### Summary the last 4 years

#### I. 2008

Analele UVT- seria Drept, volumul 1-2/2008, ISSN 1223-5423

Volume dedicated to Professor Viorel Mihai Ciobanu, Ph.D. upon the occasion of the Awarding of the Title of Doctor Honoris Causa of the West University of Timişoara Laudatio in Honorem Magistri Viorel Mihai Ciobanu, p.3

The Speech of Professor Viorel Mihai Ciobanu upon the Acceptance of the Title of Doctor Honoris Causa, p. 7

Curriculum Vitae, p. 11

George Antoniu, The Romanian Penal Law within Post-Adhesion Conditions, p. 3

Stanciu D. CĂRPENARU, The Legal Requirements for the Modification of the Commercial Companies' Constitutive Document, p. 11

Elena Simina TĂNĂSESCU, Who Is Defending the Romanian Constitution? Between Presidential Obligation and Constitutional Adjudication, p. 27

Dan Claudiu DĂNIŞOR, The Political Relevance and Legal Irrelevance of Primary Groups of Identification,

Manuel GUȚAN, *The Administrative (Authoritarian) Monarchy – a Paradigm for the Constitutional Realism in Modern Romania? -The Beginnings-*, p. 55

Romulus GIDRO, Aurelia GIDRO, Considérations sur certaines clauses spécifiques du contrat individuel de travail, p. 86

Bianca SELEJAN-GUȚAN, Romania and Article 3 of the ECHR in the Recent Case-Law of the European Court of Human Rights, p. 103

Viorel PAŞCA, The Right at Free Expression and Media Crimes, p. 123

Mircea CRISTE, *The Executive Power in Contemporary Constitutioal Systems*, p. 139 LIGIA CĂTUNA, SPECIAL PROCEDURES REGARDING THE ADMINISTRATION OF EVIDENCE. THE ADMINISTRATION OF EVIDENCE THROUGH LAWYERS, P. 148

CLAUDIA ROȘU, CONSTANTIN ȚENȚ, THE JUDICIAL PUBLIC AID, P. 157

EMILIA MIHAI, ONCE AGAIN ON THE NOTION OF ENTERPRISE IN COMMUNITY LAW, DIN NOU DESPRE NOȚIUNEA DE ÎNTREPRINDERE ÎN DREPTUL COMUNITAR, P. 165

FLORIN AUREL MOȚIU, NEW TRENDS IN THE EUROPEAN CIVIL PROCEDURAL LAW, P. 174

Adina Renate Motica, *The Characterization of the Matrimonial Regime of Participation in Acquisitions*, p. 197

NELU VIOREL CĂTUNA , FRAUD COMMITTED UPON PERFORMING A CONTRACT, P. 201

DANA DANIELA MOȚIU, SPECIFICITIES REGARDING THE DRAFTING OF THE LIST OF GOODS AND THEIR IDENTIFICATION WITHIN INSOLVENCY PROCEDURE, P. 204

LAURA M. STĂNILĂ, SERGIU I. STĂNILĂ, THE EFFECTS OF DECISION NO. LXXXVI (86) OF 10 DECEMBER 2007 OF THE HIGH COURT OF CASSATION AND JUSTICE – UNITED SECTIONS, P. 213

FLAVIU CIOPEC, MAGDALENA ROIBU, E-CRIMES – INVISIBLE CRIMES, P. 218

FLORIN I. MANGU, THE UNLAWFUL ACT – PREREQUISITE OF THE CIVIL LIABILITY FOR ONE'S OWN DEED OF THE PROVIDER OF MEDICAL SERVICES, , P. 229

