

**ZNANSTVENA
KONFERENCA
PRAVO IN MANAGEMENT
V POGOJIH DIGITALNEGA POSLOVANJA**

**SCIENTIFIC
CONFERENCE
LAW AND MANAGEMENT
UNDER DIGITAL BUSINESS CONDITIONS**

**ZBORNİK POVZETKOV
BOOK OF ABSTRACTS**



FAKULTETA
ZA MANAGEMENT IN PRAVO
LJUBLJANA



**ZNANSTVENA
KONFERENCA
PRAVO IN MANAGEMENT
V POGOJIH DIGITALNEGA POSLOVANJA**

**SCIENTIFIC
CONFERENCE
LAW AND MANAGEMENT
UNDER DIGITAL BUSINESS CONDITIONS**

**ZBORNİK POVZETKOV
BOOK OF ABSTRACTS**

Ljubljana, 11. 1. 2022



ZBORNIK POVZETKOV ZNANSTVENE KONFERENCE PRAVO IN MANAGEMENT V POGOJIH DIGITALNEGA POSLOVANJA

Avtorji: Edita Boltežar Smuk, dipl. ing. ort. prot., mag. manag. in posl. prav.,
doc. dr. Danijela Brečko, red. prof. dr. Tatjana Devjak, doc. dr. Lidija Kodrin,
doc. dr. Julija Lapuh Bele, Natja Lavrič, uni. dipl. prav., dr. Ivana Marinović
Matovič, izr. prof. dr. Aleksij Mužina, red. prof. dr. Marko Novak,
doc. dr. Lidija Robnik, Marjanca Scheicher, mag. manag. in posl. prav.,
viš. pred. mag. Boštjan J. Turk, doc. dr. Luigi Varanelli, doc. dr. Nana Weber

Uredila: red. prof. dr. Tatjana Devjak

Nagovor dekana: red. prof. dr. Srečko Devjak

Lektura: izr. prof. dr. Tomaž Petek

Prevod: Oranžna nit, Jaka Geltar s.p.

Izdala: MLC Fakulteta za management in pravo Ljubljana

Oblikovanje: Mat-Format d.o.o., Ljubljana

Realizacija: Mat-Format d.o.o., Ljubljana

Spletni naslov: <https://www.mlcljubljana.com/zalozba>

Elektronska izdaja

Januar 2022

MLC Fakulteta za management in pravo Ljubljana je izključni imetnik vseh materialnih avtorskih pravic na tej publikaciji. Prepovedano je kopiranje ali kakršno koli razmnoževanje dela brez dovoljenja avtorja.

Kazalo vsebine

NAGOVOR DEKANA / DEAN'S SPEECH 6 / 8

PROGRAM KONFERENCE 12

POVZETKI PRISPEVKOV / ABSTRACTS 14 / 15

Pravo in umetna inteligenca **16**

Law and Artificial intelligence **17**

Marko Novak

Pravne meje optimalnega digitalnega marketinga **18**

Legal boundaries of optimal digital marketing **19**

Boštjan J. Turk

Odkrivanje računovodskih prevar in poslovnih odločitev
v računovodskih izkazih **20**

Detecting accounting frauds and business decisions
in accounting expressions **21**

Lidija Robnik

Digitalizacija v visokošolskem prostoru **22**

Digitalisation in Higher Education **23**

Tatjana Devjak in Natja Lavrič

Temna stran digitalizacije **24**

The Dark Side of Digitalisation **25**

Julija Lapuh Bele

Davčna utaja kot prekršek in kot kaznivo dejanje	26
Tax evasion as a misdemeanour and as a criminal offence	27
<i>Marjanca Scheicher in Aleksij Mužina</i>	
Pogodbe v digitalni dobi	28
Contracts in the digital age	29
<i>Luigi Varanelli</i>	
Digitalizacija kadrovskih procesov	30
Digitalisation of human resources processes	31
<i>Nana Weber</i>	
Kompetence za vodenje na daljavo skozi prizmo managerjev	32
Remote Leadership Competences through the Prism of Managers	33
<i>Danijela Brečko</i>	
Izobraževanje na daljavo v času pandemije Covid-19: Nekatere značilnosti izobraževalnih praks v osnovnošolskem in srednješolskem izobraževanju na Hrvaškem, v Srbiji in Sloveniji	34
Distance education during the Covid-19 pandemic: Some characteristics of educational practices in primary and secondary education in Croatia, Serbia and Slovenia	35
<i>Lidija Kodrin in Ivana Marinović Matović</i>	
Patentna zaščita na telo nameščenega medicinskega pripomočka za posameznega uporabnika	36
Patent protection of a medical device, attached to the body of an individual user	37
<i>Edita Boltežar Smuk in Marko Novak</i>	
PREDSTAVITVE AVTORJEV / AUTHORS	38 / 39

NAGOVOR DEKANA

DEAN'S SPEECH

Digitalizacija poslovnega procesa – izziv ali nuja?



Spoštovane udeleženke in udeleženci znanstvene konference na MLC Fakulteti za management in pravo Ljubljana!

Znanstvena konferenca na temo Pravo in management v pogojih digitalnega poslovanja se posveča temi, o kateri se v poslovnem svetu veliko govori in razpravlja. Z digitalizacijo poslovanja se spreminja poslovno in pravno okolje, v katerem so dejavniki in pogoji izvajanja funkcij managementa drugačni, spremembe in razvoj okolja pa razvoj tehnologij še pospešujejo.

Z digitalizacijo poslovanja se oblikujejo novi poslovni modeli in pravne rešitve. Avtorji in avtorice v svojih prispevkih teo-

retsko, empirično in aplikativno predstavijo vpliv novih tehnologij na spreminjanje teoretskih konceptov s področij managementa in poslovnega prava, opravijo analizo dozdajšnjih rešitev uvajanja digitalizacije v poslovanje ter opišejo primere dobre prakse in primere zlorab. Pri iskanju odgovorov na odprta vprašanja, ki jih s seboj prinaša digitalizacija poslovanja, prava in izobraževanja, se naslanjajo na interdisciplinarni pristop z vidika prava v managementu in poslovanja v luči prava, ne nazadnje pa tudi z vidika izobraževanja in visokega šolstva: brez novih znanj in kompetenc ne bo uspešnosti in napredka. Nove strategije poslovanja danes v času digitalne dobe, industrije 4.0, virtualnih svetov, prihajajoče umetne inteligence itn. predstavljajo nadgradnjo pravnih, poslovnih, voditeljskih in izobraževalnih procesov.

Vsebina dela sloni na celovitosti razumevanja pomena prava za uspešnost managementa v podjetjih in drugih organizacijah ter družbi kot celoti. To pa zahteva ne le poznavanje teoretskih osnov, raziskovalnih in poslovnih modelov, ampak tudi zavedanje, da za napredno delovanje v digitalnem poslovnem svetu razvijamo povezovanje področij z interdisciplinarnostjo in meddisciplinarnostjo ter da nadgradimo dozdajšnje prakse reševanja poslovnih problemov ter prenosa znanja v študijska in delovna okolja.

Ljubljana, januar 2022

Dekan: red. prof. dr. SREČKO DEVJAK

MLC Fakulteta za management in pravo Ljubljana

Digitalization of business processes - a challenge or a necessity?



Dear participants of the MLC Management and Law College Ljubljana scientific conference!

The scientific conference on the topic of Law and management in a digital business environment concentrates on a topic that is getting more and more attention in the business world. Digitalization of business processes is changing the business and legal environment and with it the factors and conditions of implementing management functions with technological development further accelerating changes and development of the environment.

