

Common Law in Perspective (II)

Academic Year: (2024 / 2025)

Review date: 28-05-2024

Department assigned to the subject: Private Law Department

Coordinating teacher: REDONDO APARICIO, AGUSTIN

Type: Compulsory ECTS Credits : 3.0

Year : 1 Semester : 2

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

Degree in Law.

DESCRIPTION OF CONTENTS: PROGRAMME

Common Law in perspective (II)

1.- Property and security. Civil law comparisons.

- a) The Law of Real Property. Estates in Land.
- b) The Law of Personal Property, and assignment.
- c) Credit and Security Rights (I). Creation (attachment and perfection) of security interests, and the role of registration.
- d) Credit and Security Rights (II). Mortgages.
- e) Credit and Security Rights (III). Charges and floating security.

2.- The Law of Trusts

- a) General aspects: origins, equity jurisdiction, equity principles.
- b) The Trustees duties, and remedies for breach of trust.
- c) Specific types of trust: business trusts, investment trusts.

3.- The Law of Tort Liability. Civil law comparisons

- a) The Law of Torts and its evolution.
- b) The Tort of Negligence.
- c) Causation.
- d) Pure economic loss and liability for false statements.

LEARNING ACTIVITIES AND METHODOLOGY

LEARNING ACTIVITIES

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|-----|-----------------------------|
| AF1 | Theory lectures |
| AF2 | Practical lectures |
| AF3 | Theorico-practical lectures |
| AF6 | Group project |
| AF7 | Individual project |

METHODOLOGY

MD1: Lectures by the teacher with the support of audiovisual and computerized means in which the basic concepts of the subject shall be explained and the basic bibliography shall be recommended to complete the students knowledge.

MD2: Critical Reading of texts recommended by the teacher: newspapers articles, reports, handbooks and/or academic papers, for their discussion in class or to consolidate the knowledge on the subject.

MD3: Solving cases, problems, etc. posed by the teacher individually or in groups.

MD4: Briefing and discussion in class, moderated by the teacher, of matters related to the content of the subject, as well as practical cases.

MD5: Preparation of individual or group papers and briefings.

TUTORING: Students will have access to tutorials with the person responsible for coordinating the subject. With the tutoring it is intended to organize the teaching and learning processes that are based on the interaction between the student and the teacher in order to: (i) Guide the autonomous and group work of the students (ii) Deepen in different aspects of the subject (iii) Guide the academic and comprehensive training of the student. The tutorials will take place at the time and under the conditions determined by the teacher in Aula Global.

ASSESSMENT SYSTEM

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

SE1 participation in class

SE2 Individual or group papers elaborated during the course

SE3 Final exam

Evaluation systems	Minimum percentage (%)	Maximum percentage (%)
SE1	20%	30%
SE2	40%	50%
SE3	20%	40%

The master in International advocacy is a master's degree that is taught in person. Therefore, students are required to attend all the theoretical and practical classes that the master has programmed. A student may only be absent for no reason from a maximum of 15 per cent of the classroom hours (i.e. not the sessions or days) in each subject. In case of excused absences, the total maximum will be 25%. If the student hold an absence greater than those indicated, a "0" will be computed on the continuous evaluation rating. Likewise, the absences lower than those percentages may be taken into account when it comes to modulate downward the qualification of the continuous evaluation, especially if it includes a participation note.

In the extraordinary call the weight will be: Final examination: 60% and continuous evaluation: 40%.

BASIC BIBLIOGRAPHY

- BEALE, H., BRIDGE, M., GULLIFER, L., LOMNICKA, E. The Law of personal property security, Oxford University Press, last edition
- BUSSANI, M., SEBOK, A. Comparative Tort Law, Research Handbooks in Comparative Law series, last edition
- CUMING, R.C.C. Personal property security law, Irwin Law, last edition
- GREY, K., GRAY, S.F. Land Law, Oxford University Press, last edition
- HEUSTON, R.F.V., BUCKLEY, R.A. Law of Torts, Sweet & Maxwell, last edition
- HOWARTH, D.R., O'SULLIVAN, J.A. Tort: cases and materials, Butterworths, last edition
- KIONKA, E.J. Torts in a nutshell, West Academic Publishing, last edition
- LUPOI, M. Trusts: A comparative study, Cambridge University Press, last edition
- MARKESINIS, B.S., DEAKIN, S.F. Tort Law, Clarendon Press, last edition

- MEGARRY, HON. SIR R. and WADE, H.W.R. The Law of Real Property, Stevens & Sons Limited, last edition
- MULHERON, R. Principles of Tort Law, Cambridge University Press, last edition
- PARKER, D., MELLOWS, A.R. The modern Law of Trusts, Sweet & Maxwell, last edition
- PENNER, J.E., PADFIELD, N. The Law of Trusts, Oxford University Press, last edition
- SEXTON, R. Land Law Textbook, Oxford University Press, last edition
- SPARKES, P. European Land Law, Hart Publishing, last edition
- THOMPSON, M.P Modern Land Law, Oxford University Press, last edition
- VAN DAM, C. European Tort Law, Oxford University Press, 2014
- VIRGO, G. The principles of equity and trust, Oxford University Press, last edition
- VIRGO, G. The principles of equity and trust, Oxford University Press, last edition
- WATT, G. Trust and equity, Oxford University Press, last edition
- WEBB, C., AKKOUH, T. Trusts Law, Palgrave Macmillan, last edition
- WILSON, S. Textbook on Trusts, Oxford University Press, last edition