SERGIU POPOVICI, REAL ESTATE LEASE, P. 248

FLAMINIA STÂRC-MECLEJAN, ASPECTS REGARDING THE THEORY OF THE APPARENT MANDATE, P. 256

VIOLETA STRATAN, INCURSIONS IN THE THEORY OF THE SEPARATION OF POWERS IN THE STATE. P. 267

LAURA GHEORGHIU, THE EUROPEAN COURT OF JUSTICE, P. 287

#### II. 2009

# Analele UVT- seria Drept, volumul 1/2009, ISSN 1223-5423

FENYEVESI CSABA, *PLACE AND FUNCTION OF CONFRONTATION IN THE EUROPEAN UNION COUNTRIES*, P. 3

IANFRED SILBERSTEIN, CARMEN MLADEN, SPECIAL PROCEDURES, METHODS OF BANKRUPTCY PREVENTION FOR CREDIT INSITUTIONS AND COMPANIES, A COMPARATIVE ANALYSIS, P. 21

MIRCEA CRISTE, THE CONSTITUTIONAL COURT – GUARDIAN OF INDIVIDUAL FREEDOM, P. 44

CONSTANTIN D. POPA, CĂTĂLIN LUNGĂNAȘU, THE CHALLENGE DIRECTED AGAINST THE REFUSE OF THE EXECUTION BODY TO PERFORM AN ACT UNDER THE CONDITIONS PROVIDED BY THE LAW, P. 50

CLAUDIA ROŞU, ADRIAN FANU-MOCA, THE INADMISSIBILITY OF ADMITTING AN APPEAL IN THE CIRCUMSTANCE IN THE LACK OF THE APPELLANT'S INTEREST TO PROMOTE THE APPEAL, , P. 59

TIBERIU CONSTANTIN MEDEANU, PERTURBATIONS CAUSED BY AUTO TEHNICAL CONTROLS, , P. 65

LUCIAN BOJIN, CAUSES FOR THE RELATIVE AND ABSOLUTE NULLITY OF THE DECISIONS OF THE GENERAL MEETINGS OF SHAREHOLDERS, P. 76

ALINA TRANDAFIR, TIBERIU MEDEANU, *OPINIONS REGARDING THE SETTLEMENT OF THE NATURE OF THE LITIGATION REFERRING TO THE DAMAGES CAUSED BY A WORK ACCIDENT*, P. 83

DIANA DUMA, THEORETICAL ASPECTS REGARDING THE RECOGNITION AND EXECUTION OF JUDGMENTS IN THE LIGHT OF THE PROVISIONS OF REGULATION NO. 44/2001 ON THE JURISDICTION AND THE RECOGNITION AND ENFORCEMENT OF JUDGMENTS IN CIVIL AND COMMERCIAL MATTERS, P. 88

ALEXANDRU JĂDĂNEANȚ, SOME CONSIDERATIONS REGARDING THE ACQUISITION OF CITIZENSHIP FROM THE PERSPECTIVE OF INTERNATIONAL LAW, P. 107

MIRCEA NOȘLĂCAN, THE OBLIGATION OF NEGOCIATING IN GOOD FAITH THE CONTRACTS, P. 118

### Analele UVT- seria Drept, volumul 2/2009, ISSN 1223-5423

BÁRÁNDY GERGELY, IS IT AN OBLIGATION FOR HUNGARY TO PENALIZE HATE SPEECH ACCORDING TO INTERNATIONAL LAW?, P. 1

ZOLTAN ANDRAS NAGY, VIOLENCE IN SCHOOLS AS A COMMON PROBLEM IN ROMANIA AND HUNGARY, P. 12

ANAMARIA CERCEL, REFLEXIONS UPON THE RESTAURATIVE JUSTICE, P. 17

VIOREL PAŞCA, SOME CONSIDERATIONS REGARDING THE REGULATION OF THE EFFECTS OF THE PRIOR ACCUSION AND OF THE CONCILIATION OF THE PARTIES IN THE NEW CRIMINAL CODE, P. 24

