



## COURSE DATA

### DATA SUBJECT

**Code:** 35208  
**Name:** Civil Law III  
**Cycle:** Undergraduate Studies  
**ECTS Credits:** 7.5  
**Academic year:** 2026-27

### STUDY (S)

Degree	Center	Acad. year	Period
1303 - Degree in Law	Facultat de Dret	3	Annual
1921 - Double Degree Program BMA and Law	Facultat d'Economia	4	Annual
1922 - Double Degree Prog. Law-Political Science	Facultat de Dret	3	Annual
1923 - Double Degree Programme Law-Criminology	Facultat de Dret	4	Annual
1930 - Double Degree Programme in Law and Political and Public Admin. Sciences	Facultat de Dret	3	Annual

### SUBJECT-MATTER

Degree	Subject-matter	Character
1303 - Degree in Law	Civil law	COMPULSORY
1921 - Double Degree Program BMA and Law	Year 4 compulsory subjects	COMPULSORY
1922 - Double Degree Prog. Law-Political Science	Year 3 compulsory subjects	COMPULSORY
1923 - Double Degree Programme Law-Criminology	Year 4 compulsory subjects	COMPULSORY
1930 - Double Degree Programme in Law and Political and Public Admin. Sciences	Asignaturas obligatorias de tercer curso	COMPULSORY

### COORDINATION

MAS BADIA MARIA DOLORES

## SUMMARY

Civil Law III is a compulsory subject taught in the third year of the Degree in Law throughout the entire academic year (first and second semester). It is worth 7.5 credits (the workload is 187.5 hours).

The subject covers Book II (On property, ownership and its modifications) and the preliminary provision and Title I (On occupancy) of Book III (On the different ways of acquiring ownership) of the Civil Code, without prejudice to the application of various special laws, especially the Mortgage Law and its Regulations, or those governing the so-called \"special properties\". It includes the General Theory of Rights in rem



(concept of rights in rem, private autonomy in the creation of rights in rem, structure and content of the relationship between law and property, acquisition and extinction of rights in rem, modification of rights in rem and community of property), the possession, the ownership and the special properties; limited rights of enjoyment, rights of security interests, acquisition rights, and Immovable Property Registry Law.

Along with the Law of Obligations and Contracts - which is the subject matter of Civil Law II, taught in the second year of the Degree in Law – it is part of Civil Property Law, focusing on the problems of ownership over economic goods.

There are optional subjects that complete this subject, such as the Credit Guarantees or Notarial and Registry Law, in order to lighten and coordinate contents.

## 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.  
No prerequisites are required to study.

## COMPETENCES / LEARNING OUTCOMES

### 1303 - Degree in Law

Acquire basic knowledge of legal arguments.

Be able to analyse legal problems and synthesise their approach and resolution.

Be able to communicate correctly both orally and in writing in the field of law.

Be able to read and interpret legal texts.

Be able to use legal sources (legal, jurisprudential and doctrinal).

Understand the legal system as unitary and have an interdisciplinary perspective of legal problems.

## DESCRIPTION OF CONTENTS

The general theory of rights in rem includes necessarily the following elements:



## **1. General theory of rights in rem**

The general theory of rights in rem includes necessarily the following elements:— Sense and meaning of real rights

- Fundamentals of rights in rem
- Independent will in the creation of rights in rem
- The structure and content of the relationship between law and property
- The acquisition, modification and extinction of rights in rem

## **2. Possession**

Possession includes necessarily the following elements:

- Concept, classes, structure and content of possession
- Property presumptions
- Acquisition, loss and protection of possession
- Liquidation of ownership status
- Usucaption (acquisitive prescription)

## **3. Property and special properties**

The property includes necessarily the following questions:

- The right of property.
- Concept, historical evolution and constitutional discipline of the private property. Structure, content, limits and limitations of the property. The juridical protection of the property. The new juridical statute of the sentient beings. The statutes of the property real estate.
- The called special properties.
- The community of goods.
- The horizontal property.

## **4. Limited rights of enjoyment**

The limited rights of enjoyment include, necessarily, the following elements:

- Usufruct
- The rights of provechamiento by turn.
- Easements
- Census and emphyteusis
- Surface rights

## **5. Security interest rights**

The security interest rights include the following elements:

- Pledge, chattel mortgage and pledge without transfer of possession.
- Real estate mortgage.
- Antichresis



## 6. Preferential acquisition rights

Rights of first refusal include, necessarily, the following elements:

- The category of first refusal rights
- Pre-emptive rights
- Right of first refusal
- Right of option

## 7. Property Registry Law

Property Registry Law includes, necessarily, the following elements:

- Overview of the public registry of mortgages in Spain
- The registration process
- The entry and its effects
- Other entries in the public registry: provisional notations, marginal notes, cancellation
- Rectifying entries

## WORKLOAD

### PRESENCIAL ACTIVITIES

Activity	Hours
Theoretical and practical classes	75,00
<b>Total hours</b>	<b>75,00</b>

### NON PRESENCIAL ACTIVITIES

Activity	Hours
Attendance at other activities	5,00
Individual or group project	11,50
Independent study and work	45,00
Preparation of lessons	30,00
Preparation for assessment activities	16,00
Resolution of case studies	5,00
<b>Total hours</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 interdisciplinary, 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.

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## 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, in accordance with the provisions of Article 6.5 of the Regulations for Evaluation and Grading of Bachelor's and Master's Degrees at the University of Valencia.

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.

Regardless of the general evaluation system established for all students (written or oral exam), the faculty responsible for the course may determine in the annex to the teaching guide the possibility of changing the format of the final exam when they are required to conduct the test on a date different from the official one, in accordance with the rules provided for cases of exam scheduling conflicts in the Regulation of Evaluation and Qualification of Bachelor's and Master's Degrees at the University of Valencia or any other legally established cause (e.g., justified force majeure cases). In these cases, the new exam format must maintain the same level of rigor and difficulty as the one generally applied to the rest of the group.