Business digitalization is forming new business models and legal solutions. In their articles, the authors present the influence of new technologies on changes of theoretical concepts in management and business law in a theoretical, empirical and application-oriented way. They analyse current solutions of implementing digitalisation in business processes and describe examples of good practice as well as abuses. While searching for answers to open questions that digitalization of business, law and education brings, they rely on interdisciplinary approaches in terms of law in management and business in the light of law and finally from the point of view of education and higher education: without new skills and competences, there will be no success and no progress. New business strategies in the digital age, time of industry 4.0, virtual words, artificial intelligence etc., upgrade the existing legal, business, leadership and educational processes.

The articles' content is based on an integral understanding of the meaning of law, successful management in companies, other organisations and the society as a whole. This doesn't require a mere knowledge of theoretical foundations, research and business models, but also the awareness that to function in the digital business world progressively, we should stimulate interconnections of fields and upgrade current practices of solving business problems in an interdisciplinary way and the transfer of knowledge in study and working environments.

Ljubljana, January 2022

Dean: red. prof. dr. SREČKO DEVJAK
MLC Management and Law College Ljubljana

PROGRAM KONFERENCA

**PRAVO IN MANAGEMENT
V POGOJIH DIGITALNEGA POSLOVANJA
11. januar 2022 v živo in preko aplikacije ZOOM**

9.30 – 10.00 Registracija udeležencev

10.00 – 10.15 *red. prof. dr. Srečko Devjak*
Nagovor

Prispevki:

10.15 – 10.30 *Marko Novak*
Pravo in umetna inteligenca

10.30 – 10.45 *Boštjan J. Turk*
Pravne meje optimalnega digitalnega marketinga

10.45 – 11.00 *Lidija Robnik*
Odkrivanje računovodskih prevar in poslovnih odločitvah v računovodskih izkazih

11.00 – 11.15 *Tatjana Devjak in Natja Lavrič*
Digitalizacija v visokošolskem prostoru

11.15 – 11.30 *Julija Lapuh Bele*
Temna stran digitalizacije

11.30 – 11.45 *Marjanca Scheicher in Aleksij Mužina*
Davčna utaja kot prekršek in kot kaznivo dejanje

11.45 – 12.15 Diskusija

12.15 – 13.00 Odmor za kosilo

Prispevki:

- 13.00 – 13.15** *Luigi Varanelli*
Pogodbe digitalne dobe
- 13.15 – 13.30** *Nana Weber*
Digitalizacija kadrovskih procesov
- 13.30 – 13.45** *Danijela Brečko*
Kompetence za vodenje na daljavo skozi prizmo managerjev
- 13.45 – 14.00** *Lidija Kodrin in Ivana Marinović Matović*
Izobraževanje na daljavo v času pandemije Covid-19:
Nekatere značilnosti izobraževalnih praks
v osnovnošolskem in srednješolskem izobraževanju
na Hrvaškem, v Srbiji in Sloveniji
- 14.00 – 14.15** *Edita Boltežar Smuk in Marko Novak*
Patentna zaščita medicinskega pripomočka za
posameznega uporabnika, nameščenega na telo
- 14.15 – 14.45** **Diskusija**
- 14.45 – 15.00** **Zaključek in sklepi**

POVZETKI PRISPEVKOV

ABSTRACTS

Pravo in umetna inteligenca

Marko Novak

Z razvojem informacijske tehnologije smo vsakodnevno priča novim dosežkom umetne inteligence (v nadaljevanju UI). Ta že nekaj časa posega tudi na področje prava in zdi se, da se bo razvoj le še nadaljeval. Razvija se novo področje prava, t. i. *leg-tech* oziroma pravo in tehnologija. Sicer pa je razmerje med pravom in UI dvojno: (i) na eni strani *UI pravne procese podpira* in omogoča njihov hitrejši (npr. pri odločanju v enostavnih pravnih primerih) in tudi kakovostnejši potek (npr. s t. i. profiliranjem lahko predvidevamo odločitev določenega sodišča in tako sestavimo kakovostnejšo vlogo; v tem kontekstu se razvija t. i. *predictive justice*). Zaradi hitrosti in zmogljivosti obdelave velike količine podatkov (*big data*), ki močno presega človeške sposobnosti, je UI lahko v pomoč pri iskanju najoptimalnejših pravnih rešitev. Na to področje bi sicer spadale tudi pametne pogodbe (*smart contracts*).

Ker pa se UI vse bolj razvija in je njen smisel ravno v inteligentnih sistemih samo-učenja, ki se bodo najbrž le še razvijali, se odpirajo številna vprašanja tudi glede varnosti človeške družbe pred UI (*cyber security*). V tem smislu (ii) *pravo nudi družbi okvir za regulacijo UI*. Pojavljajo se namreč številna vprašanja na področju varstva osebnostnih pravic (zasebnosti in osebnih podatkov), vprašanja se odpirajo tudi na področju intelektualne lastnine (npr. kdo je avtor neke storitve UI – lastnik stroja ali »pametni« stroj). Pojavljajo se tudi vprašanja na področju varnostnih ved glede kibernetškega kriminala.

Ključne besede: umetna inteligenca, pravo, pravo in tehnologija, pravna regulacija umetne inteligence

Law and Artificial intelligence

Marko Novak

Development of information technology advances the achievements of artificial intelligence (AI) day by day. AI has been increasingly present in law and it looks like its development will not cease. A new domain of law is developing, called leg-tech, law and technology. The relationship between law and AI has two sides: (i) *on one side, AI supports legal processes* and enables a quick (for example in simple law cases) and high-quality process (predictive justice uses profiling to predict a court decision so we can form a better application). Due to the speed and high performance of processing big data which largely exceeds human capabilities, AI can help in finding the most optimal legal solutions. Smart contracts would also belong to this field.

Because AI is developing at a rapid pace and makes most sense in its intelligent self-learning systems which tend to further develop, several questions regarding cyber security are being raised as well. In this respect, (ii) *law provides a framework to society to regulate AI*. Several questions are being raised about the protection of personality rights (privacy and personal data), intellectual property rights (who is the author of an AI service, the machine owner or the “smart” machine) and also about cybercrime.

Key words: artificial intelligence, law, law and technology, legal regulation of AI

Pravne meje optimalnega digitalnega marketinga

Boštjan J. Turk

Pravne meje optimalnega marketinga je prispevek, v katerem avtor analizira digitalni marketing skozi pravno evropsko in slovensko regulativo in odgovarja na vprašanja kot je: Kdaj digitalni marketing presega pravne meje in na katere pravne zapovedi mora paziti tržnik, ki stopa v spletno okolje, da bo to v mejah registrirane domene in vsebinsko skladno z vidika avtorskega prava. Avtor se osredinja s pomočjo pravnih virov in išče odgovor na vprašanje, kako naj posameznik sledi poplavi digitalnih kanalov in loči zrnje od plev s ciljem opolnomočiti posameznika za odgovorno ravnanje preprečitve spletnih zlorab.

Ključne besede: digitalni marketing, pravna regulativa, digitalni kanal, spletno okolje, potrošnik, spletna zloraba

Legal boundaries of optimal digital marketing

Boštjan J. Turk

The article titled Legal boundaries of optimal marketing analyses digital marketing from the aspect of European and Slovene legal regulations and answers questions, such as: When does digital marketing go past the legal boundaries and which legal principles should a marketer who enters the online environment pay attention to while not exceeding the registered domain and comply with copyright laws regarding its content. The author uses legal resources to focus on the question of following countless digital channels while separating the wheat from the chaff to empower an individual who will be able to act responsibly and prevent online abuses.

