

**COURSE DATA****Data Subject**

<b>Code</b>	35207
<b>Name</b>	Civil Law II
<b>Cycle</b>	Grade
<b>ECTS Credits</b>	9.0
<b>Academic year</b>	2022 - 2023

**Study (s)**

<b>Degree</b>	<b>Center</b>	<b>Acad. year</b>	<b>Period</b>
1303 - Degree in Law	Faculty of Law	2	Annual
1921 - Double Degree Program BMA and Law	Faculty of Economics	2	Annual
1922 - Double Degree Prog. Law-Political Science	Faculty of Law	2	Annual
1923 - Double Degree Programme Law-Criminology	Faculty of Law	2	Annual
1930 - Double Degree Programme in Law and Political and Public Admin. Sciences	Faculty of Law	2	Annual

**Subject-matter**

<b>Degree</b>	<b>Subject-matter</b>	<b>Character</b>
1303 - Degree in Law	10 - Civil law	Obligatory
1921 - Double Degree Program BMA and Law	3 - Year 2 compulsory subjects	Obligatory
1922 - Double Degree Prog. Law-Political Science	3 - Year 2 compulsory subjects	Obligatory
1923 - Double Degree Programme Law-Criminology	3 - Year 2 compulsory subjects	Obligatory
1930 - Double Degree Programme in Law and Political and Public Admin. Sciences	3 - Asignaturas obligatorias de segundo curso	Obligatory

**Coordination****Name**

ATIENZA NAVARRO, MARIA LUISA

**Department**

50 - Civil Law

**SUMMARY**

The subject "Civil Law II" is mandatory and it is taught in the second degree in Law, during the academic year (first and second semesters). Its teaching among contains 9 ECTS credits (225 hours). The subject is identified with the Book IV of the Civil Code (Obligations and contracts), notwithstanding the application of an increasing number of special Acts,. The subject includes general Theory of Obligations, General Theory of Contract, particular contracts (in particular, sale, , "gift", contracts for use and lease, contract of work, contract services, management contracts, financing and warrant contracts, contracts-on-trials in the litigation, games contract and atypical contracts) and Law od Tort. It is therefore one of the most important areas of Property Law and is the basis on which to settle the acquisition of property rights and the dynamics of economic traffic. Also must take into account the existence of another subjects to complete the matter, such as Consumer Law, Tort Law or the credit warrant, in order to streamline and coordinate the content of this subject.

**PREVIOUS KNOWLEDGE****Relationship to other subjects of the same degree**

There are no specified enrollment restrictions with other subjects of the curriculum.

**Other requirements**

There are no specified enrolment restrictions with other subjects of the curriculum

**COMPETENCES (RD 1393/2007) // LEARNING OUTCOMES (RD 822/2021)****1303 - Degree in Law**

- Ser capaz de conocer y utilizar de manera adecuada la terminología propia del Derecho Civil.
- Ser capaz de comprender los conceptos básicos del Derecho Civil patrimonial y, en general, del Derecho contractual.
- Ser capaz de redactar contratos.

**LEARNING OUTCOMES (RD 1393/2007) // NO CONTENT (RD 822/2021)**



Civil Law II must be oriented for the student to obtain the following learning outcomes:

- Know and use appropriately the terminology of the Obligations Law.
- To understand the basic concepts of the Obligations Law, and especially the Contracts Law.
- To know and use the Spanish system of sources of obligations.
- To know in depth the basic aspects of the general theory of obligation.
- To know in depth the basic aspects of the general theory of contracts
- To know the typical contracts and modalities, including the general conditions of contracts and the electronic contracts.
- To be able to read and write a contract.
- To know the current state of Community Law of contracts, and the consumer protection and damages.
- To know the basic aspects of consumer protection in the area of Obligation and Contract Law.
- To know the Tort Law and the different systems of civil liability

## DESCRIPTION OF CONTENTS

### 1. General Obligation theory

The general theory of obligations necessarily includes the following topics:

- Concept and sources of obligations
- Elements and circumstances dealing with the obligatory relationship
- Compliance of obligations
- The breach of duty
- Defence and guarantees of the the credit right and the concurrence of creditors
- Modification and extinction of obligations

### 2. Contract general theory

The general theory of contracts necessarily includes the following topics:

- Introduction to Contract Law
- Essential requirements for the contract
- Creation of contracts
- Interpretation of contracts



