

Liability in transportation

Academic Year: (2023 / 2024)

Review date: 27-04-2023

Department assigned to the subject: Private Law Department

Coordinating teacher: ALBA FERNANDEZ, MANUEL

Type: Electives ECTS Credits : 3.0

Year : 1 Semester : 2

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

Tort law
 Contract law
 Commercial law
 Private International Law
 Public International Law

OBJECTIVES

BASIC SKILLS

CB6 Ability to provide a basis or opportunity to be original in the development and / or application of ideas, often in a research context
 CB7 Know how to apply the knowledge acquired and the ability to solve problems in new or unfamiliar environments within broader (or multidisciplinary) contexts related to the area of ¿¿study
 CB8 Integrate knowledge and face the complexity of making judgments based on information that, being incomplete or limited, includes reflections on social and ethical responsibilities linked to the application of knowledge and judgments
 CB9 Know how to communicate conclusions and knowledge and ultimate reasons that sustain them to specialized and non-specialized audiences in a clear and unambiguous way
 CB10 Develop learning skills that allow to continue studying in a way that will be largely self-directed or autonomous.

GENERAL COMPETENCES

CG1 Understand the importance of civil liability as a sector of law with its own entity
 CG2 Learn to identify civil liability relationships and know their legal treatment
 CG3 To perceive the unitary nature of civil responsibility and the necessary multidisciplinary vision of the legal problems posed
 CG4 Know the legal regime of civil responsibility from different perspectives of Law, not only national, but also from the international discipline
 CG5 Learn to identify the legal problem and to give a solution to it
 CG6 Issue critical judgments on legal issues related to civil liability.
 CG7 Apply methods of legal analysis that allow the student to have the capacity to study and synthesize the information received.

SPECIFIC COMPETENCES

CE1 Understanding the treatment of civil liability from the perspective of private law
 CE3 Identify the cases of civil liability in mercantile matters and know how to give a solution to the conflicts raised in this area
 CE10 Analyze the different treatments of civil liability, its problems and its solutions.
 CE11 Understand the assumptions of civil responsibility from a global perspective, as a whole, with legal problems arising from different branches of law.

LEARNING RESULTS

The training process of the subject aims to familiarize students with specialties that, in terms of civil liability, exist in typically commercial areas such as those derived from the management of third-party assets or market intermediation activities, the activity of the transport, the responsibility in the electronic commerce and the related one to the activity of the businessmen derived from the norms in matter of competition and publicity and the ligature to the goods of the industrial property.

The overcoming of the subject supposes that the students know and manage the sources where these

responsibilities are enshrined, the interpretation problems that they pose and the jurisprudential lines that exist in relation to them, in such a way that they are able to approach and resolve in practice claims of civil liability in such typically commercial cases

DESCRIPTION OF CONTENTS: PROGRAMME

Subjects common to other subjects:

- Specialties of civil liability linked to commercial activities. Type of responsibility, solidarity, imperativeness, possibility of conventional modifications, limitation, aggravated legal liability, causes of exoneration, requirements of enforceability, claim periods, actions and means of exercise.
- The responsibility in the obligations and mercantile contracts. Extracontractual liability and business activity.

In this matter are included subjects of Mercantile Law, therefore, the perspective from which they are designed is the proper of this discipline.

Specific topics of each subject:

Liability in transport;

- Responsibility in transportation in different modes: maritime, air, land (road and rail) and multimodal.
- Lines of evolution of the responsibility of logistics operators, carriers, their assistants and transport intermediaries.

ASSESSMENT SYSTEM

ASSESSMENT SYSTEMS OF THE STUDY PLAN REFERRED TO SUBJECTS

SE1 Participation in class

SE2 Individual or group work carried out during the course

SE3 Final exam

System of Evaluation	Minimum weight (%)	Maximum weight (%)
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SE1	10%	20%
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SE2	40%	45%
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SE3	40%	45%
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% end-of-term-examination:	45
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% of continuous assessment (assignments, laboratory, practicals...):	55
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