Key words: digital marketing, legal regulation, digital channel, online environment, consumer, online abuse

Odkrivanje računovodskih prevar in poslovnih odločitev v računovodskih izkazih

Lidija Robnik

Poročanje za različne uporabnike mora biti vsebinsko strokovno z bogatimi pojasnili, vendar je treba biti pozoren, da se ne razkrivajo poslovne skrivnosti, kar lahko ogrozi nadaljnje poslovanje organizacije. V primeru nestrokovnega in netransparentnega poročanja lahko pride do poslovnih prevar, ki zavajajo uporabnike poslovnih informacij ter njihovih nepravilnosti glede odločanja o nadaljnjem poslovanju, investiranju, financiranju in drugih poslovnih aktivnostih. Prispevek analizira pomen pojmov, kot so kreativno računovodstvo, poslovodno računovodstvo, stroškovno računovodstvo in finančno računovodstvo, prevarantsko računovodstvo in posledično zavajajoča poročila in možni načini prevar, ki lahko uporabnike računovodskih izkazov zavedejo pri njihovih poslovnih odločitvah. V računovodskih izkazih se namreč lahko pojavljajo napake in zlorabe pri izbiri pravih metod vrednotenja premoženja. Ker so v računovodskih izkazih lahko skrite rezerve ali poslovne izgube, se avtorica v prispevku sprašuje, kaj je hujše za nadaljnje (tudi digitalno) poslovanje in poslovno odločanje.

Ključne besede: kreativno računovodstvo, poslovodno računovodstvo, stroškovno računovodstvo, finančno računovodstvo, prevarantsko računovodstvo, računovodski izkazi, digitalizacija.

Detecting accounting frauds and business decisions in accounting expressions

Lidija Robnik

Reporting for various users should have professional content with detailed explanations but attention needs to be paid not to disclose business secrets which can jeopardise future business of an organisation. If reports are unprofessional and untransparent, business fraud can occur and deceive business information users but also influences their future business decisions, investments, financing and other business activities. The paper analyses the meaning of expressions such as creative accounting, management accounting, and fraudulent accounting which result in misleading reports and possible ways of fraud which can deceive users of financial statements in making business decisions. Financial statements can include errors and abuses in choosing the right methods of asset valuation but reserves or financial losses as well. The author of the paper questions what is worse for future (including digital) business and business decision-making.

Key words: creative accounting, management accounting, cost accounting, financial accounting, fraudulent accounting, accounting expressions, digitalisation.

Digitalizacija v visokoškolskem prostoru

Tatjana Devjak in Natja Lavrič

Svet je danes zaradi pandemije drugačen, kot je bil pred njo. Pandemija je prizadela mnoga družbena področja, tudi področje visokega šolstva. Ne glede na naš odnos do ukrepov za zamejitev širjenja koronavirusa smo se morali visokošolski sodelavci, študentje in visokošolski zavodi hitro prilagoditi razmeram in novi realnosti. Najprej smo prešli na izobraževanje na daljavo. Tak način izvajanja študijskega procesa od vseh deležnikov zahteva nove oblike pismenosti in nove kompetence tako tistih, ki proces izvajajo, kot tistih, ki se izobražujejo. Namen prispevka je analizirati družbene in osebne dejavnike, ki podpirajo učenje na daljavo in digitalizacijo visokega šolstva tudi v prihodnje in ne le v izrednih razmerah, utemeljiti proces vseživljenjskega učenja in izobraževanja za pridobitev nove pismenosti in kompetenc za uspešno delovanje v spremenjenih visokošolskih razmerah, predstaviti pravno-formalni pregled (ne)podpore učenja na daljavo v visokoškolskem prostoru s strani odgovornih in nenazadnje predstaviti primere dobrih praks nekaterih visokošolskih zavodov doma in v tujini. Avtorici v prispevku prikažeta rezultate raziskave študija na daljavo na MLC Ljubljana in izpostavita poglede visokošolskih učiteljev in študentov o učenju na daljavo in izpostavita tako dobro prakso kot dejavnike tveganja, ki pa jih lahko zelo omilimo z dodatnim izobraževanjem in usposabljanjem na področju IKT kompetenc in pismenosti posameznika kot inštitucije.

Ključne besede: visoko šolstvo, digitalizacija, učenje na daljavo, pandemija, pravni predpisi, nove pismenosti in kompetence

Digitalisation in Higher Education

Tatjana Devjak and Natja Lavrič

The world has changed because of the pandemic. It has affected many areas of our society including the field of higher education. Regardless of our attitude towards the measures to limit the spread of the coronavirus, we needed to adapt to the situation and the new reality quickly. Firstly, we switched to distance education. Such a way of implementing the study process presents all stakeholders with new forms of literacy and new competences to those who carry out the process and those who are being educated. The purpose of this paper is: to analyse social and personal factors that support distance learning and digitalisation of higher education in the future and not only in emergencies; to justify the process of lifelong learning and education and to acquire new types of literacy and competences for successful action in changing higher education; to present a legal formal overview of (absence of) support for distance learning in higher education from responsible parties and finally to present examples of good practices of some higher education institutions at home and abroad. The paper presents the results of distance learning research at MLC Ljubljana and highlights the views of higher education teachers and students on distance learning. It points out good practices and risk factors which can be greatly mitigated using additional education and training in ICT competences and individual and institutional literacy.

Key words: higher education, digitalisation, distance learning, pandemic, legal regulations, new literacy and competences

Temna stran digitalizacije

Julija Lapuh Bele

Digitalizacija ima svojo temno plat, zaradi katere so posamezniki, podjetja, finančne ustanove in druge organizacije nenehno izpostavljeni kibernetiskim napadom, ki lahko škodijo njihovemu finančnemu premoženju in ugledu.

Sočasno z digitalizacijo podjetij poteka digitalizacija kriminalnih združb. Mnoge med njimi delujejo kot visokotehnološko razvita podjetja in se poslužujejo uporabe umetne inteligence, strojnega učenja in računalništva v oblaku. Na različne načine skušajo protipravno pridobiti finančna sredstva in jih čim hitreje nakazati na račune, na katerih jih organi pregona ne morejo zaseči. Poslužujejo se plačil s kriptovalutami in uporabljajo denarne mule za prikrivanje ciljnih računov. Organi pregona se nenehno borijo z novimi in vsako leto bolj izpopolnjenimi oblikami napadov. V večini primerov se napadi izvedejo z izkoriščanjem najšibkejšega člana v verigi informacijske varnosti –človeka. Zato bomo predstavili najpogostejše pristope kibernetiskih kriminalcev in izpostavili, kako naj se posameznik in podjetje zavarujeta pred njimi.

Ključne besede: digitalizacija, informacijska varnost, kibernetiska kriminaliteta, internetna grožnja, finančna prevara, kriminal kot storitev, kriptovaluta

The Dark Side of Digitalisation

Julija Lapuh Bele

Digitalisation has its dark side which makes individuals, companies, financial institutions and other organisations constantly exposed to cyberattacks that can harm their assets and reputation.

Digitalisation of companies is simultaneous to digitalisation of criminal organisations. Many function as high-tech companies which make use of AI, machine-supported learning and cloud computing. They try to unlawfully gain assets in various ways and redirect them to accounts which cannot be confiscated by law enforcement bodies. They use cryptocurrencies and money mules to mask target accounts. Law enforcement bodies constantly struggle with forms of attacks which are becoming more sophisticated year by year. In the majority of cases, they exploit an individual as the weakest link in the information security chain. The paper presents the most common approaches of cyber criminals and highlights ways of protecting individuals and companies.

