGAL THEORY	
1.	LAW AND SOCIETY	11
	1.1. Introduction	11
	1.2. The Law and Other Rules of Conduct	12
	1.3. Legal Systems of the World	14
2.	SOURCES OF LAW	19
	2.1. Formal and Material Sources of Law	19
	2.2. Legal Regulation	20
	2.3. Judicial Precedents	27
	2.4. Legal Customs	29
	2.5. Normative Agreements	30
3.	LEGAL RULES	31
	3.1. The Concept of Legal Rules	31
	3.2. The Scope of Legal Rules	34
	3.3. Termination of Legal Rules	35
	3.4. Retroactivity – Retroactive Applicability of Legal Rules	36
	3.5. Types of Legal Rules	37
4.	LEGAL SYSTEM	42
	4.1. The Basic Terms	42
	4.2. Public Law and Private Law	43
	4.3. National and International Law	45
	4.4. European Union Law	47
5.	APPLICATION OF LAW	49
	5.1. The Concept of Application of Law	49
	5.2. Institutions and Acts of Application of Law	50
	5.3. The Process of Law Application	52
	5.4. Legal Relations	55
	5.5. Legal Facts	56
	5.6. Object of Legal Relations	63

	References	64
Chapter 2	FUNDAMENTALS OF EUROPEAN UNION LAW	65
1.	DEVELOPMENTS FROM THE EUROPEAN COMMUNITIES TO THE EUROPEAN UNION	65
2.	THE CONCEPT, STRUCTURE AND SOURCES OF THE EUROPEAN UNION LAW	68
2.1.	General Explanation of European Union Law and its Sources	68
2.2.	Primary Sources of European Union Law	71
2.3.	Secondary Sources of European Union Law	73
2.4.	Tertiary Sources of European Union Law	77
3.	INSTITUTIONS OF THE EUROPEAN UNION	78
3.1.	The Institutional Framework of the European Union	78
3.2.	The European Parliament	79
3.3.	The Council of the European Union	82
3.4.	The European Council	84
3.5.	The European Commission	86
3.6.	The Court of Justice of the European Union	88
3.7.	The European Court of Auditors	90
3.8.	The European Central Bank	91
	References	93
Chapter 3	FUNDAMENTALS OF CONSTITUTIONAL LAW	94
1.	SOURCES OF CONSTITUTIONAL LAW, CONSTITUTIONAL LAW IN GENERAL	94
1.1.	The Concept of Constitution, Composition of the Constitution of the Slovak Republic	94
1.2.	Title One of the Constitution of the Slovak Republic	97
2.	FUNDAMENTAL RIGHTS AND FREEDOMS	99
2.1.	Title Two of the Constitution of the Slovak Republic	99
3.	ORGANIZATION OF ECONOMY AND TERRITORIAL SELF-GOVERNMENT	101
3.1.	Title Three of the Constitution of the Slovak Republic	101
3.2.	Title Four of the Constitution of the Slovak Republic	103
4.	LEGISLATIVE POWER	105

4.1.	Title Five of the Constitution of the Slovak Republic	105
5.	EXECUTIVE POWER	108
5.1.	Title Six of the Constitution of the Slovak Republic	108
6.	JUDICIAL POWER	111
6.1.	Title Seven of the Constitution of the Slovak Republic	111
7.	THE PROSECUTOR'S OFFICE OF THE SLOVAK REPUBLIC AND THE PUBLIC DEFENDER OF RIGHTS	114
7.1.	Title Eight of the Constitution of the Slovak Republic	114
7.2.	Title Nine of the Constitution of the Slovak Republic	115
	References	115
Chapter 4	FUNDAMENTALS OF CIVIL LAW	116
1.	THE CONCEPT, SUBJECT-MATTER, SYSTEM AND SOURCES OF SUBSTANTIVE CIVIL LAW	116
2.	CONSUMER CONTRACTS	118
3.	RIGHTS <i>IN REM</i>	120
3.1.	The Concept and Classification of the Rights <i>in rem</i>	120
3.2.	Ownership Right	120
3.3.	Possession	126
3.4.	Rights <i>in rem</i> of another (<i>iura in re aliena</i>)	127
4.	LAW OF SUCCESSION	132
4.1.	Basic Terms of the Law of Succession	132
4.2.	Testate Succession (Succession by Will)	135
4.3.	Intestate Succession (Succession by Law)	137
5.	LAW OF INTELLECTUAL PROPERTY	138
5.1.	Classification of Intellectual Property Rights	138
5.2.	Objects of the Intellectual Property Law	140
5.3.	Protection of Intellectual Property	143
6.	JUDICIAL PROCEDURE IN CIVIL-LAW MATTERS	144
6.1.	The Subject-matter of the Civil Proceedings	144
6.2.	Civil Litigation Code	144
6.3.	Civil Non-Litigation Code	149
6.4.	Code of Administrative Court Procedure	150
6.5.	Dispute Resolution with a Foreign Element	151
6.6.	Arbitration Proceedings	152

