

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

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

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ZBORNİK POVZETKOV  
BOOK OF ABSTRACTS

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FAKULTETA  
ZA MANAGEMENT IN PRAVO  
LJUBLJANA



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Ljubljana, 10. 1. 2024



# ZBORNIK POVZETKOV ZNANSTVENE KONFERENCE PRAVO IN MANAGEMENT V POGOJIH DIGITALNEGA POSLOVANJA III

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# **NAGOVOR DEKANA**

# Digitalizacija poslovnega procesa kot izziv in potreba



*Spoštovane udeleženke in udeleženci tretje znanstvene konference na temo Pravo in management v pogojih digitalnega poslovanja III na MLC Fakulteti za management in pravo Ljubljana!*

MLC Fakulteta za management in pravo Ljubljana je pripravila v sodelovanju s svojimi visokošolskimi učitelji in raziskovalci že tretjo znanstveno interdisciplinarno konferenco na temo Pravo in management v pogojih digitalnega poslovanja III. Namen konference je osvetlitev temeljnih teoretskih konceptov in dobre prakse sodobnega poslovanja in aktualne problematike v zvezi z digitalizacijo skozi pravni, poslovni, managerski, osebni in družbeni diskurz. Digitalizacija poslovnih procesov in uporaba umetne inteligence zahteva dvig poslovne kulture poslovanja po principu družbene odgovornosti in trajnostnega razvoja družbe, veliko znanja in kompetenc iz različnih področij, poznavanje domačih, evropskih in svetovnih pravno-formalnih okvirjev delovanja in visoke etične standarde.

Prva znanstvena monografija ter prvi posvet s področja digitalizacije prava in managementa 11. januarja 2022 sta opozorila na ključne spremembe, spremenjene pogoje, nove modele in na odprta vprašanja pri uvajanju digitalizacije v poslovno okolje. Med sklepi druge znanstvene konference, ki je bila 12. januarja 2023, je bila tudi odločitev, da področji managementa in prava potrebujeta nadaljnjo interdisciplinarno raziskovanje teoretičnih in konceptualnih pristopov pa tudi primerov dobrih praks s področij digitalizacije procesov ter uporabe umetne inteligence na pravo družb in poslovnega sistema.

Današnji posvet in prispevki v znanstveni monografiji *Pravo in management v pogojih digitalnega poslovanja III* so interdisciplinarno zasnovani ter usmerjeni v predstavitev, analizo, izziv, interdisciplinarno argumentacijo in v razmislek o temah, kot so: učinki digitalizacije na pravo družb, uvajanje tehnologije v pravno prakso, pametne pogodbe, tehnologija in regulacija, umetna inteligenca pri spletnem poslovanju, interdisciplinarni argument, pogodbeno pravo v dobi tehnoloških premikov, učinkovitost odločanja in vodenja, vloga digitalizacije v procesu insolventnosti, čustvena inteligenca in mobing v organizacijah.

Zahvaljujem se vsem sodelujočim, vabljenemu predavatelju red. prof. dr. Radu Bohincu, vsem avtoricam in avtorjem prispevkov, recenzentoma, lektorju in organizacijskemu odboru fakultete za vse delo, ki omogoča nadaljnjo rast raziskovalne pismenosti in kulture raziskovanja novih generacij raziskovalcev in študentov na MLC Ljubljana.

Ljubljana, januar 2024

*Dekan: red. prof. dr. Srečko Devjak*  
*MLC Fakulteta za management in pravo Ljubljana*



# **PROGRAM KONFERENCA**

**PRAVO IN MANAGEMENT  
V POGOJIH DIGITALNEGA POSLOVANJA III  
10. januar 2024 v živo in preko aplikacije ZOOM**

**8:30 – 9.00**      **Registracija udeležencev**

**09.00– 9.15**      *Srečko Devjak, dekan*  
**Nagovor**

**Plenarno predavanje**

**9.15 – 9.45**      *Rado Bohinc*  
Učinki digitalizacije na pravo družb

**9.45 – 10.00**      **Diskusija**

**1. del**

**10.00 – 10.15**      *Marko Novak*  
Interdisciplinarni argument:  
pravo in ekonomija/management

**10.15 – 10.30**      *Julija Lapuh Bele in Boštjan J. Turk*  
Pametne pogodbe

**10.30 – 10.45**      *Danijela Brečko in Nana Weber*  
Prepoznavanje, preprečevanja in reševanje mobinga  
v organizacijah

**10.45 – 11.00**      *Nana Weber*  
Uvajanje tehnologije v pravno prakso

**11.00 – 11.15**      *Luka Martin Tomažič in Matej Mertik*  
Tehnologija in regulacija:  
od telekomunikacij do umetne inteligence

**11.15 – 11.30**      *Matej Jugovic in Srečko Devjak*  
Insolventnost in druga priložnost za podjetnika

**11.30 – 12.00**    **Diskusija**

**12.00 – 12.30**    **Odmor za kosilo**

## **2. del**

**12.30 – 12.45**    *Srečko Devjak*

Vpliv inflacije na konkurenčnost bank  
v slovenskem bančnem sistemu

**12.45 – 13.00**    *Boštjan J. Turk*

Digitalna transformacija v pravni sferi

**13.00 – 13.15**    *Danijela Brečko*

Učinkovitost odločanja in čustvena inteligentnost:  
primerjalna analiza med študenti ekonomije,  
managementa in prava

**13.15 – 13.30**    *Luigi Varanelli*

Umetna inteligenca pri spletnem poslovanju in  
odgovornost proizvajalca za napake blaga ali storitve

**13.30 – 13.45**    *Zoran Vaupot in Anais Vaupot*

Javna zdravstvena sistema Francije in Slovenije:  
analiza z vidika managementa zagotavljanja virov

**13.45 – 14.00**    *Maja Mekinda, Sebastijan Pungrčič in Marko Novak*

Pogodbno pravo v dobi velikih tehnoloških premikov:  
umetna inteligenca na primeru uporabe CHATGPT  
pri posojilnih pogodbah

**14.00 – 14.30**    **Diskusija in zaključek**





**POVZETKI PRISPEVKOV**

**ABSTRACTS**

# Učinki digitalizacije na pravo družb

*Rado Bohinc*

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V prvem delu prispevka predstavljamo pravno ureditev digitalizacije prava družb v EU, predvsem t. i. digitalizacijsko direktivo in mobilnostno direktivo ter direktivo in uredbo o povezovanju sodnih registrov. V drugem delu so predstavljene široke pravne možnosti uporabe digitalnih orodij v slovenskem pravu družb pred uveljavitvijo novele ZGD-1 L, ki uvaja navedeni direktivi v naš pravni red in velja od letošnjega leta. V tretjem delu pa predstavljamo prav to novelo (ZGD-1 L), ki je prinesla vrsto novih možnosti uporabe elektronskih sredstev, skladno z najnovejšim korporacijskim pravom EU in tudi najnovejšimi digitalizacijskimi standardi.

Digitalizacija je neustavljivi proces, ki ga razvoj prava nikoli ne more dohiteti, lahko pa mu bolj ali manj uspešno sledi. Pravo družb v Evropski uniji (EU) zaostaja za tehnološkim razvojem; obstajajo velike razlike v uspešnosti držav članic (DČ) in korporacij pri izvajanju digitalizacijskih direktiv EU. V Republiki Sloveniji (RS) digitalna orodja že široko uporabljajo za transparentno razkrivanje ter objavo podatkov in poročil družb, za izvajanje osnovnih funkcij korporativnega upravljanja (delovanja organov, komunikacije delničarjev z organi družb, za razkritje podatkov o delovanju gospodarskih družb). V RS obstajajo velike razlike med manjšino naprednih podjetij, s katerimi se javno trguje (borznih), in večino podjetij, ki zaostajajo, ker je regulacija pomanjkljiva. Digitalizacija omogoča številne nove načine kreativnega poslovanja, kot so trgovske in storitvene platforme (spletna prodaja), delovne platforme (spletno delo), družbene platforme (informacijske, publicistične, informacijske, komunikacijske, družabne), delitvena ekonomija (delitev nastanitev, prevozov, digitalnih naprav, spletnih aplikacij), robotika, umetna inteligenca (pametne naprave, stroji). Prav tako ima pomemben vpliv na gospodarstvo (delovna mesta, investicije, mednarodna trgovina, proizvodnja, distribucija), poganja inovacije in tehnološki razvoj, prispeva k prestrukturiranju tradicionalnih industrij, zato je nujno, da zaposleni pridobivajo novo znanje in veščine v smeri digitalnih kompetenc.

