

**Yaroslav Mudryi National Law University**

**Department of Civil Law**

**P R O G R A M**

**of the academic discipline**

**«Problems of contractual and non-contractual law /  
Проблеми договірнього та недоговірнього права»**

**The level of higher education** is the second (master's) level

**The degree of higher education** is a master's degree

**Field of knowledge** - 29 "International Relationships"

**Specialty** - 293 "International Law"

**The status of the academic discipline** is at the student's choice

Approved at the meeting of Academic council  
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**The program of the academic discipline** «Problems of contractual and non-contractual law /Проблеми договірнього та недоговірнього права» for students of the second (master's) level of higher education in the field of knowledge 29 "International Relationships" specialty 293 "International Law". Kharkiv: Yaroslav Mudryi National Law University, 2025. 33 p.

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## 1. Introduction

### 1.1. *The purpose and tasks of the academic discipline.*

*The purpose of the academic discipline* is to form students' system of scientific knowledge in the field of civil law regulation of contractual and non-contractual relations, in-depth study of the specifics of certain types of civil law contracts and types of non-contractual obligations, development of basic skills and application skills of civil legislation, activation of students' analytical activities, conducting research work, as well as practical skills of a lawyer.

#### *Tasks:*

- formation of a system of theoretical knowledge about individual institutions of contractual and non-contractual law;
- mastering the tools of the sub-branch of the law of obligation, as well as its individual institutions;
- mastering the basic concepts of contractual and non-contractual law, analysis of their system, determination of the grounds for the emergence of binding relationships and features of legal regulation of contractual and non-contractual obligations;
- deepening of theoretical knowledge and formation of practical skills on issues of invalidity of contracts and application of legal consequences of their invalidity;
- analysis and research of applied problems of the procedure for concluding civil-law contracts, formation of their conditions, as well as legal consequences of breach of contractual obligations;
- determination of current problems of the institute of tortious obligations and directions of modern scientific research of this institute, clarification of the peculiarities of certain types of special torts;
- development of skills and abilities of correct interpretation and application of norms of civil legislation taking into account European standards and principles of regulation of contractual and non-contractual relations.

1.2. *Status of the academic discipline in the structure of the educational and professional program:* at the choice of the student.

1.3. *Prerequisites:* theory of law, civil law, civil process, private law: modern doctrines in judicial and law enforcement practice.

1.4. *Co-requisites:* the law of the European Union and its system, legal regulation of the EU internal market, current problems of scientific research methodology, tax law.

1.5. *Post-requisites:* European private international law, international contract law, WTO law, international intellectual property law, EU corporate law and governance, notary and notarial acts of consular institutions.

1.6. *List of subject competencies higher education applicant :*

SC1. Understanding the essence of the multifaceted theory of the concept of a civil contract as a legal fact, binding legal relationship and document.

SC2. Understanding the peculiarities of the legal regulation of non-contractual obligations and the place of the contract in the regulation of these relations.

SC3. Understanding the essence of the principle of justice, good faith and reasonableness and its importance in the field of contractual relations.

SC4. The ability to systematically interpret the content of civil law contracts.

SC5. The ability to characterize the participants of binding relations, to describe their rights and obligations.

SC6. The ability to determine the grounds for invalidating a civil contract and apply the legal consequences of its invalidity.

SC7. The ability to interpret the legal content of the categories "invalidity", "nullity" and "disputability" of the contract.

SC8. Ability to navigate the system of civil legislation of Ukraine.

SC9. The ability to analyze and evaluate the impact of the Convention on the Protection of Human Rights and Fundamental Freedoms, as well as the practice of

the European Court of Human Rights on the development of the institution of tortious obligations.

SC10. The ability to carry out an independent analysis of civil legislation in the field of regulation of non-contractual obligations.

SC11. Ability to apply civil law principles to resolve complex legal issues, including in situations of legal uncertainty.

SC12. Knowledge of the mechanism for resolving legal conflicts in the legal regulation of contractual relations.

SC13. Understanding the peculiarities of the legal regulation of non-contractual obligations and the place of the contract in the regulation of these relations.

SC14. The ability to take a creative approach in solving problematic issues in the field of application of the "invalidity" category.

SC15. The ability to formulate a personal opinion and present it with evidence when examining the essence and content of civil law contracts.

SC16. The ability to find effective ways to protect the rights of participants in contractual relations.

SC17. The ability to independently develop drafts of various civil law contracts, taking into account the principle of freedom of contract and its limits.

SC18. Knowledge and understanding of the criteria for distinguishing contractual and non-contractual obligations and their meaning.

SC19. Knowledge of the system of contractual relations and the ability to correctly qualify civil law contracts.

*The explanation of general and special competencies is defined in the map of subject competencies (Appendix 1)*

*List of learning outcomes of the applicant of higher education :*

LOR AD 1.1. Understand the general principles of obligation law as a sub-branch of civil law.

LOR AD 1.2. Correlate contractual and non-contractual obligations and sources of their regulation.