Key words: digitalisation, information security, cybercrime, internet threat, financial fraud, crime as a service, cryptocurrency

Davčna utaja kot prekršek in kot kaznivo dejanje

Marjanca Scheicher in Aleksij Mužina

V prispevku avtorja analizirata davčno utajo kot prekršek in kot kaznivo dejanje skozi zakonodajo, povezano z davki in financami, ter izpostavita Zakon o davčnem postopku in Zakon o davku na dodano vrednost. Objektivna pogoja, ki določata, kdaj je davčna zatajitev kaznivo dejanje, sta opredeljena v 249. členu KZ-1, tj. izogibanje obveznosti v obdobju največ 12 zaporednih mesecev ter višina zneska, ki pomeni veliko premoženjsko vrednost. Po 3. točki devetega odstavka 99. člena KZ-1 je to znesek, ki presega 50.000 evrov. Opozorita na 11.a člen Zakona o prekrških, v katerem je določeno, da se mora prekrškovni postopek, v kolikor gre za kaznivo dejanje, umakniti kazenskemu. Razmerje med prekrškom in kaznivim dejanjem je v 11.a členu ZP-1 urejeno na dveh nivojih – prvo pojasnjuje vprašanje steka med prekrškom in kaznivim dejanjem, drugo pa smiselno uveljavitev načela *ne bis in idem* v primerih tovrstnega steka. Avtorja opozorita, da je *ne bis in idem* oz. prepoved ponovnega sojenja o isti stvari eno od temeljnih načel kazenskega postopka, ki ga zagovarjajo ne le državni pravni akti, temveč tudi mednarodni pravni instrumenti, kot sta Protokol št. 7 k Evropski konvenciji o človekovih pravicah in Listina EU o temeljnih pravicah. Svojo dotedanjo sodno prakso v zvezi z razlago omenjenega načela je ESČP poenotilo z odločbo Zolotukhin proti Rusiji leta 2009, na katero se je večkrat sklicevalo tudi slovensko Vrhovno sodišče, in presodilo, da ponovni pregon, sojenje ali kaznovanje posameznika za drugo kaznivo dejanje, ki izhaja iz dejstev, ki so identična ali v bistvu enaka kot tista, ki so bila podlaga za prvo kaznivo dejanje, ni dopustno. Na nedopustnost široke uporabe načela *ne bis in idem* sicer opozarja tudi pravna teorija.

Ključne besede: davčna utaja, prekršek, kaznivo dejanje, *ne bis in idem*, samoprijava

Tax evasion as a misdemeanour and as a criminal offence

Marjanca Scheicher and Aleksij Mužina

Every instance of tax evasion, defined by the Criminal Code as a tax offence, does not constitute a criminal offence. Several laws related to taxes and financing, especially the Law on Tax Procedure Act and Law on Value Added Act, determine that in certain cases, defrauding of the State Treasury is nothing more than a misdemeanour which is fined by a competent authority. Two objective conditions that determine when tax evasion constitutes a criminal offence are stipulated in Article 249 of the Criminal Code-1: evasion of obligation in the time period, not exceeding 12 consecutive months and the extent of the amount which establishes a considerable profit. According to Article 99(3) (9) of the Criminal Code-1, this is an amount which exceeds 50,000 euros.

According to Article 11.a of the Offenses Act-1, convergence between misdemeanour and criminal offence is established at two levels. The first level explains the question of their convergence, while the second clarifies reasonable enforcement of the principle *ne bis in idem* in cases of such convergence.

Ne bis in idem or the prohibition of double jeopardy is one the basic principles of Criminal Law Proceedings, defended not only by Slovenian legal acts, but also by international legal instruments, such as Protocol No. 7 to the European Convention on Human Rights and the Charter of Fundamental Rights of the European Union. The European Court of Human Rights standardised its previous case-law with the Zolotukhin versus Russia case in 2009 which was referenced to several times by the Slovenian Supreme Court and has adjudicated that a renewed prosecution, retrial and penalising of an individual for another criminal offence, arising out of the identical or, in effect, the same facts as those which had served as the basis of the first criminal offence, were not admissible. Furthermore, legal theory warns that using the principle *ne bis in idem* is not widely acceptable.

Key words: tax evasion, misdemeanour, criminal offence, *ne bis in idem*, self-correction

Pogodbe v digitalni dobi

Luigi Varanelli

V prispevku so obravnavani določeni vidiki, ki se nanašajo na pogodbe v digitalni dobi. Načini sklepanja pogodb v digitalni dobi se namreč močno razlikujejo od klasičnih shem sklenitev pogodb, kakršne smo poznali doslej. Prispevek postavlja in skuša razrešiti vprašanja, povezana z načinom, krajem in časom sklenitve teh pogodb. Nadalje obravnava posamezne pogodbene tipe in jih skuša kvalificirati in klasificirati v ustreznih pravnih kategorijah. Zaključek vsebuje analizo in komentar Direktive (EU) 2019/770 Evropskega parlamenta in Sveta z dne 20. maja 2019 o nekaterih vidikih pogodb o dobavi digitalne vsebine in digitalnih storitev.

Ključne besede: digitalna pogodba, pogodba o dobavi digitalne vsebine, elektronske pogodbe, on-line pogodbe, pogodba o zagotavljanju storitev spletnega računalništva, *Web housing* pogodba.

Contracts in the digital age

Luigi Varanelli

The article deals with various aspects of contracts in the digital age. Ways of concluding contracts in the digital age differ greatly from traditional contractual schemes. It defines and tries to answer questions related to the manner, place and time of contract conclusion. The article also deals with individual contract types and attempts to qualify and classify them in suitable legal categories. It concludes with an analysis and a comment to the EU Directive 2019/770 of the European Parliament and of the Council on certain aspects of contracts on the delivery of digital content and services.

Key words: digital contract, contract on digital content delivery, electronic contracts, online contracts, contract on providing online computing services, *Web housing* contract.

Digitalizacija kadrovskih procesov

Nana Weber

Prispevek obravnava digitalizacijo kadrovskih procesov, pri čemer se avtorica osredotoča na postopek izbire novega kandidata za zaposlitev in postopek zaposlovanja. Izpostavljena so tri področja zbiranja podatkov ali bolje rečeno povezovanja podatkov z vidika *de lege lata* in *de lege ferenda* – evidence delavcev, strukturirani življenjepisi delavcev ter elektronska pogodba o zaposlitvi in omogočanje elektronskega podpisovanja.

Ključne besede: digitalizacija, postopek zaposlitve, ravnanje s človeškimi viri, kadrovske postopki

Digitalisation of human resources processes

Nana Weber

The article deals with digitalisation of human resources processes and focuses on the process of selecting new employment candidates and the employment procedure. It highlights three areas of data gathering or data linking in terms of *de lege lata* and *de lege ferenda*: employee records; structured employee CV's; electronic employment contracts and enabling electronic signature services.