**Ključne besede:** digitalizacija, pravo družb, korporacijsko upravljanje, digitalna skupščina delničarjev, umetna inteligenca, komunikacija poslovnih registrov, digitalno ustanavljanje družb

# Effects of digitalization on company law

*Rado Bohinc*

---

The author first describes the legal regulation of the digitization of company law in the EU, presents the broad legal possibilities of using digital tools in Slovenian company law, and warns that digitization is an unstoppable process that the development of law can never catch up with but it can follow it more or less successfully. Company law in the European Union (EU) lags behind technological developments; there are large differences in the performance of Member States (MS) and corporations in the implementation of EU digitalization directives. In Slovenia (RS), digital tools are already widely used for the transparent disclosure and publication of company data and reports, as well as for the implementation of basic functions of corporate governance (operations of bodies, communication between shareholders, and company bodies for the disclosure of data on the operation of companies). The author says that digitization enables many new ways of creative business, such as trade, service platforms (online sales), work platforms (online work), social platforms (information, publishing, information, and communication), sharing economy (sharing accommodation, transportation, digital devices, and online applications), robotics, artificial intelligence (smart devices and machines). In his opinion, digitization has a significant impact on the economy (jobs, investments, international trade, production, and distribution), drives innovation and technological development, and contributes to the restructuring of traditional industries. Therefore, employees must acquire new knowledge and skills in the field of digital competencies.

**Keywords:** digitization, company law, corporate governance, digital shareholders' meeting, artificial intelligence, communication of business registers, digital establishment of companies.

# Učinkovitost odločanja in čustvena inteligentnost: primerjalna analiza med študenti ekonomije, managementa in prava

*Danijela Brečko*

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Vsi se odločamo dejansko vsak dan. Odločitve sprejemamo kot posamezniki, odločamo se v skupinah ali timih, v zasebnem in delovnem okolju. Postopek odločanja je vrsta korakov, ki jih posameznik sprejme, da bi določil najboljšo možnost ali smer ukrepanja za rešitev problema ali zadovoljitev svojih potreb. V poslovnem kontekstu je proces odločanja vrsta korakov, ki jih sprejmejo menedžerji v podjetju z namenom načrtovanja poslovanja oz. sprožitve določenih ukrepov. V idealnem primeru odločitve temeljijo na analizi objektivnih dejstev, pri čemer si pomagamo z uporabo analitičnih orodij. Pregled dozdašnjih raziskav o učinkovitosti procesov odločanja kaže, da nanjo ne vplivajo le kognitivni dejavniki (inteligentnost, raven znanja idr.), ampak tudi konativni dejavniki, ki vključujejo posameznikove osebnostne značilnosti pa tudi njegovo zrelost. Znotraj konativnih dejavnikov še posebej izstopajo čustvene kompetence. Čustvena inteligentnost kot vrsta čustvenih kompetenc je že več kot desetletje uveljavljen in priznan koncept, ki opisuje, kako čustva usmerjajo naše misli in dejanja.

Z namenom ugotavljanja vpliva čustvenih kompetenc na učinkovitost procesa odločanja smo oblikovali raziskavo, v kateri sodelovalo 329 študentov s sedmih različnih fakultet in smeri ekonomije, managementa, prava, psihologije in izbranih tehničnih ved. Naše ugotovitve kažejo, da stopnja razvitosti čustvenih kompetenc vpliva na učinkovitost procesa odločanja, največji faktor vpliva pa smo zaznali pri empatiji. Prav tako smo ugotovili, da stopnja razvitosti čustvene inteligentnosti narašča s starostjo in številom let delovnih izkušenj. V prispevku prikazujemo še primerjalno analizo razvitosti čustvenih kompetenc in primerjalno analizo učinkovitosti odločanja med študenti managementa, prava in ekonomije ter analizo med študenti družboslovnih in tehničnih ved.

**Ključne besede:** odločanje, čustvena inteligentnost, samozavedanje, socialne spretnosti, empatija

# Decision-making effectiveness and emotional intelligence: comparative analysis between students of management, law, and economics

*Danijela Brečko*

---

We all make decisions every day. We make decisions as individuals and we make decisions in groups or teams and in private and work environments. A decision-making process is a series of steps an individual takes to determine the best option or course of action to solve a problem or satisfy his needs. In a business context, the decision-making process is a series of steps taken by managers in a company to plan operations or initiation of certain measures. Ideally, decisions are based on an analysis of objective facts assisted by the use of analytical tools. An overview of previous research on the effectiveness of decision-making processes shows that it is influenced not only by cognitive factors (intelligence, level of knowledge, etc.) but also by conative factors, which include the individual's personality characteristics as well as his maturity. Among the conative factors, emotional competencies stand out in particular. Emotional intelligence as a set of emotional competencies has been established and recognized for more than a decade as a concept that describes how emotions guide our thoughts and actions.

To determine the impact of emotional competencies on the effectiveness of the decision-making process, we designed a survey in which 329 students from seven different faculties – study programs of economics, management, law, psychology, and selected technical sciences participated. Our findings show that the level of development of emotional competencies affects the efficiency of the decision-making process. We detected the biggest influencing factor in empathy. We also found that emotional intelligence increases with age and the number of years of work experience. In the paper, we also present a comparative analysis of the development of emotional competencies and a comparative analysis of decision-making efficiency among

students of management, law, and economics, as well as an analysis among students of social and technical sciences.

**Keywords:** decision-making, emotional intelligence, self-awareness, social skills, empathy.

# Prepoznavanje, preprečevanja in reševanje mobinga v organizacijah

*Danijela Brečko in Nana Weber*

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Evropske raziskave kažejo, da so težave z duševnim zdravjem, katerih vzroki so povezani z delom, vse pogostejše. Med ključne dejavnike psihosocialnih tveganj, ki vplivajo na duševno zdravje in povzročajo stres, uvrščamo še zlasti ustrahovanje, nadlegovanje in trpinčenje na delovnem mestu, fizično in besedno nasilje, vključno z grožnjami z nasiljem, pa tudi različne oblike diskriminacije. Vsi naštetih dejavniki so bolj znani pod imenom mobing. Organizacija mora zato učinkovito obvladovati psihosocialna tveganja in tovrstna ravnanja preprečevati, saj se negativne posledice ne odražajo samo na počutju in storilnosti prizadetega delavca, ampak tudi v širšem delovnem okolju in v učinkovitosti organizacije. Tudi zakonodaja nalaga delodajalcu, da zagotovi delovno okolje, ki prepoveduje psihično in čustveno nasilje ali trpinčenje na delovnem mestu. Tako Zakon o delovnih razmerjih (ZDR-1) v 7. členu opredeli in prepove trpinčenje na delovnem mestu ter zagotavlja ukrepe za varstvo delavcev pred odpuščanjem zaradi ukrepanja, katerega cilj je uveljavitev prepovedi trpinčenja. Prav tako Zakon o varnosti in zdravju pri delu v 24. členu določa, da mora delodajalec sprejeti ukrepe za preprečevanje, odpravljanje in za obvladovanje primerov nasilja, trpinčenja, nadlegovanja pa tudi drugih oblik psihosocialnega tveganja na delovnih mestih, ki lahko ogrozijo zdravje delavcev. Javne uslužbenke pa poleg ZDR-1 posebej zaščiti še Zakon o javnih uslužbencih (ZJU), ki prepoveduje šikaniranje, in tudi posebna Uredba o ukrepih za varovanja dostojanstva zaposlenih v organih državne uprave.

V prispevku bomo predstavili prepoznavanje tveganja za pojav mobinga na študiji primera organizacije X. Ugotovili smo, da je tveganje za pojav mobinga srednje veliko, vzroke zanj pa gre v največji meri iskati v disfunkcionalnosti organizacijske kulture, slabi organizaciji dela in v nekakovostnem vodenju. Na podlagi izvedbe študije primera smo oblikovali še predlog modela za prepoznavanje in preprečevanje mobinga v organizacijah. Prav tako smo analizirali tudi pravne možnosti reševanja mobinga in



preučili novejšo sodno prakso na tem področju na način, da smo izpostavili pomembnejše primere od leta 2020 naprej.

