



BUCHAREST UNIVERSITY OF ECONOMIC STUDIES

Volume 7, Special Issue, October 2017

TRIBUNA JURIDICĂ
JURIDICAL TRIBUNE

Editura ASE
București
2017


Review edited by Law Department of the Bucharest University of Economic Studies

Juridical Tribune – Tribuna Juridica Journal has been published since 2011 and has 2 issues/year in printed and online version

www.tribunajuridica.eu

e-mail: office@tribunajuridica.eu

Journal is indexed in the following databases and online catalogs:

WEB OF SCIENCE  **THOMSON REUTERS**

Ebsco, HeinOnline, C.E.E.O.L., ProQuest, ERIH Plus, WorldCat, OAJI, Ulrichsweb, vLex, Juridica.lv, Cabell's Directories, DOAJ, SCIRUS, RePEc, Scipio, BASE, COPAC, IndexCopernicus, Academic Journals Database, Academic Publications eJournal, SafetyLit, Sudoc, Genamics JournalSeek, NewJour, Open J-Gate, Miar, Max Perutz Library, ViFaOst, Zeitschriftendatenbank (ZDB), Bibliothekssystem Universität Hamburg, Wissenschaftszentrum Berlin für Sozialforschung (WZB), Elektronische Zeitschriftenbibliothek (EZB), Euro Internet, LivRe!, European University Institute Library, Harvard Library, Stanford University Libraries, Yale University Library, University of California – Irvine Libraries, Miami University Libraries, MOBIUS – Linking Missouri's Libraries, University of Maryland – Francis King Carey School of Law, St.Mary's University Libraries, Sarita Kenedy East Law Library, Jean and Alexander Heard Library, Biblioteca de la Universidad de Navarra, Hesburgh Libraries/University of Notre Dame, Bibliothèque uOttawa Library, The University of Hong Kong Libraries, University of Zurich, eLibrary@Cardiff, University of Nottingham Library, the University of York Library, UCL Library, University of Wisconsin-Madison Libraries, Israel Union Catalog (ULI), Tel-Aviv University Libraries, Tulips-University of Tsukuba Library, University of Iowa Libraries, WorldWide Science.org, GetInfo.

ISSN 2247-7195

e-ISSN 2248-0382

ISSN-L 2247-7195

Director

CAMELIA STOICA – *Bucharest University of Economic Studies, Romania*

Editor in chief

CĂTĂLIN-SILVIU SĂRARU - *Bucharest University of Economic Studies, Romania*

Editorial Board

CATHERINE VINCENT - *University of Orléans, France*

JOSÉ JOÃO ABRANTES - *New University of Lisbon, Portugal*

ION DOGARU – *University of Craiova, corresponding member of the Romanian Academy*

ION TRAIAN ȘTEFĂNESCU - *The Bucharest University of Economic Studies, Romania*

CORNELIA LEFTER - *The Bucharest University of Economic Studies, Romania*

RALUCA DIMITRIU - *The Bucharest University of Economic Studies, Romania*

BRÂNDUȘA ȘTEFĂNESCU - *The Bucharest University of Economic Studies, Romania*

SMARANDA ANGHENI - *University „Titu Maiorescu”, Romania*

NICOLAE POPA - *former President of the Constitutional Court of Romania, former President of the High Court of Cassation and Justice of Romania*

NINA GUMZEJ - *University of Zagreb, Croatia*

REZARTA TAHIRAJ - *University „Aleksandër Xhuvani”, Elbasan, Albania*

HARSH PATHAK - *Advocate Supreme Court Bar Association, New Delhi, India*

CSONGOR ISTVÁN NAGY - *University of Szeged, Hungary*

CHARLES SZYMANSKI - *Vytautas Magnus University, Kaunas, Lithuania*

Editors

SILVIA CRISTEA - *The Bucharest University of Economic Studies, Romania*

BRÎNDUȘA VARTOLOMEI - *The Bucharest University of Economic Studies, Romania*

ANA MARIA LUPULESCU - *The Bucharest University of Economic Studies, Romania*

OVIDIU MAICAN - *The Bucharest University of Economic Studies, Romania*

Editura ASE

Piața Romană nr. 6, sector 1, cod 010374, București, Romania

Telefon: +4(021) 319.19.00 / int. 401, 146

editura@ase.ro

www.ase.ro

www.editura.ase.ro

Redactor-șef: Simona Bușoi

Redactor: Silvia Răcaru

Tehnoredactor: Emilia Velcu

Coperta: Violeta Rogoian

CONTENTS

STUDIES AND COMMENTS

Maria GRZYMISŁAWSKA-CYBULSKA, Kajetan GÓRNY, Cătălin-Silviu ȘĂRARU, Romanian, Polish and German judge disqualification in disputes of administrative litigation	6
Pavlo SELEZEN Purposes of double taxation treaties and interpretation of beneficial owner concept in Ukraine	26
Comfort Fuah KWANGA Claims settlement in insurance contracts from a consumer protection perspective in Cameroon.....	37
Driss BAKHOUYA The General Agreement on Trade in Services (GATS) and international trade in health services. Impact and regulations	54
Vasilisa MUNTEAN Doctrinary and legal significance of judicial error (case of the Republic of Moldova)	69
Anna BANDLEROVÁ, Jarmila LAZÍKOVÁ, Ľubica RUMANOVSKÁ, Zuzana LAZÍKOVÁ Land associations in Slovakia	80
Tomáš MALATINEC Legislative framework of green public procurement and Europeanisation of the Slovak practice.....	95
Matthew Enya NWOCHA Examination of the law relating to protection of bank deposits, liquidation and winding-up of banks in Nigeria.....	108
Marek ŠTEVČEK, Marek IVANČO The conception of civil procedure in the Slovak Republic	119
Howard CHITIMIRA Aspects of the application of issue Estoppel on directors' fiduciary duties in South Africa: possible lessons from the United Kingdom and related jurisdictions <i>Royal Sechaba</i> case	136

Cristina Elena POPA (TACHE)	
Principles of international law of investments, recognition and trajectory	153
Beatrice Mihaela MORARU, Diab HASANIN	
The center of main interests of the debtor in the insolvency proceedings at the European Union level differences between the EU Regulation no. 1346/29.05.2000 and EU Regulation no. 848/20.5.2015	164
Cyrille MONKAM	
The prohibition of competition in employment relationship in Cameroon	169
Mashele RAPATSA	
Understanding trends in the worst forms of child labour and the state's legal responses: a descriptive analysis	186
Thomas OJONG	
The protection of juveniles under Cameroon criminal law and procedures through the lens of international standards	200
Ion RUSU	
Recognition and enforcement of the European protection order in the Romanian law. Some critical opinions. <i>De lege ferenda</i> proposals	224
Delia MAGHERESCU	
Procedure of preliminary decision as a supranational judicial keynote of the European Union member states	236
Călin-Ioan RUS	
Solving causes by report to the principles of the Strasbourg Court.....	250