Key words: digitalisation, recruitment process, human resources management, HR procedures

Kompetence za vodenje na daljavo skozi prizmo managerjev

Danijela Brečko

Vodenje je zahtevno, vodenje na daljavo pa je še bolj zahtevno in kompleksno. Covid-19, ki je skoraj čez noč povzročil številne spremembe v poslovanju in delu, zahteva tudi prenovo klasičnih vodstvenih modelov in kompetenc vodij. Glede na raziskavo Gallup iz leta 2020 je uspešno delo na daljavo kar v 70 % odvisno od vodij in njihove podpore zaposlenim, ki delajo na daljavo. V prispevku bomo predstavili posebnosti dela in vodenja na daljavo ter pomen vseživljenjskega razvoja vodstvenih kompetenc. Pri ciljni populaciji menedžerjev odkrivamo, katere nove kompetence potrebujejo za vodenje na daljavo. V prvem delu raziskave v fokusnih skupinah prepoznamo najpogostejše izzive kot tudi zadrege vodenja na daljavo in na tej podlagi predlagamo seznam kompetenc, s katerimi lahko vodje uspešno rešijo te izzive. Nato predlagane kompetence kritično ovrednotimo na širši populaciji menedžerjev s pomočjo kvantitativne metode - vprašalnika, ki smo ga oblikovali posebej v ta namen. Zanima nas, katere kompetence so najpomembnejše za vodenje na daljavo; v kolikšni meri so te kompetence managerji že razvili in v kolikšni meri jih želijo razviti v prihodnosti. Preučimo tudi najpogosteje uporabljene učne strategije za razvijanje teh vodstvenih kompetenc med menedžerji in podajamo nekaj sklepnih priporočil za organizacijo in kadrovske strokovnjake za podporo vodij pri vodenju na daljavo.

Ključne besede: vodenje na daljavo, managerji, zaposleni, kompetence, razvoj kompetenc, učne strategije

Remote Leadership Competences through the Prism of Managers

Danijela Brečko

Although leadership is challenging, remote leadership proves to be even more challenging and complex. Covid-19 caused many changes in the way we work almost overnight which is why we need to update classic managerial models and implement new leadership competences. According to a Gallup survey in 2020, successful remote working largely (as much as 70 per cent) depends of the commitment of managers and their support to remote employees. In this paper, we will present the specifics of remote work and remote leadership as well as the importance of lifelong development of leadership competences. In the target population of managers, we are discovering new competences that managers need for remote leadership. In the first part of the research, we identified focus groups and their most common challenges and dilemmas of remote leadership and used them to propose a list of competences which managers can use to successfully address these challenges. We critically evaluated the proposed competences on a wider population of managers using a quantitative method - a questionnaire, designed specifically for this purpose. We were interested in competences which managers consider to be the most important for remote leadership; to what extent they have already developed them and to what extent they want to develop them in the future. We also explored the most commonly used learning strategies to develop those leadership competences among managers and made some final recommendations for organisations and the HR department to support managers in remote leadership.

Key words: remote leadership, managers, employees, competences, development of competences, learning strategies

Izobraževanje na daljavo v času pandemije Covid-19: Nekatere značilnosti izobraževalnih praks v osnovnošolskem in srednješolskem izobraževanju na Hrvaškem, v Srbiji in Sloveniji

Lidija Kodrin in Ivana Marinović Matović

Sodobna učna tehnologija je danes nujna in izziv za vsakega učitelja. Omogoča kreativno organizacijo spletnih izobraževalnih procesov s spremljanjem vseh stopenj in poseben ritem učenja, prilagojen sposobnostim vsakega udeleženca izobraževanja. Zlasti v kriznih razmerah, ki jih povzroča pandemija Covid-19, je pomembno, da se z digitalizacijo učnega procesa dosežejo najboljši rezultati. Prispevek analizira prednosti in slabosti uporabe sodobne učne tehnologije, hkrati pa razkriva pomen novih orodij za izboljšanje spletnega izobraževanja v času pandemije. V prispevku predstavljamo izobraževalne prakse in rezultate raziskav stališč učiteljev, učencev in dijakov do izobraževanja na daljavo v času prvega vala pandemije Covid-19 v osnovnošolskem in srednješolskem izobraževanju na Hrvaškem, v Srbiji in Sloveniji.

Ključne besede: izobraževanje na daljavo, šole, učne tehnologije, digitalna orodja

Distance education during the Covid-19 pandemic: Some characteristics of educational practices in primary and secondary education in Croatia, Serbia and Slovenia

Lidija Kodrin and Ivana Marinović Matović

Although modern educational technology is nowadays essential, it presents a challenge to every teacher. It enables creative organisation of on-line educational processes by following-up all stages and a special rhythm of teaching adapted to skills of every individual education participant. Digitalisation plays an important role to achieve the best results, especially in critical times such as during the Covid pandemic. The paper analyses the advantages and disadvantages of modern educational technology while revealing the significance of new tools to improve online education in pandemic times. It presents educational practices and research results of views of teachers, students and pupils on distance education during the first wave of the Covid-19 pandemic in primary and secondary education in Croatia, Slovenia and Serbia.

Key words: distance education, schools, teaching technologies, digital tools

Patentna zaščita na telo nameščenega medicinskega pripomočka za posameznega uporabnika

Edita Boltežar Smuk in Marko Novak

V prispevku je predstavljeno področje patentne zaščite medicinskega pripomočka, nameščenega na telo uporabnika, predvsem iz področja ortotike in protetike udov. Namen raziskave je prispevati k razvoju kakovosti patentne zaščite s pomočjo evropskega patenta na tem področju. V prispevku analiziramo potrebe trga, strukturo vrst patentiranih medicinskih pripomočkov, strukturo prijaviteljev patentov na preiskovanem področju ter njihovo geografsko razporejenost. Ugotavljamo, da se največ patentnih prijav nanaša na serijsko izdelane pripomočke oziroma sestavne dele, sledijo jim metode. Med prijavitelji prevladujejo posamezne korporacije, predvsem Otto Bock in Ossur, med državami prijaviteljicami pa ZDA, Kitajska in Nemčija. Vzrok takšne strukture so visoki stroški in zahtevnost priprave prijave patenta. Analiziramo tudi prijavo patenta medicinskega pripomočka za posameznega uporabnika po Evropski patentni konvenciji, vključno s postopkom, stroški in posebnostmi. Ugotavljamo, da je patent sicer primerna možnost za zaščito intelektualne lastnine na področju razvoja pripomočkov za posameznega uporabnika, vendar ima ta možnost veliko pomanjkljivosti, predvsem v smislu specifičnosti, stroškov in težavnosti kasnejšega uveljavljanja pravic iz patentnega varstva.

Ključne besede: intelektualna lastnina, izum, patent, Evropska patentna konvencija, medicinski pripomočki

Patent protection of a medical device, attached to the body of an individual user

Edita Boltežar Smuk and Marko Novak

The article presents patent protection of a medical device, attached to the user body, from the aspect of orthotics and limb prosthetics. The research aims to contribute to the development of patent protection quality with a European patent. The article analyses market needs, the structure of types of patented medical devices, the structure of patent applicant in the field researched and their geographic distribution. We determined that the majority of patent applications refer to mass-produced devices or components followed by methods. Certain corporations such as Otto Bock and Ossur are leading applicants and most of the applications come from China, Germany and USA since a patent application is costly and complex. We analysed a patent application of a medical device for an individual user according to the European Patent Convention including the procedure, its costs and specifics. We determined that a patent is a suitable option for intellectual property protection in the development of medical devices for individual users with many downsides, especially due to its specifics, costs and complexity of exercising the right of patent protection.

Key words: intellectual property, invention, patent, the European Patent Convention, medical devices

PREDSTAVITVE AVTORJEV

AUTHORS

Red. prof. dr. Marko Novak je redni profesor za filozofijo in teorijo prava ter ustavno pravo na Evropski pravni fakulteti Nove univerze ter Fakulteti za management in pravo. Na Pravni fakulteti Univerze v Ljubljani je diplomiral leta 1992. Magistriral je leta 1994 na *Georgetown University Law Center* v Washingtonu, D. C., ZDA, doktoriral pa na Pravni fakulteti Univerze v Ljubljani leta 2001. Bil je predsednik Sodnega sveta Republike Slovenije in član izvršnega odbora Evropske mreže sodnih svetov (ENCJ). Trenutno predseduje pritožbeni komisiji NAKVIS.