**Ključne besede:** mobing, psihično in čustveno nasilje, prepoznavanje mobinga, strateški ukrepi zoper mobing, reševanje mobinga po pravni poti, sodna praksa

# Identifying, preventing, and resolving mobbing in organizations

*Danijela Brečko and Nana Weber*

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European research shows that work-related mental health problems are becoming more common. Among the key factors of psychosocial risks that affect mental health and cause stress, we include in particular bullying, harassment, and mistreatment at the workplace, as well as physical and verbal violence, including threats of violence, and various forms of discrimination. All of the above factors are better known under the name of mobbing. Therefore, the organization must effectively manage psychosocial risks and prevent this type of behavior because the negative consequences are not only reflected in the well-being and productivity of the affected worker but also the wider work environment and the efficiency of the organization. The legislation also obliges the employer to provide a working environment that prohibits psychological and emotional violence or mistreatment in the workplace. Thus, Article 7 of the Labor Relations Act (ZDR-1) defines and prohibits mobbing in the workplace and provides measures to protect workers against dismissal due to actions aimed at enforcing the prohibition of mobbing. Also, the Act on Safety and Health at Work stipulates in Article 24 that the employer must take measures to prevent, eliminate, and manage cases of violence, mobbing, harassment, as well as other forms of psychosocial risk at workplaces that may endanger the health of workers. In addition to ZDR-1, civil servants are also specially protected by the Public Servants Act (ZJU) which prohibits mobbing and by the special Regulation on measures to protect the dignity of employees in state administration bodies.

In this paper, we will present the case study where we measured the risk of mobbing in organization X. We found that the risk of mobbing is medium, and the causes of it are to be found in the dysfunctional organizational culture, poor organization of work, and low-quality management. Based on the implementation of the case study, we also created a model proposal for identifying and preventing mobbing in organizations. We also analyzed the legal options for dealing with mobbing and examined recent cases of judicial

practice in this area in such a way that we highlighted more important cases from 2020 onwards.

**Keywords:** mobbing, psychological and emotional violence, recognition of mobbing, strategic measures against mobbing, dealing with mobbing through legal means, judicial practice.

# Vpliv inflacije na konkurenčnost bank v slovenskem bančnem sistemu

*Srečko Devjak*

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Slovensko gospodarstvo se od leta 2021 spoprijema s povečano stopnjo inflacije. Ta je bistveno višja od tiste stopnje inflacije, ki jo cilja Evropska centralna banka s svojo denarno politiko. Ker si ECB želi nižje stopnje inflacije v Evropski monetarni uniji, je začela dvigovati svoje ključne obrestne mere. Posledično so začele naraščati aktivne obrestne mere poslovnih bank in hranilnic, z naraščanjem aktivnih obrestnih mer pa so naraščali tudi obrestne marže ter dobički poslovnih bank in hranilnic. Cilj tega prispevka je najprej analizirati nekatere ključne kazalnike poslovne uspešnosti bank in hranilnic v Sloveniji v letih 2020 in 2022, nato pa vse banke in hranilnice v Sloveniji razvrstiti v tri skupine, najprej za leto 2020, nato pa še za leto 2022. Vse banke in hranilnice bomo razvrstili v tri skupine, pri čemer bodo v prvo skupino razvrščene poslovno manj uspešne banke in hranilnice, v drugo skupino bodo razvrščene povprečne banke in hranilnice, v tretjo skupino pa bodo razvrščene poslovno uspešnejše banke in hranilnice. S pomočjo primerjave razvrščenosti bank in hranilnic v tri skupine bomo analizirali, kako se je sestava treh skupin leta 2022 spremenila glede na leto 2020. V raziskavo bomo vključili vse banke in hranilnice, ki so obstajale v bančnem sistemu v Sloveniji na zadnji dan v letu 2022. Banke in hranilnice bomo v skupine razvrščali s pomočjo multivariatne statistične tehnike nehierarhičnega razvrščanja v skupine.

**Ključne besede:** inflacija, banke, hranilnice, kreditne ustanove, obrestne mere, konkurenčnost, nehierarhično razvrščanje bank in hranilnic v skupine

# The impact of inflation on the competitiveness of banks in the Slovenian banking system

*Srečko Devjak*

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Since 2021, the Slovenian economy has been facing an increased rate of inflation. This is significantly higher than the inflation rate targeted by the European Central Bank with its monetary policy. As the ECB wants lower inflation rates in the European Monetary Union, it has started raising its key interest rates. As a result, the active interest rates of commercial banks and savings banks began to rise, and with the increase of active interest rates, the interest margins and profits of commercial banks and savings banks also increased. This paper aims to analyze some key business indicators of Slovenian banks and savings banks in 2020 and 2022 and to classify all banks and savings banks in Slovenia into three groups, separately for 2020, and then separately for 2022. We will classify all banks and savings banks into three groups, in the first group of more competitive banks and savings banks, in the second group of averagely competitive banks and savings banks, and in the third group of less competitive banks and savings banks. By comparing the classification of banks and savings banks into three groups, we will analyze how the composition of the three groups changed in 2022 in comparison to 2020. In the research, we will include all banks and savings banks that existed in the banking system of Slovenia on the last day of 2022. We will classify banks and savings banks into groups by using the multivariate statistical technique of non-hierarchical clustering.

**Keywords:** inflation, banks, savings banks, credit institutions, interest rates, competitiveness, non-hierarchical clustering of banks and savings banks into groups.

# Pametne pogodbe

*Julija Lapuh Bele in Boštjan J. Turk*

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Pametna pogodba (ang. smart contract) je računalniški program, ki samodejno izvede pogoje pogodbe. Za avtorja izraza velja Nick Szabo (1996), ki je imel vizijo avtomatizacije pogodbenega procesa ter povečanja učinkovitosti in preglednosti pogodb. Ideja temelji na tehnologiji verig blokov (ang. blockchain), kar zagotavlja sledljivost, nespremenljivost vsebine in informacijsko varnost, zmanjševanje tveganja napak pri izvedbi in neželene posledice neizpolnitve pogodbenih obveznosti. Pametnih pogodb, tako kot drugih podatkov v verigi blokov, ni mogoče izbrisati ali zanikati. Pametne pogodbe niso sklenjene v tradicionalnem pravnem okolju, transakcije na verigah blokov pa še niso ustrezno pravno regulirane. Ker pametne pogodbe temeljijo na programski kodi in avtomatizirani izvedbi, se postavljajo številna vprašanja, na katera bomo skušali odgovoriti v prispevku, tj. pravna veljavnost pametnih pogodb, vloga pristojnih organov pri nadzoru pametnih pogodb in morebitnih zlorab, reševanje sporov med strankami pri pametnih pogodbah itn. Pravne dileme se pojavljajo zlasti v povezavi z dejstvom, da gre v tehnološkem smislu za računalniške programe, pri katerih so mogoče številne napake in s tem povezane nejasne odgovornosti zanje.

**Ključne besede:** pametna pogodba, avtomatizacija pogodbenega procesa, intelektualna lastnina, pravna regulativa, pravna praksa

# Smart contracts

*Julija Lapuh Bele and Boštjan J. Turk*

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A smart contract is a computer program that executes the terms of the contract automatically. The author of the term is Nick Szabo (1996), who had a vision of automating the contract process and increasing the efficiency and transparency of contracts. The idea is based on blockchain technology, which ensures traceability, immutability of content, and information security, reducing the risk of errors in implementation and unwanted consequences of non-fulfillment of contractual obligations. Smart contracts, like other data on the blockchain, cannot be deleted or denied.

Smart contracts are not concluded in a traditional legal environment, and transactions on blockchains are not yet properly legally regulated. Since smart contracts are based on program code and automated execution, many questions arise which we will try to answer in the paper, i.e. the legal validity of smart contracts, the role of competent authorities in monitoring smart contracts and possible abuses, resolving disputes between parties to smart contracts, etc. Legal dilemmas arise especially in connection with the fact that, in the technological sense, these are computer programs, in which many errors and associated unclear responsibilities are possible.

**Keywords:** smart contract, contract process automation, intellectual property, legal regulation, legal practice.

# Interdisciplinarni argument: pravo in ekonomija/management

*Marko Novak*

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Do zdaj se teoretiki pravne argumentacije niso veliko ukvarjali z interdisciplinarno argumentacijo. Namesto tega so raje varno ostajali znotraj svoje discipline. Toda ko gre za utemeljevanje odločitev iz dveh ali več disciplin, kar v sodobnem svetu postaja pogosto, je širši pogled nujen. Eno takšnih srečevanj disciplin v interdisciplinarnem argumentu je med pravom in ekonomijo. Prvo področje predstavljajo pravne, drugo pa ekonomske premise. Interdisciplinarni argument je sestavljen iz premis različnih disciplin, pri čemer vsaka izmed teh sledi zakonitostim svoje discipline. Tu se vzpostavljata dva tipa razmerij med disciplinami: i) kvaziinterdisciplinarno, pri čemer velja podrejenost a) ekonomske premise pravni ali b) nasprotno; ii) pravo interdisciplinarno, pri čemer sta premisi enakovredni. V prispevku gre za model interdisciplinarnega argumenta iz projekta ARRS glede pravno dovoljene spremembe pogodbe pri javnem naročilu zaradi ekonomskih razlogov. Uporabljene so argumentacijske sheme skupaj s kritičnimi vprašanji (po metodi Douglasa Waltona).

