

“Dimitrie Cantemir” Christian University
Faculty of Law Cluj-Napoca

INTERNATIONAL CONFERENCE
THE EFFICIENCY OF LEGAL NORMS

5th Edition

*The Science of Law - in the Vanguard or the Rearguard
of Social, Political and Economic Phenomena?*

May 26th - 28th, 2016
Cluj-Napoca, Romania

INTERNATIONAL CONFERENCE
THE EFFICIENCY OF LEGAL NORMS

5th Edition

***The Science of Law - in the Vanguard or the Rearguard
of Social, Political and Economic Phenomena?***

ORGANIZED IN COOPERATION WITH

*The Romanian Academy Cluj Branch. "George Barițiu" Institute of History
Department of Social and Humanistic Research*

The Romanian Institute for Human Rights Bucharest, Romania

The Romanian College of Physicians, Cluj County College

The Romanian College of Pharmacists, Cluj County College

Institute of Administrative Science Republic of Moldova, Chisinau

The National Supervisory Authority for Personal Data Processing

The Romanian Association of Penal Sciences, Bucharest, Romania

The Intellectual Property Rights Scientific Association, Bucharest

*The Romanian Society of Authors and Publishers of
Scientific Works - PERGAM, Bucharest, Romania*

Fiat Iustitia

*Alumni Association "Dimitrie Cantemir" Christian University Bucharest,
Faculty of Law, Cluj-Napoca*

National Institute for Training and Improvement of Lawyers. Cluj Territorial Center

Revnic & Asociații

Eco Foundation Romania XXI

CONFERENCE SCHEDULE

THURSDAY / May 26th, 2016

19⁰⁰- *Welcome Cocktail*
VENUE: "Belvedere" Hotel
ADDRESS: 1 Călărășilor Street, Cluj-Napoca

FRIDAY / May 27th, 2016

8³⁰-9³⁰ *Registration*
VENUE: "Dimitrie Cantemir" University, Faculty of Law Cluj-Napoca
(all sections will take place here)
Library Hall
ADDRESS: 2 Burebista Street, Cluj-Napoca

9³⁰-10⁰⁰ *Conference opening*
CHAIR: Elena-Mihaela Fodor
VENUE: Aula

10¹⁵-11³⁰ *The Sections of the Conference*

11³⁰-11⁴⁵ *Coffee break*

11⁴⁵-13⁰⁰ *The Sections of the Conference*

13⁰⁰-14³⁰ *Lunch*
VENUE: Restaurant on the premises of "Dimitrie Cantemir" University,
Faculty of Law Cluj-Napoca

14³⁰-16³⁰ *WORKSHOP (part I)*
Health Law. Perspectives from Doctors, Pharmacists,
Patients, Health-Insurers
CHAIRS: Dan Perju-Dumbravă, Rodica Diana Apan
VENUE: "Gheorghe Boboș" Amphitheater (I)

16³⁰-17⁰⁰ *Coffee break*

- 17⁰⁰-19⁰⁰ WORKSHOP (part II)
Health Law. Perspectives from Doctors, Pharmacists, Patients, Health-Insurers
 CHAIRS: Dan Perju-Dumbravă, Rodica Diana Apan
 VENUE: "Gheorghe Boboș" Amphitheater (I)
- 14³⁰-16⁰⁰ ROUND-TABLE CONFERENCE (part I)
Owners and/or Performers of the Intellectual Rights: In Between Nexus
 CHAIRS: Silviu G. Totelecan, Paul Popovici
 VENUE: Library Hall
- 16⁰⁰-16¹⁵ *Coffee break*
- 16¹⁵-17¹⁵ ROUND-TABLE CONFERENCE (part II)
Owners and/or Performers of the Intellectual Rights: In Between Nexus
 CHAIRS: Silviu G. Totelecan, Paul Popovici
 VENUE: Library Hall
- 19⁰⁰- *Festive Dinner*
 VENUE: Lunchbox City
 ADDRESS: 13-15 "21 Decembrie 1989" Boulevard, Cluj-Napoca

