

Book of Abstracts



Spiru Haret University Romania
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announce:

The 1st Conference on
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„Advanced Studies in Law and Economics”**

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**The 1st Conference on
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SECTION ADVANCED STUDIES IN ECONOMICS



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Performance Management

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Keywords: management, performance, organization, employees, objectives, benefits

Performance management (PM) includes activities which ensure that goals are consistently being met in an effective and efficient manner. Performance management can focus on the performance of an organization, a department, employee, or even the processes to build a product or service, as well as many other areas.

PM is also known as a process by which organizations align their resources, systems and employees to strategic. Performance management is not an annual appraisal meeting. It is not preparing for that meeting nor is it a self evaluation. It's not a form nor is it a measuring tool. The performance management system may contain all of these components, but it is the overall system that matters, not the individual components.

This article aims to make a brief review of performance management in companies, schools, sports teams, health units, objectives and benefits of performance management.

The Tax and Accountancy Treatment of Discount-Vouchers during the Economic Crisis

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Keywords: voucher, discount system, taxation, accounting

Within one firm in full economic crisis, every merchant seeks solutions for survival and sales growth. The companies with activities in retail are campaigning their own promotion in which they offer to private customers, depending on the value of purchases made in company's store, vouchers which entitle the holders to

receive a price reduction on further acquisitions of products within the company's stores. The company also organizes with its suppliers some marketing campaigns in order to stimulate sales in which they offer to end customers' vouchers that can be used by them to purchase products from the company's stores. The Company cannot provide, upon request, a document or a report attesting that a price reduction was allocated to a particular product.

For the purpose of this report the provided vouchers which entitle end user customers to a price reduction on the purchase of products from the company's stores are called "Discount voucher".

Discount Vouchers include all the particulars of the company, the identification of the person who uses it (name, PIN, residence), the price reduction percentage, the shop where the reduction is applicable, etc.

The sale of vouchers involves adaptations of IT and cash registers system, which leads to implications in terms of accounting and tax, arising from the implementation of these campaigns.

The Development of Accounting in Time

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Keywords: accounting, history, double – entry, accounting development.

This article intends to promote accounting history from the beginning until now. In this article, we will follow accounting from its roots in ancient times to the modern profession that we now depend on.

The early development of accounting dates back to ancient Mesopotamia. Accounting as science appears only in 1494, when in the Italian city of Venice, the monk and mathematician Luca Pacioli, later called the "father of accounting" for its pioneering contributions in this field, published two treatises: "Summa of arithmetic, geometry, proportionate et proportionality" and "Divine proportionate". In this treatise was a chapter called "Treaty particular accounts and records "(Tractatus peculiaris of computis et scripturis) reviewing the practices of Venetian merchants at the time, and double entry accounting peculiarities. After the appearance of this treaty, translation and dissemination led to the development of accounting at higher rates.

In the Romanian space, the first works accounting appeared only nineteenth century, with a delay of almost three centuries against Western European countries, accounting in most translations of books of accounts, written by French, German or Italian. In these latter days, accounting is the language of business and of all financial operations.

Emotional and Psychological Appeals - Codes of Nonverbal Communication in Advertising and Marketing

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Keywords: nonverbal communication, messages, marketing, emotional, psychological profile

In interaction, the non-verbal elements are dominant, verbal and non-verbal communication supporting each another in order to render messages complete, productive, and understandable.

Nonverbal communication is meant to emphasize the verbal messages, to complete message conveyed orally, to contradict some aspects of verbal communication to regulate the flow of communication.

By means of nonverbal communication they transmit marketing messages by which they manipulate the consumers' perceptions of products or services, persuade customers to purchase or dissuade them not to resist temptation, because such messages speak to people through a subconscious language.

Rather claimed by Economics, as part of the marketing strategy, than by sociology or psychology, advertising, which more and more specialists in the field ascribe to Sociology of Communication and Applied Psychology, also relies on emotions and communicates through symbols, design, colour, emotional appeals, as part of the vocabulary of emotional marketing.