**Ključne besede:** pravna argumentacija – interdisciplinarni argument – sprememba pogodbe pri javnem naročilu zaradi ekonomskih razlogov



# Interdisciplinary argument: law and economics

*Marko Novak*

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Until now, theorists of legal argumentation have not been much concerned with interdisciplinary argumentation. Instead, they have preferred to stay safely within their discipline. When it comes to arguing for decisions from two or more disciplines as it is becoming common in the modern world, however, a broader view is necessary. One such encounter of disciplines in interdisciplinary argument is between law and economics. The former is constituted by legal premises and the latter by economic premises. An interdisciplinary argument consists of the premises of different disciplines, each of which follows the laws of its discipline. Two types of relationship are established here: (i) quasi-interdisciplinary, with the subordination of a) the economic premise to the legal premise, or b) vice versa, and (ii) proper interdisciplinary where the two premises are equivalent. The paper is a model of the interdisciplinary argument from the ARIS project on permissible legal modification of a public procurement contract for economic reasons. The argumentation schemes are used together with critical questions (following Douglas Walton's method).

**Keywords:** legal argumentation – interdisciplinary argument – contract change in the case of a public procurement contract for economic reasons.

# Tehnologija in regulacija: od telekomunikacij do umetne inteligence

*Matej Mertik in Luka M. Tomažič*

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Tehnološki razvoj je imel v preteklem stoletju močen vpliv na življenje ljudi. Pojav telekomunikacijskih tehnologij, kot so: telefoni, radii, sateliti in internet, je spremenil način povezovanja in izmenjave informacij. Hiter tempo tehnoloških sprememb je zakonodajalce postavil pred nove izzive. Na obzorju je umetna inteligenca, ki bo od regulatorjev zahtevala ustrezne pristope za njeno uporabo na varen in odgovoren način. To poglavje bo obravnavalo mogoče načine, na katere lahko družba javnopolitično ureja področje umetne inteligence. Avtorja bosta najprej napravila pregled družbenega vpliva izbranih tehnologij in predstavila pogloblitve regulativne rešitve v preteklih desetletjih. Nato bosta s tehnološkega vidika obravnavala nakažane priložnosti in pasti tehnologije umetne inteligence. Na podlagi preteklih družbenih izkušenj in doktrinarnih dognanj bosta kritično analizirala različna orodja, ki so na voljo zakonodajalcem in regulatorjem ob implementiranju novih tehnologij.

**Ključne besede:** umetna inteligenca, regulacija, tehnološki napredek, telekomunikacije, zakonodajalec, javne politike

# Technology and regulation: from telecommunications to artificial intelligence

*Matej Mertik and Luka M. Tomažič*

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Technological development has substantially impacted people's lives in the past century. The advent of telecommunication technologies, such as telephones, radios, satellites, and the Internet, has changed the way of connecting and exchanging information. The rapid pace of technological change has presented new challenges to legislators. Artificial intelligence is on the horizon, requiring regulators to take appropriate approaches to its use safely and responsibly. This chapter will discuss the possible ways in which society can govern the field of artificial intelligence through public policy. The authors will first overview the selected technologies' social impact and present the past decades' leading regulatory solutions. Then, from a technological point of view, they will discuss the indicated opportunities and pitfalls of artificial intelligence technology. Based on past social experiences and doctrinal findings, they will critically analyze the various tools available to legislators and regulators when implementing new technologies.

**Keywords:** artificial intelligence, regulation, technological progress, telecommunications, legislator, public policies.

# Digitalna transformacija v pravni sferi

*Boštjan J. Turk*

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Digitalizacija poslovanja je v polnem obsegu in pravna sfera ni nobena izjema. Še pred kratkim so se pravniki oteпали družbenih omrežij, digitalne pravne literature, iskanja sodne prakse in udeležbe na glavnih obravnavah prek videopovezave. Vse to se zdaj spreminja. Čeprav procesi digitalizacije v pravni sferi – primerjalno gledano – še vedno nekoliko zaostajajo za dejavnostmi, kot so: industrija, trgovina, turizem, finance, bančništvo, pa se tudi na tem področju dogajajo hitre spremembe. Številna orodja, kot so E-discovery, ki jih pravniki na primer uporabljajo za skladnost obdelave osebnih podatkov njihovih strank z GDPR, avtomatizacija dokumentov, orodja, kot so E-račun, E-urejanje dokumentov (ang. e-filing), E-zaslišanja, virtualni pravni asistenti idr., pripomorejo k učinkovitejšem poslovanju odvetniških pisarn in njihovi konkurenčni prednosti. Tu je tudi številna programska oprema, kot je programska oprema za menedžment pravnih primerov, programska oprema za menedžment pogodb, programska oprema za menedžment klientovih izkušenj itn. V prispevku analiziramo vpliv nekaterih izbranih digitalnih tehnologij, ki se čedalje pogosteje uporabljajo v pravni sferi na učinkovitost pravniskega dela (ang. time management), zadovoljstvo klientov in ne nazadnje na konkurenčno prednost odvetniških pisarn, ki uporabljajo take tehnologije.

**Ključne besede:** digitalizacija dokumentov, digitalna transformacija, pravo, menedžment pogodb, konkurenčna prednost

# Digital transformation in the legal sphere

*Boštjan J. Turk*

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The digitization of business is in full swing and the legal sphere is no exception. Until recently, lawyers avoided social networks, digital legal literature, searching for case law, and attending main hearings via video link. All that is changing now. Although digitization processes in the legal sphere – comparatively speaking – are still somewhat behind activities, such as industry, trade, tourism, finance, and banking, rapid changes take place in this area as well. Many tools, such as E-discovery – which lawyers use, for example, to comply with the processing of personal data of their clients with the GDPR and document automation. Tools, such as E-invoicing, E-filing, E-hearings, virtual legal assistants, etc., contribute to the more efficient operation of law firms and their competitive advantage. There is also a lot of software, such as case management software, contract management software, customer experience management software, etc. In this paper, we analyze the influence of some selected digital technologies, which are increasingly used in the legal sphere, on the efficiency of legal work (time management), client satisfaction, and, last but not least, the competitive advantage of law firms that use such technologies.

**Keywords:** digitization of documents, digital transformation, law, contract management, competitive advantage.

# Umetna inteligenca in elektronsko poslovanje – analiza odgovornosti proizvajalca, vprašanja, povezana s sklenitvijo pogodbe in z uporabo novih umetnointeligentnih sistemov

*Luigi Varanelli*

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Prodaja in druge storitve so počasi prenašajo iz fizičnega prostora v virtualni, spletni prostor. To odpira številna pravna vprašanja, ki jih uvajanje umetne inteligence v spletni poslovanju še dodatno zaplete. Po opredelitvi koncepta umetne inteligence prispevek obravnava vprašanje odgovornosti proizvajalca za napake umetne inteligence. Umetna inteligenca namreč vedno pogosteje pospremlja oz. usmerja sklenitev pogodbe prek spleta, morebitne napake pri algoritmih pa utegnejo pripeljati do škode. Pri spletnem poslovanju se zato postavlja vprašanje, kdo bi bil odgovoren za tovrstne napake in pod katerimi pogoji lahko oškodovanec uveljavlja svoje pravice ponudniku blaga ali storitev.

**Ključne besede:** umetna inteligenca, odgovornost proizvajalca, spletno poslovanje, blago z napakami, varstvo potrošnikov

# Artificial intelligence in e-commerce and manufacturer's accountability for defects in goods or services

*Luigi Varanelli*

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Sales and other services are gradually transitioning from physical spaces to the virtual realm of online business. This shift brings forth numerous legal questions, further complicated by the integration of artificial intelligence in online transactions. Following the definition of the artificial intelligence concept, this contribution delves into the issue of the manufacturer's responsibility for errors in artificial intelligence. As artificial intelligence increasingly guides or accompanies the conclusion of contracts online, potential algorithmic errors may result in harm. In the context of online business, the question arises of who would bear responsibility for such errors and under what conditions the injured party can assert their rights against the provider of goods or services.

**Keywords:** artificial intelligence, manufacturer's accountability, online transactions, goods with defects, consumer protection.