PETRE DUNGAN, THE CRIME OF GRAVE INSULT IN THE CONCEPTION OF THE NEW CRIMINAL CODE, P. 37

RADU I. MOTICA, TIBERIU MEDEANU, THE CONTENT OF THE CRIME PROVIDED BY ART. 279 PARA. 31 CRIMINAL CODE, , P. 46

FLORENTINA OLIMPIA MUȚIU, THE JUDICIAL COOPERATION IN CRIMINAL MATTER BETWEEN ROMANIA AND OTHER MEMBER STATES OF THE EUROPEAN UNION, P. 52

FLAVIU CIOPEC, IS IT POSSIBLE TO HAVE A EUROPEAN CRIMINAL LAW? P. 74

MAGDALENA ROIBU, THE PRIVILEDGE OF CONFIDENTIALITY – SPECIAL GUARANTEE IN CRIMINAL PROCEDURE MATTER, , P. 83

LUCIAN BOJIN, THE NULLITY OF THE DECISIONS OF THE BOARD OF DIRECTORS AND OF THE DIRECTORATE OF THE JOINT-STOCK COMPANY, P. 94

FLAMINIA STÂRC-MECLEJAN, THE NOTION OF SOCIAL INTEREST IN THE CONTEXT OF LAW NO. 31/1990, P. 100

ALIN A. TRĂILESCU, THE MAYOR AS REPRESENTATIVE OF THE STATE AT THE LOCAL LEVEL, P. 110

LAURA GHEORGHIU, FEDERAL IDEAS IN THE EUROPEAN CONSTRUCTION, P. 115

BOGDAN GEORGE ZDRENGHEA, THE PROBLEM OF THE PASSIVE LEGAL STANDING IN TRIALS ON USUCAPION, P. 143

#### III. 2010

## Analele UVT-seria Drept, volumul 1/2010, ISSN 1223/5423

#### 1. Events

Granting the Doctor Honoris Causa Title to Professor Serban Beligradeanu, PHD, by the West University of Timisoara, upon proposal of the Faculty of Law and Administrative Sciences, p. 3 Keynote speech of Professor Ioan Talpos, PHD, Rector of the West University of Timisoara, p. 6 Laudatio to Professor Serban Beligradeanu, PHD, p. 8

Serban Beligradeanu, Considerations sur le rapport juridique de travail des fonctionnaires publics et l'estompage continu des differences entre le rapport juridique de travail des salarie set celui des fonctionnaires publics, ainsi qu'en relation avec la typologie des rapports juridiques de travail et avec reference a une vision moniste de l'object du droit du travail, p. 33.

# 2. Studies. Articles. Comments., p. 61

Viorel Pasca, Liability of members within an organized crime group in Romanian Penal Law, in case of target offences, p. 52

Balazs Elek, The role of stereotypes in the process of verification, p. 57.

László Köhalmi, Let's talk about the political Corruption in Hungary honestly, p. 71.

Beatrix Pinter, Hallmarking legal study on market surveillance, p. 86.

Laura-Maria Stanila, Comparative laws comments on strict liability in French Penal Law, p. 111

## 3. Article Releases. Symposia, p. 123

Prof. Maria Laura Picchio Forlati, PHD, Prof. Viorel Pasca, PHD (coord.) Romanian-Italian Experiences in International Judicial Ciiperation on Criminal Matters, p. 124

Annual International Conference of PHD Students, April 2010, p. 124

Doctoral Training Programme. PHD Yheses Presentation between January-May 2010, p. 124

# Analele UVT- seria Drept, volumul 2/2010, ISSN 1223-5423

#### 1. Events

Granting the Honoris Vausa Title to Professor Radu I. Motica, PHD, by the "1 Decembrie 1918" University of Alba-Iulia, upon proposal of the Faculty of Law ans Social Sciences, p. 3

In Honorem Professor Radu I. Motica or his founder vocation, p. 6

Laudatio to His Excellence, Professor Radu I. Motica, PHD, p. 8

Dissertation on the occasion of conferring the Title of Honorary Doctor of the University "1 Decembrie 1918" of Alba-Iulia, p. 21.