- Validity and effects of contracts
- Nullity and breach of contract

### 3. Contracts

The legally typified contracts necessarily include the following topics

- Contract of sale and other contracts to transfer property
- Leases
- The contract for work services
- The contract of Civil Society
- The contract of mandate
- The loan and other financing agreements
- The deposit contracts
- Contracts for the settlement of disputes
- The contract of guarantee and other forms for security
- Random contracts
- Other contracts

### 4. Tort Law

The Law of Tort necessarily includes the following topics:

- The tort liability. Concept and elements
- Spanish system of liability and liability for vicarious
- Special cases of civil liability

## WORKLOAD

ACTIVITY	Hours	% To be attended
Theoretical and practical classes	90,00	100
Attendance at events and external activities	10,00	0
Study and independent work	90,00	0
Readings supplementary material	35,00	0
<b>TOTAL</b>	<b>225,00</b>	

## TEACHING METHODOLOGY

Theoretical contents: The professor will expose and explain the fundamental theoretical contents to guide the student in the study and understanding of the matter. The student must engage actively in the learning by means of the previous reading of the lesson and the supplementary materials established in the planning of the course.



Activities: comment of sentences, verdicts and proposals of practical cases deploying the competences and complementing the theoretical contents. The professor will decide which ones will be assessed.

Supplementary activities: extra activities will be programmed such as workshops, seminars and other activities. They will be planned considering the availability of human and temporary resources and trying to make them interdisciplinary making groups belonging or not to the subject. These activities may take place in centres outside the Universitat de València.

## EVALUATION

Composition of the final grade:

- 30 % CONTINUOUS EVALUATION
- 70 % EVALUATION OF THEORETICAL AND PRACTICAL KNOWLEDGE

Computable activities for the continuous evaluation. - In the CONTINUOUS EVALUATION the follow-up and the preparation of the content of the programme will be assessed. There will be AT LEAST TWO TASKS that will be assessed. They will consist mainly in the resolution of cases, an objective test, individual work or in group, etc.

In any case, professors can carry out additional activities for continuous evaluation that will be documented in the corresponding Annex to the Course Guide.

The continuous evaluation means assistance and participation. Those students that by diverse reasons cannot attend the lessons do not have right to a different continuous evaluation.

Punctuation of the continuous evaluation. – No marks will be awarded in the continuous evaluation if the student does not get AT LEAST 40% in this modality. In consequence, students who don't get at least 40% will have a final score of zero points in the continuous evaluation. The objective is to promote the continuous work.

The continuous evaluation will compute both in first and second calls.

The activities of the continuous evaluation are “no recoverable” in the second call.

Modality of the final test. - The modality of the FINAL TEST of knowledge (test, short questions or questions to be developed, both theoretical and theoretical-practical, oral examination, etc.) will be decided by each professor and will be communicated to the students in advance.

In case of coincidence of examinations, the type of examination may vary (e.g., test, oral, writing).

Need to pass the Final Test.- To pass the subject it is COMPULSORY to PASS THE FINAL TEST.

Students who participate in an activity of the continuous evaluation, but do not take the final test in any of the calls, will be considered as NO PRESENTED in the records of the corresponding calls of the subject.





Qualification in case of having no marks in the continuous evaluation. - Those students that do not participate regularly in the activities of the continuous evaluation will be assessed according to the result of the final exam, which is open to all the students. In such case, the maximum score they can get is 7 out of 10.

Qualification in case of automatic cause of fail. - According to the criteria of this Course Guide or of the Annex of each professor, the maximum mark will be 4 points.

## REFERENCES

### Basic

- F. BLASCO, Instituciones de Derecho Civil. Contratos en particular. Cuasicontratos. Daños, Tirant lo Blanch.
- E. CORDERO y M.J. MARÍN, Derecho de obligaciones y contratos en general. Lecciones de Derecho Civil Tecnos.
- J.R. DE VERDA Y BEAMONTE(dir.). Derecho Civil II. Obligaciones y Contratos, Tirant lo Blanch
- L. DíEZ-PICAZO, Fundamentos del Derecho Civil Patrimonial, vols. I, II, IV y V, Civitas.
- L. DíEZ-PICAZO y A. GULLÓN, Sistema de Derecho Civil, vol. II, Tecnos.
- L. DíEZ-PICAZO y A. GULLÓN, Instituciones de Derecho Civil, vol. II, t. I y II, Tecnos.
- C. MARTÍNEZ DE AGUIRRE y otros, Curso de Derecho civil II, t. I y II, Edisofer.