Red. prof. dr. Marko Novak is a professor of philosophy, legal theory and constitutional law at the New university European faculty of law and Management and Law College Ljubljana. He graduated at the Faculty of Law, University of Ljubljana, in 1992. He graduated in 1994 at the *Georgetown University Law Center* in Washington, D. C., USA and obtained a PhD at the Faculty of Law, University of Ljubljana, in 2001. He was the president of the Slovenian National Council of the Judiciary and a member of the Executive Committee of European Network of Councils (*ENCJ*). He is the current president of the NAKVIS Appeals Committee.

Viš. pred. mag. Boštjan J. Turk je zaposlen na Inštitutu za civilno in gospodarsko pravo ter na Fakulteti za management in pravo v Ljubljani. Na tej fakulteti je višji predavatelj s področja prava in je nosilec predmetov nepremičninsko pravo, internetno pravo in potrošniško pravo. Magistriral je na ljubljanski Pravni fakulteti in je diplomant Londonske gospodarske zbornice s področja marketinga in odnosov z javnostmi. Je avtor skoraj 50 knjig, priročnikov in komentarjev zakonov ter avtor številnih znanstvenih in strokovnih člankov s področij nepremičninskega prava, potrošniškega prava, bančnega prava, gospodarskega prava in internetnega prava. Je tudi gostujoči predavatelj na številnih uglednih tujih univerzah (na Jagielonski univerzi v Krakovu na Poljskem in na Univerzi Fontys v Eindhovnu na Nizozemskem).

Viš. pred. mag. Boštjan J. Turk is the Head of the Institute of Civil and Commercial Law and a Senior Lecturer at the Management and Law College Ljubljana of the following courses: property law, internet law and consumer law. He acquired a Master's degree at the Faculty of Law in Ljubljana and graduated at the London Chamber of Commerce & Industry in marketing and public relations. He wrote nearly 50 books, handbooks and commentaries on laws and numerous scientific and professional articles from fields of property law, consumer law, banking law, commercial law and internet law. He also works as a guest lecturer at prestigious international universities (at the Jagiellonian University in Krakow and the Fontys University of Applied Sciences in Eindhoven).

Doc. dr. Lidija Robnik je samostojna podjetnica od leta 2003; ukvarja se z izobraževanjem in s svetovanjem na področjih, kot so: računovodstvo, finance, davki in podjetništvo. Doktorirala je na Fakulteti za management Koper, Univerza na Primorskem, s področja tveganega kapitala in magistrirala na Ekonomsko-poslovni fakulteti v Mariboru s področja analiziranja organizacij s pomočjo računovodsko-finančnih kazalnikov. Je avtorica knjig, učbenikov in priročnikov ter znanstvenih in strokovnih prispevkov s področij financ, računovodstva in davkov. Svoje delo je predstavljala na domačih in mednarodnih znanstvenih in strokovnih srečanjih in konferencah. Je docentka in nosilka predmeta računovodstvo na Fakulteti za management in pravo Ljubljana, DOBA Maribor, Fakulteti za poslovne vede in pravo ter na Visoki šoli za računovodstvo in finance.

Doc. dr. Lidija Robnik has been an independent entrepreneur since 2003 who works in the following fields of education and counselling: accounting, finances, taxes and entrepreneurship. She acquired a PhD at the Faculty of Management, University of Koper, in venture capital and a Master's degree at the Faculty of Economics and Business in Maribor in Analysing organisations using accounting and financial indicators. She is the author of books, textbooks, handbooks and scientific and expert contributions in finances, accounting and taxes. Her work was presented in local and international scientific and professional meetings and conferences. She is an associate professor and lecturer of Accounting at the Management and Law College Ljubljana, DOBA Maribor, Faculty of Business Sciences and Law and the VŠR College of Accounting and Finance.

Red. prof. dr. Tatjana Devjak je zaposlena na Pedagoški fakulteti Univerze v Ljubljani. Je profesorica za področje pedagogike. Vodi oddelek za temeljni pedagoški študij. Magistrirala in doktorirala je s področja etične in državljanske vzgoje. Je avtorica knjig, učbenikov, priročnikov, delovnih zvezkov ter znanstvenih in strokovnih prispevkov s področja izobraževanja, etične, državljanske in predšolske vzgoje, s področja nadaljnjega izobraževanja in usposabljanja strokovnih delavcev v vzgoji in izobraževanju; objavlja v revijah, monografijah in v drugih publikacijah doma in v tujini. Svoje delo je predstavljala na številnih domačih in mednarodnih znanstvenih srečanjih in konferencah. Je nosilka ter izvajalka tujih in domačih raziskovalnih projektov ter projektov evropskega socialnega sklada.

Red. prof. dr. Tatjana Devjak works at the Faculty of Education in Ljubljana. She is a professor of pedagogy and the head of the Department of Basic pedagogical studies. She obtained a Master's degree and PhD in Ethics and Citizenship Education. She is the author of books, textbooks, handbooks, workbooks, scientific and expert contributions in education, ethics, citizenship and preschool education, advanced education and training of professionals in education and training, in journals, monographs and other publications in Slovenia and worldwide. Her work was presented in numerous local and international scientific meetings and conferences. Besides projects of the European Social Fund, she heads and implements foreign and local research projects.

Natja Lavrič, univ. dipl. prav., je zaposlena na MLC Ljubljana, in sicer na mestu tajnice fakultete. Diplomirala je na Pravni fakulteti Univerze v Ljubljani s temo s področja mednarodnega javnega prava. Na MLC Ljubljana je tudi predsednica Komisije za kakovost; skrbi za kakovostno izvedene postopke v študijskem in raziskovalnem procesu. Od leta 2019 je izvoljena v naziv predavateljice za področje prava; v tej vlogi usmerja študente tudi v okviru raziskovalnega dela kot pripravo na udeležbo na vsakoletni mednarodni konferenci v soorganizaciji Inštituta Atiner iz Aten in MLC Ljubljana. V okviru te konference je v letu 2021 prvič vodila mednarodno on-line Študentsko sekcijo.

Natja Lavrič, uni. dipl. prav. works as a Secretary General at the MLC Management and Law College Ljubljana. She graduated at the Faculty of Law, University of Ljubljana, in international public law. She also heads the MLC Ljubljana quality committee and takes care of high-quality implementation of study and research processes. In 2019, she was elected lecturer in the field of law where she also guides students as part of her research work and preparation to participate at the annual international conference, co-organized by the ATINER Institute from Athens and the MLC Ljubljana. At the 2021 conference, she led the international online student section for the first time.

Doc. dr. Julija Lapuh Bele je direktorica v družbi B2 skupina, d. o. o. Skupina se ukvarja z izobraževanjem za uporabo informacijskih tehnologij, razvojem programske opreme za e-izobraževanje in s poslovno analitiko. Doktorirala je na Univerzi v Ljubljani. Je docentka za računalništvo in informatiko na MLC Ljubljana – Fakulteti za management in pravo ter na Visoki šoli za poslovne vede. Njene raziskave se osredinjajo predvsem na področje digitalizacije procesov, npr. e-izobraževanja, uporabo orodij poslovne analitika v poslovnih financah in na varnostne vidike digitalizacije. Sodelovala je v številnih mednarodnih projektih, ki zajemajo navedena področja.