SATURDAY / May 28th, 2016

- 8³⁰-9³⁰ *The Sections of the Conference Proceedings*
- 9³⁰-10⁰⁰ *Conclusions. Conference closing*
 VENUE: "Mircea Mureșan" Room (6)
- 10⁰⁰- *Guided Tour*
 VENUE: National Park - Turda Gorges
- Lunch*
 VENUE: "Sarea-n bucate" Restaurant
 ADDRESS: 2 Dealul Viilor Street, Turda

Organizing & Scientific Committee

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LUCIAN CHIRIAC

“Petru Maior” University
Târgu Mureș, Romania

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Deputy People’s Advocate of Romania

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NICUȘOR ȚIGĂNILĂ
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at the Cluj County Pension Fund; Head of the Regional Committee for
Appeals of Work Capacity Health Expertise

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(Students from “Dimitrie Cantemir” Christian University, Cluj-Napoca, Romania)

OANA CRISTOREAN, CIPRIAN HARA, GEORGE LAZĂR, MIHAI NEGUSTOR,
DAN NICOSCHI, GHEORGHE POP, DIANA RADU

DETAILED CONFERENCE SCHEDULE

FRIDAY, May 27th, 2016

8³⁰-9³⁰ *Registration*

VENUE: "Dimitrie Cantemir" University, Faculty of Law Cluj-Napoca
(all sections will take place here)

Library Hall

ADDRESS: 2 Burebista Street, Cluj-Napoca

9³⁰-10⁰⁰ *Conference opening*

CHAIR: Elena-Mihaela Fodor

VENUE: Aula

10¹⁵-13⁰⁰ *The Sections of the Conference Proceedings*

Section I

"MIRCEA MUREȘAN" ROOM (6)

PART I / CHAIRS: Irina Moroianu Zlătescu, Maria Orlov

10¹⁵-11³⁰ IRINA MOROIANU ZLĂTESCU, *Du droit international comparé des droits de l'homme dans la jurisprudence de la cour européenne des droits de l'homme*

MIRCEA ȘTEFAN MINEA, ANCA MIHAELA GEOROCLEANU, *A Few Milestones of the Romanian Constitutional Court's Jurisprudence in the Field of Fiscal Procedure*

MIRCEA CRISTE, *Une greffe institutionnelle le réussite: la ombudsman roumain (An Successful Institutional Transplantation: the Romanian Ombudsman)*

ALEXANDRU CORDOȘ, *Implementation of Acquis in the Field of Gender Equality After Romania's Integration in the European Union*

11³⁰-11⁴⁵ *Coffee break*

PART II / CHAIRS: Mircea Ștefan Minea, Mircea Criste

11⁴⁵- 13⁰⁰ MARIA ORLOV, *Some Reflections on the Correlation Between Legal Rules, Constitutional Provisions and the Will of Society for Which these are Adopted*

EMILIAN CIONGARU, *Constitutional Law Connotations of Legal Certainty in the Rule of Law*

MARIUS ANDREESCU, *Recepting the Principle of Supremacy of Constitution and its Consequences on the New Penal Code*

TATIANA ȘAPTEFRĂȚI, *Human Resources Policy in Local Government in Republic of Moldova in the Context of Implementing the EU Association Agreement*

LACRIMA BIANCA LUNTRARU, *Civil Liability of Public Notaries*

Section II

“MATEI BASARAB” ROOM (14)

PART I / CHAIRS: Elena-Mihaela Fodor, Mihnea Dan Radu

10¹⁵-11³⁰ LUDO VENY, *Patients' Rights: The Right to Informed Consent to Medical Treatment from European and Belgian Perspective*

MACIEJ TROC, *The Supranational Constitutionalism in the European Union and its Effects on National Legal Systems*

KRYSTIAN KOPKA, *A Counter-Economicness of Economic Laws*

IVAN DEMCHENKO, *Social Justice at Healthcare: Equity and Right of Access to Essential Medicines?*

IOAN ZONGA, *Free Access of Persons in Need of International Protection in the Public Health System*

