

Academic Year: (2021 / 2022)

Review date: 04-06-2021

Department assigned to the subject: Private Law Department, Public State Law Department

Coordinating teacher: FRAILE ORTIZ, MARIA

Type: Basic Core ECTS Credits : 6.0

Year : 1 Semester : 1

Branch of knowledge: Social Sciences and Law

OBJECTIVES

The content of this subject is composed of a set of matters of constitutional law and a set of materials by which intends to until the student reaches a reasonable degree of knowledge of the main institutions of private law. They can be distinguished as two DIFFERENTIATED parts within the subject: part one. CONSTITUTIONAL LAW. The contents of the first part of the course consists of a set of matters of constitutional law by which intends that the student achieves a reasonable degree of basic knowledge: 1. know the meaning of the Spanish Constitution as a legal standard and its impact on the legal system. 2. know the mechanisms that ensure the supremacy of the Constitution, especially the judicial defense which carries out the Constitutional Court and the procedure for reform. 3. know the system of sources of law of the Spanish legal system, i.e. the various types of standards that exist and the relationship between them: the law and its different types; the regulatory provisions of the Government with force of law; regulations; international treaties... 4 understand and assess the influence on the system of sources of territorial organization of power mode. 5 understand and assess the impact posed by the incorporation of the European Union law to the Spanish system.

SECOND PART. PRIVATE LAW INSTITUTIONS. The part of the subject which has as its object the study of the main institutions of private law aims to the student to learn the legal bases of the Spanish economic system. Specifically the aim is that the student knows:-the difference between natural and legal persons as well as the rules governing the capacity to act of ones and others. -The basic principles of recruitment and the main types of contracts. - The general theory of obligations and the foundations of contractual and non-contractual liability. -The system of acquisition of ownership and other real rights. -The influence that has the marital economic regime in the business activities of spouses.

DESCRIPTION OF CONTENTS: PROGRAMME

FIRST PART. CONSTITUTIONAL LAW 1. General introduction to the Spanish Constitution of 1978. The Constitution as higher legal standard. Guarantees the supremacy of the Constitution. 2. the legal significance of the Constitution in the source system. 3. the law as a source for excellence in the Spanish legal system. 4. the organic law. 5. the normative sources of Government origin. 6. regional principle and source system. 7. the sources of international and supranational origin.

SECOND PART. LAW INSTITUTIONS PRIVATE 1. The person. Natural person and legal entity. Legal capacity and capacity to act. The representation. 2. the contract: concept and classes. Elements of the contract. Formation of the contract. Effectiveness and ineffectiveness of the contract. Main contractual arrangements. 3. general scheme of the obligations. The mandatory relationship. Compliance and non-compliance with the obligations. The contractual liability. The non-contractual liability. 4. the right to property. Real rights. The transmission of property and rights in rem: transmission ¿inter vivos? and ¿mortis causa? 5. the family. Marriage. The marital economic regime.

LEARNING ACTIVITIES AND METHODOLOGY

FIRST PART. CONSTITUTIONAL law a part of the subject consist of the delivery of lectures, while the remainder consist of participatory activities by the students. These activities will vary along of course, as they acquire the necessary skills. In this way these activities will result in, among others, reading texts and its subsequent commentary, resolution of questionnaires based on recommended reading or the resolution of practical cases.

SECOND PART. PRIVATE LAW INSTITUTIONS. Both the content of this part of the course consists of theoretical knowledge and practical, of which the latter will represent 30% of the credits assigned. For

this reason as well as taught lectures there will be numerous case studies enabling students to apply the knowledge acquired to the resolution of problems.

ASSESSMENT SYSTEM

For the evaluation of the students shall be taken into account. the works developed and tests conducted in small groups in class during the semester (40% of the final grade) and a test set that will be held at the end of the semester (60% of the final grade)

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

BASIC BIBLIOGRAPHY

- BERCOVITZ y VALLADARES, Manual de Introducción al Derecho,, ed. Bercal, , ult.ed
- BILBAO, J.M.; REY, F. y VIDAL, J.M. "Lecciones de Derecho Constitucional I", Thomson Reuters/Aranzadi, ult. edición
- BLANCO VALDÉS, R. Introducción a la Constitución de 1978, Alianza Editorial, 2016
- CAPILLA RONCERO y OTROS, Introducción al Derecho patrimonial privado,, Tirant lo Blanch, ult. ed.
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- CASTELLA ANDREU, J (editor) "Derecho constitucional básico", Huygens Editorial, Barcelona, última edición
- DíEZ-PICAZO, LM Ordenamiento constitucional español, Tirant lo blanch, Valencia, 2020
- GUTIÉRREZ GUTIÉRREZ, I "Elementos de Derecho constitucional español", Marcial Pons, Madrid, última edición
- LACRUZ, reví por Por Delgado/Parra Lucán, Nociones de Derecho civil patrimonial e introducción al Derecho, Dykinson, , ult. ed.
- LASARTE, C. Curso de Derecho civil patrimonial, Introducción al Derecho, Tecnos, ult. ed.
- LÓPEZ GUERRA, L.; ESPÍN, E.; GARCÍA MORILLO, J.; PÉREZ TREMPs, P. y SATRÚSTEGUI, M. "Derecho Constitucional", vol. I., Tirant lo blanch. , Valencia, 2016.
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- MORENO QUESADA y OTROS Derecho civil patrimonial, Conceptos y normativa básica, Comares, , ult. ed.