



INTERNATIONAL CONFERENCE:

**“PERSPECTIVES OF BUSINESS LAW  
IN THE THIRD MILLENNIUM”**

[www.businesslawconference.ro](http://www.businesslawconference.ro)

- SIXTH EDITION -

November 25-26, 2016



**ADJURIS**  
Society of Juridical and Administrative Sciences

**SECTION II - PRIVATE LAW**

**Friday, November 25, 2016**

**Room Virgil Madgearu (0004), main building – Ion N. Angelescu**

**Keynote speakers:**

Professor **Raluca Dimitriu**, *Bucharest University of Economic Studies*

Associate professor **Luminița Dima**, *University of Bucharest, Faculty of Law*

Lecturer **Ana Vidat**, *Bucharest University of Economic Studies*

**! Each paper will be presented within 15 minutes**  
**! Fiecare lucrare va fi prezentată în maxim 15 minute**

**1. Professor Silvia Lucia CRISTEA**

*Bucharest University of Economic Studies*

**BUSINESS LAW MODULE - HOW TO IMPROVE MY TEACHING STYLE? UNDERGRADUATE AND GRADUATE STUDENT'S TESTS EVALUATION**

**2. PhD. student Raluca Antoanetta TOMESCU**

*Nicolae Titulescu University, Bucharest*

**THE CONSEQUENCES OF THE INSOLVENCY PROCEDURE ON THE LEASING CONTRACT UNDER THE LAW 85/2014**

**3. Lecturer. Adriana MOȚATU**

*Bucharest University of Economic Studies*

**Profesor univ. dr. Ileana CONSTANTINESCU**

*Bucharest University of Economic Studies*

**THE CANCELANON OF THE CARETAKING CONTRACT FOR OBJECTIVE IMPOSSIBILITY OF EXECUTION – CASE STUDY**

**4. PhD. student Cătălin Cristian SELIȘTEANU**

*Law Faculty of Craiova*

**THE INSURANCE CONTRACT - A SUPPORT IN THE BUSINESS SPHERE**

**5. Associate professor Bujorel FLOREA**

*Faculty of Law, Political and Administrative Sciences,*

*„Spiru Haret” University of Bucharest*

**SALE SUBJECT TO MODALITIES**



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**6. PhD. student Victor BIRCA**

*University of Craiova*

**THE COMPANY CONTRACT GOVERNED BY THE NEW CIVIL CODE AND COMPANIES ACT NO. 31 / 1990**

**7. PhD. student Raul Sorin FÂNTÂNĂ**

*“Lucian Blaga” University of Sibiu*

**DIMENSIONS COMPLEXITY INTELLECTUAL/ INDUSTRIAL PROPERTY EXPERT REPORT. CASE STUDY**

**8. Lecturer Dragos Lucian RADULESCU**

*Petroleum-Gas University of Ploiesti*

**PATRIMONIAL RESPONSIBILITY OF THE EMPLOYER. CRITERIA FOR EMPLOYEE DISCRIMINATION**

**9. PhD. student Viorel BANULESCU**

*Bucharest University of Economic Studies*

**THE PROTECTION OF CREDITORS IN CASE OF THE FUSION OF COMPANIES-ASPECTS OF COMPARATIVE LAW**

**10. Professor Raluca DIMITRIU**

*Bucharest University of Economic Studies*

**TRENDS OF "INDIVIDUALIZATION" OF LABOR LAW**

**11. Associate professor Marioara ȚICHINDELEAN**

*“Lucian Blaga” University of Sibiu, Faculty of Law*

**PRACTICAL AND NOTIONAL VIEWS REGARDING PROBATION IN WORK-RELATED CONFLICTS**

**12. Professor Veronica STOICA**

*Police Academy "Alexandru Ioan Cuza" of Bucharest*

**CONSIDERATIONS SUR LA CESSATION DU CONTRAT D'ASSURANCE PAR DENONCIATION**

**13. Lecturer Ana-Maria LUPULESCU**

*Bucharest University of Economic Studies*

**SOME ASPECTS CONCERNING THE SETTING UP OF COMPANIES REGULATED BY THE LAW NO. 31/1990 REPUBLISHED**

**14. Associate professor Valeria GHEORGHIU**

*Police Academy "Alexandru Ioan Cuza" of Bucharest*

**EXAMINATION OF JUDICIAL PRACTICE ON THE EXERCISE OF PARENTAL AUTHORITY BY A SINGLE PARENT**

**15. Assistant professor Luiza-Corina MIHAI**

*„Titu Maiorescu” University of Bucharest, Faculty of Law*

**THE ROLE OF THE ECONOMICAL JUSTIFICATION IN THE COLLECTIVE REDUNDANCY PROCESS**



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**16. PhD. student Tudor Vlad RADULESCU**

*„Nicolae Titulescu” University of Bucharest*

**CONSIDERATIONS ON THE ASSIGNMENT OF CONTRACT**

**17. Associate professor Luminita DIMA**

*Law Faculty of Bucharest University*

**THE WORKING TIME - VARIOUS DEVELOPMENTS IN THE MEANING OF THE WORKING TIME  
AT THE EUROPEAN UNION LEVEL FROM A ROMANIAN LABOR RELATIONS' PERSPECTIVE**

**18. PhD. Student Oana-Nicoleta RETEA**

*Faculty of Law, University of Craiova*

**INFRIGEMENT IN ONE'S RIGHT TO NAME, INTRUSION IN PRIVATE LIFE OR FAMILY LIFE?  
THE EUROPEAN COURT OF HUMAN RIGHTS PERSPECTIVE**