# Javna zdravstvena sistema Francije in Slovenije: analiza z vidika managementa zagotavljanja virov

*Zoran Vaupot in Anais Vaupot*

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V osnovi sta javna zdravstvena sistema Francije in Slovenije podobno zastavljena. Medtem ko se francoski sistem zdravstva v mednarodni javnosti običajno predstavlja kot zgleden, je slovenski, predvsem v domači javnosti, deležen številnih kritik. Prav tako je v različnih mednarodnih primerjavah zadnjih let (npr. Health Consumer Powerhouse, CEOWORLD magazine, OECD Health Statistics ali STATISTA) francoski sistem vedno uvrščen višje kot slovenski. Zglednost francoskega sistema se največkrat utemeljuje z njegovo dostopnostjo za vse državljane, s kakovostno zdravstveno oskrbo ter z učinkovitim nadzorom nad kakovostjo in stroški storitev. Po drugi strani pa se slovenskemu javnemu zdravstvenemu sistemu pogosto očitajo dolge čakalne dobe za nekatere storitve, pomanjkanje zdravstvenega osebja, nezadostna finančna sredstva za njegovo delovanje in potreben oz. želen dvig kakovosti ter številne pomanjkljivosti v managementu zdravstvenih izvajalcev. V našem prispevku bomo na osnovi analize skušali ovrednotiti oba sistema, oblikovati njuno objektivno primerjavo ter opozoriti na podobnosti in ključne razlike, predvsem z vidika posameznih funkcij managementa. Tako bomo iskali odgovor na temeljeno raziskovalno vprašanje, tj. kako izboljšati kakovost slovenskega sistema javnega zdravstva z upoštevanjem francoskih izkušenj.

**Ključne besede:** javni zdravstveni sistem, kakovost zdravstvenega sistema, management, Francija, Slovenija



# Public health systems in France and Slovenia: an analysis from a management perspective, focusing on the role of resource provision

*Zoran Vaupot and Anais Vaupot*

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The French and Slovenian public healthcare systems are essentially similar. While the French healthcare system is usually portrayed as exemplary by the international public, the Slovenian system is often criticized by the domestic public. In various international comparisons in recent years (e.g. Health Consumer Powerhouse, CEOWORLD magazine, OECD Health Statistics, or STATISTA), the French system is always rated higher than the Slovenian system. The exemplary nature of the French system is usually justified by its accessibility for all citizens, the quality of healthcare, and the effective control of the quality and costs of services. On the other hand, the Slovenian public healthcare system is often criticized for long waiting times for certain services, a shortage of healthcare staff, insufficient financial resources for operations, and the necessary or desired quality improvement, as well as several deficiencies in the management of healthcare providers. In this paper, we will try to evaluate the two systems based on analysis making an objective comparison between them and pointing out similarities and significant differences, especially concerning the individual functions of management. Thus, we will try to find an answer to the basic research question, namely how to improve the quality of the Slovenian public healthcare system, taking into account the French experience.

**Keywords:** public healthcare, quality of the healthcare system, management, France, Slovenia.

# Uvajanje tehnologije v pravno prakso

Nana Weber

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Tehnologija bo revolucionarno spremenila med drugim tudi zagotavljanje pravnih storitev. Na trgu se od konca lanskega leta prosto najde ChatGTP, ki kot pogovorni inteligenten sistem olajšuje delo tudi pravniku prek vprašanj in odgovorov v poljubnih naravnih jezikih. Avtorica v prispevku teoretično in aplikativno obravnava pomen tehnologije in umetne inteligence na področju prava ter polemizira, da tehnologija lahko pomaga praktikom pri reševanju težav, vendar pa za uspešno delo ni dovolj le naročilo paketa najnovejših aplikacij. Meni, da bi bila učinkovitejša in ustrežnejša pot uporaba tehnologije v sklepni fazi, ki bi *de facto* izboljšala že narejeno pravno storitev, kot na primer izdelano pravno mnenje, osnutek pogodbe ali osnutek sodnih vlog. Razvoj pravne industrije od pravne pomoči in potrošniškega pravnega trga do kompleksnega dela v pravnih oddelkih podjetij in velikih odvetniških pisarnah je v današnjem času sprememb in družbe znanja izjemnega pomena. Spremembe se dogajajo tako hitro in intenzivno, da so za praktike v večini pravnih zadev absolutno preobsežne. Namen prispevka je med drugim tudi obravnava prihodnost pravne industrije, katere razumevanje je ključno za pravno stroko in akademike pa tudi za praktike in študente prava.

**Ključne besede:** nove tehnologije in ChatGTP, umetna inteligenca, pravna storitev, družba znanja, pravna industrija

# Introduction of technology into legal practice

*Nana Weber*

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Technology will revolutionize, among other things, the delivery of legal services. Since the end of last year, Chat GTP has been freely available on the market as a conversational intelligent system that also makes the lawyer's job easier through questions and answers in any natural language. In this article, the author discusses the importance of technology and artificial intelligence in the field of law, both theoretically and applied, and argues that technology can help practitioners solve problems but that it is not enough to simply order a suite of the latest applications to be successful. She believes that a more effective and appropriate way forward would be to use technology at an advanced stage, *de facto* enhancing an already delivered legal service, such as a draft legal opinion, draft contract, or draft court pleadings.

The evolution of the legal industry from legal aid and the consumer legal market to complex work in corporate legal departments and large law firms is of paramount importance in today's era of change and knowledge society. Change is happening so fast and so intensively that it is absolutely overwhelming for practitioners in most legal matters. This paper aims, among other things, to address the future of the legal industry, the understanding of which is crucial for the legal profession and academics, as well as for practitioners and law students.

**Keywords:** new technologies and ChatGTP, artificial intelligence, legal service, knowledge society, legal industry.

# Insolventnost in druga priložnost za podjetnika

*Matej Jugovic in Srečko Devjak*

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Avtorja v prispevku obravnavata in analizirata stanje stečajev, prenehanje poslovanja in ukinjanja delovnih mest. Ugotavljata tudi, kakšne pravne in poslovne možnosti ima podjetnik v Sloveniji za »drugo priložnost«. V teoretičnem delu predstavita temeljno zakonodajo s področja podjetništva in ustanavljanja podjetij, analizirata Direktivo (EU) 2019/1023 in postopke zaradi insolventnosti. Namen prispevka je: 1) raziskati stanje stečajev oz. začetih stečajnih postopkov v mikro-, malih in srednjih podjetjih (v nadaljevanju: MSP) in MSP, ki so zaradi stečajev prenehali poslovati; 2) analizirati odvisnosti med začetnimi stečajnimi postopki in brezposelnostjo; 3) analizirati implementacije Direktive EU v slovenski pravni red; 4) analizirati učinkovitosti preventivnega prestrukturiranja. Z raziskavo sta med drugim ugotovila, da v Sloveniji od leta 2014 do leta 2021 število začetnih stečajnih postopkov v MSP narašča, zaradi tega se povečuje brezposelnost, upada pa število MSP, ki so zaradi stečajev prenehali poslovati. Najpomembnejša ugotovitev raziskave je, da je uspešno prestrukturiranje v Sloveniji odvisno od ustrezne zakonske ureditve in ekonomske politike. Po njenem mnenju morajo oblikovalci politik zagotoviti ugodno pravno in gospodarsko okolje, ki podjetja podpira, ki gredo skozi proces preventivnega prestrukturiranja za uspešen dvig gospodarske rasti in razvoja.

**Ključne besede:** insolventnost, Direktiva (EU) 2019/1023, druga priložnost za podjetnika, preventivno prestrukturiranje, gospodarska rast, ekonomska politika

# Insolvency and second chance for an entrepreneur

*Matej Jugovic and Srečko Devjak*

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The authors of this article examine and analyze the state of bankruptcies, business cessation, and job terminations. They also explore the legal and business options available to entrepreneurs in Slovenia for a “second chance”. In the theoretical section, they present the fundamental legislation related to entrepreneurship and company formation, analyze Directive (EU) 2019/1023, and insolvency procedures. The purpose of the article is as follows: 1) to investigate the state of bankruptcies or initiated bankruptcy proceedings in micro, small, and medium-sized enterprises (hereinafter: SMEs) and SMEs that have ceased operations due to bankruptcies, 2) to analyze the relationships between initial bankruptcy proceedings and unemployment, 3) to analyze the implementation of the EU Directive in the Slovenian legal system, and 4) to analyze the effectiveness of preventive restructuring. Among their findings, the authors discovered that in Slovenia, from 2014 to 2021, the number of initial bankruptcy proceedings in SMEs was increasing, leading to rising unemployment, while the number of SMEs ceasing operations due to bankruptcies decreased. The most important research finding was that successful restructuring in Slovenia depends on appropriate legal regulation and economic policies. According to their opinion, policymakers must ensure a favorable legal and economic environment that supports companies undergoing preventive restructuring for successful economic growth and development.

