



"Constantin Brancuși" University
of Târgu - Jiu
Faculty of Juridical Sciences

The 1st International Scientific Conference
„The Role and Place of Law in a Society Based on Knowledge”
Târgu-Jiu, Gorj country, Romania
March, 27-28, 2009



Masaryk University
Czech Republic
Faculty of Law

**THE IMPLICATIONS OF THE LAW IN THE DEVELOPMENT OF THE SOCIETY
BASED ON KNOWLEDGE**

27. 03. 2009, 11¹⁵ -14¹⁵

Amphitheatre “Grigore Iunian”
Faculty of Juridical Sciences, 24 Victoria Street, Tg-Jiu, Gorj

President: Prof. univ. dr. Moise BOJINCĂ
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Prof. univ. dr. Moise BOJINCĂ, Faculty of Juridical Sciences, „Constantin Brancusi”
University of Târgu-Jiu, Romania

***SOME CONSIDERATIONS REGARDING THE DEVELOPMENT OF ROMANIAN
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Ph. D Associate Professor Snežana BRKIĆ, Faculty of Law, University of Novi Sad,
Republic of Serbia

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Sorin POPESCU, Secretary of State, Chairman of section, Legislative Council, Romania
Cătălin CIORA, Counselor, Head of Sector, Legislative Council, Romania

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BASED ON KNOWLEDGE***

Prof. univ. dr. Nicolae MISCHIE, Faculty of Juridical Sciences, „Constantin Brancusi”
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XX CENTURY***

Mgr. Martin ORGONÍK, Faculty of Law, Masaryk University, Brno, [Czech](#) Republic

POTENTIALITIES OF ECONOMIC ANALYSIS OF INTERNATIONAL TRADE LAW



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THE PROGRESSIVE OFFENCE. REFLECTIONS

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***THE IMPACT OF ADMINISTRATIVE PROCEDURES REGULATION ON KNOWLEDGE-
BASE SOCIETY DEVELOPMENT***

Lect. univ. Ana Maria DIACONU, Faculty of Juridical Sciences, „Constantin Brancuși”
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THE EUROPEAN COURT OF HUMAN RIGHTS***

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THE ROMANIAN LAW PROTECTS WRITTEN CULTURE

Research Assitant Mojmir SABOLOVIC, Faculty of Law, Masaryk University, Brno,
Czech Republic

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Ing. Eva TOMÁŠKOVÁ, Ph.D., Faculty of Law, Masaryk University, Brno, Czech Republic

***IMPLICATIONS OF THE LAW IN DOING BUSINESS IN THE CZECH REPUBLIC AND
ROMANIA***



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Cons. Jr. Augustina BUȘAN, Chamber of Commerce and Industry Gorj, Romania

LEGAL FIELD OF ACCESS TO INFORMATION AND DEVELOPEMENT

Lect. univ. dr. Anica MERIȘESCU, Faculty of Law -Târgu-Jiu, “Titu Maiorescu” University of Bucharest, Romania

WILL FULFILMENT

Lect. univ. drd. Rodica PEPTAN, Faculty of Juridical Sciences, „Constantin Brancusi” University of Târgu-Jiu, Romania

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Marieta-Valerica DUMITRESCU, Parliamentary Adviser, Legislative department - Chamber of Deputies

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TECHNIQUES OF ADAPTING THE POSITIVE RIGHT TO THE REALITY SOCIAL PHENOMENON

Asist. univ. drd. Liliana MĂNUC, Faculty of Law and Public Administration, Spiru Haret University of Bucharest, Romania

SPECIFIC FEATURES OF THE ABILITY OF ANTICIPATED USE



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***THE THEORETICAL AND PRACTICAL ASPECTS CONCERNING THE COMPRISING
OF THE REAL ESTATES WITHIN THE GOODWILL***



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THE CURRENT BASIS OF LEGAL LIABILITY

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Doc. JUDr. Věra KALVODOVÁ Dr., Faculty of Law, Masaryk University, Brno, Czech
Republic

CRIMINAL LIABILITY IN THE NEW CZECH CRIMINAL CODE

Prof. univ. dr. Pantelimon MANTA, Faculty of Juridical Sciences, „Constantin Brancusi”
University of Târgu-Jiu, Romania

***PATRIMONIAL RESPONSIBILITY OF THE EMPLOYEES AND PUBLIC WORKERS
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REGULATIONS***

J.S.D. Sandra FABIJANIC GAGRO, Faculty of Law, University of Rijeka, Republic of
Croatia

