



INTERNATIONAL CONFERENCE:

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

www.businesslawconference.ro

- FOURTH EDITION -

November 28-29, 2014



ADJURIS
Society of Juridical and Administrative Sciences

SECTION II - PRIVATE LAW

Friday, November 28, 2014

Room 0321 - 3rd Floor ASE main building – Ion N. Angelescu.

Saturday, November 29, 2014

Room 0233 - 2nd Floor ASE main building – Ion N. Angelescu.

Keynote speakers:

Professor **Silvia Cristea**, *Bucharest University of Economic Studies*

Professor **Camelia Stoica**, *Bucharest University of Economic Studies*

Lecturer **Ana-Maria Lupulescu**, *Bucharest University of Economic Studies*

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

1. Distinguished Legal Researcher Carlos GABUARDI, Ph.D.

Facultad Libre de Derecho de Monterrey, Mexico

CHALLENGES AND OPPORTUNITIES FOR BUSINESS LAW IN THE FACE OF THE THEIR MILLENNIUM, A COMPARATIVE LAW PERSPECTIVE

2. Lecturer Amalina AHMAD TAJUDIN

Universiti Sains Islam Malaysia, Kuala Lumpur

FROM MACNEIL POINT OF VIEW: INTERPRETATION OF ARTICLES 14 AND 55 OF UNITED NATIONS CONVENTION ON CONTRACTS FOR THE INTERNATIONAL SALE OF GOODS (CISG) 1980

3. Lecturer Amalina AHMAD TAJUDIN

Universiti Sains Islam Malaysia, Kuala Lumpur

A CASE STUDY: SCAFOM INTERNATIONAL, FROM A RELATIONAL PERSPECTIVE

4. Jurist/Law trainer Justin MELONG

Ecole Regionale Supérieure de la Magistrature, Porto Novo, Republic of Benin

THE DEVELOPMENT OF COMMERCIAL ARBITRATION LAW IN SUB-SAHARAN AFRICA

5. Associate professor Ciprian Adrian PĂUN

“Babeș-Bolyai” University of Cluj-Napoca,

Faculty of Economics and Business Administration

GENERAL SHAREHOLDERS MEETINGS OF THE COMPANIES LISTED



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6. Ph.D. Luminița GHEORGHE

University of Bucharest, Law Faculty

**FIDUCIA IN THE NEW CIVIL CODE: AN EXAMPLE OF VITALIZATION BY INTERNATIONAL BUSINESS
LAW OF THE RELATIONSHIP BETWEEN ROMANIAN LAW AND COMMON LAW**

7. Ph.D. student Andrei Emil MOISE

Bucharest University of Economic Studies

Ph.D. student Gabriela Ioana ROȘCA

„Nicolae Titulescu” University

EMPLOYEES RIGHTS IN CORPORATE GOVERNANCE

8. Professor Silvia Lucia CRISTEA

Bucharest University of Economic Studies

Department of Law

DISPOSSESSION OF ASSETS IN THE NEW ROMANIAN CIVIL CODE. COMPARATIVE LAW

9. Associate professor Anca Sorina POPESCU-CRUCERU

„Artifex” University of Bucharest

THE SILENT PARTNERSHIP – THEORETICAL AND PRACTICAL ASPECTS

10. Assistant professor Cristina COJOCARU

Bucharest University of Economic Studies

Department of Law

**SOME CONSIDERATIONS ON THE RIGHT OF REPRESENTATION AND LIABILITY OF THE COMPANY’S
DIRECTORS**

11. Assistant professor Stefania-Alina DUMITRACHE

Police Academy „Alexandru Ioan Cuza”, Bucharest

**ILLEGAL ACTS - CONDITION OF LIABILITY FOR DAMAGES CAUSED IN EXERCISING LEGAL LABOR
RELATIONS**

12. Lawyer Ana-Maria PĂDURARU

**THE JURIDICAL RELATIONSHIP BETWEEN THE DAY LABORER AND THE BENEFICIARY IN LIGHT OF
THE LAW NO. 52/2011 CONCERNING THE EXECUTION OF THE OCCASIONAL ACTIVITIES PERFORMED
BY DAY LABORERS. THE NATURE OF THE CONTRACT BETWEEN LABORER AND BENEFICIARY**

13. Ph.D. student Eduard NICOLAU

Bucharest University of Economic Studies

SOME CONSIDERATIONS REGARDING THE POSTED WORKERS RIGHT TO STRIKE

14. Ph.D. Student Cătălina-Adriana IVĂNUȘ

Bucharest University of Economic Studies

JUSTIFICATION FOR INDIRECT DISCRIMINATION IN EU

15. Lecturer Ana Claudia Elena VIDAT

Bucharest University of Economic Studies

Department of Law

**ASPECTS OF THE LEGAL EFFECTS WHICH IT PRODUCES INDIVIDUAL EMPLOYMENT CONTRACT
AFTER TERMINATION**

16. MA student Mihaela-Alexandra GRAMA

Bucharest University of Economic Studies

LEGAL AND FISCAL CONSIDERATIONS ON THE NATURAL PERSON AUTHORIZED



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17. Ph.D. student Iulia BĂDOI

