

PRINCIPLES OF LAW

1. CONCEPT OF LAW

Different theories about law – theological theory, natural law theory, positive law theory, power (Marxist) theory. Definition of law. Elements of the definition. Main functions of law.

2. LAW AS A SYSTEM OF NORMS

Macrobranches of law (public and private, substantive and procedural, national, international and supranational law). Microbranches of law (legal branch and legal institute). Sources of law – the normative act, the judicial precedent and the legal custom. Types of legal systems – civil law system, common law system, mixed legal systems, religious legal system.

3. THE LEGAL NORM

Definition of legal norm. Structure of the legal norm. Hypothesis of the legal norm and its contents: the juristic fact – definition and types. Disposition of the legal norm and its contents: rights and obligations – definition and types. Sanction of the legal norm and its contents: penalties, coercive measures, defensive measures – definition, types and functions.

4. OBJECT OF REGULATION – THE LEGAL RELATION. STATE DURESS

Definition of legal relation. Structure of the legal relation. Subjects of law as subjects of the legal relation. Legal qualities - legal capacity, legal ability to act, legal ability to be held responsible and liable. Types of subjects of law – individual (physical persons) and collective persons (organizations). Specifics of the legal qualities of individual and collective persons. Juridical persons as specific types of collective subjects of law. Types of duress – vis maior (force majeure), vis absoluta (physical coercion) and vis compulsiva (psychological duress). Vis compulsiva as a method of obligating the legal subjects. Vis absoluta as a legal guarantee for the performance of obligations.

5. LEGAL ACTS

The three basic types of legal acts – normative acts, acts of interpretation, acts of law enforcement. Functions of the different types of normative acts. Types of normative acts - the Constitution, international treaties, statutes, delegated legislation (regulations, ordinances, instructions, and decrees). Types of acts of interpretation – statutes of interpretation, interpretative decisions of the Supreme Courts. Types of law enforcement acts – acts of free will (private law acts) and acts of State bodies (public law acts). Subtypes of acts of State bodies and their functions – acts of State management and adjudicatory acts.

6. LEGAL OFFENCES AND LEGAL RESPONSIBILITY

Definition of offence. Elements of the definition: actus reus, social harm, illegality, mens rea and punishability. Types of offences – crimes, administrative offences, disciplinary offences, and civil offences (breach of contract and tort). Differentiation between them. Legal responsibility as a specific type of legal relation. Types of legal responsibility – criminal, administrative, disciplinary and civil. Differentiation between them.

7. CONSTITUTIONAL LAW

Constitutional foundations of the State. Types of State territorial organization (unitary state, federation, confederacy). Types of social organization of the State (autocracy, aristocracy and democracy). Types of State management – monarchy (absolute, constitutional and parliamentary) and republic (parliamentary and presidential).

8. BULGARIAN CONSTITUTIONAL LAW

Principles of the Bulgarian Constitution – division of powers, rule of law, welfare state. Main State bodies in the legislative (Great and Ordinary National Assembly), executive (Council of Ministers, ministers, governors, mayors) and judicial (High Judicial Council, Supreme Courts and their lower instances) powers in Bulgaria and their functions. Basic rights and obligations of Bulgarian citizens.

9. CIVIL LAW. AGENCY

Introduction to civil law. Specifics of the civil legal relations and their subjects. Agency (legal representation) – definition and basic rules. Types of agency - statutory and voluntary.

10. LEGAL TRANSACTIONS. ACT OF LIMITATIONS

Definition of transaction. The expression of free will as the central part of the transaction. Types of legal transactions – unilateral, bilateral and multilateral; formal, consensual and real; causal and abstract; onerous and voluntary transactions. Definition of the act of limitations (prescription). Functions. Types of act of limitations – negative and acquisitive prescription.

11. PROPERTY LAW

Definition of res (possessions). Types of res – movable (personal) and immovable (real) property. Rights in rem – full and limited property rights (easements, right to use, right to build).

12. TITLE

Right of property (title) as the only full right in rem and its constituents – possession, right to use and right of disposal. Differentiation between transfer of title and transfer of possession. Types of title – private and public property (State and municipal property). Primary acquisition of title – creation, acquisition by possession in good faith, acquisitive prescription, acquisition by improvements of land, acquisition by remodeling and affiliation.

13. CONTRACT LAW

Definition of contract. Types of contracts – unilateral and bilateral; transferative contracts and contracts of management; named and unnamed contracts. Formation of contracts – offer and acceptance. The specifics of the invitation to treat. Precontractual liability.

14. VALIDITY AND INVALIDITY OF CONTRACTS

Definition of invalidity. Types of invalidity – voidity (nullity) and voidability. Invalidating grounds – contradiction with law, circumvention of law, infringement of morality, impossible object, lack of consent or statutory required form; contracts concluded by legally unable persons, by mistake, fraud or threat, contract entered into because of extreme necessity under obviously unfavourable terms. Differentiation between voidity and voidability.

15. PERFORMANCE AND NON-PERFORMANCE OF CONTRACTS

Performance of the contract – definition, subject, object, method, time and place of performance. Non-performance (breach) of contract – the four elements of breach, legal remedies, rescission, mora creditoris.

Literature:

Peter Nayler “Business Law in the Global Marketplace”, 2006

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