11³⁰-11⁴⁵ Coffee break

PART II / CHAIR: Ludo Veny

11⁴⁵ - 13⁰⁰ MARIA ALUAȘ, *The Plagiarism: Causes and Legal Consequences*

HOREA CRIȘAN, *General Overview on Litigations Before European Court of Justice*

PETRU-EMANUEL ZLĂTESCU, *The Comparative Methode in Judgements of the European Court of Human Rights*

ILYA RUZANOV, *Separation of Power in Postindustrial Society*

OANA CRISTOREAN, *Intellectual Property Infringement and Terrorism. A Recognized Link or a New Social Practice?*

Section III

“VLADIMIR HANGA” AMPHITHEATER (II)

PART I / CHAIRS: Liliana Belecciu, Natalia Saitarli

10¹⁵-11³⁰ CRISTINA ONEȚ, *Fiscal Debt Discharge by Payment and the Collateral Operations According to the New Provisions of the Fiscal Procedure Code*

ANCA MIHAELA GEOROCÉANU, *The Illegality of the Retroactive Application of Fiscal Rules in Respect of Real Estate Related VAT*

for Individuals

LILIANA BELECCIU, *Legal and Practical Aspects Concerning the Object of Administrative Contracts*

MARIA URECHE, *Legal Provisions on Electoral Alliances for the Local Elections in June 2016*

MONICA GHEORGHE, *Considerations on the Meaning of the Notion "Collective Dismissal" by the Light Of The Council Directive 98/59/CE (on the Approximation of the Laws of the Member States Relating to Collective Redundancies), the CJEU Jurisprudence And The National Law*

11³⁰-11⁴⁵ *Coffee break*

PART II / CHAIRS: Anca Mihaela Georocanu, Cristina Onet

11⁴⁵- 13⁰⁰ NATALIA SAITARLÎ, *Formation and Continuous Training of the Staff of Local Authorities in Republic of Moldova*

ELENA-MIHAELA FODOR, *Several Romanian Choices for Regulating Political Matters*

CODRUȚA-ȘTEFANIA JUCAN, *Appeal a Study Case - New Civil Procedure*

PAULA GHÎȚESCU-COCEA (NICOLESCU), *Stability in the Public Office System. The Public Office - a Vocation?*

VLADIMIR VASILÎȚA, *Scientific and Practical Importance of Legal Acts Issued by Fiscal Bodies of the Republic of Moldova*

GRAȚIAN URECHIATU-BURIAN, *Considerations Regarding the Ad-*

ministration of Justice as a Public Service and the Administrative Appeal

Section IV

“GHEORGHE BOBOȘ” AMPHITHEATER (I)

PART I / CHAIRS: Sorina Siserman, Grigore Labo

- 10¹⁵-11³⁰ GHEORGHE IANCU, ANCA IANCU, *Predictability of Legal Norms*
- SORINA SISERMAN, *Special Provisions Concerning Jurisdiction of the Courts*
- CAMELIA REGHINI, *Novelties Introduced by the New Criminal Code in the Field of Personalization of the Punishment Execution*
- MARIANA-NARCISA RADU, *The Killing Committed at the Victim's Request*
- CAMELIA REGHINI, SORINA-LUCREȚIA DRĂGAN, *Offences Against a Family Member, According to the New Penal Code*
- VLADIMIR MĂTUȘAN, *The Rule in Dubio Pro Reo - A Complement to the Presumption of Innocence*
- 11³⁰-11⁴⁵ *Coffee break*

PART II / CHAIRS: Camelia Reghini, Mariana Narcisa Radu

- 11⁴⁵- 13⁰⁰ GRIGORE LABO, *The European Guide for Legal Expertise*
- IULIA-LAVINIA DEFTA, *A New European Crisis: A Now and Then Perspective on Migration*
- ALEXANDRA BUCUR, *Immigrants and Their Right to Health Care*

LIANA POPA, *Connections and Interferences between the Action in Civil Delictual Liability And The Criminal Liability Action*

EUGENIA GUGULAN, *Legal Regulation of the Rules, Terms, and Methods of Hunting in Moldova*

