

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

<b>Code</b>	35238
<b>Name</b>	Consumer law
<b>Cycle</b>	Grade
<b>ECTS Credits</b>	4.5
<b>Academic year</b>	2022 - 2023

**Study (s)**

<b>Degree</b>	<b>Center</b>	<b>Acad. Period year</b>
1303 - Degree in Law	Faculty of Law	4 First term

**Subject-matter**

<b>Degree</b>	<b>Subject-matter</b>	<b>Character</b>
1303 - Degree in Law	31 - Consumer law	Optional

**Coordination**

<b>Name</b>	<b>Department</b>
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.

## COMPETENCES (RD 1393/2007) // LEARNING OUTCOMES (RD 822/2021)

### 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 (RD 1393/2007) // NO CONTENT (RD 822/2021)

### 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. THE PROTECTION OF THE CONSUMERS And USERS. SPANISH LEGISLATION ON DEFENCE OF THE CONSUMERS. THE NOTION OF CONSUMER.**

**2. THE CONTRACTING WITH CONSUMERS.**

- I-.The training of the agreement. The automatic contracting, telematic and electronic.
- II-.The duty of contractual information in the distinct phases of the agreement.
- III-. The integration of the advertising in the agreement. Juridical diet of the advertising.
- IV-.Content of the agreement and general conditions of the contracting. The abusive clauses.

**3. DIET OF COMPLIANCE And GUARANTEE OF THE PRODUCTS.**

**4. THE RESPONSIBILITY BY DEFECTIVE PRODUCTS.**

**5. THE PROTECTION OF THE CONSUMER IN SPECIFIC SECTORS OF THE CONTRACTING.**

**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
<b>TOTAL</b>	<b>112,50</b>	

**TEACHING METHODOLOGY**

Exhibition of theoretical contents: The professor of the asignatura will expose and will explain the fundamental theoretical contents to guide to the student in the study and understanding of the matter. The student, by his part, has to engage actively in the learning by means of the previous reading of the lesson and the complementary materials that have established in the planning of the course.

Activities applied: it Consists in the comment of sentences, dictámenes and proposals of practical cases, deploying the distinguished competitions, complementing in this way the exhibition of theoretical contents. In each case, will signal the professor which go to be object of evaluation.

Complementary activities: it will program some consistent complementary activity in a workshop, seminar or another activity related with the matter, that will schedule , in function of the availability of human and temporary resources, trying that they have character interdisciplinar, already was with groups of the same or of other asignaturas. The activities will be able to develop in different centres to the Universitat of València.



## 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 computables 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 acts evaluables 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 realise activities of additional continuous evaluation, that will be recorded in the corresponding Annex to the Educational Guide.

The continuous evaluation presupposes assistance and participation continued. Those students that by diverse reasons can not fulfil with the presencialidad, do not have right to a different continuous evaluation.

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.

The activities of continuous evaluation have the character of “no recoverable” in the second announcement.

Modality of the final proof.- The modality of the FINAL PROOF of knowledges (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 owed antelación.

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 surpass the asignatura will be INDISPENSABLE to APPROVE THE FINAL PROOF.

Those students that have participated in some activity of continuous evaluation, but do not realise the final proof of the corresponding announcements, will state as NO PRESENTED in the records of the corresponding announcements of the asignatura.

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 concurrir automatic cause of suspense.- If concurre 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

- AA.VV., Derecho privado de consumo, (coord. REYES LÓPEZ), ed. Tirant lo Blanch, Valencia.
  - AA.VV., Manual de Derecho de consumo (coord. DÍAZ ALABART, S.), ed. Reus, Barcelona.
  - AA.VV., Comentarios al Texto refundido de la Ley General de defensa de los consumidores y usuarios y otras leyes complementarias (coord. BERCOVITZ RODRÍGUEZ CANO, R.), ed. Aranzadi.
  - AA.VV., Comentarios a las normas de protección de los consumidores. Texto refundido (RDL 1/2007) y otras leyes y reglamentos vigentes en España y la U. E., (dir. CÁMARA LAPUENTE), ed. Colex.
  - LASARTE ÁLVAREZ, C., Manual sobre protección de consumidores y usuarios, ed. Dykinson, Madrid.
  - REYES LÓPEZ, M<sup>a</sup> J; Manual de Derecho privado de consumo, ed. La Ley, Madrid.
- \*Las referencias bibliográficas deben entenderse hechas a la última edición.