Marketing approaches are most often emotional as the case stands with common, ordinary, everyday commodities or, conversely, if a product is unique and very expensive.

Psychological barriers must be swept away; trust must be built by understanding and trying to eliminate the customer's specific anxieties or remorse after the purchase - financial decisions are emotional decisions - when it comes to big purchases.

The relation between marketing as part of economic activity and sciences such as Psychology or Sociology is by far obvious in that the first relies its strategy on understand things such as the customers' psychological profile.

The paper tackles, from a psychological point of view, some codes of nonverbal communication in used in advertising and marketing being common knowledge that the purchase process begins with the awareness of a need, when the person in question notes the difference between what he has and what he wants to have.

Assessment of Economic Indicators for Evaluation of Financial Performance

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Keywords: effectiveness, performance, efficiency, results.

The term performance is used as a general measure in different fields of activity. But, in fact, the term of economic performance includes a series of approaches and methods for quantifying, which differ especially according to the person who appreciates the performance.

There are classical ratios of performance measurement, to which research literature has assigned a wide range of analysis and there are modern financial ratios, too.

Concerning modern financial ratios, it is easy to measure the company's performance from the point of view of its shareholders and it is difficult to measure it from the point of view of the other company's partners, because the satisfaction of these collaborators concerning the company is appreciated on the strength of some unmeasurable criteria or on the strength of some difficult to measure criteria: (the confidence in the company, the quality agreement with the company, the tradition of the business firms etc).

In a competition environment, the performance cannot be presented without being placed in the context of some essential economic imperatives that is effectiveness and efficacy.

Any business plan involves an investment which has a consequence the expected result of the investor.

The bigger is the result, the newer resources can appear which will be available for other investments for different purposes: the collaborators' encouragement, the individual development, the resource creation system.

Basis of the Accounting Policies Manual According to the EEC Regulations, Approved by OMFP No.1802/2014

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Keywords: accounting policies, accounting treatments, accounting principles, accounting information

The article refers to the basis of the accounting policies manual, taking into account that the topic is legislatively regulated, but it is not put into practice according to these regulations.

Establishing the accounting policies represented a new task for the accounting professionals according to the Order of Ministry of Public Finance no. 3055/2009. Thus, the need for establishing and approving the adequate accounting policies when applying accounting regulations in accordance with the European directives, has been put into practice from 1 January 2010 and has requested their elaboration considering the specific of the activity, by economic and technical specialists, knowers of the activity carried out by the organization, and of the adopted strategy.

According to the latest regulations, units are required to gather in a manual all the principles, conventions and rules that they apply when performing accounting operations, from preparation of supporting documents to the completion of quarterly and annual financial statements.

Besides the fact that it must be adapted to the company objective, this manual is required to comply with the latest legislative changes that have affected the entity and shall also be in accordance with EEC regulations, approved by Order no. 1802/2014 and amended starting with 1 January 2015.

In conclusion, we can say that the Accounting Policies Manual is an extremely useful tool for the beneficiaries of the accounting information which allows unitary application of appropriate accounting treatments, ensuring continuity of these treatments in case of reorganization or consolidation.

Developing a Java Application for Distributive Computations Using Semantic Schemas

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Keywords: master schema, slave schema, semantic schema, master-slave system, Knowledge-Based System.

In this paper I describe an implementation of the Java application for distributive computations using semantic schemas.

The application uses the model of distributive system and it is implemented in Java. It contains the server and the client application. A master-slave system is a cooperating system of semantic schema. One of the components is the master of

the system and the other components are named the slaves of the system. Both the server side and the client side of the application are described.

Knowledge Management for Virtual Organizations

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Keywords: management, virtual organization, knowledge-based management

The dynamism of the economic environment and the development of computer technology have led to the birth of a new type of organization called virtual organization that is functioning in a knowledge-based society.

The paper intends to develop scientific research to explain the crucial role that the virtual organization holds in the current knowledge-based economy and in the shaping of a new technology-based future.

