

**COURSE DATA****DATA SUBJECT****Code:** 35240**Name:** Credit guarantees**Cycle:** Undergraduate Studies**ECTS Credits:** 4.5**Academic year:** 2025-26**STUDY (S)**

Degree	Center	Acad. year	Period
1303 - Degree in Law	Facultat de Dret	4	Second quarter

SUBJECT-MATTER

Degree	Subject-matter	Character
1303 - Degree in Law	Credit guarantees	ELECTIVES

COORDINATION

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SUMMARY

"Guarantees of the credit" is an optional subject of the fourth course of the Law Degree inside the itinerary of Private Law as Tort Law, Consumer Protection and Notarial Law. It maintains a special link with other main subjects of the Law Degree as Civil Law II and Civil Law III. In fact, "guarantees of the credit" takes as a reference the existence of a legal relation as a way of exchanging goods and it is referred to the mechanisms that the legal system provides to creditors in order to protect their rights. First it will be analyzed the civil bond, the contract penalty and the new so called "independent or autonomous guarantees" like the security or the lien. After that it will be studied the so called "in rem guarantees" that are related to immovable like the mortgage and antichresis, and also related to movables like chattel mortgage and the pledge that could be registered in the Movable assets Registry. Also it will be offered a study of the personal actions to protect the credit like the action of compliance, the resolution of the contract and the compensation of damages, and also subsidiary actions like the action to revoke and the action to subrogate. Finally it will be taken into consideration the situation of bankruptcy regulated in the Insolvency Act of 2003

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, his utilization would demand that there had excelled itself before the matter corresponding to Civil Law II and Civil Law III.

COMPETENCES / LEARNING OUTCOMES

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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).

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.

DESCRIPTION OF CONTENTS

1. INTRODUCTION. THE RIGHT OF CREDIT And THE GUARANTEES OF The OBLIGATION

2. THE PERSONAL GUARANTEES OF THE CREDIT: IN PARTICULAR, THE BAIL And THE INDEPENDENT Or AUTONOMOUS GUARANTEES.

3. THE REAL GUARANTEES REAL ESTATES.

4. THE REAL GUARANTEES MOBILIARIAS.

WORKLOAD

**PRESENCIAL ACTIVITIES**

Activity	Hours
Theoretical and practical classes	45,00
Total hours	45,00

NON PRESENCIAL ACTIVITIES

Activity	Hours
Attendance at other activities	5,00
Individual or group project	10,00
Independent study and work	21,00
Preparation of lessons	11,50
Preparation for assessment activities	16,50
Resolution of case studies	3,50
Total hours	67,50

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 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, 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 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.

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

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 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

- Díez-Picazo, Luis, Fundamentos del Derecho Civil Patrimonial,IV. Derechos Reales,Civitas.2012
Blasco Gascó,Francisco de Paula: Instituciones de Derecho Civil.Derechos Reales. Derecho Registral Inmobiliario, 4ª Ed.Tirant Lo Blanch 2024
- Carrasco, Ángel, Cordero, Encarna y Marín, Manuel Jesús. Tratado de los derechos de garantía, 4ª Ed. Thomson-Aranzadi, 2022 Bercovitz Rodriguez-Cano, Rodrigo(coord.), Manual de Derecho Civil 8ª Ed. Bercal, 2024