

**COURSE DATA****DATA SUBJECT****Code:** 36773**Name:** Real Rights and Register Law**Cycle:** Undergraduate Studies**ECTS Credits:** 6**Academic year:** 2025-26**STUDY (S)**

Degree	Center	Acad. year	Period
1933 - Double Degree in Law and Economics_2022	Facultat d'Economia	4	First quarter

**SUBJECT-MATTER**

Degree	Subject-matter	Character
1933 - Double Degree in Law and Economics_2022	Asignaturas de cuarto curso	COMPULSORY

**COORDINATION**

MAS BADIA MARIA DOLORES

**SUMMARY**

The subject of Civil right III has character of compulsory and imparts in the fourth Course of the Double Degree in Right and Economy in the first semester. His load lectiva is of 6 credits ECTS.

The matter identifies with the Book II (Of the sakes, of the property and his modifications) and the Preliminary Disposal and Title I (Of the occupation) of the Book III (Of the different ways to purchase the property) of the Civil Code, without prejudice to the application of distinct special laws, among which stand out the Law Hipotecaria and his Regulation, or those that regulate the called "special properties".

It includes the General Theory of the Real Right (concept of real right, game of the private autonomy in the creation of real rights, structure and content of the juridical relation-real, acquisition and extinction of the real rights, modification of the real rights and community of sakes); the possession; the property and the special properties; the rights limited of enjoy; the real rights of guarantee; the rights of acquisition; and the Real-estate Right Registral.

Together with the Right of Obligations and Agreements - that constitutes own matter of the Right subject Civilian II, imparted in the second course of the Degree of Right – conforms the Civil Right Patrimonial, inside the cual centres in the relative problems to the domination on the economic sakes.

Has to take the existence of subjects optativas that complete the matter, as the one of Guarantees of the Credit or Notarial Right and Registral, with the end 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

## COMPETENCES / LEARNING OUTCOMES

## DESCRIPTION OF CONTENTS

### 1. General theory of the real right

The general theory of the Real Rights includes necessarily the following questions:

- Sense and meaning of the Right of things.
- The theoretical figure of the real right: his dogmatic configuration.
- The game of the autonomy of the will in the creation of the real rights.
- The structure and content of the juridical relation-real.
- The acquisition, modification and extinction of the real rights.

### 2. The possession

The possession includes necessarily the following questions:

- Concept, classes, structure and content of the possession
- The presumptions posesorias
- Acquisition, loss and protection of the possession
- The liquidation of the state posesorio
- The usucapión

### 3. The property and the 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 animals like beings sintientes. The statutes of the real-estate property.
- The called special properties.
- The community of sakes.
- The horizontal property.

The rights limited of enjoy include, necessarily, the following questions:



#### 4. Rights limited of enjoy

The rights limited of enjoy include, necessarily, the following questions:-The usufruct.  
-The rights of provechamiento by turn.  
-The servitudes.  
-The censuses and the enfiteusis.  
-The right of surface.

#### 5. Real rights of guarantee

The real rights of guarantee include, necessarily, the following questions:  
-The piece, the mortgage mobiliaria and the piece without scrolling of the possession.  
-The real-estate mortgage.  
-The anticresis.

#### 6. Rights of preferential acquisition

The rights of preferential acquisition include, necessarily, the following questions:  
-The category of the rights of preferential acquisition.  
-The retracto.  
-The score.  
-The option.

#### 7. Real-estate Right Registral

The Real-estate Right Registral includes, necessarily, the following questions:  
-basic Shots of the system of real-estate advertising registral in the Spanish Right.  
-The procedure registral.  
-The registration and his effects.  
-Other seats registrales distinct to the registration: preventive annotation, note marginal and cancellation.  
-The rectification registral.

### WORKLOAD

#### PRESENCIAL ACTIVITIES

Activity	Hours
Theoretical and practical classes	60,00
<b>Total hours</b>	<b>60,00</b>

#### NON PRESENCIAL ACTIVITIES

Activity	Hours
Attendance at other activities	5,00



Individual or group project	10,00
Independent study and work	20,00
Preparation of lessons	25,00
Preparation for assessment activities	20,00
Resolution of case studies	10,00
<b>Total hours</b>	<b>90,00</b>

## TEACHING METHODOLOGY

Exposure of theoretical contents: The professor of the subject will expose and will explain the fundamental theoretical contents to guide to the student in the studio 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 commentary of sentences, dictámenes and proposals of practical cases, deploying the distinguished competitions, complementing in this way the exposure 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 have character interdisciplinar, already was with groups of the same or of other subjects. 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 test, individual work or in group, etc.