LOR AD 1.3. Demonstrate knowledge of the peculiarities of civil law regulation of contractual and non-contractual relations.

LOR AD 1.4. Demonstrate knowledge and understanding of applied aspects of legal hermeneutics.

LOR AD 1.5. Discuss the complex legal problems of applying European standards of contract and tort law.

LOR AD 1.6. To carry out a comparative legal analysis of various sources of legal regulation of contractual relationships.

LOR AD 1.7. Operate with doctrinal approaches to solving problems related to the application of legal consequences of breach of obligations.

LOR AD 1.8. Apply the legal positions of the Supreme Court on the application of measures of civil liability for breach of obligation.

LOR AD 1.9. Demonstrate the skills of collecting and analyzing precedent practice of the European Court of Human Rights regarding the application of Art. 1 of Protocol 1 to the Convention on the Protection of Human Rights and Fundamental Freedoms.

LOR AD 2.1. Understand the general principles (principles) of contract law and their meaning when concluding unnamed contracts.

LOR AD 2.2. Provide convincing arguments when interpreting the contract, taking into account the rules of the relationship between the contract and the act of civil legislation (Article 6 of the Civil Code of Ukraine).

LOR AD 2.3. Reasonably formulate your position on issues of conclusion, modification and termination of the contract.

LOR AD 2.4. Analyze the nature (type) and content of a civil contract.

LOR AD 2.5. Demonstrate an understanding of the content of individual types and types of civil law contracts and the ability to distinguish between them.

LOR AD 2.6. Generate new ideas and use the legal positions of the Supreme Court regarding the essence of the civil law category "invalidity".

LOR AD 2.7. Demonstrate an understanding of the peculiarities of concluding and executing a contract in the field of electronic commerce.

LOR AD 2.8. Demonstrate skills in drafting civil legal contracts.

LOR AD 3.1. Demonstrate an understanding of the system of non-contractual obligations and the reasons for their occurrence.

LOR AD 3.2. Demonstrate an understanding of the content of tort obligations and their relationship with the institution of civil liability.

LOR AD 3.3. To analyze the peculiarities of the legal regulation of certain special torts.

LOR AD 3.4. Analyze and evaluate the judicial practice of the application of certain institutions of non-contractual law.

LOR AD 3.5. To characterize non-contractual obligations, the basis of which are legitimate actions.

LOR AD 3.6. Generate new ideas regarding the contractual regulation of non-contractual obligations at various stages of their existence.

LOR AD 3.7. To analyze the legal positions of the Supreme Court on compensation for property and non-property (moral) damage and critically interpret them.

*An explanation of the results of mastering the educational discipline and the results of training by specialty and specialization is determined in the map of training results, formulated in terms of competencies (Appendix 2)*

### *1.7. Program modules academic discipline.*

**Module 1.** General provisions on obligations.

**Module 2.** Problems of contract law.

**Module 3.** Problems of non-contractual law.

The program of an academic discipline is a set of modules, their certain sequence, which contributes to the mastery of certain competencies necessary to achieve specific learning outcomes. Each module has a certain logical completeness in relation to the necessary results of mastering the educational and professional program as a whole. Topics are not defined within the module.

The modular principle of building the curriculum of an academic discipline ensures the flexibility of the content of an academic discipline, which is reflected in the possibility of its differentiation and integration. Continuity of a meaningful and logical transition between the modules of the academic discipline program, as well as the increase of new knowledge become possible thanks to the application of the principle of the "didactic spiral".

The number of educational units (didactic volume) of the content of the academic discipline must correspond to the structure of the academic discipline and the actual study time of the students.

The didactic scope of the academic discipline is determined by the developer in an expert manner with a focus on the subject area of the academic discipline, as well as on competence and learning outcomes.

Quantitative and qualitative indicators of the implementation of the academic discipline program within the didactic structure are defined in the taxonomy of the academic discipline.

*The explanation of the modules of the competence-oriented program of the academic discipline is defined in the matrix of connections between the modules of the academic discipline, learning outcomes and subject competencies (Appendix 3).*

## 2. Description of the academic discipline (educational units)

Course	Level of education, field of knowledge, specialty, specialization	Didactic structure and number of hours
Number of ECTS credits: 4.0 Number of modules: 3 Total number of hours: 120 Weekly hours: 4	Level of education - second (master's)  Field of knowledge - 29 "International Relationships"  Specialty - 293 "International Law"	<b>Module 1</b> Lectures: 4 Practical lessons: 4 Independent work: 16 <b>Module 2</b> Lectures: 10 Practical classes: 10 Independent work: 40 <b>Module 3</b> Lectures: 4 Practical classes: 6 Independent work: 26  <b>Types of control:</b> current control; final control of knowledge (assessment)

## 3. Contents of the curriculum

**Module 1.** General provisions on obligations.

*The concept of mandatory law.* Concept of parties in obligations. System of obligations. Replacement of persons in obligations. Cession. Debt transfer. Third parties in obligations. Grounds for obligations. Recourse obligations. Replacement of parties in the obligation.