The article emphasizes on identifying the possibilities to accomplish a knowledge-based management and to assist knowledge-based management using specific models, methods and especially knowledge-based systems.

The Stages of Program Management Control System Implementation - Case Study

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Keywords: governance, corporate governance, risk management, internal (managerial) control.

Among governance and risk management, internal control represents the third major component of corporate governance.

In terms of the current legislation, the reorganization of the internal control system in European manner is necessary, meaning that the law provides only general and specific tasks of internal control and its organization and exercise remain available to the general management of the public entity.

The present paper highlights the ensuring of implementation of the internal (managerial) control system.

Restructuring of Bank Management under Increased Banking Risks

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Keywords: bank management, interest risk, bank risks management, bank performances, liquidity risk

The work begins from the organization mode of the bank management which is organized in the form of a pyramid that contain on the top, the management at the level of the headquarter of the bank (the chairman, the executive chairman, the vice chairmen), at the middle, the management at the level of the directions from the headquarters and of the branches (directions executive directors, branches executive directors) and at the bottom, the operational activities management.

For understanding much better the conception of the bank management which contain: the own assets management, the bank liabilities management, the bank risks management, the human resources management and the bank performances management.

The objective of the work consists in the understanding of the principles and the functions of the bank management, the highlighting of the bank management structure, the analysis of the modern instruments of the bank management, the management methods knowledge of the liquidity risk, the acquisition of the models for analyzing the gain risk.

Outward Processing Transactions - Characteristics and Perspectives

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Key words: added value, labor force, import, export.

Given the increased competition in international markets, EU producers have resorted to transfer to third countries with lower wage costs on trade and lower added value, the intense manpower production, as it is the case of textile and shoe industry.

This transfer is achieved, among others, through loan system (Outward Processing Transactions), called Outward Processing Transactions - OPT in English and Traffic de Perfectionnement Passif – TPP in French.

According to this system, the raw material and models are provided by the EU partner company and the third country manufacturer only contributes with labor force in order to achieve the finite product. OTP operations of the Community companies have mainly focused on the countries of Central and Eastern Europe (CEE).

Comparative Study on the Socio-Economic Status of Dolj Region the Current Economic Crisis

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Keywords: net investment volume indices of investment, unemployment rate, industrial production, turnover, average earnings.

Almost every field of human activity there are concerns about malfunctions that may occur within it and, therefore, studying the causes and manifestations of how their appearance, their consequences.

Crises are such failures. Economists' crisis analyzes specific criteria, assigning characteristics of phenomena with adverse consequences for organizations, institutions and social groups affected: inflation, unemployment, stagnation, recession etc.

Therefore, proper management of financial crises requires not only policies and strategies for its prevention, and management methods appropriate to the type of crisis.

Taking into account the role and importance of economic stability - a state financial analysis of financial crises is of particular interest.

Economic policies take into account the increasingly more provisions of the sustainable development concept, adopted and applied in recent years by most states as the basis of their economic development into perspective recent years.

This has resulted, on the one hand, by using the economic processes of those ways in which activities are sustainable, sustainable can ensure environmental protection and on the other hand, by rational use of natural resources, especially those with potential economic value and limited in time, in order to achieve the most efficient use of it.

Operational Management with Geographical Information System to Decrease Criminality

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Keywords: Geographical Information System, Operational Management, geo – referenced databases

This paper describes the development of web – GIS solution of Operational Management, which increase a full information management: operational planning, resource management, monitoring vehicles supplied and dispatching incidents.

GIS Technology, using geo – referenced databases (by coordinates), will contribute to the deterring criminality phenomenon, increase efficiency services to ensure silence and orderliness.

Methods and Software Tools for the Development of Compress Natural Gas Storage

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Keywords: Maple program, algorithm, IT tool, optimal design, optimal size.

This paper presents methods for optimizing the natural gas tank shape by calculating formulas, algorithms, numerical calculating programs in the Maple programming language.

