COURSE DATA

Data Subject	
Code	42773
Name	Foundations
Cycle	Master's degree
ECTS Credits	3.0
Academic year	2024 - 2025

Study (s)

Degree	Center	Acad. year	Period
2204 - Master's Degree in Social Economics (Cooperatives and Non-Profit Organisati	Faculty of Economics	1	Second term

Subject-matter

Degree	Subject-matter	Character
2204 - Master's Degree in Social Economics (Cooperatives and Non-Profit Organisati	18 - Foundations	Optional

Coordination

Name	Department
OLAVARRIA IGLESIA, JESUS	70 - Mercantile Law 'Manuel Broseta Pont'

SUMMARY

The course "Foundations" is a subject of Module IV.B "Specialty in non profit" the Master in Social Economics. The overall objective of this course is that students know the reality of the Foundations jurídicoeconómica, so they understand the role or "role" played by socio-economic in our society and our economic system, they know the meaning and capable of use legal and economic terminology specific to those entities that know the operation of its organizational structure, to become familiar with its management as a tool jurídicoeconómica for proper fulfillment of their social purposes, they can understand and develop the basic documents required the operation of these entidadesLa course aims to study the Foundations in Spain from a legal standpoint, economic and social, from the legal-economic significance of these entities, through its constitution, system operation and its organs especially of the Board, by documentary and accounting obligations are subject to the regime of its activities, especially those concerning the administration and disposition of property and rights that make their assets and operations of the Statutes amendment and possible structural changes, ending the legal regime governing its dissolution and liquidation.

PREVIOUS KNOWLEDGE

Relationship to other subjects of the same degree

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

Other requirements

Haber cursado las asignaturas troncales del Master (primer cuatrimestre)

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

2127 - Master's Degree in Social Economics. Cooperatives and Non-Profit Organisati

- Know how to apply acquired knowledge and problem-solving skills in new or unfamiliar environments within broader (or multidisciplinary) contexts related to their area of study.
- To be able to integrate knowledge and face the complexity of formulating judgments from information that, being incomplete or limited, includes reflections on the social and ethical responsibilities linked to the application of their knowledge and judgments.
- Know how to communicate your conclusions (and the underlying knowledge and reasons) to both specialist and non-specialist audiences in a clear and unambiguous way.
- Possess the learning skills that will allow them to continue studying in a way that will be largely self-directed or autonomous.
- Comprender el funcionamiento de las entidades y empresas que conforman la Economía Social
- Students should possess and understand foundational knowledge that enables original thinking and research in the field.
- Know how to work in multidisciplinary teams reproducing real contexts and contributing and coordinating their own knowledge with that of other branches and participants.
- Participate in, lead and coordinate debates and discussions, be able to summarize them and extract the most relevant conclusions accepted by the majority.
- Use different presentation formats (oral, written, slide presentations, boards, etc.) to communicate knowledge, proposals and positions.
- Proyectar sobre problemas concretos sus conocimientos y saber resumir y extractar los argumentos y las conclusiones más relevantes para su resolución.
- Ser capaces de buscar, ordenar, analizar y sintetizar la información, seleccionando aquella que resulta pertinente para la toma de decisiones.
- Saber trabajar en equipo con eficacia y eficiencia.
- Ser capaces de tomar decisiones tanto individuales como colectivas en su labor profesional y/o investigadora.

- Have a proactive attitude towards possible changes that may occur in their professional and/or investigative work.
- Be able to integrate new technologies in their professional and/or research work.
- Know how to write and prepare presentations to present and defend them later.
- Critically analyse one's own work and that of colleagues.
- Be able to integrate into teams, both as managers or coordinators and for specific and limited functions and in support of the team or of others.
- Entender el ámbito de actuación de la Economía Social desde sus diferentes puntos de vista y perspectivas: jurídica, social, económica y empresarial, fundamentalmente.

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

The overall objective of this course is that students know the current legal and economic foundations, so they understand the role or "role" played by socio-economic in our society and our economic system, they know the meaning and are able to use legal and economic terminology of these entities own, who know the workings of its organizational structure, to become familiar with their legal and economic management as a tool for the proper fulfillment of their social purposes, they can understand and develop the basic documents required by the operation of these entities

DESCRIPTION OF CONTENTS

1. Concept and legal status: autonomous state foundations and foundations

1.1. The Constitutional Law Foundation: scope of Article 34 and the constitutional distribution of competencies in foundational
1.2. Foundation concept
1.3. Aims and beneficiaries

2. Constitution

I. Ability to establish
1. Ability of individuals
2. Ability of people jurídcas
II. Methods of Incorporation
1. Constitution of the founding acts "inter vivos"
2. Constitution of the founding acts "mortis causa"
III. Articles of incorporation.

3. Gobern of Fundation: the patronat of fundation

I. The board as a collegial body needed.
II. Possibility of creating other organs.
III. Functions of the board.
1. Organization's corporate foundation.
2. Administration and provision of foundation assets.
3. Representation of the foundation.
IV. The patrons

4. Legal aspects relating to the intangible, available to property and rights and the exercise of economic activities by foundations

I. Heritage Foundation.
II. Ownership of assets and rights.
III. Legacies and donations
IV. Alienation and encumbrance of property and rights
V. Operating principles of the Foundation
VI. Economic activities.