Bucharest University of Economic Studies

THE PARTICIPATION TO THE COLLECTIVE LABOR CONFLICTS

18. Lecturer Ana-Maria LUPULESCU

Bucharest University of Economic Studies

Department of Law

PARTICULARITIES CONCERNING THE COOPERATIVE COMPANIES

19. Lecturer Bazil OGLINDĂ

Bucharest University of Economic Studies

Department of Law

**AMENDMENT OF CLAUSES ON THE BASIS OF THE CONTRACTUAL BEHAVIOUR OF THE PARTIES –
APPLICATION OF ESTOPPEL DOCTRINE**

20. Lecturer Bazil OGLINDĂ

Bucharest University of Economic Studies

Department of Law

THE PRINCIPLE OF PROGRESSIVE (GRADUAL) USE OF THE CONTRACTUAL REMEDIES

21. Ph.D. student Liviu-Titus PAVELIU

Bucharest University of Economic Studies

THE ACTIVE ROLE OF THE COURT IN THE FIELD OF UNFAIR TERMS

22. Lecturer Diana Anca ARTENE

„Spiru-Haret” University of Bucharest,

Faculty of Law and Public Administration

THE CLUSTER - AN ENTITY WITH OR WITHOUT JUDICIAL PERSONALITY

23. Associate professor Bujorel FLOREA

„Spiru-Haret” University of Bucharest,

Faculty of Law and Public Administration

CONSIDERATIONS REGARDING THE SPECIFIC ELEMENTS OF THE REPURCHASE AGREEMENT (REPO)

24. Lecturer Dragoș Lucian RĂDULESCU

Petroleum-Gas University of Ploiesti

UNPREDICTABILITY IN BANK CONTRACTS. UNFAIR TERMS

25. Ph.D. student Diana Loredana HOGAȘ

„Alexandru Ioan Cuza” University of Iași

THE PRINCIPLES OF LAW APPLICABLE TO THE ARBITRAL PROCEDURE

26. Lawyer Mihaela ION

SCA Popovici, Nițu și asociații

DOMESTIC AND CROSS BORDER MERGERS. CONCEPTUAL DELIMITATION

27. Associate professor Mihaela TOFAN

„Alexandru Ioan Cuza” University of Iași

CONCORDAT PROCEDURE. LEGISLATIVE AND JURISPRUDENTIAL HIGHLIGHTS



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28. Assistant professor Adriana DEAC
Bucharest University of Economic Studies
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THE ECONOMIC INTEREST GROUP INSOLVENCY

29. Ph.D. Remus BACIU

CONSIDERATIONS REGARDING THE SOVEREIGN DEBTS JURISPRUDENCE FROM THE BUSINESS LAW POINT OF VIEW

30. Assistant professor Raul Felix HODOȘ

“Petru Maior” University of Târgu Mureș

MA student Luminița GABURA

“Petru Maior” University of Târgu Mureș

THE LEGAL FRAMEWORK OF SIGNATURE IN THE ERA OF NEW TECHNOLOGIES

31. Ph.D. student George CHIOCARU

Bucharest University of Economic Studies

OUT OF THE COURT SETTLEMENT IN RELATION WITH THE CHALLENGING IN COURT OF THE UNFAIR CONTRACTUAL TERMS

32. Lecturer Andreea-Teodora STĂNESCU

University of Bucharest, Law Faculty

THE CONCEPT OF UNFAIR TERMS IN CONSUMER CONTRACTS

33. Assistant professor Cristina SÂMBOAN, Ph.D. student

Bucharest University of Economic Studies

THE DIGNITY OF THE EMPLOYEE – TYPES OF ABUSIVE BEHAVIORS AT THE WORK PLACE AND THE LEGAL PROTECTION LEVEL AGAINST THEM

34. Lecturer Monica GHEORGHE

“Lucian Blaga” University of Sibiu

Faculty of Law

CLARIFICATION ON THE CONCEPT OF PROFESSIONAL INADEQUACY, ACCORDING TO ART. 61 LETTER D) OF THE LABOUR CODE

35. Associate professor Brîndușa VARTOLOMEI

Bucharest University of Economic Studies

Department of Law

EMPLOYEE SUBORDINATION TOWARDS THE EMPLOYER - A FUNDAMENTAL LEGAL FEATURE OF THE INDIVIDUAL EMPLOYMENT CONTRACT AND ITS CONSEQUENCES ON LABOR LAW

36. Insolvency practitioner Crina MALCOCI

Hodos Business Recovery

Assistant professor Raul Felix HODOȘ

„Petru Maior” University of Târgu Mureș

PERSPECTIVES ON LEGAL, ACCOUNTING AND FISCAL AS A MEANS OF PAYMENT RELEASE OF LIABILITY COMPANIES IN THE ISOLVENCY PROCEDURE

37. Lecturer Adriana Elena BELU

Lawyer, Dolj County Bar Association

AVAILABLE RIGHT CONTRACT SUBSEQUENT TRANSPORT COST



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38. Lecturer Claudiu IGNAT

Lawyer, Dolj County Bar Association

CONDITIONS OF LAW MATERIAL USUCAPIO AS A MEANS OF ACQUIRING OWNERSHIP ON NEW CIVIL CODE

39. Lecturer Aurelia STĂNESCU

Bucharest University of Economic Studies

THE EMPLOYEE'S RESPONSIBILITY AND LIABILITY IN ROMANIAN ORGANIZATIONS. MANAGERIAL AND LEGAL APPROACH

40. Assistant professor Alexandru BULEARCĂ

„Athenaeum” University, Bucharest

BRIEF CONSIDERATIONS ON THE NEW EUROPEAN REGULATORY IN THE MATTER OF PAYMENT SERVICES

41. Assistant professor Radu Ștefan PĂTRU, PhD student

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

CERTAIN MATTERS RELATED TO THE LEGAL REGIME OF THE PROBATION PERIOD. DE LEGE FERENDA PROPOSALS