ALEXANDRU-AURELIAN CHIRIȚĂ, *Jurisprudence of the European Court of Human Rights - Criminal Law Elements*

Section V

“TUDOR DRĂGANU” ROOM (11)

PART I / CHAIRS: Corina Cristina Buzdugan, Emilia Gogu

10¹⁵-11³⁰ EMILIA GOGU, CORINA BUZDUGAN, DANIELA NENCIU, *The Perception of Professors, Students and Employers Regarding the External Evaluation (Accreditation) and Quality Assurance in the Romanian High Education System*

LACRIMA RODICA BOILĂ, *A New Orientation Concerning the Foundations of Tort Liability for Minor Offenses According Art. 1372 Civil Code*

SORINA-LUCREȚIA DRĂGAN, *Indirect Discrimination Regarding the Grant Gain of Doctorat in Public Institutions*

TUDOR ONIGA, *The Obligations of Insurance Companies in Relation to Claims Brought by Victims*

IOANA SASU-BOLBA, *Pythagoras on Justice and Law*

DIANA CIRMACIU, LAVINIA ONICA-CHIPEA, *Brief Comments on the Difficulties and Errors that Can Occur During the Procedure of Prior Disciplinary Investigation of the Employee*

11³⁰-11⁴⁵ *Coffee break*

PART II / CHAIRS: Lacrima Rodica Boilă, Sidonia Culda

11⁴⁵ - 13⁰⁰ ALEXEI CROITOR, *Protection of Private Life in Legal System of ECHR*

MIRANDA VLAD, *Study on Distance Learning in Private Educational Institutions in Romania*

MIRCEA URSUȚA, *Certain Considerations Regarding the Effects of the Constitutional Court's Decisions in Dispute Resolution*

MARIA BANCIU, *Considerations on the Consequences of Certain Abusive Practices of Bad Faith of the Real Estate Agents in the Contracts of Intermediation*

MIHNEA DAN RADU, *Justinian and the Efficiency of His Legislature*

MIHAI DAN CUCU, *Physical Exercises in Ancient Greece as a Model to Improve Physical Training and Harmonious Physical Development*

Section VI

"DUMITRU FIROIU" ROOM (12)

PART I / CHAIRS: Viorel Sirca, Bogdan Ivanov

10¹⁵-11³⁰ ILIE URS, *Inheritance Reserve Particularities*

SILVIU G. TOTELECAN, *Condemning Versus Consuming the Law*

KIS REEKA, *Private International Law Aspects of Intellectual Property Rights in the Digital Age*

SIDONIA CULDA, ELENA DAMIAN, *From the History of Romanian Legal Studies: Simion Bărnuțiu*

ELENA DAMIAN, *Of the History of French Law: Charles Dumoulin*

ALINA LUPEAN-LUCACI, PAUL POPOVICI, *Efficiency of Legal Norms on Piracy. Theoretical & Practical Aspects*

11³⁰-11⁴⁵ *Coffee break*

PART II / CHAIRS: Silviu G. Totelecan, Paul Popovici

BOGDAN IVANOV, *The Conscience, Place of Law Completion*

GEORGETA-BIANCA SPÎRCHEZ, *The Relation between Ethics and Law*

VIOREL SÎRCA, *Problematic Aspects in Enforcing Legal Norms and their Efficiency in the Case of Persons With Disabilities*

ADELA TEODORESCU-CALOTĂ, *Contemporary Legal Language in Rearguard: The Case of Romania*

SIDONIA CULDA, *Current Theoretical and Practical Aspects Regarding Abusive Penalty Clauses*

VLAD-DAN OANEA, *Theoretical and Practical Aspects Concerning the Limitation of Forced Execution*

13⁰⁰-14³⁰ *Lunch*

VENUE: Restaurant on the premises of "Dimitrie Cantemir" University, Faculty of Law Cluj-Napoca

WORKSHOP

*Health Law. Perspectives from Doctors, Pharmacists,
Patients, Health-Insurers*

“GHEORGHE BOBOȘ” AMPHITHEATER (I)