**Keywords:** insolvency, Directive (EU) 2019/1023, second chance for entrepreneurs, preventive restructuring, economic growth, economic policy.

# Pogodbeno pravo v dobi velikih tehnoloških premikov: umetna inteligenca na primeru uporabe ChatGPT pri posojilnih pogodbah

*Maja Mekinda, Sebastijan Pungraičič in Marko Novak*

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Uporaba umetne inteligence postaja vse pogostejša na najrazličnejših strokovnih in poslovnih področjih. Prihod ChatGPT novembra 2022 je uporabo umetne inteligence pospešil in dodobra razburkal svetovno javnost. Lahko trdimo, da je lansiranje ChatGPT za vedno spremenilo potek tehnološkega razvoja človeštva, njegovi učinki pa so že vidni na vseh ravneh naše obstoja. ChatGPT pomeni nekakšno prelomnico v postindustrijskem obdobju, kaj točno bo prinesla, pa lahko na tej točki samo predvidevamo. Vsekakor lahko na podlagi opažanj zapišemo, da se od konca prejšnjega leta vse vrti okrog umetne inteligence.

Namen tega prispevka je pokazati praktično uporabo umetne inteligence v pogodbenem pravu, konkretno njenega orodja ChatGPT, na primeru posojilnih pogodb. V članku bomo najprej opredelili, analizirali in pojasnili umetno inteligenco in način njenega delovanja ter prikazali ChatGPT kot uporabno orodje delovanja umetne inteligence v praksi. Nato bomo preučili, kako lahko tehnologija umetne inteligence pomaga pri hitrejšem in učinkovitejšem obdelovanju informacij ter pri pripravi pogodbenih dokumentov, s poudarkom na posojilnih pogodbah, pri čemer bomo hkrati preučili učinkovitost in natančnost uporabe orodja ChatGPT. Tako bomo ugotovili, kako lahko ChatGPT kot ena izmed tehnologij umetne inteligence pomaga pri hitrejšem in učinkovitejšem obdelovanju informacij ter kako lahko zagotovi močim večjo natančnost in celovitost ustvarjenih posojilnih pogodb.

**Ključne besede:** umetna inteligenca, ChatGPT, pogodbeno pravo, posojilne pogodbe, natančnost pogodb

# Contract law in the time of great technological changes: artificial intelligence on the example of using ChatGPT in loan contracts

*Maja Mekinda, Sebastijan Pungraičič, and Marko Novak*

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The use of artificial intelligence is becoming increasingly prevalent in various professional and business domains. The arrival of ChatGPT in November 2022 accelerated the adoption of artificial intelligence and significantly stirred the global public. We can say the launch of ChatGPT has forever altered the course of the technological development of humanity while its effects are already visible in all aspects of our existence. ChatGPT represents some sort of a breakthrough in the post-industrial era. At this point, we can only speculate what exactly it will bring us. Nevertheless, based on observations, we can most definitely say that since the end of the previous year, everything has revolved around artificial intelligence.

The purpose of this article is to demonstrate the practical application of artificial intelligence in contract law, specifically its tool ChatGPT, on the example of loan agreements. In the article, we will first define, analyze, and explain artificial intelligence and its operational means, showcasing ChatGPT as a useful tool in the practical use of artificial intelligence. We will then examine how artificial intelligence technology can expedite and enhance information processing and the preparation of contractual documents with an emphasis on loan agreements while simultaneously evaluating the effectiveness and precision of the use of ChatGPT. This way, we will determine how ChatGPT, as one of the artificial intelligence technologies, can help expedite and enhance information processing and how we can ensure the highest accuracy and completeness of the generated loan agreements.

**Keywords:** artificial intelligence, ChatGPT, contract law, loan agreements, contract accuracy.





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**Red. prof. dr. Rado Bohinc** is a full professor of Commercial, Labour and European Law at the University of Ljubljana, Faculty of Social Sciences (UL FDV) and Head of the Institute of Law at ZRS Koper. As a scientific advisor at the FDV and ZRS, he researches corporate and institutional law, public and corporate governance and social responsibility. His previous academic publications include Property and Governance, 1988 (GV) and Joint-Stock Company, 1990 (GV). At the turn of the millennium, his books Corporate Governance in Europe and the United States, 2001 (FDV) and Public Law Entities, 2003 (GV) were published. His most important scientific monographs published abroad are Corporations and Partnerships, 4 editions, 2006, 2009, 2012, 2018, 2020 (Kluwer), Comparative Corporate Law, 2010 (Verlag DM, Saarbrücken), Insurance Law (co-authored), 2018 (Kluwer), Media Law, 2014, 2019 (Kluwer). The most important scientific works published in Slovenia are Corporations, 2009 (Nebra), Comparative Corporate Law, 2011 (UP, FM), Social Responsibility 2017 (FDV), University and State, 2021, Corporate Social Responsibility, 2022. He is also the editor and co-author of several proceedings and joint monographs, e.g.: For Social Responsibility, 2018 (FDV), Corporate social responsibility, 2016 (FDV), Corporate governance as a Tool for Economic Growth, 2016 (FDV), Recent Challenges in Corporate Governance, FDV, 2023. He has lectured at numerous universities abroad (USA - Fullbright, Spain, Italy - Erasmus, Austria, Sweden - Tempus, Norway, Russia, India, Nepal, South Korea, New Zealand, Italy, Germany, Czech Republic) and has been a speaker at more than 30 national and international scientific conferences and symposia.

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**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.

**Doc. dr. Danijela Brečko** has been the Executive Director of Sofos, Institute for Knowledge Management and Talent Development, since 2014. She received her PhD at the University of Ljubljana (Faculty of Arts) where she also completed her Master's degree in Adult Personal Development. She is an assistant professor of Management at MLC Ljubljana and an assistant professor of Education and Human Resource Management at Doba Faculty. Her studies focus primarily on leadership and human resource management. She participated in the following international research projects: EMCC Global, Atiner (Greece) and HR Institute (Prague). Since 2016, she has been the head of a national project Organisational energy, where she coordinates 16 development partners.

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**Doc. dr. Srečko Devjak** je poslovni svetovalec za velika podjetja v JV Evropi na Dun & Bradstreet, d. o. o., v Ljubljani. Doktoriral je na Ekonomski fakulteti v Ljubljani in s tem pridobil doktorat znanosti na področju kvantitativnih financ. Ima dolgoletne izkušnje z obvladovanjem tveganj v bankah doma in v tujini. V tujini je delal na banki JP Morgan Chase & Co. v Londonu in na banki Raiffeisen Bank International, AG, na Dunaju. Na banki JP Morgan Chase & Co. v Londonu se je štiri leta ukvarjal z obvladovanjem nekreditnih tveganj, od tega največ z obvladovanjem zakladniških tveganj, tveganj na področju uporabe matematičnih modelov v banki in tveganj pri upravljanju s kapitalom banke.

**Doc. dr. Srečko Devjak** is a business consultant for large companies in Southeast Europe at Dun & Bradstreet, d. o. o., in Ljubljana. He holds a PhD in Quantitative Finance from the Faculty of Economics in Ljubljana. He has extensive experience in managing risk in banking both domestically and internationally. He worked abroad for JP Morgan Chase & Co. in London and Raiffeisen Bank International, AG in Vienna. At JP Morgan Chase & Co. in London, he spent four years in non-credit risk management, focusing on treasury risk management, risks in the bank's use of mathematical models and risks in the bank's capital management.

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**Doc. dr. Julija Lapuh Bele** je direktorica v družbi B2 skupina, d. o. o., ki 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 informatike v poslovnih financah, digitalizacije procesov, uporabo orodij poslovne analitike 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 Managing Director of B2 skupina d.o.o. The company educates people in the use of information technologies and develops software for e-learning and business analytics. She holds a PhD from the University of Ljubljana. She is an assistant professor of Computing & Information Sciences at MLC Ljubljana and the Ljubljana School of Business. Her research focuses on IT in corporate finance, digitisation of processes, the use of business analytics tools in corporate finance and the security aspects of digitisation. She has participated in various international projects, related to the above areas.