*Legal consequences of breach of obligation.* Liability for breach of obligation. Concept and legal consequences of breach of obligation. Unilateral waiver of obligation. Termination of the contract. Concept and conditions of liability for breach of obligation. Grounds for exemption from liability for breach of obligation. Liability for breach of monetary obligation.

Module 2. Problems of contract law.

*General provisions on the contract.* The concept, general characteristics and meaning of a civil contract. Freedom of contract and its limits.

*Types of contracts. Public contract.* Accession agreement. Preliminary contract. Contract in favor of a third party. Mixed contract. Content of the contract. Standard terms of the contract. Interpretation of the terms of the contract. Contract form. Procedure and stages of conclusion of the contract. Offer. Acceptance Pre-contractual disputes. Conclusion of contracts at exchanges, auctions, competitions. Change and termination of the contract.

*Agreements on the transfer of property into ownership.* General provisions on the contract of sale. Rights and obligations of the parties under the contract. Legal consequences of breach of contract. Types of sales contracts. Retail sales contract and its types: sale of goods by samples; sale of goods using machines; contract with the condition of delivery of goods to the buyer; contract of hire and sale. Agreement of purchase and sale of the enterprise. Supply agreement. Agreement on the contracting of agricultural products. Contract for the supply of energy and other resources through the connected network. Mine contract.

*Agreements on transfer of property for use.* Employment contract (lease). The concept, subject and term of the employment contract. Parties to the employment contract, their rights and obligations. The rights of third parties to the leased thing. Legal consequences of changing the owner of a thing transferred for hire. sublet Termination of the employment contract. Certain types of employment contract (lease). Rental contract. Land plot lease agreement. Lease agreement for a building or other capital structure. Vehicle hire (lease) contract. Leasing contract and its types.

*Contracts on performance of works.* Subcontract. Concept and types of contract. Parties under the contract, their rights and obligations. Terms in the contract. Procedure for payment of work. Settlements between the parties in case of accidental destruction of the subject of the contract or impossibility of completing the work. Quality and guarantees of quality of work. Types of contract. Household contract. Construction contract. Subcontract for project and search works.

*Agreements on the provision of services.* Concept of "service" and service contracts. Types of service contracts. Terms of service contracts. Parties to the contract, their rights and obligations. Content of the contract for the provision of services and its execution. Contract of carriage. General provisions on transportation. Transport legislation of Ukraine. System of transport contracts. Storage contract. The concept, subject and form of the custody agreement. Parties under the contract, their rights and obligations. Storage of things determined by generic features. Liability of the custodian under the custody agreement. Warehouse storage contract. Warehouse documents. Special types of storage.

Module 3. Problems of non-contractual law.

*General characteristics of non-negotiable obligations. Certain types of non-negotiable obligations.*

*Public promise of reward.* Obligations from a public promise of remuneration and their types. A public promise of a reward without announcing a contest. Public promise of an award based on the results of the competition. Change of terms and refusal to hold the competition.

*Taking actions in the property interests of another person without his authorization.* The concept and assignment of obligations that arise when actions are taken in the property interests of another person without his authorization. Conditions for reimbursement of expenses incurred by a person in the conduct of other people's affairs without a mandate.

*Saving health and life of an individual, property of an individual or legal entity.* The concept and assignment of obligations that arise as a result of saving the

health and life of an individual. Subjects of obligations that arise as a result of saving the health and life of a natural person, and the conditions for the occurrence of these obligations. Compensation for damage caused to the rescuer. The concept and assignment of obligations arising in connection with the rescue of another person's property. Subjects of obligations arising in connection with saving the property of another person, and the conditions for the occurrence of these obligations. Conditions for compensation for damage caused to the rescuer.

*Creating a threat to life, health, property of a natural person or property of a legal entity.* The concept of "obligation to eliminate threats to life, health, property of a natural person or property of a legal entity." Consequences of failure to eliminate threats to life, health, property of an individual or property of a legal entity. Compensation for damage caused as a result of failure to eliminate a threat to life, health, property of a natural person or property of a legal entity.

*Reparation. Obligations arising as a result of causing damage.* General grounds for liability for property damage. Grounds for liability for moral damage. Compensation for damage caused by a person in case of exercise of the right to self-defense. Compensation for damage caused by the adoption of a law on the termination of ownership of certain property. Compensation for damage caused in a state of extreme necessity. Compensation by a legal entity or an individual for damage caused by their employee or another person. Compensation for damage caused by a state authority, an authority of the Autonomous Republic of Crimea, a local self-government authority or their official or official. Compensation for damage caused by illegal decisions, actions or inaction of the body of inquiry, preliminary (pre-trial) investigation, prosecutor's office or court. Compensation for property damage to an individual who suffered from a crime.

*Obligations in connection with the acquisition and preservation of property without a sufficient legal basis.* The concept of "obligations arising from the acquisition and preservation of property without a sufficient legal basis" (unreasonable acquisition of property). Subjects of obligations to acquire and preserve property without a sufficient legal basis. Return in kind of unreasonably

acquired property. Reimbursement of income from unreasonably acquired property and expenses for its maintenance. Unreasonably acquired property that is not subject to return.