5. Statutory modifications and structural changes in the foundations

I. Amendment of Bylaws of the Foundation:
1. Concept and role of the amendments to the Statutes ..
2. The principal reports on the statutory modification of the Foundation
3 Causes of the change (voluntary and mandatory) requirements, budgets and effects.
4. The competent bodies: Board, Protectorate and judicial authority
5. The procedure for amending the bylaws
6. The formalization of the change: requirements and effects.
II. Fusion of Foundations
1. Existing legal regime applicable to the merger of foundations
2.Procedimiento.
2.1. Voluntary merger.
2.2. Mandatory merger ..
3. Structural modification operations related to the merger

6. Extintion and liquidation of the Fundations

I. Causes of extinction.
1. Causes voluntary
2. Legal causes
II. Means of Extinction: A procedure
III. liquidation

7. The Protectorat

I. Concept and legal nature
II. Organization of the Protectorate
III. Functions of the Protectorate

8. The foundational sector in Spain: economic and social characteristics

I. Foundations in Spain. Configuration, typology and dimension of the Spanish foundational sector
II. Roles and challenges of foundations in the Spanish case.
III. Entities representing the sector. Functions
IV. Measuring the impact of the foundation's activity
V. Perception of foundations by Spanish society.

9. Foundations in the university field. Specific case: Foundational sector of the University of Valencia

I. Foundations as an instrument at the service of universities
II. Univesitary foundations. Different management models. characteristics
III. Sectoral group of university foundations.
IV. Foundations at the Universitat de València
V. The General Foundation of the Universitat de València

10. Economic aspects of foundations: accounting regulations, auditing, and Action plan Destination of income and income. Tax aspects

I. Functioning and activity of the foundation: accounting obligations
II. Annual accounts. Composition. Presentation templates
III. Audit of accounts.
IV. Plan of action: preventive and liquidated.
V. Practical case for drawing up an Action Plan.
SAW. Mandatory destination of income and income. Basis of calculation.
VII. Some tax issues

WORKLOAD

ACTIVITY	Hours	% To be attended
Theory classes	16,00	100
Classroom practices	14,00	100
Development of individual work	15,00	0
Study and independent work	10,00	0
Readings supplementary material	10,00	0
Preparation of evaluation activities	10,00	0
TOTAL	**75,00**	

TEACHING METHODOLOGY

The learning module is structured by theoretical and practical sessions. The theoretical part will be developed through lectures supported in the basic literature of each topic and specific reading materials that indicate the student. However, positively valued student participation throughout the theoretical sessions, participation may consist of personal reflections and evaluations of students about the concepts and theoretical contents spilled by the teacher. The practical sessions will be developed through active participation based on the students. Will present case studies involving different legal aspects of the Foundations students should submit written work and thereby giving rise to the corresponding discussion sessions and discussion among students.

EVALUATION

The evaluation system will consist of the following:

a) Attendance and active participation in face-to-face sessions: 15%

b) Preparation of a work / document regarding the constitution and / or operation of the foundations that the professor indicates before beginning the face-to-face sessions: 25%

c) A final test (which may consist of conducting a test, or in the development of one or more questions, or in practical cases, or in a group of all), whose overcoming will be essential to pass the subject, and whose value over the final mark will be 60%

Policy for the use of Artificial Intelligence (AI). A paragraph should be included at the end of any task that uses Artificial Intelligence, explaining what it has been used for and what instructions have been applied to obtain the results. Failure to do so will violate the academic honesty policy and will be considered plagiarism. In fact, according to article 11.g of Law 3/2022, of February 24th, on university coexistence, regarding ChatGPT, it shall be considered a very serious offense to fully or partially plagiarize a work, or engage in academic fraud in the preparation of any assignment or activity requested of the students. Academic fraud shall be understood as any deliberate behavior aimed at falsifying the results of an exam or assignment, whether it is one's own or someone else's (including the improper use of artificial intelligence such as ChatGPT), carried out as a requirement to pass a subject or demonstrate

academic performance.

REFERENCES

Basic

- González Cueto, T. (2003): Comentarios de la Ley de Fundaciones (Ley 50/2002 de 26 de diciembre). Editorial Aranzadi, Pamplona.
- Olavarría Iglesia, J. (coord.) (2008): Comentario a la ley de Fundaciones. Tirant Lo Blanch y Universitat de València, València.
- Martín Bernal, J.M. (2005): Asociaciones y Fundaciones. Cívitas, Madrid.
- Biblioteca de ciencias sociales de la UV "Guía de recursos bibliográficos sobre economía social" https://cibisoc.blogs.uv.es/recursos-tematics/economia-social/
- Chaves,R., Fajardo,G, Monzón,J.L. (dir) (2020): Manual de economía social, Editorial Tirant lo blanc, Valencia