**Comparative Tort Law From a Hungarian Perspective**

Lecturer: **Prof. Attila MENYHÁRD**

**Dean/Chair Professor / Department of Civil Law**

e-mail: [menyhard@ajk.elte.hu](mailto:menyhard@ajk.elte.hu)

**Course description**

The aim of the course is to provide an introduction to the theoretical foundations and the development of the Hungarian tort law and to give an analysis of the Hungarian tort law regulation and the current legal practice. This analysis rests on a comparative method, which helps to find the common core of the current tort law problems and to understand the Hungarian regulation and legal practice. The regulation of insurance and the tort law are tightly connected, as both are to provide risk allocation. This connection is somehow obscure since in the normal courses students are facing insurance as a special type of contract, which pushes the real nature of insurance into the background and hides some of its important aspects. We put insurance into the context of liability and risk allocation.

**Course schedule**

• The functions and the development of tort law. Risk allocation through tort and insurance law regulation.

• The morality and the philosophical foundations of tort law. The basic elements of the economic analysis of tort law.

• The fault based liability in the Hungarian tort law.

• The tort law as a flexible system: the limitations of liability.

• The strict liability in the Hungarian tort law.

• The product liability.

• Liability for others and vicarious liability.

• The infringement of Human Rights and immaterial damages.

• The assessment of damages and gain-based damages.

• The current problems of tort law development: pure economic loss, foreseeability limit and state immunity.

• Liability for torts and breach of contract and other bordering problems.

• The Hungarian insurance law regulation.

• Current problems of the legal practice and theory in the field of insurance law.

**Assessment**

Written exam.