Need to approve the Final Proof.- To surpass the asignatura will be **INDISPENSABLE** to **APPROVE THE FINAL PROOF**.

Students who have participated in any continuous assessment activity and have been evaluated in it, but do not attend the final exam in the respective sittings (both in the first and second sittings), will receive a "NO PRESENTED" grade in the records of the corresponding exam sessions for the course.

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.

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## REFERENCES

- BLASCO GASCO, FCO. DE P: Instituciones de Derecho Civil. Derechos reales. Derecho registral inmobiliario, Tirant Lo Blanch, Valencia. DE VERDA, J.R., SERRA, A. y OTROS: Derecho civil III, Tirant Lo Blanch, Valencia. Díez-PICAZO/ Antonio GULLÓN, Sistema de Derecho civil. Tomo III Derecho de cosas. Derecho inmobiliario registral, Madrid. LÓPEZ-MONTÉS-ROCA (coord. M. CLEMENTE), Derecho civil. Derechos Reales y Derecho Inmobiliario Registral, Valencia. LLOPIS GINER, JUAN MANUEL (coord.) y otros, Curso Básico de Derechos Reales, Valencia. VERDERA SERVER, R. y OTROS, Derechos reales e inmobiliario registral, Tomo I y II, Pamplona. BALLARÍN HERNÁNDEZ, R., CARBONELL SERRANO, V., MARÍN GARCÍA DE LEONARDO, M<sup>a</sup>. T. y MAS BADÍA, M<sup>a</sup>. D., Derechos reales: Casos y cuestiones, Madrid. GETE-ALONSO, M. del C., y otros, Cuadernos de Teoría y Práctica de Derecho civil, III, Madrid. LLEDÓ YAGÜE, F., TORRES LANA, J. A. y FERRER VANRELL, M.P. (DIR.), CLEMENTE MEORO, M., MARÍN GARCÍA DE LEONARDO, M.T., MAS BADÍA, M.D., PÉREZ DE ONTIVEROS BAQUERO, C. y TORRES LANA, J.A. (COORD.): Cuadernos Prácticos Bolonia. Derechos Reales. Cuaderno 1. Introducción al estudio de los



derechos reales. La posesión. Cuaderno 2. El derecho de propiedad. Cuaderno 3. Situaciones de cotitularidad. Cuaderno 4. Propiedad especiales. Cuaderno 5. Derechos reales limitados de goce. Cuaderno 6. Derechos reales de garantía y de adquisición, Madrid. MAS BADIA, M<sup>a</sup> DOLORES y MECO TÉBAR, Fabiola (Dir.), UV Docencia Jurídica. Derechos reales y Derecho inmobiliario registral,, <https://www.uv.es/uvmocencia-juridica/es/uvmocencia-juridica.html>. La que cada profesor quiera añadir en su anexo de guía docente

- ALBALADEJO GARCIA, Derecho civil. Tomo III. Derecho de bienes, Vols. 1º y 2º, Barcelona.2016 DEL REY BARBA(Dir)ESPEJO LERDO DE TEJADA (Dir)MURGA FERNANDEZ(Coor)ANDRADES NAVARRO, Tratado de Derecho inmobiliario registral, Tirant lo Blanch, 2021 DIEZ-PICAZO,Luis Fundamentos del Derecho civil patrimonial. Vol. III. Las relaciones jurídicas reales. El Registro de la Propiedad. La posesión, Madrid.2012 LACRUZ, José Luis, SANCHO ,LUNA, Agustín, DELGADO, Jesús, RIVERO, Francisco, RAMS, Joaquin: Elementos de Derecho civil. Tomo III Derechos reales, Vols. 1º, 2º y 3º, Madrid; Tomo III bis. Derecho inmobiliario registral, Madrid.Dykinson 2010 LASARTE ALVAREZ, Carlos, Principios de Derecho Civil, T. IV (Derechos reales y Derecho hipotecario) y V (Propiedad y Derechos reales de goce). Madrid.Marcial Pons, 2023. LASARTE ALVAREZ, Carlos, Prácticum de Derecho civil. Derechos reales. Madrid.Marcial Pons 2012 MARTÍNEZ DE AGUIRRE,Carlos, DE PABLO CONTRERAS, Pedro DE, PÉREZ ÁLVAREZ,Miguel Ángel: Curso de Derecho civil III. Derechos Reales, Madrid.EDISOFER 2020 PEÑA BERNALDO DE QUIROS, Manuel, Derechos reales. Derecho hipotecario, UCM Madrid.2020
- Bases de datos: <http://www.westlaw.es> <http://www.tirantonline.com> <http://www.iustel.com>  
Normas: Diario oficial de la Unión Europea: <http://eur-lex.europa.eu/JOIndex.do> BOE <http://www.boe.es> Boletines autonómicos: [http://www.boe.es/aeboe/consultas/enlaces/boletines\\_autonomicos.php](http://www.boe.es/aeboe/consultas/enlaces/boletines_autonomicos.php) Boletines provinciales: [http://www.boe.es/aeboe/consultas/enlaces/boletines\\_provinciales.php](http://www.boe.es/aeboe/consultas/enlaces/boletines_provinciales.php) Jurisprudencia: Tribunal Constitucional: <http://www.tribunalconstitucional.es> Tribunal de Justicia de la Unión Europea [http://curia.europa.eu/jcms/jcms/j\\_6/pagina-principal](http://curia.europa.eu/jcms/jcms/j_6/pagina-principal) Tribunal Supremo Cendoj <http://www.poderjudicial.es/search/index.jsp>