

DISCIPLINE DESCRIPTION

1. Information on the study programme

1.1 Institution of higher education	West University of Timișoara
1.2 Faculty	Faculty of Law
1.3 Department	Department of Public Law
1.4 Field of Study	Law
1.5 Cycle of study	Master's Studies
1.6 Programme of study / Qualification	European Union Law

2. Information on the discipline

2.1 Discipline denomination	European Union Law of Financial Institutions D2UE1207						
2.2 Responsible for class activities	Senior Lecturer Dan CARAMIDARIU, PhD						
2.3 Responsible for seminar activities	Senior Lecturer Dan CARAMIDARIU, PhD						
2.4 Year of study	I	2.5 Semester	II	2.6 Type of evaluation	EX	2.7 Discipline regime	CS

3. Total estimated time (number of hours of teaching activities per semester)

3.1 Number of hours per week	3	out of which: 3.2 class	2	3.3 seminar/laboratory	1
3.4 Total number of hours included in the curriculum	42	out of which: 3.5 class	28	3.6 seminar/laboratory	14
Distribution of time:					
Study using textbooks, support materials, bibliography and notes					41
Additional research in the library, using specialized electronic platforms / field research					28
Preparation for seminars / laboratories, homework, projects, essays					14
Tutoring					14
Examination					5
Other activities					-
3.7 Total number of hours of individual study	83				
3.8 Total number of hours per semester	125				
3.9 Number of credits	5				

4. Preconditions (if any)

4.1 curriculum-related	<ul style="list-style-type: none"> The study of banking law and insurance law during bachelor studies (recommandation)
4.2 competence-related	<ul style="list-style-type: none"> General knowledge of European business law

5. Conditions (if any)

5.1 regarding classes	<ul style="list-style-type: none"> • Video-projector systems, internet access
5.2 regarding seminars	<ul style="list-style-type: none"> • Video-projector systems, internet access

6. Specific accumulated competences

Professional competences	<ol style="list-style-type: none"> 1. Complex analysis of institutional and functional characteristics of banking and non-banking financial institutions in the European Union. 2. Advanced acquiring of concepts and terminology specific to banking institutions, operations and contracts in the European Union law 3. Advanced acquiring of norms and procedures specific to banking institutions, operations and contracts in the European Union law 4. Application of the principles and rules specific to banking institutions, operations and contracts in the European Union law
Cross competences	Development of the ability to critically and constructively reflect on the social and ethical consequences of financial and economic activities and enhancement of one's ability to work in complex socio-economic environments and other working environments that presuppose decisional autonomy.

7. Discipline objectives (resulting from the grid of specific accumulated competences)

7.1 General discipline objective	Knowledge and adequate use of the concepts specific to the European law of financial institutions, and of the principles and rules specific to banking institutions, operations and contracts in the European Union law.
7.2 Specific objectives	<ol style="list-style-type: none"> 1. Explanation and interpretation of norms and procedures specific to banking institutions, operations and contracts in the European Union law 2. Knowledge of institutional and functional characteristics of banking and non-banking financial institutions in the European Union 3. Solving practical cases addressing institutions pertaining to the European Union law of financial institutions 4. Understanding the importance of respecting European norms by credit institutions, non-banking financial institutions, insurance institutions and by other participants in monetary and financial circuits.

8. Contents

8.1 Class	Teaching Methods	Observations
<i>Chapter 1. MONETARY INTEGRATION. EUROPEAN MONETARY UNION. SINGLE EUROPEAN CURRENCY.</i>	Lecture	<ol style="list-style-type: none"> 1.1. Monetary integration 1.2. European Monetary Union 1.3. Single European Currency

<i>Chapter 2. MONETARY POLICY AND THE OPERATIONS OF THE EUROPEAN CENTRAL BANK</i>	Lecture	<p>2.1. European Central Bank. Its Statute</p> <p>2.2. Single monetary policy</p> <p>2.3. The European Central Bank Operations</p> <p>2.4. Relations between the European Central Bank and national central banks</p>
<i>Chapter 3. THE FREE MOVEMENT OF CAPITAL AND PAYMENTS</i>	Lecture	<p>3.1. Free movement of capital</p> <p>3.2. Systems of settlements and payments in the European Union</p>
<i>Chapter 4. THE ORGANISATION AND THE OPERATION OF CREDIT INSTITUTIONS ACTIVITIES IN THE EUROPEAN UNION</i>	Lecture	<p>4.1. Credit institutions. Access to banking activity and capital requirements.</p> <p>4.2. Bank prudence as a principle of the functioning of credit institutions</p> <p>4.3. The institutional system of prudential supervision of credit institutions</p> <p>4.4. Preventing and fighting against the involvement of European credit institutions in money laundering and terrorism financing</p> <p>4.5. The reorganisation and winding-up of credit institutions</p>
<i>Chapter 5. CONSUMER PROTECTION IN BANKING SERVICES IN THE EUROPEAN UNION</i>	Lecture	<p>5.1. The protection for consumers of credit institutions as a principle of the banking market functioning</p> <p>5.2. Consumer credit</p> <p>5.3. Mortgage Credit</p> <p>5.4. Financial services provided at a distance</p> <p>5.5. The right to access basic financial services</p>
<i>Chapter 6. THE PROTECTION OF THE DEPOSITORS OF CREDIT INSTITUTIONS IN THE EUROPEAN UNION</i>	Lecture	<p>6.1. The protection of the depositors of credit institutions as a principle for the banking systems functioning</p> <p>6.2. Deposit Guarantee Schemes</p>
<i>Chapter 7. ADDRESSING THE FINANCIAL CRISIS IN THE EUROPEAN UNION</i>	Lecture	<p>7.1. Principles and general rules for the public intervention in the bank system</p> <p>7.2. European Financial Stability Facility, The European Financial Stabilisation Mechanism and the European Banking Authority</p> <p>7.3. Financial stability's perspectives in the European Union</p>