The notion of optimization involves finding a shape of the tank or in generating geometric dimensions that meet a number of requirements imposed by objective functions under the action of charging and given restrictions to which the structure is subject.

Illegal Migration - Destabilizing Factor in the European and World

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Keywords: illegal migration, cross-border crime, organized criminal groups, smuggling

As can be seen, the world's population currently has increased considerably, exceeding seven billion people. This determined the concern vital resource discovery and use of human existence worldwide, interpersonal tensions, economic domination trends, financial, political and even military at interstate level, regional and even global. And all these factors destabilizing the world order (the already precarious) were new and extremely dangerous radical elements - principles and religious radicalism, which prompted an unexpected and dramatic trend of migration.

Thus, only in the second half of 2015, over two million people have fled their homes, crossing desperate and under the threat of loss of life, many countries and thousands of kilometers, to Germany, Belgium, France and the Nordic countries of Europe in the hope of a life safer and better.

And as always in delicate social situations appear black and hideous faces of the opportunists, organized crime networks have speculated time to stretch out, tentacles "in order to obtain financial returns from poor timing".

Role Performance Training to Net Result of the Year

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Keywords: performance, information value, net result, efficiency, effectiveness, strategies objectives, performance indicators.

He often speaks of performance. But it is known, meaning that concept? We note that, despite the abundance of uses, performance is rarely defined, even in situations where it is the central object of study.

Moreover, neither the origin of this concept is not widely presented. The meaning of the concept of performance has changed over time. He is a polysemous term, with various meanings depending on the areas where it is used. This explains

why we speak of economic performance, economic and financial performance and financial performance. The concept of performance of the company is based on the theory of the stakeholders. Managers can not maximize firm value ignoring the interests of the social partners: shareholders, employees, creditors, suppliers, customers, state, etc.

From the perspective of the enterprise, these interests may be contradictory, which may give rise to conflicts within the organization, adversely affecting financial results.

The Major Role of the Small and Medium-Sized Businesses in the Market Economy

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Keywords: micro-enterprises, small businesses, medium-sized businesses, turnover, number of employees, total assets.

The small and medium-sized businesses (SMS) have always played a special role in the economic and social life of the countries based on a market economy, being at the basis of revival of many economies.

The dynamism, the flexibility, the mobility, the innovative potential means the characteristic of SMS, being considered essential for the cohesion of the economic structure, for the economic growth and for the creation of the new jobs.

The present paper aims to highlight the importance and necessity of the creation and development of the small and medium-sized businesses in the countries which are based on the market economy, starting from the definition of the concept in the various authors' vision in the field, continuing with the presentation of specific features of the small and medium-sized businesses and with the presentation of the main classification criteria of these.

At the end of the paper we highlight the role and importance of the small and medium-sized businesses, as generators of the biggest part of the Gross Domestic Product of every country and by providing the jobs for the majority of the occupied population.



SECTION ADVANCED STUDIES IN LAW



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Theoretical and Practical Considerations on Tax Evasion at National and International Level

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Keywords: tax evasion, licit tax evasion, illicit tax evasion.

The present study brings into discussion, in a polemical manner, the concept and causes of tax evasion in order to establish the conceptual context of the paper, the mechanism of creation being also described and assessed, alongside that of the tax evasion identification, not only at national level, but internationally, too. The paper also suggests a series of measures meant to help organizations prevent or manage the tax evasion phenomenon.

Reasons for Divorce According to the European Legislation

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Keywords: divorce, marriage, means dissolution of marriage.

A series of research carried out in the western countries shows a spike in the number of divorces, as well as an increase in the negative family crisis, problems and events, affecting the family sociology as observed by the researchers and specialists.

The changes in the traditional functions of the family in the contemporary era as well as the social, economical and political conditions applicable to each country had and can still have an impact on the human relationships, even on the most intimate level of association and affect the stability of the marriage.

