

Consumer protection in the EU

Academic Year: (2023 / 2024)

Review date: 17-04-2023

Department assigned to the subject: Private Law Department

Coordinating teacher: RUIZ MUÑOZ, MIGUEL

Type: Electives ECTS Credits : 3.0

Year : 1 Semester : 2

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

Civil law: the law of obligations and contracts
Civil Law: Law of Torts
Commercial Law : The status of employer
Commercial Law : Law of unfair competition and advertising
Commercial Law : General Theory of securities

OBJECTIVES

POWERS

Knowledge and understanding that provide a basis or opportunity for originality in developing and / or applying ideas, often in a research context.

Students can communicate their conclusions and the knowledge and rationale underpinning to specialists and non-specialists in a clear and unambiguous manner.

Students must possess the learning skills that enable them to continue studying.

Learn the increasing relevance of the European Union law for legal operators and demonstrate mastery of the techniques of implementation.

Contrasting the instrumental value of law to achieve the efficient functioning of the market and macroeconomic stability.

Skillfully using new communication technologies and information sources on the European Union law.

Value personal initiatives to increase the supply and quality of own professional services and / or organization.

Know and demonstrate the ability to integrate specific rules and procedures of EU law in advising customers and the protection of their rights in the internal and Community jurisdiction.

Ability to expose the functioning of the mechanisms of adaptation of market participants to supranational regulation.

Possessing a broad mastery of techniques and agents relating to supranational and national institutions responsible for the supervision of EU law.

Knowledge and understanding of the scope of responsibility of public authorities for breach of EU law

DESCRIPTION OF CONTENTS: PROGRAMME

Consumer Law EU

1) The regulatory framework : European law and national law. 2) scope of application of consumer law . 3) Consumer associations and consumer arbitration system . 4) Formation of the contract : pre-contractual information , confirmation and integration. 5) The right of withdrawal. 6) General conditions and unfair terms . 7) Recruitment away from business premises , distance contracting , hiring and consumer electronics online . 8) Guarantees of consumer products : lack of conformity and actions of the buyer. 9) Some contracts including: package travel, timeshare , consumer credit and related contracts and payment cards. 10) Liability of the manufacturer for damages from defective products . 11) Rome I Regulation and Directives on certain international consumer contracts .

LEARNING ACTIVITIES AND METHODOLOGY

TEACHING METHODS

Exhibitions in class with teacher support and audiovisual media, in which the main concepts of matter are developed and the literature is provided to supplement student learning .

Critical reading recommended by the teacher of the subject texts:

Newspaper articles, reports, manuals and / or academics, good items for further discussion in class , either to expand and consolidate the knowledge of the subject.

Resolution of practical cases , problems , etc. , set by the teacher individually or in group

Presentation and discussion in class under teacher moderation issues related to the subject content and practical case

Preparation of papers and reports individually or in group

ASSESSMENT SYSTEM

According to the practical nature of the training and methodological activities give teachers special weight to continuous assessment. It will be held from the participation of students in class and performing midterms and / or resolution of practical cases (60 % of score, 25+35 of the mark) .

The final exam will consist of a test type , no less than 20 questions , or a case study on specific issues (comment of any specific rules or with a judgment of TJ) and will represent the remaining 40 % of the grade .

This is without prejudice to the regulations in force at all times.

As for the resit it will be able to recover 100 100 qualification by performing a test (20 questions) and the resolution of a case or the comment of a judgment of TJ .

The absence of more than 20% of the front classes causes dismissal from the course.

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

BASIC BIBLIOGRAPHY

- De Cristofaro, G., De Franceschi, A. Consumer sales in Europe: after the implementation of the consumer rights directive, Intersentia, 2016
- De Franceschi, A. (ed.) European contract law and the Digital Single Market: the implications of digital revolution, Intersentia, 2016
- Devenney, J., Kenny, M. European Consumer Protection. Theory and Practice, Cambridge University Press, 2012
- Graziano, Thomas Kadner A Guide to Consumer Insolvency Proceedings in Europe, Elgar, 2019
- Padraic, Kenna [et alii] Loss of Homes and Evictions across Europe, Elgar, 2018
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- T.Kadner Graziano et al. A Guide to Consumer Insolvency Proceedings in Europe, Elgar, 2019
- Twigg-Flesner, Ch. Research handbook on EU consumer and contract law, Elgar, 2016