<i>Chapter 8. THE INTRODUCTION OF THE EURO CURRENCY IN ROMANIA</i>	Lecture	8.1. Criteria for economic convergence and legislation compatibility 8.2. Theoretical and practical problems regarding the reference scenario
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Bibliography:

1. B. Bartels, J. Ernoult, S. Hafner, I. Metin, *European Banking and Financial Services Law*, Larcier, 2013
2. L. Bercea, *Banii și băncile. O perspectivă juridică*, Ed. Universității de Vest, Timișoara, 2006
3. I. Silberstein, L. Bercea (ed.), *Probleme actuale în dreptul bancar*, Ed. Wolters Kluwer, București, 2008
4. I. Silberstein (ed.), *Probleme juridice în domeniul bancar*, Ed. Wolters Kluwer, București, 2009
5. I. Silberstein (ed.), *Criza financiară în lume*, Ed. Wolters Kluwer, București, 2010
6. I. Silberstein (ed.), *Legal Aspects in a Changing Global Banking Sector*, Ed. Hamangiu, București, 2012
7. T. Bonneau, *Droit bancaire*, Editions Montchrestien, Paris, 2011
8. S. Cerna, *Sistemul monetar și politica monetară*, Ed. Enciclopedică, București, 1996.
9. R. Cranston, *Principles of Banking Law*, Oxford, Londra, 2006.
10. F. Dekeuwer-Defosse, *Droit bancaire*, Editions Dalloz, Paris, 1999.
11. J.-P. Deschanel, *Droit bancaire. L'institution bancaire*, Éditions Dalloz, Paris, 1995.
12. E.P. Ellinger, E. Lomnicka, R.J.A. Hooley, *Ellinger's Modern Banking Law*, Oxford, Londra, 2006
13. C. Gavalda, J. Stoufflet, *Droit bancaire. Institutions. Comptes. Operations. Services*, Editions Litec, Paris, 2008
14. M. de Juglart, B. Ippolito, *Banques et bourses*, Editions Montchrestien, Paris, 1991.
15. C. Leguevaques, *Droit des defaillances bancaires*, Editions AFEC, Paris, 2002.

8.2 Seminar/laboratory	Teaching methods	Observations
Single European currency	Debate based on essays	Doctrinal analysis
Single monetary policy	Debate based on essays	Doctrinal analysis
Systems of settlements and payments in the European Union	Debate based on essays	Doctrinal analysis
The institutional system of prudential supervision of credit institutions	Debate based on essays	Doctrinal analysis
The protection for consumers of credit institutions Consumer credit	Debate based on essays	Caselaw analysis
The protection for consumers of credit institutions The right to access basic financial services	Debate based on essays	Doctrinal analysis
Deposit Guarantee Schemes	Debate based on essays	Doctrinal analysis
Addressing the financial crisis in the European Union.	Debate based on essays	Doctrinal analysis
The introduction of the euro currency in Romania. The Reference scenario	Debate based on essays	Practical analysis

Bibliography:

1. B. Bartels, J. Ernoult, S. Hafner, I. Metin, *European Banking and Financial Services Law*, Larcier, 2013
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4. I. Silberstein (ed.), *Probleme juridice în domeniul bancar*, Ed. Wolters Kluwer, București, 2009
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15. C. Leguevaques, *Droit des defaillances bancaires*, Editions AFEC, Paris, 2002.

9. Corroboration of the discipline contents with the expectations of the representatives of the epistemic community, professional associations and key employers in the field of the programme

- The discipline's content is in accordance with those of similar disciplines taught at other faculties of law from Romania and from abroad
- The knowledge and the competences acquired during the study of this discipline are acknowledged by the National Bank and the entire financial-banking system

10. Evaluation

Type of activity	10.1 Evaluation criteria	10.2 Methods of evaluation	10.3 Percentage of the final grade
10.4 Class	Knowledge of the subject	Oral examination	70%
	Adequate expression		
10.5 Seminar / laboratory	Knowledge of the subject	Project	30%
	Participation in debates		
	Project presentation		
10.6 Minimal performance standard			
<ul style="list-style-type: none"> • Obtaining at least grade 5 (five) 			

Date
15.09.2020

Signature of person
responsible for class
activities
Senior Lecturer Dan
CARAMIDARIU

Signature of person responsible for
seminar activities
Senior Lecturer Dan
CARAMIDARIU, PhD

Date of approval by the departement

Head of Departement's Signature

21.09.2020

Assist. Professor Florin Mangu, PhD