THE CRIMES AGAINST HUMANITY IN THE CASE-LAW OF ICTY AND ICR

Conf. univ. dr. Livia MOCANU, Faculty of Juridical, Social and Political Sciences, „Valahia”
University of Târgoviște, Romania

DELICTUAL CIVIL LIABILITY FOR NUCLEAR DAMAGES

Lect. univ. dr. Emanoil POPESCU, Ecological University of Bucharest, Romania

WORK CONTRACTS AND ABUSE OF RIGHT

Lect. univ. dr. Lavinia VLADILA, Faculty of Juridical, Social and Political Sciences,
„Valahia” University of Târgoviște, Romania

MITIGATING CIRCUMSTANCES – ASPECTS OF COMPARATIVE LAW



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THE CONTRAVENTIONAL LIABILITY IN THE ENVIRONMENTAL LAW

Asist. univ. drd. Nadia Elena DODESCU, Faculty of Law -Târgu-Jiu, “Titu Maiorescu”
University Bucharest, Romania

***THE CRIMINAL RESPONSIBILITY OF JURIDICAL PERSONS IN THE ROMANIAN
CRIMINAL LAW***

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Romania

***CONSIDERATIONS REGARDING THE PATRIMONIAL LIABILITY OF THE EMPLOYEE
IN THE VISION OF NEW STIPULATIONS OF THE LABOUR CODE***

Asist. univ. drd. Mihai Raul SECULA, Faculty of Law -Târgu-Jiu, “Titu Maiorescu”
University Bucharest, Romania

Jr. Loredana Gheorghita SECULA, Faculty of Juridical Sciences, „Constantin Brancuși”
University of Târgu-Jiu, Romania

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Asist. univ. drd. Denisa TUDORACHE RADULESCU, Faculty of Juridical, Social
and Political Sciences, „Valahia” University of Târgoviște, Romania

***THE CRIMES STIPULATED IN THE ROMANIAN PENAL CODE IN REPORT WITH THE
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Mgr. Petra JELÍNKOVÁ, Faculty of Law, Masaryk University, Brno, Czech Republic

***THE CZECH FUNDAMENTAL OPINION DEALING WITH THE LIABILITY OF
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Drd. Florin ENCESCU, Judge, President of the Court of Law Gorj, Romania

THE THEORETICAL AND PRACTICAL CURRENT ISSUES OF THE INSTITUTION OF POSTPONEMENT, INTERRUPTION OF THE EXECUTION OF PUNISHMENT FOR MEDICAL REASONS

Constantin NICOLESCU, Chief Commissioner of Police, Chief Inspector, I.P. G. Gorj, Romania

PENAL LIABILITY OF THE UNDER AGE

Petre Cornel FILIP, Comisary of police I.P.J. Gorj, Romania

STAGES OF MONEY LAUNDERING

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FORMALISM OF GRANT ACT

Lect. univ. dr. Rada POSTOLACHE, Lect. univ. dr. Manuela NIȚĂ, Faculty of Juridical, Social and Political Sciences, „Valahia” University of Târgoviște, Romania

OBLIGATIONS OF THE CREDIT INSTITUTIONS WITHIN FISCAL PROCEDURES – NORMATIVE DIMENSION

Lect. univ. dr. Roxana DRUMEA, „Spiru Haret” University, Constanta, Romania

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Prep. univ. Stefania Alina BRODAC, Faculty of Juridical, Social and Political Sciences,
„Valahia” University of Târgoviște, Romania

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Drd. Diana Elena MOREGA RĂDUCANU, Advocate, Gorj Bar, Romania

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Marcela PÎRVU, First Prosecutor, Prosecutor's Office Nearby The Court of Law of Caraș Severin
Town, PhD, PhD School of Law, West University of Timișoara, Romania

JURIDICAL NATURE OF GOOD FAITH

Drd. Adelin UNGUREANU, „Constantin Brâncuși” University of Tg-Jiu, Romania

ILLEGAL CONDUCT – A CAUSE OF JURIDICAL LIABILITY



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THE CITIZENSHIP. THE RIGHTS AND CIVIL LIBERTIES

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THE LEGAL CONNECTION BETWEEN TERRORISM AND POLITICAL RIGHTS

Prof. univ. dr. Nicolae BRÂNZAN, Faculty of Juridical Sciences, “Constantin Brancusi”
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THE CREATIVITY IN SOCIAL LIFE