## 2. Studies- Articles-Comments, p. 26

Viorel Pasca, Excess of penal regulations and its legal effects, p. 27

Tamás Goricsán, From the counterfeiting with an European Union looking out, p. 33.

Zsolt Csontos, Szabolcs Kiss, *Thoughts about crimes committed in connection with overchargings in Budapest*, p. 48.

Keryne Kaszas, Ágnes Roxan, The secret of the efficiency of the Cartel chase as reflected by the comparison of Hungarian and German Cartel Law, p. 57.

Laura-Maria Stanila, Comparative law comment on strict liability in German Penal Law, p. 68 Alexandru Tanase, Comparative Law Study of Penal Regulations on HUman Trafficking, p. 83 Sorin Timofei, Comparative analusus of Antitrust Laws in the Penal legislation of the Republic of Moldavia and the Penal legislation of other states, p. 95

- 3. Academic Events, p. 106
- 1. International Biennial Conference of the Faculty of law and Administrative Sciences, p. 107
- 2. Doctoral Training Programme, p. 107

#### IV. 2011

# Analele UVT seria Drept, volumul 1/2011, ISSN 1223-5423

#### 1. Events, p. 3

Granting the Doctor Honoris Vausa Title to Professor Corneliu Barsan, PHD, by the West University of Timisoara, upon proposal of the Faculty of Law and Administrative Sciences, p. 3 Keynote speech of Professor Ioan Takpos, PHD, Rector of the West University of Timisoara, p. 6

Laudatio to Professor Corneliu Barsan, p. 11

Presentation of Professor Corneliu Barsan, Phd, on the occasion of his being granted the Honoris Causa Title of the West University of University, p.14

Application of the European Convention of Human Rights to certain Institutions of Romanian Civil Law, p. 14

Le discours du Monsieru Professeur Universitaire Docteur Corneliu Barsan, a L'occasion de la decernation du Titre de Docteur Honoris Causa de L' Universite de L'Ouest de Timisoara, p. 29. L'incidence de la Convention Europeenne des Droits de L'Homme sur des Institutions de Droit civil roumain, p. 29.

## 2. Article-Studies-Comments, p. 45

Foreign Authors

Andràs Kecskės, Corporate Governance Provisions of the Hungarian Company Act of 2006, p. 47.

Public Law Section, p. 53

Cristian Clipa, Brief outlook on the optional character of "Special administrative jurisdiction", p. 54

George Magureanu, Tge budget of State social insurance and social policies, p. 79

Laura-Maria Stanila, Penal strcit liability and its forms in Romanian Penal law, p. 87

Ioana Celina-Pasca, Liability of members within an organised crime group in case of target offences, p. 97.

Magdalena Roibu, Publishing confidential information vs. Freedom of expression, p. 102 Private Law Section, p. 108

Radu Bufan, Tax deductibility of expenses on occasion of services performed by third parties, p. 109

Claudia Rosu, Capcacity of legal persons of public law to conclude arbitral conventions, p. 119 Florina Popa, Lucian Pop, Termination, rescision and performance rebate as provided by the New Civil Law, p. 127

Sergiu I. Stanila, Comment son the Amendments of the legal regime of real estate publicity, duet o the coming inor force of the New Civil code, p. 135.

Flaminia Starc-Meclejan, The two sides of the right ti a healty environments, p. 145.

Codruta Mangu, Soil risk assement in contractor building agreements, p. 150

Oana-Andreea Motica, Liability of offcials in charge of guarding the minors and the persons adjudecated as incapable, based on a contract, as provided by the New Civil code, p. 168.

Florentina Folea, Conflict between the principle of contractual liberty and the principle of forced maintaining of contracts in insolvency proceedings, p. 177.