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**Matej Jugovic, magister managementa in poslovnega prava**, že 21 let opravlja delo vodje oddelka operative v zasebni varnostni službi. Njegova predanost, strokovnost in kontinuirano učenje so ga uveljavili kot pomembnega člana pri razvoju podjetja, v katerem deluje, ključno prispeva tudi k organizaciji in strokovnosti dela varnostnega osebja. Po končanem študiju in pridobljeni diplomi inženirja varovanja je končal tudi študij poslovnega prava in managementa na Fakulteti za management in pravo ter diplomiral kot poslovni pravnik. Ta kombinacija izobrazb mu omogoča unikaten pristop k upravljanju varnostnih postopkov in politik, kar se odraža v njegovi sposobnosti prepoznavanja in reševanja kompleksnih problemov na varnostnem področju. Leta 2023 je pridobil tudi magistrsko stopnjo iz managementa in poslovnega prava, kar dodatno dokazuje njegovo željo po stalnem izobraževanju in nadgradnji znanja. Pridobljeno znanje in dolgoletne izkušnje so ga vodili k pripravi več priročnikov za delo varnostnega osebja, kar dokazujeta njegovo strokovno znanje in prizadevanje za izboljšanje prakse v panogi zasebnega varovanja. Aktivno sodeluje tudi kot oblikovalec in izvajalec notranjih usposabljanj v podjetju. V zadnjem času pa se intenzivno posveča digitalizaciji postopkov v podjetju, kar potrjuje njegovo proaktivnost in sposobnost prilagajanja novim tehnološkim trendom.

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**Matej Jugovic, magister managementa in poslovnega prava**, has worked for 21 years as an operations manager in a private security company. His dedication, professionalism and continuous learning have established him as a key member in the development of the company in which he works, and he makes a significant contribution to the organisation and professionalism of the security staff. After graduating as a safety engineer, he went on to study business law and management at the Faculty of Management and Law, graduating as a business lawyer. This combination of qualifications gives him a unique approach to managing security procedures and policies, which is reflected in his ability to identify and solve complex security problems. In 2023, he also completed a master's degree in management and business law, further demonstrating his desire for continuous learning and upgrading his knowledge. The knowledge and experience he has gained over the years has led him to produce several manuals for security personnel, demonstrating his expertise and commitment to improving practice in the private security industry. He is also actively involved in the design and delivery of in-house training. More recently, however, he has been working hard to digitise the company's processes, demonstrating his proactivity and ability to adapt to new technological trends.



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**Maja Mekinda** je diplomantka MLC Ljubljana in magistrska študentka prava na Evropski pravni fakulteti Nove univerze z močnim zanimanjem za integriteto pravnih nasvetov in dokumentacije, ki jih ustvarja umetna inteligenca. V diplomski nalogi je s pomočjo sistema ChatGPT raziskovala zmogljivosti tehnološkega napredka na področju umetne inteligence, ki si, med drugim, prizadeva poenostaviti, pojasniti in utrditi koristi ter postopke tradicionalnih pravnih praks.

**Maja Mekinda** is a graduate of MLC Ljubljana and a Master of Law student at the European Law Faculty of the New University, with a strong interest in the integrity of legal advice and documentation generated by artificial intelligence. In her thesis, she used ChatGPT to explore the potential of technological advances in artificial intelligence to simplify, clarify and consolidate the benefits and procedures of traditional legal practice.

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**Izr. prof. dr. Matej Mertik** je profesor za računalništvo in informatiko ter vodja študijskih programov digitalnih tehnologij na Alma Mater Europaea. Doktoriral je na Univerzi v Mariboru, kot pridružen znanstvenik pa je s svojim znanjem prispeval v Evropski organizaciji za jedrske raziskave (CERN) v skupini za zaščito strojev in električno integriteto (2014–2016) ter kot gostujoči znanstvenik v letu 2017. Aktivno sodeluje v evropskih projektih, njegovo raziskovalno delo pa zajema tehnologije umetne inteligence, strojnega učenja, podatkovne znanosti in odprtokodnih tehnologij. Je tudi raziskovalec na Inštitutu za filozofske in religiozne študije na ZRS Koper v raziskovalnem programu Konstruktivna teologija v dobi digitalne kulture in antropocena.

**Izr. prof. dr. Matej Mertik** is an associate professor of Computer Science and Informatics and Head of the Digital Technologies Degree Programmes at Alma Mater Europaea. He holds a PhD from the University of Maribor and has contributed his expertise as an Associate Scientist at the European Organisation for Nuclear Research (CERN) in the Machine Protection and Electrical Integrity Group (2014–2016) and as a Visiting Scientist in 2017. He is an active participant in European projects and his research interests include artificial intelligence, machine learning, data science and open-source technologies. He is also a researcher at the Institute of Philosophy and Religious Studies at ZRS Koper in the research programme Constructive Theology in the Age of Digital Culture and the Anthropocene.

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**Red. prof. dr. Marko Novak** je profesor za filozofijo in teorijo prava ter ustavno pravo na Evropski pravni fakulteti Nove univerze ter Fakulteti za management in pravo (MLC). 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), dekan Evropske pravne fakultete in prorektor Nove univerze, član Sveta Nakvis in član državne komisije za podelitev Zoisovih nagrad. Je avtor številnih znanstvenih monografij in člankov doma in v tujini pa tudi vodja različnih raziskovalnih projektov. Je tudi sodni tolmač za angleški jezik in trenutno predseduje pritožbeni komisiji Nakvis.

**Red. prof. dr. Marko Novak** is a professor of philosophy, legal theory and constitutional law at Nova univerza, European Faculty of Law and MLC 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 received a PhD at the Faculty of Law, University of Ljubljana, in 2001. He was the president of the Slovenian National Judicial Council and a member of the Executive Committee of European Network of Councils (ENCJ), Dean of the European Faculty of Law and Vice-Rector of the New University, member of the Council of the *Slovenian Quality Assurance Agency in Higher Education* (SQAA) and member of the State Awards in Science Selection Committee. He has authored a number of scientific monographs and papers in Slovenia and abroad and chaired several scientific research projects. He is also a court interpreter for English, and the current president of the SQAA Appeals Committee.

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**Mag. Sebastijan Pungraičič, magister aktuarstva, magister managementa in poslovnega prava** je leta 1999 diplomiral iz fizike. Na Ekonomski fakulteti UL je leta 2010 dosegel naziv magistrira aktuarske znanosti (aktuarstva in zavarovalnih financ), leta 2021 je dosegel magistrsko stopnjo iz managementa in poslovnega prava. Je dolgoletni vodja oziroma direktor področij aktuarstva, statistike, risk managementa in razvoja na zavarovalnicah ERGO, Vzajemna in PRVA, kjer je bil mentor številnim študentom in diplomantom, pridobil pa si je številne izkušnje povezane s pravom in z računovodstvom. Dolgoletne vodstvene izkušnje v zavarovalništvu so ga vodile k ukvarjanju s »fintech« in »insurtech« področji. Trenutno je zaposlen pri podjetju RGI Novum, v katerem skrbi za projektni management in analitična dela pri projektih uvajanja novih poslovnih informacijskih sistemov v zavarovalnice, banke in v pokojninske družbe, hkrati pa je član svetov zavodov Splošne bolnišnice Celje in Psihiatrične bolnišnice Ormož. Ukvarja se s področji poslovnih informacijskih sistemov in digitalizacije poslovanja, s strateškimi in z razvojnimi področji v podjetjih ter raziskuje uporabo robotizacije in predvsem umetne inteligence v poslovni praksi. Kot zunanji sodelavec je predavatelj na Fakulteti za management in pravo v Ljubljani ter nosilec predmeta poslovna informatika. Poleg tega se je kot aktuar v svojem delu osredinjal na zdravstvena in pokojninska zavarovanja ter vplive demografskih sprememb na zdravstvene in pokojninske družbene podsisteme, nekaj časa pa je bil prav tako v upravnem odboru Slovenskega aktuarskega društva. Je tudi soustanovitelj in direktor Inštituta IDDEA – inštituta za digitalizacijo, demografijo in ekonomske analize.

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**Pred. mag. Sebastijan Pungračič, magister aktuarstva, magister managementa in poslovnega prava** graduated in Physics in 1999. He received a master's degree in actuarial science (Actuarial Science and Insurance Finance) from the UL Faculty of Economics in 2010 and a Master's degree in Management and Business Law in 2021. For many years, he was head of the actuarial, statistical, risk management and development departments in the insurance companies ERGO, Vzajemna and PRVA, where he mentored numerous students and graduates and gained extensive experience in law and accounting. His many years of management experience in the insurance industry have led him to work in the areas of 'fintech' and 'insurtech'. He is currently employed at RGI Novum, where he is responsible for project management and analytical work on projects for the implementation of new business information systems in insurance, banking and pension companies, and is also a member of the Board of Directors of the Celje General Hospital and the Ormož Psychiatric Hospital. His research focuses on business information systems and the digitalisation of business, strategic and development areas in companies, and the use of robotics and in particular artificial intelligence in business practice. As an external collaborator, he is a lecturer at the Faculty of Management and Law in Ljubljana and a lecturer in business informatics. In addition, his work as an actuary has focused on health and pension insurance and the impact of demographic change on the health and pension subsystems of society, and for some time he was also on the Board of the Slovenian Actuarial Society. He is also co-founder and director of the ID-DEA Institute – an institute for digitisation, demography and economic analysis.