Maître de conférences en droit public Nathalie DEFFAINS, Deputy Director, The
Institute for Research on the Development of Nation and State, Faculty of Law, Economics and
Management, Nancy University

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Prof. univ. dr. Grigore DRONDOE, Faculty of Juridical Sciences, “Constantin Brancusi”
University of Târgu-Jiu, Romania

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Conf. univ. dr. Petre DUNGAN, Faculty of Law and Administrative Sciences, West
University of Timisoara, Romania

***TERRORISM – TRANSNATIONAL PHENOMENON. SPECIFIC REGULATIONS IN
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Mgr. Michaela MOŽDIÁKOVÁ, Mgr. Alena SALINKOVÁ, Faculty of Law,
Masaryk University, Brno, Czech Republic

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Lect. univ. drd. Adriana Elena BELU, Faculty of Law and Public Administration- Craiova,
Spiru Haret University of Bucharest, Romania

Prof. univ. dr. Constantin BELU, Faculty of Law and Administrative Sciences, „Nicolae
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RIGHT TO STRIKE – SUBJECTIVE CONSTITUTIONAL RIGHT COLLECTIVELY EXERCISED

Lect. univ. dr. Mariana CIOCOIU, Faculty of Law and Public Administration- Craiova, Spiru
Haret University of Bucharest, Romania

Jr. Adela CIOCOIU

INSTITUTION OF ADOPTION – EVOLUTION, STRUCTURE AND SOCIAL IMPORTANCE

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Lect. univ. Alin-Gheorghe GAVRILESCU, Faculty of Juridical Sciences, „Constantin
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PARENTAL RIGHTS OVER THE CHILD’S GOODS IN THE ROMANIAN LAW AND IN THE FRENCH, BELGIAN AND ITALIAN LAW



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A CLASSIFICATION OF THE SUBJECTIVE RIGHTS FROM THE POINT OF VIEW OF THE GENERAL THEORY OF RIGHTS

Ramona RĂSCOL, Subinspector, Service M.O.C.P.R , I.P.J.GORJ, Romania

EUROPEAN CITIZENSHIP AS JURIDICAL STATUS

Drd. Elena Camelia ȚÂRLEA

RIGHT TO LIFE, BODILY INTEGRITY AND HEALTH, HUMAN RIGHTS MEETING IN THE OBJECT OF CRIMES AGAINST LIFE, BODY INTEGRITY AND HEALTH OF THE PERSON

Asist. univ. Beatrice – Daiana DASCĂLU, Asist. univ. Laurențiu Marius ȘOȘOI, Faculty of Law in Târgu-Jiu, “Titu Maiorescu” University of Bucharest, Romania

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Mircea HOTOBOC, Advocate, Hunedoara Bar, Romania

TERORISM – WEAPON AGAINST PEACE

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Mediator Dumitru-Gabriel ROȘCA, Mediation Center Gorj, Romania

THE IMPORTANCE AND UTILITY OF MEDIATION IN SOCIETY

Lect. univ. dr. Nicu DURET, „Danubius” University of Galați ,Advocate Bar Galați, Romania

CHANGING THE NAME AND FAMILY NAME BY ADMINIDSTRATIVE WAY



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Advocate Bar Galați, Romania

***CHANGING THE NAME OF THE FAMILY CAUSED CHANGES OF AFFILIATION AND
INSTITUTION OF ADOPTION***

Prep. univ. drd. Alexandru JĂDĂNEANT, Faculty of Political Sciences, Philosophy and
Communication, West-University Timisoara, Romania

ON THE LEGAL STATUS OF CITIZENSHIP



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JUSTICE IN THE STATE OF LAW

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LAW STATE – INSTITUTIONAL SYSTEM OR THEORETICAL CONSTRUCTION ?

Prof. univ. dr. Ovidiu PREDESCU, Deputy Chief Editor of the Review "The Law" and “The Criminal Law Review” , Vice Rector of scientific research of the University “George Baritiu "of Brasov, Romania

COMPARISON BETWEEN SPECIAL TECHNIQUES OF INVESTIGATION USED IN NATIONAL SECURITY AND THOSE USED IN CRIMINAL TRIAL

JUDr. Vlastimil GÖTTINGER, Faculty of Law, Masaryk University, Brno, Czech Republic

LEGAL GAPS REVIEW: QUESTIONING THE DIVISION OF POWERS WITHIN THE RULE-OF-LAW STATE

Prof. univ. dr. Mircea CRISTE, West University of Timisoara and The University December 1st 1918 of Alba Iulia, Romania

THE DIFFICULT TRANSFORMATION OF THE ROMANIAN JUDGE IN A CONSTITUTIONAL JUDGE

JUDr. David SEHNALEK, Ph.D., Faculty of Law, Masaryk University, Brno, Czech Republic

THE REFERENCE FOR A PRELIMINARY RULING AND THE RIGHT TO A STATUTORY JUDGE – IS THE CZECH JUSTICE MORE EUROPEAN THAN THE EUROPEAN UNION AGAIN?