- 3. Academic events, p. 189
- 1. The "New Codes of Romania" conference, p. 190.
- 2. Conferences of visiting proffesors to the Faculty of Law and Administrative sciences within the West University of Timisoara, p. 191.
- 3. Doctoral training programme of the Faculty of Law and Administrative sciences, West University, Timisoara, p. 191.

## Analele UVT- seria Drept, volumul 2/2011, ISSN 1223-5423

Analele UVT- seria Drept, volumul 2/2011, ISSN 1223-5423

1. STUDIES – ARTICLES – COMMENTS, P. 3

PUBLIC LAW SECTION P.4

FLORENTINA OLIMPIA MUȚIU, FUNDAMENTAL HUMAN RIGHTS PROTECTION. OUTLOOK ON THE OFFENDER AND THE VICTIM OF THE OFFENCE, P.5

GEORGE MĂGUREANU, AREAS OF MEDIATION AS ALTERNATIVE DISPUTE RESOLUTION METHOD, P. 16

FLAVIU CIOPEC, JUDICIAL INDIVIDUALISATION OF PENALTIES AND THE PROPORTIONATE SENTENCING PRINCIPLE, P.29

LAURA MARIA STĂNILĂ, STRICT LIABILITY IN ITALIAN PENAL LAW, P. 39

IOANA CELINA PAȘCA, MONEY LAUNDERING OFFENCES IN ITALIAN PENAL LAW , P.52

LAURA GHEORGHIU, CHECKS AND BALANCES? THE RE-EVALUATION ATTEMPT, P. 62
PRIVATE LAW SECTION, P. 85

EMILIA MIHAI, *PRINCIPLES GOVERNING THE DUTY TO INFORM IN CONSUMER* LAW , P. 86

FLORINA POPA, PERFORMANCE OF OBLIGATIONS BY EQUIVALENCE. DAMAGES. PENAL CLAUSE. EARNEST PAYMENT UNDER THE NEW CIVIL CODE, P. 92

FLORIN I. MANGU, ON CULPABILITY - AN ESSENTIAL CONDITION TO ENTAIL PERSONAL LIABILITY IN TORT, P. 102

DANIELA MOȚIU, *PECULIARITIES RELATED TO DISMISSAL DUE TO THE EMPLOYEE*, *AS PROVIDED BY ART. 61 LETTERS. B)-D) IN THE LABOUR CODE*, P. 116

FLAMINIA STÂRC-MECLEJAN, ISSUES ON THE QUORUM OF GENERAL MEETINGS OF SHAREHOLDERS IN SHARE COMPANIES, P. 131

CODRUȚA E. MANGU, THE RISKS A CLIENT MAY TAKE, RELATED TO SOIL AND OTHER HAZARDS ENTAILED BY BUILDING DEVELOPMENT - EXCULPATORY DEFENCE FOR THE CONTRACTOR/ARCHITECT, P.141

OANA-ANDREEA MOTICA, SPECIAL CONDITIONS OF LIABILITY IN TORT INCURRED BY THE PRINCIPAL FOR THE DAMAGE CAUSED TO THIRD PARTIES THROUGH THE UNLAWFUL ACTS OF THE AGENT (MINOR), AS PROVIDED BY THE NEW CIVIL CODE, P. 148

FLORENTINA FOLEA, AGREEMENTS ON THE ASSIGNMENT OF THE USE OF GOODS IN INSOLVENCY PROCEEDINGS, P. 154

- II. ACADEMIC EVENTS, REVIEWS P. 165
- 1. Conferences of visiting professors, P. 166
- 2. Book releases, reviews P. 166

ION LULĂ – PRIVATE LAW STUDIES, P. 166

VIOREL PAŞCA – PENAL LAW STUDIES, P. 170

Cristian CLIPA, ADMINISTRATIVE LAW. Theory of Public Office (I). The Legal Relation in the Course of One's Duties – notion, nature, parties, object and content, P. 171

3. DOCTORAL TRAINING PROGRAMME, P. 173