#### **4. Resource support of the academic discipline**

*4.1. Forms of organization of the educational process and types of educational classes*

– forms of organization of the educational process: educational classes; individual work; practical training; control measures.

- types of educational classes: lectures, practical classes, individual classes, consultations.

*4.2. Independent work of students of higher education*

Independent work of students is a type of extracurricular work of an educational nature, which consists in the performance of certain types of work to master the discipline.

Independent work is a student's work that is planned and executed under pedagogical guidance, but without the direct involvement of the teacher. Carrying out this type of work, the student must independently work out the outline of lectures, literature, normative legal acts for the topics presented in practical classes.

Forms of independent work are: individual final written work; doing homework; revision of lecture materials; development of additional literature; preparation of summaries on issues submitted for independent consideration; preparation of thematic presentations; preparation of abstracts; self-monitoring of knowledge by students, etc.

Students' independent work consists in studying additional educational and scientific literature, studying judicial practice, familiarizing themselves with normative international legal and national acts regulating relations between subjects of electronic commerce. This type of work is aimed at the formation of subject competences and the formation of professional knowledge, as well as the

ability for self-education, the development of independence, activity and responsibility of students.

#### *4.3. Educational technologies and teaching methods*

The teaching of the academic discipline is carried out using the technologies of student-centered learning and problem-based learning (problematic presentation of the material), as well as the use of such teaching methods as: thematic discussion and simulation exercise.

#### *4.4. Forms of pedagogical control and quality assessment system formed competences based on the results of mastering the academic discipline*

Forms of students' knowledge control are current and final control.

Current control of students' knowledge includes:

- quality control of students' assimilation of the program material of the academic discipline in practical classes using the following tools: oral / written survey, express survey, solving practical taSCs, participation in the development of a case , preparation of a presentation, essay, essay , etc. The current control is aimed at checking the level of the student's preparation in studying the current material. In the course of the practical session, the student can receive an assessment on a four-point scale (0, 3, 4, 5);

- quality control of the students' assimilation of the program material of the academic discipline, which is conducted at the end of the modules in the form of colloquiums.

During the semester, students perform tasks for independent work (preparation of a presentation, essay, report, etc.). The maximum number of points for independent work is 10 points.

The form of final control of the knowledge of higher education students in the academic discipline is the assessment. The minimum number of points to receive credit is 60.

Distribution of points between forms of organization of the educational process  
and types of control measures:

Current control							Final assessment of knowledge (assessment)
Module No. 1		Module No. 2		Module No. 3		Independent work of students	
p/z	Test/control 1 paper/colloquium	p/z	Test/control paper/colloquium	p/z	Test/control paper/colloquium		
max 10	max 10	max 25	max 10	max 15	max 10	max 20	max 100

*Criteria for evaluating learning outcomes :*

type of control	Scores	Criteria (for each assessment)
Current control in a practical session	Max 5	Excellent assimilation of educational material on the topic, some minor shortcomings are possible.
	4	Good assimilation of the material on the topic, but there are some mistakes .
	3	Satisfactory level of assimilation of the material, a significant number of errors .
	Min 0	Unsatisfactory level of assimilation of the material.
Colloquium	Max 10	The results of processing the material are high, a small number of insignificant errors are possible.
	5	Satisfactory level of assimilation of the material, a significant number of errors.
	Minimum 0	Unsatisfactory level of assimilation of the material.
Individual students' work	Max 10	The work is designed in accordance with the requirements of the department. The work does not contain methodological errors, there are references to sources and own conclusions. In the defense, in-depth knowledge of the topic is demonstrated, as well as proof of conclusions, positions, classifications, etc.
	7	The work is designed in accordance with the requirements of the department. The work contains minor methodological errors, there are references to sources, there are own conclusions. During the defense, sufficient knowledge of the topic is demonstrated, as well as proof of conclusions, positions, classifications, etc.
	5	The work is designed in accordance with the requirements of the department, but with minor errors. The work contains methodological and content errors, there are references to sources, there are own conclusions.

		During the defense, sufficient knowledge of the topic was demonstrated, but there were problems with the argumentation of individual concepts and judgments in the work, the proof of conclusions.
	3	The work was prepared with errors and violations of cathedral requirements regarding the form of work. The work contains methodological and substantive errors, an insufficient number of sources were used to substantiate the research and conclusions. During the defense, difficulties arose regarding the disclosure of the content of the topic, providing arguments regarding individual provisions of the work and the validity and provenance of the conclusions.
	Minimum 0	The work is improperly designed, without references to sources, and contains methodological errors. During the defense, the author of the work cannot demonstrate knowledge of the chosen topic, provide arguments for concepts and perform information analysis. The work was performed in violation of the requirements of academic integrity.
Assessment	Max 100	Excellent knowledge of the subject.
	Min 60	Sufficient knowledge of the subject