	6.7. Mediation	153
	References	154
Chapter 5	LAW AND BUSINESS	156
1.	THE CONCEPT, SUBJECT-MATTER, SYSTEM AND SOURCES OF COMMERCIAL LAW	156
2.	BASIC TERMS OF COMMERCIAL LAW	158
	2.1. Business, Entrepreneur	158
	2.2. Basic Identification Features of an Entrepreneur	159
	2.3. Acting of Entrepreneur	161
	2.4. Enterprise, Business Assets, Business Property, Net Business Capital, Equity	162
	2.5. Trade Secret	163
	2.6. Business of Foreigners in Slovak Republic	163
	2.7. Commercial Register	165
3.	LICENSED TRADE	168
4.	BUSINESS COMPANIES AND COOPERATIVES	171
	4.1. In General About Business Companies, General Terms	171
	4.2. General Partnership	177
	4.3. Limited Partnership	178
	4.4. Limited Liability Company	179
	4.5. Joint Stock Company	181
	4.6. Simple Stock Company	184
	4.7. Cooperative	186
5.	BUSINESS OBLIGATIONS	188
	5.1. Obligation Relations in General, Business Obligation Relations	188
	5.2. Creation of Obligation Relations	189
	5.3. Contracts in Commercial Law	191
	5.4. Tort and Quasi-Tort Obligation Relations	193
	5.5. Change of Obligations	195
	5.6. Obligations Securing	197
	5.7. Extinction of Obligations	199
6.	ECONOMIC COMPETITION	202
	6.1. Law of Economic Competition (Competition Law)	

	and Protection of Competition	201
	6.2. Legal Regulation under the Commercial Code	203
	6.3. Legal Regulation under the Act on the Protection of Economic Competition	207
7.	BANKRUPTCY, RESTRUCTURING, DEBT RELIEF AND CONDUCT OF BUSINESS	208
	7.1. The Term Financial Difficulty	208
	7.2. Ways of Solving Financial Difficulty of the Debtor	210
	References	212
Chapter 6	FUNDAMENTALS OF LABOUR LAW	214
1.	CONCEPT, OBJECT, SYSTEM, SOURCES AND PRINCIPLES OF LABOUR LAW	214
2.	EMPLOYMENT RELATIONSHIP	218
	2.1. The Concept of Employment Relationship and Dependent Work	218
	2.2. Elements of Employment Relationship	219
	2.3. Types of Employment Relationship	221
	2.4. Creation of an Employment Relationship, Employment Contract	223
	2.5. Probationary Period in Labour Law	226
	2.6. Change of Employment Relationship	226
3.	TERMINATION OF EMPLOYMENT RELATIONSHIP	227
	3.1. Ways of Termination of Employment Relationship in General	227
	3.2. Agreement on the Termination of Employment Relationship	227
	3.3. Notice	228
	3.4. Immediate Termination of the Employment Relationship	232
	3.5. Termination of the Employment Relationship within the Probationary Period	234
	3.6. Employment Evaluation and Confirmation of Employment	234
	3.7. Severance Pay	235

	3.8. Invalid Termination of the Employment Relationship and Claims Arising therefrom	237
	References	237
Chapter 7	FUNDAMENTALS OF ADMINISTRATIVE LAW	238
	1. INTRODUCTORY NOTES	238
	2. PUBLIC ADMINISTRATION AND PUBLIC ADMINISTRATION BODIES	240
	2.1. The Concept of Public Administration	240
	2.2. The State Administration	241
	2.3. The Self-government	244
	3. ADMINISTRATIVE PROCEDURE	245
	3.1. The Concept of Administrative Proceedings, Subjects of Administrative Proceedings	245
	3.2. The Course of Administrative Proceedings	246
	References	246
Chapter 8	FUNDAMENTALS OF CRIMINAL LAW	247
	1. CONCEPT, SOURCES, PRINCIPLES AND FUNCTIONS OF CRIMINAL LAW	247
	2. SUBSTANTIVE CRIMINAL LAW	249
	2.1. Subject-matter and Division of the Criminal Code	249
	2.2. Scope of Criminal Code	251
	2.3. Criminal Liability	253
	2.4. Bodies of the Criminal Offense	254
	2.5. Circumstances Excluding Illegality of Act	255
	2.6. Developmental Stages of a Criminal Offense	256
	2.7. Criminal Cooperation	257
	2.8. Penalties and Protective Measures	258
	3. CRIMINAL PROCEEDINGS	263
	3.1. Concept and Phases of Criminal Proceedings	263
	3.2. Pre-Trial Proceedings	265
	3.3. Trial Proceedings	268
	References	271