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**Doc. dr. Luka Martin Tomažič** je docent za področje prava na Alma Mater Europaea ECM. Po izobrazbi je doktor pravnih znanosti, Master of Laws (London, ZK), magister ekonomskih in poslovnih ved, univerzitetni diplomirani pravnik. Opravljeni ima specializaciji iz mednarodnih odnosov na University of London in lokalne zgodovine na University of Oxford. V preteklosti je med drugim deloval kot vodja pravne službe v velikem energetskem podjetju in kot raziskovalni asistent profesorja dr. Ernesta Petriča pri Komisiji OZN za mednarodno pravo. Njegovi primarni raziskovalni področji sta pravo energetike in teorija prava. Na področju prava energetike je specializiran za pravno ureditev elektroenergetskega sistema. Na pravnoteoretskem področju se ukvarja zlasti s pravno argumentacijo in z naravnim pravom. Je avtor več člankov v visokouvrščenih znanstvenih revijah. Napisal je dve znanstveni monografiji s področja argumentacije. Je sourednik monografije Prekrškovno pravo energetike in dveh obsežnejših del v nastajanju, in sicer Komentarja Zakona o oskrbi z električno energijo ter knjige Filozofija in kazensko pravo.

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**Doc. dr. Luka Martin Tomažič** is an assistant professor of Law at Alma Mater Europaea ECM. He holds a Doctor of Laws degree, a Master of Laws degree (London, UK), a Master of Business and Economics degree, and a Bachelor of Laws degree. He has specialised in International Relations at the University of London and Local History at the University of Oxford. Previous positions include Head of Legal Services at a major energy company and Research Assistant to Prof. Ernest Petrič, PhD, at the UN International Law Committee. His primary areas of research are energy law and legal theory. In the field of energy law, he specialises in the regulation of the electricity system. In the field of legal theory, he is mainly concerned with legal argumentation and natural law. He is the author of several articles in high-ranking scientific journals. He has written two scientific monographs in the field of argumentation. He is co-editor of the monograph *Energy Offence Law* and of two major works in progress, namely the *Commentary on the Electricity Supply Act* and the book *Philosophy and Criminal Law*.

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**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 ter 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, potrošniškega, bančnega, gospodarskega in internetnega prava. Je tudi gostujoči predavatelj na številnih uglednih tujih univerzah (na Jagiellonski 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 MLC Ljubljana for the following courses: Property Law, Internet Law, and Consumer Law. He obtained 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 had authored nearly 50 books, handbooks and legal commentaries, and numerous scientific and professional papers in the fields of property law, consumer law, banking law, commercial law, and internet law. He also works as a guest lecturer at renowned international universities (at the Jagiellonian University in Krakow and the Fontys University of Applied Sciences in Eindhoven).



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**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 za odvetnika specialista 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; od leta 2022 je docent na področju alternativnega reševanja sporov ter psihologije za pravnike pri Evropski pravni fakulteti Nove Univerze.

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**Doc. dr. Luigi Varanelli** graduated in law in Trieste in 1998. He obtained a Master's degree from the Faculty of Law in Ljubljana in 2002 and was awarded a Doctorate of Law in 2004. In 2013, he graduated in psychology in Trieste. He studies and deals with various topics of the law of obligations but specialises mainly in contract law. He has published more than 170 papers and contributions in national and international peer reviewed journals, discussing various aspects of contractual obligations. The focus of his academic interest is on individual segments of commercial and status law. He also focuses strongly on international and European law. As a member of the INSOL Europe Association, he has lectured at several international expert 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 Examination board for court interpreters (2013). He has been practicing law in Ljubljana since 2004. He is a specialist lawyer for European law and an arbitrator at the Chamber of Commerce of Slovenia. Since 2014, he has been lecturing at MLC Ljubljana on the law of obligation, contract law, and corporate law. Since 2022, he has been an assistant professor of Alternative Dispute Resolution and Psychology for Lawyers at the European Law Faculty of Nova Univerza.

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**Anais Vaupot** je študentka Medicinske fakultete Univerze v Ljubljani. Zanimata jo področje zdravstvenih sistemov, na katerem bo v prihodnosti zaposlena, pa tudi raziskovalno delo. Kot dvojna državljanka, Slovenije in Francije, na osnovi izkušenj dobro pozna in nenehno primerja javna zdravstvena sistema obeh držav, s čimer je lahko ustrezno prispevala k oblikovanju prispevka, objavljenega v tej monografiji.

**Anais Vaupot** is a student at the University of Ljubljana, Faculty of Medicine. She is interested in health systems, where she will be working in the future, and in research. As a dual citizen of Slovenia and France, she has a good knowledge and experience in comparing the public health systems of both countries, which enabled her to make a relevant contribution to the article published in this monograph.

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**Izr. prof. dr. Zoran Vaupot, MBA, univ. dipl. ekon.,** je raziskovalec s področij managementa in ekonomija ter zunanji sodelavec fakultete MLC. Diplomiral je na Ekonomski fakulteti Univerze v Ljubljani in nato pridobil naziv Executive MBA na IEDC Bled. Na univerzi UPMF iz Grenobla je opravil izpite za priznanje magistrskega naziva iz ekonomije in v nadaljevanju končal doktorski študij managementa na univerzi UVSQ iz Versailles (oboje Francija). Leta 1991 je dobil priložnost voditi projekt ustanovitve prvega slovenskega podjetja v Franciji po osamosvojitvi Slovenije in nato v Parizu deloval vse do leta 1996. Po vrnitvi v domovino je 20 let delal v gospodarstvu kot interim manager, poslovni in managerski svetovalec na slovenskih in mednarodnih projektih, predvsem na področjih managementa sprememb, internacionalizacije poslovanja, optimizaciji organiziranosti in kot trener veščin s področja managementa. Leta 2016 je stopil na akademsko pot, ko je začel šestletno sodelovanje s Fakulteto za pravo in poslovne vede iz Ljubljane, od tega pet let tudi v vlogi dekana. Junija 2021 je bil izvoljen za profesorja na programu doktorske šole španske univerze UCV iz Valencie (Španija). Od januarja 2023 je zaposlen v Zdravstvenem domu Ljubljana, kjer je z junijem prevzel vlogo namestnika direktorja oz. člana uprave za ekonomiko poslovanja.

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**Izr. prof. dr. Zoran Vaupot, MBA, univ. dipl. ekon.** is a researcher in the fields of management and economics and an external associate of the MLC Faculty. He graduated from the Faculty of Economics at the University of Ljubljana and then completed an Executive MBA at IEDC Bled. He obtained a master's degree in economics from the UPMF in Grenoble and a PhD in Management from the UVSQ in Versailles, both in France. In 1991, he was given the opportunity to lead a project to establish the first Slovenian company in France after Slovenia's independence, and then worked in Paris until 1996. After returning to his home country, he worked as an interim manager, business and management consultant on Slovenian and international projects for 20 years, mainly in the areas of change management, internationalisation of business, organisational optimisation and as a management skills trainer. In 2016, he embarked on his academic career and began a six-year collaboration with the Faculty of Law and Economics in Ljubljana, including five years as Dean. In June 2021, he was appointed Professor in the Doctoral Programme of the UCV Doctoral School in Valencia (Spain). Since January 2023, he has been working at the Health Centre in Ljubljana, where he took on the role of deputy director and member of the Management Board for Business Administration in June.

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**Izr. prof. 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 Ko delavca ni na delu (Dopust, regres in druge odsotnosti z dela, 2021).

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**Izr. prof. 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 MLC Ljubljana and an associate professor of Business sciences at the B2 School of Business in Ljubljana. Always striving for peaceful resolution 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, as well as for the Ministry of Economic Development and Technology of Slovenia in the out-of-court settlements of consumer disputes. She is also a member of the National board of Law Examination for civil, material, and procedural law. She regularly writes professional and scientific papers in various fields of law. She is also one of the authors of the Slovenian Family Code (Official Gazette, 2019). She has written the introductory notes of the Family Code (GV Založba, Lexpera, 2018) and a collection of “Questions and Answers in Labour Law” (GV Založba, Lexpera), consisting of the book “Termination of Employment Contract” (2020) and “When the Employee is Absent (leaves, grants, and other absences from work (2021))”.









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