#### *4.5. Educational, methodical and information support of the academic discipline*

##### *Normative and legal acts*

1. Constitution of Ukraine: Law of Ukraine dated June 28, 1996 No. 254k/96-BP. URL: <http://zakon1.rada.gov.ua/laws/show/254k/96-bp>.
2. Economic Code of Ukraine: Law of Ukraine dated January 16, 2003 No. 436-IV. URL : <https://zakon.rada.gov.ua/laws/show/436-15#Text>.
3. Civil Code of Ukraine: Law of Ukraine dated January 16, 2003 No. 435-IV. URL: <http://zakon1.rada.gov.ua/laws/show/435-15>.
4. Procedure Code of Ukraine: Law of Ukraine dated March 18, 2004, in the ed. of the Law of Ukraine dated 03.10.2017 No. 2147-VIII. URL : <https://zakon.rada.gov.ua/laws/show/1618-15#Text>.
5. On currency and currency transactions: Law dated June 21, 2018 No. 2473-VIII. URL : <https://zakon.rada.gov.ua/laws/show/2473-19#Text>.
6. On responsibility for untimely fulfillment of monetary obligations: Law of Ukraine dated November 22, 1996 No. 543/96-VR. URL:

<http://zakon2.rada.gov.ua/laws/show/543/96-Bp>.

7. About notary: Law of Ukraine dated September 2, 1993 No. 3425-XI. URL : <https://zakon.rada.gov.ua/laws/show/3425-12>.
8. On the lease of state and communal property: Law of Ukraine dated October 3, 2019 No. 157-IX. URL: <https://zakon.rada.gov.ua/laws/show/157-20#Text>.
9. On liability for damage caused as a result of a product defect: Law of Ukraine dated May 19, 2011. URL: <https://zakon.rada.gov.ua/laws/show/3390-17>.
10. On technical regulations and conformity assessment: Law of Ukraine dated January 15, 2015. URL : <https://zakon.rada.gov.ua/laws/show/124-19>.
11. On state registration of property rights to immovable property and their encumbrances: Law of Ukraine dated July 1, 2004 No. 1952-IV as amended. of the Law of Ukraine dated February 11, 2010 No. 1878-VI. URL: <http://zakon1.rada.gov.ua/laws/show/1952-15>.
12. On the protection of consumer rights: Law of the Ukrainian SSR dated May 12, 1991, No. 1023-XI, in ed. of the Law of Ukraine dated 01.12.2005 No. 3161-IV. URL: <http://zakon2.rada.gov.ua/laws/show/3161-15>.
13. On standardization: Law of Ukraine dated June 5, 2014. URL : <https://zakon.rada.gov.ua/laws/show/1315-18>.
14. On electronic commerce: Law of Ukraine dated September 3, 2015 No. 675-VIII. URL : <https://zakon.rada.gov.ua/laws/show/675-19>.
15. Statute of railways of Ukraine: approved. by resolution of the Cabinet of Ministers of Ukraine dated 04/06/1998 No. 457. URL: <http://zakon2.rada.gov.ua/laws/show/457-98-п>.
16. Practice of consideration by courts of civil cases on recognition of transactions as invalid / Supreme Court; Generalization of court practice from November 24, 2008. URL : <http://zakon2.rada.gov.ua/laws/show/n0003700-08>.
17. On the practice of consideration by courts of civil cases based on claims for damages: resolution of the Verkhov Plenum. of the Court of Ukraine dated March 27, 1992 No. 6. URL: <http://zakon2.rada.gov.ua/laws/show/v0006700->

92.

18. On the practice of consideration of civil cases by courts on claims for compensation of damage: Resolution of the Plenum of the Supreme Court of Ukraine of March 27, 1992 No. 6. URL: <http://zakon2.rada.gov.ua/laws/show/v0006700-92>.

19. On judicial practice in cases of compensation for moral (non-property) damage: resolution of the Verkhov Plenum. of the Court of Ukraine dated March 31, 1995 No. 4. URL: <http://zakon3.rada.gov.ua/laws/show/v0004700-95>.

20. On some issues related to the application of the inflation index: Clarification of the Supreme of the Arbitration Court of Ukraine dated May 12, 1999 No. 02-5/223. URL: [http://zakon2.rada.gov.ua/laws/show/v\\_223800-99](http://zakon2.rada.gov.ua/laws/show/v_223800-99).

21. On the practice of application by the Supreme Economic Court of Ukraine in the consideration of cases of certain norms of material law: Information letter of the Supreme Economic Court of Ukraine dated 07.17.2012 No. 01-06/928/2012. URL: [http://zakon1.rada.gov.ua/laws/show/v\\_928600-12](http://zakon1.rada.gov.ua/laws/show/v_928600-12).

22. On judicial practice in cases of compensation for moral (non-property) damage: Resolution of the Verkhov Plenum. of the Court of Ukraine dated March 31, 1995 No. 4. URL: <http://zakon2.rada.gov.ua/laws/show/v0004700-95>.

