

Academic Year: (2021 / 2022)

Review date: 04-06-2021

Department assigned to the subject: Criminal Law, Procedural Law and History Law Department

Coordinating teacher: DOPICO GOMEZ-ALLER, JACOBO

Type: Electives ECTS Credits : 3.0

Year : Semester :

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

Criminal Theory
 Crimes against persons and against Society
 Offenses against property and against public administration

OBJECTIVES

The student must command both theoretical and practical approaches in solving real cases in a complex subject such as the Business Criminal Law.

DESCRIPTION OF CONTENTS: PROGRAMME

1. Introduction to Business Criminal Law.
2. Attribution of Responsibility.
 - a) Individual responsibility of administrators and managers.
 - b) Criminal liability of legal persons.
3. Frauds in business.
4. Embezzlement, misappropriation, disloyalty.
5. Fraudulent conveyance and bankruptcy fraud.
6. Intellectual and industrial property. Business secret
7. Crimes against the market and the rights of the consumers.
 - a) Market manipulation. Fraud against investors.
 - b) Corruption in the private sector.
 - c) Crimes against consumers.
9. Offences against the shareholders and other corporate crimes.
11. Document falsification in business activity.
12. Crimes against the Public Treasury and Social Security.
13. Money laundering.
14. Crimes against the rights of workers.
15. Environmental and urban planning offences..

ASSESSMENT SYSTEM

% end-of-term-examination:	0
% of continuous assessment (assignments, laboratory, practicals...):	100

ORDINARY ASSESSMENT: There are two options.

Option A. Requirements:

- A1. Attendance at 80% of the classes of the subject.
- A2. Class presentation on a topic from the syllabus to be assigned by the teacher. A topic and a day of presentation will be assigned. The presentation will not exceed 20 minutes in length.
- A3. An essay on the topic of the presentation, from a practical perspective.

Option B. Requirements:

- B1. 40% of the final mark: Completion of two case studies.
- B2. 60% of the mark: A theoretical-practical exam consisting of 6 short questions.

% end-of-term-examination:	0
% of continuous assessment (assignments, laboratory, practicals...):	100

EXTRAORDINARY ASSESSMENT SESSION: theoretical-practical test (100% of the final mark).

BASIC BIBLIOGRAPHY

- DE LA MATA / DOPICO / LASCURAÍN / NIETO Derecho Penal Económico y de la Empresa, Dykinson, 2018
- MARTÍNEZ-BUJÁN PÉREZ, Carlos Derecho Penal Económico y de la Empresa. Parte Especial. Última ed., Tirant lo Blanch, Última ed. (posterior a 2015)
- VV AA Memento Penal , Francis Lefebvre, Última ed. (posterior a 2015)
- VV AA Memento Penal , Francis Lefebvre, Última ed. (posterior a 2015)
- ÁLVAREZ GARCÍA, Javier (dir.) Derecho Penal Español Parte Especial (tomos II y III), Tirant lo blanch. , Última ed.

ADDITIONAL BIBLIOGRAPHY

- BAJO FERNÁNDEZ / BACIGALUPO SAGGESE Derecho Penal Económico (atención: no actualizado a las LLOO 7/2012 y 1/2015), Ramón Areces, 2010
- CASTRO MORENO, Abraham Elusiones fiscales atípicas, Atelier, 2008
- CASTRO MORENO, Abraham Fraudes y exacciones ilegales, Tirant lo blanch, 2008
- GÓMEZ BENÍTEZ, José Manuel Derecho penal de los negocios a través de casos (atención: no actualizado a las reformas penales desde 2003)., Colex, 2001
- POZUELO PÉREZ, Laura (coord.) Derecho Penal de la Construcción. Aspectos urbanísticos, inmobiliarios y de seguridad en el trabajo, 2ª ed., Comares, 2012

BASIC ELECTRONIC RESOURCES

- DE LA MATA / DOPICO / LASCURAÍN / NIETO . Derecho penal económico y de la empresa (Dykinson, 2018): <https://e-archivo.uc3m.es/handle/10016/26715>
- DOPICO GÓMEZ-ALLER . La estafa sobre datos registrales: http://www.indret.com/pdf/363_es.pdf
- DOPICO GÓMEZ-ALLER . Estafa y dolo civil: https://minerva.usc.es/xmlui/bitstream/handle/10347/8010/01-Dopico.pdf?sequence=1&isAllowed=y
- DOPICO GÓMEZ-ALLER . La reforma del Derecho Penal Tributario: nuevas oportunidades para el fraude fiscal: https://www.academia.edu/20438279/La_reforma_del_Derecho_Penal_Tributario_nuevas_oportunidades_para_el_fraude_fiscal
- FISCALÍA GENERAL DEL ESTADO . Circular sobre efectos para terceros de la regularización fiscal: <http://tinyurl.com/CFGE1997RegularizaFiscal>
- FISCALÍA GENERAL DEL ESTADO . Circular 2009 sobre la regularización fiscal: <http://tinyurl.com/CFGE2009RegularizaFiscal>