Referring, for instance, to the new tendencies that characterize the divorce in the contemporary society, namely: the spouses' separation agreement, the separations themselves, the re-marriage after divorce and the fact that increasingly often, the woman takes the risk and initiates the separation – an in-conceivable situation in the traditional family – M. Segalen believes that the divorce is no longer a deviation, but a part of the new logic of marriage.

The divorce is no longer equivalent, in the contemporary society, with the rejection of the marriage as it is most often followed by a new family union which may be a success for both parties.

What becomes clear is that the divorce represents a spiritual, moral and affective break up in the couple's life, which induces a series of psychological, moral and material consequences on the partners, leaving marks on their subsequent evolution.

The simplest explanation of a divorce lays in the fact that it is no more than the effect of altered relationships within the couple, resulted from the couple's lack of maturity and capacity and ignorance in knowing each other and collaborating.

The divorce is defined as a juridical means of dissolution the marriage. Through divorce, the conjugal couple comes to an end, as the marriage between the two partners lacks the basic elements that founded it: mutual affective feelings, closeness and friendship, moral and material support.

The connotations of this act are far more complex than the court ruling. Juridically speaking, the divorce is defined as a means of dissolution the marriage, which might take place when, due to solid reasons, the reports between the spouses are seriously damaged and the continuation is no longer possible, although the state is directly interested in defending the marriage and the family, without trying to maintain them under any circumstance.

Considerations Regarding Treatments Applied to Minors Who Have Committed a Criminal Offence

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Keywords: National Legal System, minor, educational measures, reform

Criminal acts can be committed or accompliced by any individual, regardless of his or her age. However, for each age category, the legal system imposes a measure which isolates the individual from the community and offer an example to those inclined to commit such antisocial acts and make them refrain from actually committing the offenses.

The Romanian legislator, based on experience, dogma and the Romanian people's customs but also guided by an assemblage of European and international regulations, has systemized in the form of the Criminal Code an array of measures applicable to the offence-committing minor.

A share of the educational measures represents a novelty in the Romanian legal system and has permanently replaced the previously minor-applicable sanctions. These measures are meant to assist in the education and reform of the minors who previously lacked the skills necessary to take care of themselves, their families and be part of the community.

Divorce Effects on the Relationships between Parents and Their Children. Exercising Parental Authority

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Keywords: divorce; guardianship authority; parent; minor; report kinship; parental authority.

Social and legal vision of divorce has changed with the times and varied in different legal systems.

In Romania, in family law have occurred a number of legislative changes: the entry into force of the Civil Code (October 1st 2011), Code of Civil Procedure (15 February 2013) and the Code of Civil Procedure republished in 2015, under art. XIV of Law no. 138/2014 amending and supplementing Law no. 134/2010 on the Code of Civil Procedure.

According to art. 396 Civil Code, with divorce, guardianship court decides on the relations between divorced parents and their children, taking into account the interests of children, psychosocial investigation report findings and, where appropriate, parental covenant.

In the following lines we handle the impacts of divorce on the relationships between parents and their children, in terms of exercising parental authority.

The Language of Law between Latin and English

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Keywords: language, words, law, English, Latin, social phenomena.

Since the mythological Tower of Babel, languages of the world have never been at peace. From a peaceful means of communication, people used to complain or to please the Lord through the voice of Moses, since the Former played with it, language turned into a living organism. As Humboldt says, it conceived other languages, they themselves in uninterrupted transformation.

Genuine social phenomena, each of them having their own character, languages entered the battle alongside the peoples who spoke them. Some extinguished, while others appeared based on the development and strengthening of certain dialects, as it happens nowadays in former colonial countries, some made peace and credited one another with words or phrases, turning richer under the eyes of communities that accepted individual linguistic innovations into their language as these met certain social communication needs. There is a tendency of some languages - favoured by political, social, economic, cultural and geographic factors, of which we mention just the geographical spread of speakers and ethnic mixing - to leave their mark on the weaker ones, as was the case with Latin that begot the so-called Romance group, easily traced back to the language of the Roman Empire. And yet, Latin was not as blasphemed as English that has the same kind of *habits* nowadays. But why should people be mad that English has become the international language conquering the world, or that it lends to those willing to take indiscriminately? Was it not the one that, in the course of history, took from Germans and French words it mixed into its own body?