23. Recommendations regarding the order of application inflation indices during the consideration of court cases: Letter of the Supreme Court of Ukraine No. 62-97 dated April 3, 1997. URL: <http://zakon2.rada.gov.ua/laws/show/v2-97700-97>.

### *Literature*

#### *Basic literature*

1. Roman law through the prism of tradition and judicial practice: a monograph / edited by I Spasybo-Fateyeva I. V. Kharkiv: EKUS, 2022. 512 p.

2. Civil law (general part). Course of lectures: teaching. manual / edited by Spasybo-Fateyeva I. V. Kharkiv: EKUS, 2021. 448 p.

3. Civil law (special part). Course of lectures: teaching. manual / edited by Spasybo-Fateyeva I. V. Kharkiv: EKUS, 2022. 640 p.
4. Civil law of Ukraine: education. manual before making an introduction. exams for the master's degree in the format of external examinations / V. I. Borisova, K. Yu. Ivanova, B. P. Karnaukh, Yu. E. Khodyko. Kharkiv: Pravo, 2021. 396 p.
5. Civil law of Ukraine. Part two: manual. for preparation to exams / V. I. Borysova, K. Yu. Ivanova, B. P. Karnaukh, Yu. E. Khodyko; in general ed. V. I. Borysova. - 2nd ed., revision. and added Kharkiv: Pravo, 2020. 246 p.
6. Civil law of Ukraine: Textbook: In 2 volumes / V. I. Borisova. (head of author's group), L. M. Baranova, M. V. Domashenko, etc.; In general ed. V. I. Borysova, I. V. Spasio-Fateeva, V. L. Yarotskyi. 2nd ed., revised. and added Kharkiv: Pravo, 2014. T.1. 656 p.
7. Civil law: textbook: in 2 volumes / V.I. Borysova (head of author's group), L.M. Baranova, A.G. Biryukova and others; under the editorship V.I. Borysova, I. V. Spasio-Fateeva, V.L. Yarotsky 2nd ed., revised. and added Kharkiv: Pravo, 2014. T.2. 816 p.
8. Baranova L.N., Syrotenko S.E. Compensation for property and moral (non-property) damage [ch. 4, Ch. 3, § 5]. Kharkiv civil school: implementation and protection of intellectual property rights: monograph. Kharkiv: Pravo, 2018. P. 644-661.
9. Baranova L.N. The place of the contract in the regulation of non-contractual obligations: [ch. 3, Ch. 8, § 2]. Kharkiv civil school: about the treaty: monograph. Kharkiv: Pravo, 2017. P. 419–427.
10. Baranova L.N. Compensation for property damage: [ch. 2, Ch. 3, § 4]. Kharkiv civil school: protection of subjective civil rights and interests: monograph. Kharkiv: Pravo, 2014. P. 253–265.
11. Baranova L. M. Compensation for damages and other methods of compensation for property damage // Civil Code of Ukraine: scientific and practical commentary. T. 1: General provisions. Persons / edited by I. V. Spasio-

Fateeva. Kharkiv: EKUS, 2020. (Series "Comments and analytics"). P. 230-237.

12. The contract as a universal legal structure: monograph /A. P. Hetman, V. I. Borisova, O. P. Yevseev, etc.; under the editorship A. P. Hetman, V. I. Borysova. Kharkiv: Pravo, 2012. 432 p.

13. Contract law of Ukraine. General part: teaching. manual / edited by Dzery O. V. Kyiv: Yurinkom Inter, 2018. 896 p.

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*SENMK*

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## Appendix 1

### Map of subject competencies in the academic discipline

Code and name of competences by specialty and/or specialization	Code and name of competences from the academic discipline
<b>GC - general (universal) competences</b>	<b>SC - subject competences in the academic discipline</b>
GC 1. Ability to think critically, analyze and synthesize.	<p>SC1. Understanding the essence of the multifaceted theory of the concept of a civil contract as a legal fact, binding legal relationship and document.</p> <p>SC2. Understanding the peculiarities of the legal regulation of non-contractual obligations and the place of the contract in the regulation of these relations.</p> <p>SC3. Understanding the essence of the principle of justice, good faith and reasonableness and its importance in the field of contractual relations.</p> <p>SC4. The ability to systematically interpret the content of civil law contracts.</p> <p>SC5. The ability to characterize the participants of binding relations, to describe their rights and obligations.</p> <p>SC6. The ability to determine the grounds for invalidating a civil contract and apply the legal consequences of its invalidity.</p> <p>SC7. The ability to interpret the legal content of the categories "invalidity", "nullity" and "disputability" of the contract.</p>
GC 2. Ability to identify, pose and solve problems.	<p>SC11. Ability to apply civil law principles to resolve complex legal issues, including in situations of legal uncertainty.</p> <p>SC12. Knowledge of the mechanism for resolving legal conflicts in the legal regulation of contractual relations.</p> <p>SC14. The ability to take a creative approach in solving problematic issues in the field of application of the "invalidity" category.</p> <p>SC16. The ability to find effective ways to protect the rights of participants in contractual relations.</p>
GC 4. Ability to generate new ideas (creativity).	<p>SC11. Ability to apply civil law principles to resolve complex legal issues, including in situations of legal uncertainty.</p> <p>SC12. Knowledge of the mechanism for resolving legal conflicts in the legal regulation of contractual relations.</p> <p>SC13. Understanding the peculiarities of the legal regulation of non-contractual obligations and the place of the contract in the regulation of</p>