CHAIRS: Dan Perju-Dumbravă, Rodica Diana Apan

14³⁰-16³⁰ *Part I*

16³⁰-17⁰⁰ *Coffee break*

17⁰⁰-19⁰⁰ *Part II*

ROUND-TABLE CONFERENCE

*Owners and/or Performers of the Intellectual Rights:
In Between Nexus*

LIBRARY HALL

CHAIRS: Silviu G. Totelecan, Paul Popovici

SPECIAL GUESTS: Cristian Bence-Muk, Adrian Circa, Răzvan Metea,
Ciprian-Gabriel Pop, Roxana Roba, Miruna Tudorașcu, Daniela Valea

14³⁰-16⁰⁰ *Part I*

16⁰⁰-16¹⁵ *Coffee break*

16¹⁵-17¹⁵ *Part II*

19⁰⁰- *Festive Dinner*

VENUE: Lunchbox City

ADDRESS: 13-15 “21 Decembrie 1989” Boulevard, Cluj-Napoca

SATURDAY / May 28th, 2016

Section VII

"TUDOR DRĂGANU" ROOM (11)

CHAIRS: Georgeta Ilie, Rodica Diana Apan

8³⁰-9³⁰ GEORGETA ILIE, *"Make in India" and Some Lessons for Romanian Foreign Investment Policy*

ANGELA MIFF, RODICA DIANA APAN, *Regulatory and Case Law Approaches to the Assignment of Company Shares Within the Limited Liability*

DAN ȚOP, LAVINIA SAVU, *Considerations Regarding the Regulation of Performance by Children of Paid Activities In the Cultural, Artistic, Sports, Advertising and Modeling Fields*

FLOREA BUJOREL, *Judicial Regime of Selling by Tasting in the Previous and Current Civil Code*

GYURIS ARPAD, *Thoughts on a Possible Commercial Codex in Hungary*

ADELA-ELENA MICICĂ, *Trasnational Juridicial Dialogue*

VÖRÖS ESZTER, *The Fair Procedure (Fair Trial) Like a Legal Value*

VISEGRADY ANTAL, *The Contribution of Polish and Hungarian Legal Theory to the European Science of Law*

ANTON PARLAGI, *Merit Rules and Merit of the Norm*

MOMIR GRAHOVAC, *Efficiency of Legal Norms - Human Rights and Freedoms Implementation*

Section VIII

“MATEI BASARAB” ROOM (14)

CHAIRS: Nicolae Roş, Ioana Sasu Bolba

8³⁰-9³⁰ FLORINA-FLORENTINA MOROZAN, *Orientations of Legislation Regarding Organs, Tissues and Human Cells Extract and Transplant*

CARMEN-TEODORA POPA, *The Eviction in the Sale-Purchase Contract in the Light of the Current Civil Code Regulations*

LIANA-IULIA PAUL, *European Cooperation in Fighting Cyber-crime*

CRISTIAN-DUMITRU MIHEŞ, *Considerations on the New Legal Frame Regarding Selling of Medicinal Products*

IZABELA BRATILOVEANU, *Historical Considerations on Patenting Inventions*

SLOBODAN ZEČEVIĆ, *Macro-Regional Strategy of the European Union as a Legal Framework for Cooperation Between the Danube River States*

NICOLAE ROŞ, *Principles of Local Public Administration*

SIMONA ŞANDRU, ANCUŢA-GEANINA OPRE, *Protection of Personal Data of the Employees in the Public and Private Sector, in the Context of the New it Techonologies*

GORDANA GASMI, DRAGAN PRLJA, NATAŠA LUTOVAC, *Essay on Efficiency of Legal Norms - Schengen Agreement*

CORINA-CRISTINA BUZDUGAN, *Historical Perspective on Constitutional Acts and Electoral Systems in Romania*

9³⁰-10⁰⁰ *Conclusions. Conference closing*

VENUE: "Mircea Mureșan" Room (6)

10⁰⁰- *Guided Tour*

VENUE: National Park - Turda Gorges

Lunch:

VENUE: "Sarea-n bucate" Restaurant

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