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EXPROPRIATION DUE TO PUBLIC UTILITY REGULATED BY LAW 106/2008

Lect. univ. drd. Georgeta Valeria SABĂU, University „Vasile Goldiș” of Arad, Romania

LAUNDERING THE PRODUCT OF THE CRIME

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CONSUMER PROTECTION IN CZECH CIVIL LAW

Mgr. Terezie SMEJKALOVÁ Faculty of Law, Masaryk University, Brno, Czech Republic

NATURE OF UNIFYING OPINIONS OF CZECH SUPREME COURTS

Veronica GAL, Public Prosecutor Prosecutors’ Offices Nearby the Court of Law of Petrosani Town,
Romania

JUDICIAL SYSTEM FOR MINOR CHILDREN IN THE CONSTITUTIONAL STATE

Lect. univ. dr. Mircea TUTUNARU, Faculty of Law -Târgu-Jiu, “Titu Maiorescu” University
Bucharest, Romania

IDEOLOGICALLY AND LEGALLY PREMISES OF THE LAW STATE

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ADMINISTRATIVE JUSTICE IN ITALY



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ILLEGAL FISHING, UNDECLARED AND UNREGULATED

Asist. univ. drd. Gheorghe CIOBANU, Faculty of Juridical Sciences, „Constantin Brancusi” University of Tg-Jiu, Romania

CURRENT PROBLEMS REGARDING THE COOPERATION IN PENAL DOMAIN OF THE EU MEMBER STATES

Asit. univ. Ana Daniela BOBARU, Faculty of Juridical Sciences, „Constantin Brancusi” University of Tg-Jiu, Romania

CONSIDERATIONS ON THE NEW EUROPEAN CONVENTION ON THE ADOPTION OF CHILDREN- STRASBOURG, 7 MAI 2008



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CURRENT PROBLEMS OF EUROPEAN LAW

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***NEW DIRECTIVES IN COMMUNITY LABOUR LAW AND THEIR IMPACT ON THE
INTERNAL LEGISLATION***

Prof. univ. dr. Ion M. ANGHEL, Faculty of Law, “Titu Maiorescu” University Bucharest,
Romania

***THE EUROPEAN UNION AND ITS INSTITUTIONS COMPETENCES UNDER THE
LISBON TREATY***

Prof. univ. dr. Andrei POPESCU,

***LISBON TREATY – MODIFICATION AND TRANSFORMATION OF THE EUROPEAN
UNION ?***

Maître de conférences **Didier BLANC** Faculty of Law and Political Science, Versailles Saint-
Quentin-en-Yvelines University, France

***WHO ELABORATES THE EUROPEAN LAW? EUROPEAN PARLIAMENT AND THE
ORDINARY LEGISLATIVE PROCEDURE PROVISIONED BY THE LISBON TREATY***

Prof. univ. dr. Constantin BELU, Faculty of Law and Administrative Sciences, „Nicolae
Titulescu” University of Craiova, Romania

Lect. univ. drd. Adriana Elena BELU, Faculty of Law and Public Administration - Craiova,
Spiru Haret University of Bucharest, Romania

SOCIAL PROTECTION OF UNEMPLOYEDS IN EUROPE



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The 1st International Scientific Conference
„The Role and Place of Law in a Society Based on Knowledge”
Târgu-Jiu, Gorj country, Romania
March, 27-28, 2009



Masaryk University
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Conf. univ. dr. Vasile CIUVĂȚ, Faculty of Law-Tg-Jiu, “Titu Maiorescu” University
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EUROPEAN UNION***

Conf. univ. dr. Dumitru Adrian CRĂCIUNESCU, University „Vasile Goldiș” of Arad,
Romania

***THE APPLICABILITY OF THE COMMUNITY INSTITUTIONAL LAW BY NATIONAL
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27. 03. 2009, 15⁴⁵ -19⁰⁰

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LAW***

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