	<p>these relations.</p> <p>SC14. The ability to take a creative approach in solving problematic issues in the field of application of the "invalidity" category.</p>
GC 7. Ability to conduct research at an appropriate level.	<p>SC1. Understanding the essence of the multifaceted theory of the concept of a civil contract as a legal fact, binding legal relationship and document.</p> <p>SC7. The ability to interpret the legal content of the categories "invalidity", "nullity" and "disputability" of the contract.</p> <p>SC10. The ability to carry out an independent analysis of civil legislation in the field of regulation of non-contractual obligations.</p>
GC 9. The ability to solve problems of an innovative nature and to find alternative solutions in professional activities.	<p>SC17. The ability to independently develop drafts of various civil law contracts, taking into account the principle of freedom of contract and its limits.</p> <p>SC18. Knowledge and understanding of the criteria for distinguishing contractual and non-contractual obligations and their meaning.</p> <p>SC19. Knowledge of the system of contractual relations and the ability to correctly qualify civil law contracts.</p>
GC 10. The ability to work (collect, receive, systematize and synthesize) with various information and large volumes of information from various sources, analyze and critically and constructively evaluate it, taking into account the cross-cultural characteristics of the subjects of international relations.	<p>SC8. Ability to navigate the system of civil legislation of Ukraine.</p> <p>SC9. The ability to analyze and evaluate the impact of the Convention on the Protection of Human Rights and Fundamental Freedoms, as well as the practice of the European Court of Human Rights on the development of the institution of tortious obligations.</p> <p>SC10. The ability to carry out an independent analysis of civil legislation in the field of regulation of non-contractual obligations.</p>
GC 12. The ability to formulate a personal opinion and present it with evidence.	<p>SC15. The ability to formulate a personal opinion and present it with evidence when examining the essence and content of civil law contracts.</p> <p>SC16. The ability to find effective ways to protect the rights of participants in contractual relations.</p>
GC 13. Ability to continuous self-education and self-improvement.	<p>SC9. The ability to analyze and evaluate the impact of the Convention on the Protection of Human Rights and Fundamental Freedoms, as well as the practice of the European Court of Human Rights on the development of the institution of tortious obligations.</p> <p>SC10. The ability to carry out an independent analysis of civil legislation in the field of regulation of non-contractual obligations.</p> <p>SC11. Ability to apply civil law principles to</p>

	<p>resolve complex legal issues, including in situations of legal uncertainty.</p> <p>SC16. The ability to find effective ways to protect the rights of participants in contractual relations.</p>
<b>Special (professional, subject) competences (SC)</b>	
<p>SC 4. The ability to comprehensively use highly specialized knowledge in specific areas of regulation of international public law, international private law, and European law to solve applied problems.</p>	<p>SC1. Understanding the essence of the multifaceted theory of the concept of a civil contract as a legal fact, binding legal relationship and document.</p> <p>SC2. Understanding the peculiarities of the legal regulation of non-contractual obligations and the place of the contract in the regulation of these relations.</p> <p>SC8. Ability to navigate the system of civil legislation of Ukraine.</p> <p>SC10. The ability to carry out an independent analysis of civil legislation in the field of regulation of non-contractual obligations.</p> <p>SC12. Knowledge of the mechanism for resolving legal conflicts in the legal regulation of contractual relations.</p>
<p>SC 5. The ability to effectively ensure the adaptation of Ukrainian legislation to EU law in law-making, law-interpreting and law-enforcing contexts, to provide legal support to European integration and Euro-Atlantic processes in various spheres of social relations.</p>	<p>SC3. Understanding the essence of the principle of justice, good faith and reasonableness and its importance in the field of contractual relations.</p> <p>SC8. Ability to navigate the system of civil legislation of Ukraine.</p> <p>SC9. The ability to analyze and evaluate the impact of the Convention on the Protection of Human Rights and Fundamental Freedoms, as well as the practice of the European Court of Human Rights on the development of the institution of tortious obligations.</p> <p>SC11. Ability to apply civil law principles to resolve complex legal issues, including in situations of legal uncertainty.</p>
<p>SC 11. The ability to ensure the implementation of international legal standards in certain areas of national legislation.</p>	<p>SC1. Understanding the essence of the multifaceted theory of the concept of a civil contract as a legal fact, binding legal relationship and document.</p> <p>SC3. Understanding the essence of the principle of justice, good faith and reasonableness and its importance in the field of contractual relations.</p> <p>SC5. The ability to characterize the participants of binding relations, to describe their rights and obligations.</p> <p>SC13. Understanding the peculiarities of the legal regulation of non-contractual obligations and the place of the contract in the regulation of these relations.</p>
<p>SC 12. Ability to conduct research and/or</p>	<p>SC4. The ability to systematically interpret the</p>

