Introduction to patrimonial law

Academic Year: (2020 / 2021) **Review date: 23-06-2020**

Department assigned to the subject: Private Law Department

Coordinating teacher: BERGEL SAINZ DE BARANDA, YOLANDA

Type: Basic Core ECTS Credits : 6.0

Year : 1 Semester : 1

Branch of knowledge: Social Sciences and Law

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

Not applicable as it is a 1st year course

OBJECTIVES

KNOWLEDGE: the goal of this subject is that the student gets to know the legal foundations of the Spanish economic system and the basic rules regulating the exchange of goods and services.
The student has to know: a) the principles that constitute the so called economic public order; b) the difference between natural and artificial persons; c) basic contractual principles; d) the basis of the civil liability of employers. Furthermore, he has to acquire basic notions about: e) the way in which property and other real rights are acquired and transmitted; f) the influence that the economic system of marriage has in the business activity; and, g) how goods are transferred through succession.
SKILLS: - the student has to learn to correctly use legal terminology and acquire the capacity to properly argue. The student has to identify the legal figures that he is going to find in his future professional activity. The student has to be capable to write a contract. The student has to have the necessary capacities to foresee the economic consequences that can derive from the non-performance of legal and contractual obligations. The student has to be capable to recognize the interests underlying any conflict and to make good valid legal arguments to support the interest he deems have to be protected.
ACTITUDES: -Approach to the interrelation between economy and society. Conciliatory and flexible attitude in case of conflict, in order to get to solutions through the exercise of their capacity to mediate and argue

DESCRIPTION OF CONTENTS: PROGRAMME

Patrimonial Law. Economic public order. The right to free enterprise. State planning of the economic activity. Public initiative on the economic activity. - Person¿s Law: Natural and artificial persons. Civil and legal capacity. Representation. - General theory of contracts: elements of contracts. Formation of contracts. Effectiveness and ineffectiveness of contracts. - General theory of obligations: The obligatory relation and its elements. Performance and non-performance of obligations. Contractual liability. Non-contractual liability. - Main types of contracts. ¿ Property and other real rights. Acquisition and transfer of real rights. Real rights of guarantee. Property Registry. Notions of family Law: the economic system of marriage. Notions of succession Law: testate and intestate succession. Succession in the family business.

LEARNING ACTIVITIES AND METHODOLOGY

The course, of 6 ECTS credits, implies practical and theoretical knowledge.
With regard to the teaching method, alongside the traditional theoretical seminars, a good deal of practice sessions shall take place (solution of real conflicts, individually or in groups, analysis of facts, writing of contracts) that will let the student apply the knowledge acquired to the problems that he might face in his professional life.

ASSESSMENT SYSTEM

To evaluate the practical part (0 to 4 points of the final mark) the teacher shall take into account the participation in the class and the making of the cases required. With regard to the theoretical part, the student shall have to take a multiple choice exam (0 to 6 points of the final mark).
For a student to pass the subject the theoretical part has to be passed; that is, the student has to have a minimum of 3 (out of 6) in the multiple choice exam.

% end-of-term-examination:	60
% of continuous assessment (assigments, laboratory, practicals…):	40

BASIC BIBLIOGRAPHY

- BERGEL SAINZ DE BARANDA Handbook on Spanish Civil Patrimonial Law, Tecnos, 2019
- Rodríguez de las Heras Introduction to Spanish Private Law, Routledge-Cavendish, London and New York, 2010
- San Pío Código civil de España. Edición bilingüe, International Legal Publications, 2009

BASIC ELECTRONIC RESOURCES

- Ministerio de Justicia . Spanish Civil Code: //http://www.mjusticia.gob.es/cs/Satellite/Portal/1292427177941?blobheader=application%2Fpdf&blobheadername1=Content-Disposition&blobheadervalue1=attachment%3B+filename%3DSpanish_Civil_Code_%28Codigo_Civil%29.PDF
- Ministerio de Justicia . Consolidated text Consumers Protectio Act: //http://www.mjusticia.gob.es/cs/Satellite/Portal/1292427277249?blobheader=application%2Fpdf&blobheadername1=Content-Disposition&blobheadervalue1=attachment%3B+filename%3DConsolidated_text_of_the_general_consumer_and_user_Protection_Act_and_other_complementary_laws_%28Ley.PDF