

Civil Law and International Private Law

Code: 42996
ECTS Credits: 6

| Degree | Type | Year | Semester |
|------------------------|------|------|----------|
| 4313781 Enterprise Law | OT | 0 | 2 |

Contact

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Use of Languages

Principal working language: spanish (spa)

Prerequisites

There are not previous requirements.

Objectives and Contextualisation

To reach a specialized knowledge in some specific subjects of civil and international private law linked to business.

Competences

- Communicate and justify conclusions clearly and unambiguously to both specialised and non-specialised audiences.
- Integrate knowledge and use it to make judgements in complex situations, with incomplete information, while keeping in mind social and ethical responsibilities.
- Integrate knowledge of the law and of negotiation to make judgments in the business context.
- Seek out information in the scientific literature using appropriate channels, and use this information to formulate and contextualise a research topic in business law.
- Seek out, interpret and apply legal provisions related to tax, employment or penal matters within corporate activity, and any others in which a legal solution is needed for situations arising in the business context.
- Use acquired knowledge as a basis for originality in the application of ideas, often in a research context.
- Work in a team to create synergies in the workplace, in a coordinated, cooperative fashion.

Learning Outcomes

1. Communicate and justify conclusions clearly and unambiguously to both specialised and non-specialised audiences.
2. Describe the liability of business-owners for acts committed by employees.
3. Differentiate and interpret the regulations on international judicial competence and applicable law regarding commercial contracts.
4. Explain the civil liability of commercial company administrators.
5. Explain the responsibility of service providers in the information society.
6. Identify the main principles of consumer protection.
7. Integrate knowledge and use it to make judgements in complex situations, with incomplete information, while keeping in mind social and ethical responsibilities.
8. Interpret corporate liability for damages caused by defective products and services.

9. Interpret the laws on employment of foreign workers.
10. Interrelate legal principles and negotiation techniques to assess business-related matters of civil law and international law
11. Seek out information in the scientific literature using appropriate channels, and use this information to formulate and contextualise a research topic in business law.
12. Use acquired knowledge as a basis for originality in the application of ideas, often in a research context.
13. Work in a team to create synergies in the workplace, in a coordinated, cooperative fashion.

Content

Civil law is focus on some specific issues related to business, such as the protection of consumers, the responsibility of service providers in the society of the information, the civil liability of the directors of commercial companies, the responsibility for defective products or services, as well as corporate responsibility for acts of their dependents.

Regarding private international law, it regards contracting foreign workers solution of controversies in international contracts and aspects of the law applicable to international commercial contracts.

Methodology

At the beginning of the course, each of the teachers will inform the students on the theoretical and practical activities, such as cases, exercises, debates and oral presentation of treballs, in order to ensure that the student assumes the competencies and expected results of the course.

Activities

| Title | Hours | ECTS | Learning Outcomes |
|-------------------------|-------|------|--|
| Type: Directed | | | |
| Lecturing | 36 | 1.44 | 11, 2, 3, 4, 5, 6, 9, 8, 10, 12, 13 |
| Type: Supervised | | | |
| Resolution of exercises | 9 | 0.36 | 11, 3, 10, 13 |
| Type: Autonomous | | | |
| Personal study | 59 | 2.36 | 11, 2, 3, 4, 5, 6, 9, 8, 10, 7, 12, 13 |

Assessment

The teacher will value theoretical knowledge and practical skills, according to the instructions that will be presented to the student at the beginning of the course.

To pass the subject, it is necessary to participate in all the activities of evaluation and to get a minimum mark of 3,5 at the final exam.

It is compulsory to attend 90% of the lessons.

To be able to apply for a retake exam, it is compulsory that the student has got a minimum grade of each of the practical items of 3/10.

The students that apply for this second retake opportunity will not be able to obtain a grade over 7/10.

Assessment Activities

| Title | Weighting | Hours | ECTS | Learning Outcomes |
|--|-----------|-------|------|---|
| Assignments | 30% | 10 | 0.4 | 11, 2, 3, 4, 5, 6, 9, 8, 10, 7, 1, 12, 13 |
| Attendance and active participation in class | 20% | 32 | 1.28 | 12, 13 |
| Theory and practicas tests | 50% | 4 | 0.16 | 11, 2, 3, 4, 5, 6, 9, 8, 10, 7, 1, 12 |

Bibliography

Private International Law

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- J. C. Fernández Rozas, R. Arenas García y P. A. de Miguel Asensio, Derecho de los negocios internacionales, Madrid, Iustel, last edition.
- S. Sánchez Lorenzo (coord.), Cláusulas en los contratos internacionales. Redacción y análisis, Barcelona, Atelier, 2012.
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- CÁMARA LAPUENTE, S (Dir.) Comentarios a las normas de protección de los consumidores, Ed, COLEX, Madrid, 2011.
- DÍEZ-PICAZO PONCE DE LEÓN, L.; Fundamentos del Derecho civil patrimonial. T. I y T. II, Ed. Civitas. Madrid.
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- PARRA LUCÁN, M^a A. "La compatibilidad de la directiva de responsabilidad por productos defectuosos y los regímenes de responsabilidad especiales "existentes" en el momento de su notificación (Sentencia del Tribunal de Justicia, Sala 4^a, de 20 de noviembre de 2014)" Revista CESCO de Derecho de Consumo N^o 13/2015.
- REBOLLO PUIG, M. (DIR.) E IZQUIERDO CARRASCO, M. (DIR.); La defensa de los consumidores y usuarios (comentario sistemático del Texto Refundido aprobado por Real Decreto Legislativo 1/2007) : adaptado a las reformas introducidas por las Leyes 25/2009 y 29/2009. Ed. Iustel. Madrid, 2011
- REYES LÓPEZ, M^a J.; Manual de Derecho privado de consumo, Ed. Wolters Kluwer-La Ley. Madrid, 2012