<p>introduce innovations in various fields and institutions of public international law, private international law, EU law.</p>	<p>content of civil law contracts. SC9. The ability to analyze and evaluate the impact of the Convention on the Protection of Human Rights and Fundamental Freedoms, as well as the practice of the European Court of Human Rights on the development of the institution of tortious obligations.</p>
<p>SC 13. Ability to formulate proposals for improvement and establishment of synergy between international and national law-making and law-enforcement processes.</p>	<p>SC7. The ability to interpret the legal content of the categories "invalidity", "nullity" and "disputability" of the contract. SC8. Ability to navigate the system of civil legislation of Ukraine. SC9. The ability to analyze and evaluate the impact of the Convention on the Protection of Human Rights and Fundamental Freedoms, as well as the practice of the European Court of Human Rights on the development of the institution of tortious obligations. SC14. The ability to take a creative approach in solving problematic issues in the field of application of the "invalidity" category.</p>
<p>SC. 15. The ability to make decisions in situations that require a systematic, logical and functional interpretation of the norms of international law (public/private), the law of the European Union, as well as an understanding of the peculiarities of the practice of their application.</p>	<p>SC3. Understanding the essence of the principle of justice, good faith and reasonableness and its importance in the field of contractual relations. SC4. The ability to systematically interpret the content of civil law contracts. SC7. The ability to interpret the legal content of the categories "invalidity", "nullity" and "disputability" of the contract.</p>
<p>SC 19. The ability to self-study, receive lifelong education, improve and improve the level of one's qualifications.</p>	<p>SC16. The ability to find effective ways to protect the rights of participants in contractual relations. SC17. The ability to independently develop drafts of various civil law contracts, taking into account the principle of freedom of contract and its limits. SC18. Knowledge and understanding of the criteria for distinguishing contractual and non-contractual obligations and their meaning. SC19. Knowledge of the system of contractual relations and the ability to correctly qualify civil law contracts.</p>
<p>SC 20. The ability to provide a proper legal assessment of evidence in a legal case and in a specific procedural situation, the ability to work with evidence, to solve problems related to the planning and organization of the legal process, the resolution of a legal case within different jurisdictions.</p>	<p>SC6. The ability to determine the grounds for invalidating a civil contract and apply the legal consequences of its invalidity. SC15. The ability to formulate a personal opinion and present it with evidence when examining the essence and content of civil law contracts. SC16. The ability to find effective ways to protect the rights of participants in contractual relations.</p>



		the application of Art. 1 of Protocol 1 to the Convention on the Protection of Human Rights and Fundamental Freedoms.
PTO 7. To make informed decisions based on the acquired knowledge of international public, private and EU law and to be aware of their consequences for various subjects of national and international law.	No. 1	LOR AD 1.9. Demonstrate the skills of collecting and analyzing precedent practice of the European Court of Human Rights regarding the application of Art. 1 of Protocol 1 to the Convention on the Protection of Human Rights and Fundamental Freedoms.
	No. 2	LOR AD 2.1. Understand the general principles (principles) of contract law and their meaning when concluding unnamed contracts. LOR AD 2.2. Provide convincing arguments when interpreting the contract, taking into account the rules of the relationship between the contract and the act of civil legislation (Article 6 of the Civil Code of Ukraine). LOR AD 2.3. Reasonably formulate your position on issues of conclusion, modification and termination of the contract. LOR AD 2.4. Analyze the nature (type) and content of a civil contract. LOR AD 2.5. Demonstrate an understanding of the content of individual types and types of civil law contracts and the ability to distinguish between them.
PTO 9. To understand the mechanism and consequences of the implementation of norms of international treaties, acts of international intergovernmental organizations, decisions of international courts into the national legal order.	No. 1	LOR AD 1.9. Demonstrate the skills of collecting and analyzing precedent practice of the European Court of Human Rights regarding the application of Art. 1 of Protocol 1 to the Convention on the Protection of Human Rights and Fundamental Freedoms.
	No. 2	LOR AD 2.6. Generate new ideas and use the legal positions of the Supreme Court regarding the essence of the civil law category "invalidity". LOR AD 2.7. Demonstrate an understanding of the peculiarities of concluding and executing a contract in the field of electronic commerce.
PTO 11. To demonstrate communication skills with representatives of other professional groups of different levels, other fields of knowledge and types of activities, as well as the ability to work in an international, intercultural environment; to organize and conduct negotiations.	No. 2	LOR AD 2.8. Demonstrate skills in drafting civil legal contracts.
	No. 3	LOR AD 3.1. Demonstrate an understanding of the system of non-contractual obligations and the reasons for their occurrence. LOR AD 3.4. Analyze and evaluate the judicial practice of the application of certain institutions of non-contractual law.
PTO 13. To acquire new knowledge throughout life, to	No. 3	LOR AD 3.2. Demonstrate an understanding of the content of tort obligations and their