The paper deals with English words of Latin origin used in law.

Considerations Regarding the Compliance with the Framework of Relations in the Exercise of Public Functions in the European Context

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Keywords: relation, European context, institutional relationships

In the context of public dialogue, Romanian civil servants shall be responsible not to damage the image, the reputation, or the dignity of the persons with whom they have institutional relationships by using defamatory expressions, by formulating complaints of a slanderous nature or through the revelation of some aspects of privacy.

The same rules are also adopted in the European context. In general, European civil servants while carrying out their duties, should observe the obligation of neutrality, in other words, to adopt in relation to the subjects with which they collaborate within the public service a behavior independent of any political, religious or philosophical opinions; this obligation has been born out of the principle of equality of citizens before the public servants and the principle of secularism.

Comparative Approach of the Regulation of the Stipulation for another Institution in the Romanian Legislation Following the Entry into Force of the New Civil Code and the Legislations of other States

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Keywords: the civil code, the new Romanian Civil Code, the stipulation for another, institution, third party, contract

Accession of Romania to the European Union on 1 January 2007, has also entailed a vast work of reforming the Romanian judicial system with the aim to correct the flaws existing in the field of justice and to fight corruption that could have hindered the effective implementation of laws, policies and programs of the Union European.

The entry into force of the new Romanian Civil Code on 1 October 2011 - that replaced the Codex Civil or Civil Code of 1864, remarkable in its architecture and rigorousness alike, but obsolete in comparison to the European norms as well

as demands of modern times, which laid the foundations of the Romanian modern civil law with its principles and institutions, and introduced the modern legal terminology, leaving behind the Oriental and Byzantine institutions, part of a cultural, social and legal feudal pattern - is one of the landmarks of this legislative reform, considered unprecedented in Romania's recent legal history.

If the old Romanian Civil Code hardly contained a general and uniform regulation of the stipulation for another institution, but some legislative applications in various matters such as the remuneratory donation or personal insurance, the new Romanian Civil Code allots to the institution of stipulation for another separate texts of articles.

The present paper approaches comparatively the manner in which the stipulation for another institution is addressed, defined and regulated in the Romanian legislation as well as in other European or North American countries legislation - regarded as sources of inspiration for the new Romanian Civil Code.

Interpreting the European Convention on Human Rights as a “Living Instrument”, But How Far the “Margin of Appreciation”?

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Keywords: European Convention on Human Rights, European Court of Human Rights, evolutive interpretation; margin of appreciation; living instrument doctrine.

Like any other legal instrument, the European Convention on Human Rights does not explicitly convey the fullness of its legal effect.

As a human rights treaty where numerous provisions have been drafted with a deliberate lack of precision, the Convention poses difficult problems of interpretation for the judges of the Strasbourg Court. An added difficulty lies in the fact that the Convention provisions are intended to apply in a uniform manner to States with different legal systems, customs and traditions.

In the process of litigation over the past few decades, the Court has identified and applied about a dozen or so principles of interpretation.

The most famous of all is probably the principle of “evolutive/dynamic interpretation”, which enables outmoded conceptions of original definitional terminology to be abandoned where significant, durable and pan-European changes in the climate of European public opinion have occurred.

This paper is aiming to capture the benefits of this method of interpretation as well as the negative consequences of its use.

Grooming in the Online Environment

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Keywords: grooming; information and communication technology; grooming; information systems; sexual abuse.

This study carries out an analysis at the European level on one offence related to illegal content, such as the grooming in the online environment or solicitation of children for sexual purposes through the information and communication technology, which is intended to mirror a more and more worrying, that of sexually abused children in meetings with adults they initially met in the cyberspace, such as e.g. within the groups of discussions or online games.

Grooming in the online environment represents the process by which a person befriends with a child in cyberspace with the intention to facilitate the establishment of a sexual relationship in cyberspace (cybersex) or with the intention to facilitate the establishment of a sexual relationship in real space in order to commit a child sexual abuse.