Doc. dr. Julija Lapuh Bele is the General Manager of B2 skupina d.o.o. The company educates people to use information technologies and develops software for e-learning and business analytics. She acquired a PhD at the University of Ljubljana. She is an associate professor of Computing & Information Science at the MLC Management and Law College Ljubljana and the Ljubljana School of Business. She primarily researches the field of process digitalisation: e-learning, usage of business analytics tools in business finances and safety aspects of digitalisation. She participated in various international projects, related to the above fields.

Marjanca Scheicher, mag. manag. in posl. prav., je zaposlena v Službi Vlade Republike Slovenije za razvoj in evropsko kohezijsko politiko. Diplomirala je na Fakulteti za management in pravo Ljubljana iz praktičnih problemov pri najemu hipotekarnega kredita za nepremičnino pod mentorstvom mag. Boštjana J. Turka, magistrirala pa na isti fakulteti pod mentorstvom dr. Aleksija Mužine iz davčne utaje kot prekrška in kaznivega dejanja. V letih 2018, 2019 in 2021 se je s študentsko sekcijo udeležila mednarodne konference Atiner, na kateri je med drugim predstavljala temi svoje diplomske in magistrske naloge. Na omenjeni fakulteti je predsednica kluba alumnov.

Marjanca Scheicher, mag. manag. and posl. prav. works at the Slovenian Government Office for Development and European Cohesion Policy. She graduated in Practical problems when taking out a mortgage real estate loan under the mentorship of mag. Boštjan J. Turk at the Management and Law College Ljubljana, where she obtained her Master's degree with dr. Aleksij Mužina as her mentor in Tax evasion as a criminal offence. In 2018, 2019 and 2021, she took part of an international conference Atiner with her student section, where she also presented the topics of her Bachelor and Master's Thesis. She is the MLC College Alumni Club President.

Izr. prof. dr. Aleksij Mužina je leta 1997 z odliko diplomiral na Pravni fakulteti v Ljubljani iz primerjave pravnih in ekonomskih kazalcev razvitosti mediteranskih držav EU in Slovenije, istega leta opravil strokovni izpit na Upravni akademiji v Ljubljani, v letu 1999 pa še državni pravniški izpit. Dve leti pozneje je končal magisterij iz civilnopravnih in gospodarskopravnih znanosti na temo pravno varstvo v postopkih oddaje javnih naročil. Naziv doktorja znanosti je pridobil z obrambo disertacije *Pravna narava koncesijskega razmerja* 8. januarja 2004. Od leta 2001 je bil član Državne revizijske komisije za revizijo postopkov oddaje javnih naročil (od leta 2003 tudi namestnik predsednika), pred tem pa je bil zaposlen kot svetovalec na Mestni občini Koper, pozneje pa v gospodarstvu. Državni zbor ga je 15. julija 2004 imenoval za predsednika Državne revizijske komisije; to funkcijo je opravljal vse do 30. junija 2006. Od leta 2007 naprej dela kot odvetnik.

Izr. prof. dr. Aleksij Mužina graduated in 1997 at the Faculty of Law, University of Ljubljana in Comparison of legal and economic indicators of development of Mediterranean EU countries and Slovenia, passed a professional exam at the Academy of Administration in Ljubljana in the same year and a State Law Examination in 1999. Two years later, he acquired a Master's degree in civil law and economic and legal sciences on the topic of Legal protection in public tender submissions. He obtained a PhD with a doctoral dissertation *Legal nature of the concession relationship* on January 8, 2004. He has been a member of the National Review Commission for public procurement award procedures since 2001 (and its Deputy President since 2003) and worked as a counsellor at the Municipality of Koper and in the economy sector. The National Assembly appointed him as the president of the National Review Commission on July 15, 2004. He held office until June 30, 2006. He has been working as a lawyer since 2007.

Doc. dr. Luigi Varanelli je leta 1998 v Trstu diplomiral iz prava. Na Pravni fakulteti Univerze v Ljubljani je leta 2002 dosegel naslov magistra, leta 2004 pa doktorja pravnih znanosti. Leta 2013 je v Trstu diplomiral tudi iz psihologije. Raziskuje in obravnava različne tematike obligacijskega prava, specializiral pa se je predvsem za področje pogodbenega prava. V domačih in tujih strokovnih revijah je objavil več kot 170 člankov in prispevkov, v katerih obravnava različne vidike obligacijskih razmerij. V središču njegovega akademskega zanimanja so tudi posamezni segmenti gospodarskega in statusnega prava. Intenzivneje se ukvarja še z mednarodnim in evropskim pravom. V okviru združenja INSOL Europe je predaval na več mednarodnih strokovnih konferencah, s svojimi znanstvenimi prispevki pa sodeluje tudi kot predavatelj na domačih izobraževalnih dogodkih. Leta 2005 ga je Ministrstvo za pravosodje imenovalo za člana izpitne komisije za pravniški državni izpit (področje gospodarsko pravo). Je tudi član izpitne komisije za sodne tolmače (2013). Od leta 2004 deluje kot odvetnik v Ljubljani. Pridobil je kvalifikacije odvetnik specialist za evropsko pravo in arbiter Gospodarske zbornice Slovenije. Od leta 2014 predava kot docent na Fakulteti za management in pravo (MLC) v Ljubljani na področju obligacij in pogodb ter korporacijskega prava.

Doc. dr. Luigi Varanelli graduated in law in Trieste in 1998. He obtained a Master's degree at the Faculty of Law in Ljubljana in 2002 and became a Doctor of Law in 2004. He graduated in psychology in 2013 in Trieste. He studies and deals with various subjects of law of obligations but he specialises mainly in contract law. He has published more than 170 articles and contributions in national and international peer reviewed journals, where he discusses different aspects of contractual obligations. The centre of his academic interest consists of individual segments of commercial and status law. He strongly focuses on international and European law as well. As part of the INSOL Europe Association, he lectured at several international professional conferences. As a speaker, he also participates in Slovenian training events with his scientific contributions. In 2005, he was appointed a State Law Examiner (for commercial law) by the Ministry of Justice. He is also a member of the Examining board for court interpreters (2013). He has been working as a lawyer in Ljubljana since 2004. He is qualified as a lawyer specialist for European law and an arbitrator of the Chamber of Commerce of Slovenia. Since, 2014 he has been lecturing at the MLC Management and Law College in Ljubljana in obligation, contract and corporate law.

Doc. dr. Nana Weber je odvetnica, profesorica glasbe ter docentka za civilno in gospodarsko pravo na Evropski pravni fakulteti, docentka za delovno pravo na MLC Fakulteti za management in pravo Ljubljana ter docentka za poslovne vede na B2 Visoki šoli za poslovne vede. Ker si vedno prizadeva za mirno rešitev sporov, je mediatorica v Mediacijskem centru Ljubljana, pri Odvetniški zbornici Slovenije ter na Ministrstvu za delo, družino, socialne zadeve in enake možnosti; je tudi izvajalka zunajsodnega reševanja potrošniških sporov pri Ministrstvu za gospodarski razvoj in tehnologijo. Je članica državne izpitne komisije za pravniški državni izpit za področje civilnega materialnega in procesnega prava. Piše strokovne in znanstvene članke z različnih pravnih področij. Med drugim je ena izmed avtoric Družinskega zakonika (Uradni list, 2019), avtorica uvodnih pojasnil Družinskega zakonika (GV Založba, Lexpera, 2018) ter avtorica zbirke Vprašanja in odgovori iz delovnega prava (GV Založba, Lexpera), v okviru katere sta do zdaj izšli knjigi Prenehanje pogodbe o zaposlitvi (2020) in

