

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

Code	35238
Name	Consumer law
Cycle	Grade
ECTS Credits	4.5
Academic year	2018 - 2019

Study (s)

Degree	Center	Acad. year	Period
1303 - Degree in Law	Faculty of Law	4	First term

Subject-matter

Degree	Subject-matter	Character
1303 - Degree in Law	31 - Consumer law	Optional

Coordination

Name	Department
AVIÑO BELENGUER, DAVID	50 - Civil Law

SUMMARY

The Consumers Law Module is an optional subject of Fourth Course Itinerary integrated in Private Law. Without prejudice to the other names that has received the module along its implementation in Curricula (Consumer Protection or Consumer Law), its main purpose is to safeguard the interests of people as receivers of commercial activity, in its various forms.

The industrial and technological rapid development in recent decades has led to an increase in the terms of trade of goods and services, and thus, the emergence of new problems in the economic and legal order, especially in the field of contract's agreement and responsibility.

The need to provide certain legal solutions to these, replies Consumer Law, which is presented as a specific branch of private Law.



PREVIOUS KNOWLEDGE

Relationship to other subjects of the same degree

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

Other requirements

Though formal restriction does not exist to be able to deal this subject, for its best harnessing would be convenient the knowledge of the matters corresponding to Civil Law II.

OUTCOMES

1303 - Degree in Law

- Know the content and application of each of the branches of the legal system.
- Understand the legal system as unitary and have an interdisciplinary perspective of legal problems.
- Be able to apply constitutional principles and values, the respect for human rights, with special attention to equality between men and women, sustainability and the culture of peace as working tools in the interpretation of the legal system.
- Understand the constitutional regulatory framework, the political institutions of the State and their functioning.
- Know the community and international regulatory framework, its institutions and their functioning.
- Be able to use legal sources (legal, jurisprudential and doctrinal).
- Be able to read and interpret legal texts.
- Be able to communicate correctly both orally and in writing in the field of law.
- Be able to analyse legal problems and synthesise their approach and resolution.
- Be able to use information and communication technology to obtain and select legal information.
- Have negotiation and conciliation skills.

LEARNING OUTCOMES

Skill number. 1

Ability to understand the socio-legal reasons that justify economic specific protection of consumers (E: 2, 5, 7, 8).

Skill number 2

Ability to meet regulatory framework (national, community and regional) consumer protection (E: 2, 6, 7, 8, 13).



Skill number 3

Ability to know the rights and legal guarantees that the consumer recognizes (E: 4, 5, 6, 7, 8, 9, 10).

Skill number 4

Ability to meet the means of enforcing, judicial and extrajudicial, provided by law for the protection of consumer rights. (E: 3, 7, 8, 9, 10, 14).

DESCRIPTION OF CONTENTS

1. Consumer Law

- Justification of consumer law
- Consumer law and private law
- Concept and character of consumer law

2. Regulatory and competential scope of consumer protection.

- Justification of consumer law
- Consumer law and private law
- Concept and character of consumer law

3. The General Law of Protection of Consumers and Users

- Background and basics principles
- Systematics of the law
- Scope: subjective and objective

4. The basic rights of consumers.

- Concept and legal
- Protection of the health and safety
- Right to information, training and education
- Right to representation, consultation and participation
- Protection of economic interests and social



5. Protection of economic and social interests (I)

- Consumer protection and contract
- Training and integration contract
- Principle of truthfulness
- Principle of conformity
- The general conditions of the contract and unfair terms

6. Protection of economic and social interests (II)

- Business methods
- The sales promotion activities
- Special sales
- Sales outside business establishments
- Consumer protection and electronic procurement

7. Guarantee scheme and conformity of the goods and services..

- The principle of conformity and scope
- Mechanisms of protection and remedies.
- Legal and commercial warranty Warranty
- The after-sales service

8. Liability for damage caused by goods and services

- General scheme and scope
- Special arrangements: damage caused by defective products
- Special arrangements: damage caused by other goods and services