The offence of solicitation of children for sexual purposes is more easily committed through online environment than in the offline environment, as the children feel more disinhibited in the online environment than in the offline environment, becoming more vulnerable for the offenders.

Law and Justice

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Keywords: law, justice, state, natural law, individual

The need of rules was felt beginning with the ancient times since the formation of the first forms of human organization that were based on commands expressed through the implementation of common needs. Historical transformations related to the emergence of social classes, led to the formation of the state, a guarantor of rules imposed on individuals through laws.

Society, i.e. the sum of individuals, is the recipient of laws, also being the crucible in which the rules come into being which govern all the legally created

relationships. The Law is the guarantor of freedom. It is the one who, by its controlling position gives a direction to the entire community, namely imposing the achievement of the common good of all people. In order to achieve this goal, each individual must cooperate with the others, but he also has to fight and to defend the rights and interests when they are threatened. The State will act in his defense as a source of Law and guarantor of its application.

Closely related to the concept of Justice, who is older than the Law, Justice is the state in which each individual understands that everyone will get what he or she deserves, or is punished for each of his or her deeds. In this respect, justice can be identified with absolute Good, and forms both the content of the laws, which people want closer to the archetype of the Divine Law. Even if, at a certain moment, a rule may seem unfair, it must not be assessed in its individuality but in connection with all other legal requirements, the foundation of the legal system to which it belongs being assessed together with its correlation with the idea of Justice. If a law is fundamentally unfair and does not correlate with this idea, the only solution is resistance to this law, or, in unfortunate circumstances, resistance to an entire system, leading even to insurrection.

Approach on Cultural Rights and the State's Obligations in the Romanian Legislation

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Keywords: right, cultural rights, social, economic, state, law

Although important international legal instruments such as the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the UNESCO Universal Declaration on Cultural Diversity stipulate cultural rights of individuals alongside other political and legal instruments that completed the sphere of cultural rights, which include such entitlements as the right to education, the right to take part in cultural life, to enjoy the benefits of scientific progress, the freedom for scientific research, protection of moral and material interests resulting from any scientific, literary or artistic production, the freedom of expression, creation and research and the possibility for individuals to speak their own dialects, these, unlike the civil, political, economic, and social rights have been neglected and less developed for a long period of time.

Granted by national and international laws alike, cultural rights, though usually enumerated together with the economic and social rights, still receive lesser attention and are quite often completely forgotten, impose obligations on states that must take appropriate legislative, administrative, and judicial measures to protect

and fulfill them, to prevent their violation by third parties and keep watch and ward that the enjoyment of culture should not to be interfered with.

According to the Romanian Constitution access to culture is a fundamental right guaranteed under the law.

The paper brings into discussion the manner the Romanian state ensures that the spiritual identity is preserved, supports national culture, stimulates arts, protects and preserves cultural heritage, develops contemporary creativity, promotes cultural and artistic values of Romania in the world.

The Duration of Copyright Protection in the Context of the New Legislative Changes

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Keywords: the duration of legal protection, moral rights, economic rights of the author, collective works

The legal regime of copyright established by Law no. 8/1996 on copyright and related rights, as amended.

According to art.1, paragraph 2 of this act, the work of intellectual creation is recognized and protected, independent of the public disclosure, by the mere fact of its creation, even in unfinished form.

The same law provides that copyright in a literary, artistic or scientific work is born from creation, whatever specific form or mode of expression.

Therefore, both moral rights and economic rights fall under copyright content legally protected even in time of work. While, legal protection of copyright advertises certain peculiarities depending on the type of copyright, that is moral rights or economic rights of the author.

Meanwhile, are there major differences of copyright protection in any specific situation? The paper approaches the duration of legal protection of patrimonial copyrights on works that have been made to the public after the termination of copyright works brought to conscience pseudonymous or anonymous but also from legal protection for works shared or of the collective.