Doc. dr. Nana Weber is a lawyer, music teacher and an associate professor of Civil and Commercial Law at the European faculty of law, an associate professor of labour law at the MLC Management and Law College in Ljubljana and an associate professor of Business sciences at the B2 School of Business in Ljubljana. Because she always strives to achieve calm settlements of disputes, she works as a mediator for the Ljubljana Mediation Centre, for the Bar Association of Slovenia and the Ministry of Labour, Family, Social Affairs and Equal Opportunities of Slovenia and as a performer of out-of-court settlements of consumer disputes for the Ministry of Economic Development and Technology of Slovenia. She is also a member of the National board of Law Examination for civil, material and procedural law. She regularly writes professional and scientific articles in various fields of law. She is also among the authors of the Slovenian Family Code (Official Gazette, 2019). She wrote the introductory notes of the Family Code (GV Založba, Lexpera, 2018) and a collection of “Questions and answers in labour law” (GV Založba, Lexpera) which consists of the book “Termination of employment contract” (2020) and “When the employee is absent (leaves, grants and other absences from work (2021)”. *Ko delavca ni na delu (Dopust, regres in druge odsotnosti z dela, 2021).*

Doc. dr. Danijela Brečko je od leta 2014 izvršna direktorica v družbi Sofos, tj. na Inštitutu za upravljanje znanja in razvoj talentov. Doktorirala je na Univerzi v Ljubljani (Filozofska fakulteta), kjer je predhodno magistrirala iz osebnega razvoja odraslih. Je docentka za management na MLC Ljubljana – Fakulteti za management in pravo ter docentka za izobraževanje in upravljanje s človeškimi viri na Doba Fakulteti. Njene raziskave se osredinjajo predvsem na vodenje in upravljanje s človeškimi viri. Sodeluje v mednarodnem raziskovalnem projektu z raziskovalci iz EMCC Global, Atinerjem iz Grčije, Inštitutom za kadrovske zadeve, Praga. Od leta 2016 vodi nacionalni projekt Organizacijska energija, v katerem koordinira 16 razvojnih partnerjev. ID Orcid: <https://orcid.org/0000-0003-0221-606X>.

Doc. dr. Danijela Brečko has been the Executive Director of Sofos, an Institute for Knowledge Management and Talent Development, since 2014. She obtained her PhD at the University of Ljubljana (Faculty of Arts) where she also finished her Master's degree in Personal development of adults. She is an associate professor of Management at the MLC Management and Law College Ljubljana and an associate professor of Education and human resource management at the Doba Faculty. Her studies focus primarily on leadership and human resource management. She takes part in the following international research projects: EMCC Global, Atiner (Greece) and HR Institute (Prague). She has been the head of a national project Organisational energy since 2016, where she coordinates 16 development partners. ID Orcid: <https://orcid.org/0000-0003-0221-606X>.

Doc. dr. Lidija Kodrin je zaposlena na MLC Ljubljana – Fakulteti za management in pravo, kjer je nosilka predmetov s področja trženja, in na II. gimnaziji v Mariboru, kjer v programu International Baccalaureate poučuje predmet Economics. Kot nosilka predmetov s področja trženja sodeluje s Fakulteto za komercialne in poslovne vede Celje ter z Visoko poslovno šolo Ljubljana. Magistrirala je s področja mednarodne menjave na Ekonomsko-poslovni fakulteti v Mariboru, doktorirala s področja trženja storitev na Ekonomski fakulteti v Ljubljani. Je avtorica monografij, učbenikov, prispevkov in člankov s področij trženja, turizma in izobraževanja, objavljenih v revijah, monografijah in v drugih publikacijah doma in v tujini.

Doc. dr. Lidija Kodrin teaches marketing courses at the MLC Management and Law College Ljubljana and lectures at the II. gimnazija Maribor, course Economics in the International Baccalaureate program. As a lecturer of marketing courses, she cooperates with the Faculty of Commercial and Business Sciences in Celje and the School of Economics and business in Ljubljana. She obtained a Master's degree in International trade at the Faculty of Economics and Business in Maribor and a PhD in Marketing of services at the School of Economics and Business in Ljubljana. She is the author of monographs, textbooks, contributions and articles, related to marketing, tourism and education, published in journals, monographs and other publications in Slovenia and abroad.

Dr. Ivana Marinović Matović, predavateljica, je zaposlena v JKP »Parking Service« Niš, Srbija, kot notranja revizorka. Leta 2018 se je pridružila Fakulteti za strojništvo Univerze v Nišu kot predavateljica na dodiplomskem in magistrskem študiju programa inženirski management. Magistrirala je iz managementa na Ekonomski fakulteti Univerze v Nišu in doktorirala iz ekonomije na Fakulteti za bančništvo, zavarovalništvo in finance Univerze Union. Je avtorica velikega števila znanstvenih prispevkov, objavljenih v revijah in predstavljenih na znanstvenih konferencah s področij managementa in poslovne administracije. Njeno raziskovanje se osredinja predvsem na poslovno upravo, finance in upravljanje naložb ter na upravljanje s človeškimi viri.

Dr. Ivana Marinović Matović, lecturer works at JKP "Parking Service" Niš, Serbia as an internal auditor. She joined the Engineering department of the University of Niš in 2018 as a lecturer of undergraduate and Masters courses in Engineering management. She obtained a Master's degree in management at the Faculty of Economics in Niš and a PhD in Economics at the Faculty of Banking, Insurance and Finance of the Union University. She is the author of numerous scientific papers published in journals and presented at scientific conferences from the field of management and business administration. Her research focuses primarily on business administration, finances and management of investments and human resources.

Edita Boltežar Smuk, dipl. ing. ort. prot., mag. manag. in posl. prav., je leta 1991 diplomirala na takratni Višji šoli za zdravstvene delavce, smer ortotika in protetika, leta 2000 pa je nadgradila izobrazbo na takratni Visoki šoli za zdravstvene delavce, zdajšnji Zdravstveni fakulteti, smer ortotika in protetika, in si pridobila naziv diplomirana inženirka ortotike in protetike. Dodatno se je izobraževala na University of Strathclyde v Glasgowu, kjer je pridobila sodobne temelje celostnega gledanja na uporabnika ortopedskih pripomočkov. Leta 2020 je magistrirala na Fakulteti za management in pravo Ljubljana pod mentorstvom prof. dr. Marka Novaka. Redno se udeležuje domačih in tujih strokovnih izpopolnjevanj, srečanj in sejmov, posebej na področjih ortotike hrbtenice in spodnjih udov. Deluje kot aktivna članica združenja ISPO Slovenije in SOSORT-a.

Edita Boltežar Smuk, dipl. ing. ort. prot., mag. manag., posl. prav. graduated at the college for healthcare workers in orthotics and prosthetics in 1991 and upgraded her education at the Faculty of Health Sciences in orthotics and prosthetics in 2000 to obtain the title Graduate engineer in orthotics and prosthetics. She received additional training at the University of Strathclyde in Glasgow where she acquired contemporary foundations for a comprehensive look at a user of orthopaedic appliances. She obtained a Master's degree in 2020 at the Management and Law College Ljubljana with prof. dr. Marko Novak as her mentor. She regularly participates in local and international professional trainings, meetings and fairs, primarily related to spine orthotics and orthotics of lower limbs. She is an active member of the ISPO Slovenia association and The International Society on Scoliosis Orthopaedic and Rehabilitation Treatment (SOSORT).





FAKULTETA
ZA MANAGEMENT IN PRAVO
LJUBLJANA