**19. Lecturer Ana VIDAT**

*Bucharest University of Economic Studies*

**NEW ISSUES STATUTORY UNEMPLOYMENT INSURANCE SYSTEM AND STIMULATE  
EMPLOYMENT (FROM THE PERSPECTIVE OF THE LABOUR LAW)**

**20. Professor Magda VOLONCIU**

*„Titu Maiorescu” University of Bucharest, Faculty of Law*

**INFORMATION AND CONSULTATION BETWEEN SOCIAL PARTNERS. FROM THE GENERAL TO  
THE PARTICULAR**

**21. Associate professor Bazil OGLINDĂ**

*Romanian-American University of Bucharest*

**PRACTICAL ASPECTS REGARDING FIDUCIARY OPERATIONS**

**22. PhD. student Mihaela-Emilia MARICA**

*Bucharest University of Economic Studies*

**DEEP CHARACTER PRECARIOUS JOBS BY TEMPORARY AGENCY**

**23. Calin Viorel IUGA**

*Lawyer in the Cluj Bar Association*

**THE RISKS IN THE MATTER OF ENFORCEMENT STEMMING FROM A VOLUNTARY  
ALIENATION OF A CLAIM ARISING FROM A CONTRACT OF BANK LOAN**

**24. PhD. student Adina PONTA**

*„Babeş Bolyai” University of din Cluj-Napoca*

**GOOD FAITH IN COPORATE LAW – AN INDEPENDENT FIDUCIARY DUTY OR AN ELEMENT OF  
THE DUTY OF LOYALTY?**

**25. PhD. student Adina PONTA**

*„Babeş Bolyai” University of din Cluj-Napoca*

**THE EVOLUTION AND CHALLENGES OF DIRECTORS' DUTY  
OF LOYALTY**





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**26. PhD. student Mihai Adrian DAMIAN**

*Doctoral School of Social Sciences, field of Law, University of Craiova*

**COUNCIL OF FAMILY AND THE TUTELAGE IN THE LIGHT OF NEW CIVIL CODE**

**27. Eugen SARBU**

*Lawyer in the Bucharest Bar Association*

**FAILURE OF CONTRACTS FOR THE EXECUTION OF WORKS. TYPES OF RISKS AND LIABILITY**

**28. MA student Cristina-Simona CĂPĂȚÎNĂ (DUMITRACHE)**

*Faculty of Finance, Insurance, Banking and Stock Exchange,*

*Bucharest University of Economic Studies*

**THE PRINCIPLE OF NON-RETROACTIVITY OF CIVIL LAW - DEVIATIONS IDENTIFIED IN THE  
MATTER OF TAX LEGISLATION**

**29. Lecturer Simona CHIRICA**

*Bucharest University of Economic Studies*

**TENANT'S INSOLVENCY IN LEASE AGREEMENTS**

**30. Conf. univ. dr. Rodica Diana APAN**

*„Dimitrie Cantemir” Christian University, Faculty of Law Cluj Napoca*

**Stef NICOLAE**

**AN OVERVIEW OF THE AMERICAN PERSONAL BANKRUPTCY LAW. LESSONS FOR A YOUNG  
ROMANIAN SYSTEM**

**31. Assistant professor Radu-Ștefan PĂTRU**

*Bucharest University of Economic Studies*

**CRITICAL REMARKS ON THE COLLECTIVE LABOR AGREEMENT IN THE SPHERE OF  
MACHINE BUILDING COMPANIES AND METAL PRODUCTION FOR THE YEARS 2016-2017**

**32. Lecturer Cristina COJOCARU**

*Bucharest University of Economic Studies*

**ON THE DIRECTOR OF A ROMANIAN LIMITED LIABILITY COMPANY**

**33. Lecturer Krishnan LOGANATHAN**

*Monash University Malaysia, School of Business, Dept. of Buss. Law & Taxation*

**EXAMINING THE LITMUS CHECK OF AUDITORS' CREDIBILITY TO ENSURE AUDITORS ARE  
EFFECTIVE WATCHDOGS IN COUNTERING FINANCIAL SCANDALS: A CASE OF MALAYSIA**

**34. Associate professor Vladimir SAVKOVIC**

*University of Montenegro, Faculty of Law, Podgorica, Montenegro*

**FROM GREAT EXPECTATIONS TO AN EVEN GREATER FAILURE -THE CASE OF  
MONTENEGRIN REGULATORY FRAMEWORK ON SHAREHOLDER DERIVATIVE SUITS AS AN  
INCENTIVE FOR RETHINKING THE CONCEPT ITSELF**

**35. Professor Tekla PAPP, PhD, habil.**

*National University of Public Service, Hungary Civilistic Institute, Budapest, Hungary*

**Dr. Auer ÁDÁM, National University of Public Service, Budapest Hungary**

**CORPORATE GOVERNANCE IN STATE-OWNED COMPANIES IN HUNGARY**



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**36. Student Manasa RAO**

*Symbiosis Law School, Pune, Mysore, India*

**Student Khushmi VALIA**

*Symbiosis Law School, Pune, Mumbai, India*

**PREFERENTIAL RULES OF ORIGIN AS A VESSEL FOR TRADE FACILITATION**

**37. Assitant Professor Sonia CARVALHO**

*Univerisdade Portucalense Infante D Henrique, Porto, Portugal*

**THE DISTRIBUTION CONTRACTS: AN IBERIAN PERSPECTIVE**

**38. Lecturer Monica Gheorghe**

*Faculty of Law, „Lucian Blaga” University of Sibiu*

**ESSENTIAL CLAUSES OF INDIVIDUAL EMPLOYMENT CONTRACT - QUESTIONS AND ANSWERS**