9. Consumer access to justice: the consumer arbitration system..

- Judicial protection of the rights and interests of consumers
- The consumer arbitration system

10. Consumer credit agreement

- Concept and scope
- Information and contractual offer
- Formation and conclusion of the contract

**WORKLOAD**

ACTIVITY	Hours	% To be attended
Theoretical and practical classes	45,00	100
Attendance at events and external activities	5,00	0
Development of group work	10,00	0
Development of individual work	10,00	0
Study and independent work	10,00	0
Readings supplementary material	7,50	0
Preparation of evaluation activities	5,00	0
Preparing lectures	5,00	0
Preparation of practical classes and problem	5,00	0
Resolution of case studies	5,00	0
Resolution of online questionnaires	5,00	0
TOTAL	112,50	

TEACHING METHODOLOGY**English version is not available****EVALUATION**

Composition of the final qualification.- The final qualification composes of a:

- **30 % OF CONTINUOUS EVALUATION.**
- **70 % OF EVALUATION OF THEORETICAL And PRACTICAL KNOWLEDGES.**

Activities computable in the continuous evaluation.- In the **CONTINUOUS EVALUATION** will value the follow-up continued and the preparation of the distinct contents of the programs and will have **LIKE MINIMUM TWO evaluate acts** consistent mainly in the resolution of cases, test-objective proof, individual work or in group, etc..

In any case, each professor reserves the faculty to realize activities of additional continuous evaluation, that will be recorded in the corresponding Annex to the Educational Guide.



Punctuation of the continuous evaluation. - In the continuous evaluation will not obtain any punctuation if it does not surpass AT LEAST THE 40 PERCENT of the same. In consequence, those that do not arrive to the 40 percent will have zero points of continuous evaluation. It pretends with this improve the work continued of the student.

The continuous evaluation will compute so much in first as in second announcement.

Modality of the final proof.- The modality of the FINAL PROOF of knowledge's (test, short questions or of development, theoretical or theoretical-practical, oral examination, etc.) will determine by each professor and will communicate to the students with the due advance.

In case of coincidence of examinations, will be able to vary the type of examination concerning the planned with general character (p.And., test, oral, writing).

Need to approve the Final Proof. - To overcome the course it will be essential to pass the final PROOF.

Qualification in case of have not marked the continuous evaluation. - Those students that have not participated regularly in the activities that allow the continuous evaluation will be evaluated by the result of the final proof, to which anyway will be able to present the students enrolled. In such supposition, the maximum final qualification that they can obtain these students will be of 7 points on 10.

Qualification in case of concurred automatic cause of suspense.- If concurred automatic cause of suspense, according to the criteria of this Educational Guide or of the Annex of each professor, the maximum note that will obtain the student is a 4.

REFERENCES

Basic

- REYES LÓPEZ, M^a J; Manual de Derecho privado de consumo, Ed. La Ley, Madrid
- LASARTE ÁLVAREZ, C; Manual sobre protección de consumidores y usuarios, Ed. Dykinson, Madrid.
- AA.VV; Derecho privado de consumo, (Coord. REYES LÓPEZ), Ed. TIB, Valencia.

Additional

- AA.VV; Comentarios a la Ley General para la Defensa de los Consumidores y Usuarios, (Coord. BERCOVITZ, R. & SALAS, J), Madrid, 1992
- AA.VV; Comentarios a la Ley de Ordenación del Comercio Minorista y a la LO complementaria, (Dir. PIÑAR & BELTRÁN), Madrid, 1997



- AA.VV; Comentarios a la Ley de Condiciones Generales de la Contratación (Coord. BERCOVITZ, R.), Ed. Aranzadi, Zizur Menor, 2000
- AA.VV; Contratación y comercio electrónico (Dir. ORDUÑA MORENO), Ed. TIB, Valencia, 2003
- DÍEZ-PICAZO Y PONCE DE LEÓN, L; Fundamentos del Derecho civil patrimonial, T. I y IV, Ed. Thomsom-Civitas, Cizur Menor.