In any case, each professor reserves the faculty to make 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.

Continuous assessment activities are considered "not recoverable" in the second exam session 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 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 Test.- To surpass the subject will be **INDISPENSABLE** to **APPROVE 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 have not marked the continuous evaluation.- Those students that have not taken part regularly in the activities that allow the continuous evaluation will be evaluated by the result of the final test, 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

- BLASCO GASCO, Francisco De P., Instituciones de Derecho Civil. Derechos reales. Derecho registral inmobiliario, Tirant Lo Blanch, Valencia, 2022. DE VERDA, José Ramón, SERRA, Adela (Dirs.), Derecho civil III, Tirant Lo Blanch, Valencia, 2024. Díez-PICAZO/ Antonio GULLÓN, Sistema de Derecho civil. Tomo III Derecho de cosas. Derecho inmobiliario registral, Madrid, 2019. LÓPEZ, Ángel, MONTÉS, Vicente, ROCA, Encarna (Dirs.), CLEMENTE, Mario (Coord.), Derecho civil. Derechos Reales y Derecho Inmobiliario Registral, Tirant Lo Blanch, Valencia, 2001. MAS BADIA, M<sup>a</sup> DOLORES y MECO TÉBAR, Fabiola (Dirs.), UV Docencia Jurídica. Derechos reales y Derecho inmobiliario registral,, <https://www.uv.es/uvdocencia-juridica/es/uvdocencia-juridica.html>. VERDERA SERVER, Rafael et alii, Derechos reales e inmobiliario registral, Tomo I y II, Aranzadi, Pamplona, 2010. BALLARÍN HERNÁNDEZ, Rafael, CARBONELL SERRANO, Vicente, MARÍN GARCÍA DE LEONARDO, M<sup>a</sup>. Teresa y MAS BADÍA, M<sup>a</sup>. Dolores, Derechos reales: Casos y cuestiones, Tecnos, Madrid, 1996. LLEDÓ YAGÜE, Francisco,



TORRES LANA, José Ángel y FERRER VANRELL, M<sup>a</sup> Pilar (Dirs.), CLEMENTE MEORO, Mario, MARÍN GARCÍA DE LEONARDO, M<sup>a</sup> Teresa, MAS BADÍA, M<sup>a</sup> Dolores, PÉREZ DE ONTIVEROS BAQUERO, Carmen y TORRES LANA, José Ángel (COORD.): Cuadernos Prácticos Bolonia. Derechos Reales. Cuaderno 1. Cuaderno 2. Cuaderno 3. Cuaderno 4. Cuaderno 5. Cuaderno 6., Dykinson, Madrid, 2010.

- ALBALADEJO GARCIA, Manuel, Derecho civil. Tomo III. Derecho de bienes, Vols. 1º y 2º, Barcelona, 2016. DEL REY BARBA (Dir.), ESPEJO LERDO DE TEJADA (Dir.), Manuel, MURGA FERNÁNDEZ, Pablo (Coord.), ANDRADES NAVARRO, Agustín, Tratado de Derecho inmobiliario registral, Tirant Lo Blanch, 2021. DIEZ-PICAZO, Luis, Fundamentos del Derecho civil patrimonial. Vol. III. Las relaciones jurídico-reales. El Registro de la Propiedad. La posesión, Madrid, 2012. LACRUZ BERDEJO, José Luis, SANCHO REBULLIDA, LUNA SERRANO, Agustín, DELGADO ECHEVERRÍA, Jesús, RIVERO HERNÁNDEZ, Francisco, RAMS ALBESA, Joaquín, 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, Madrid, Marcial Pons, 2023. LASARTE ALVAREZ, Carlos, Practicum de Derecho civil. Derechos reales, Madrid, Marcial Pons, 2012. MARTÍNEZ DE AGUIRRE, Carlos, DE PABLO CONTRERAS, Pedro, PÉREZ ÁLVAREZ, Miguel Ángel, Curso de Derecho civil III. Derechos Reales, EDISOFER, Madrid, 2020. PEÑA BERNALDO DE QUIROS, Manuel, Derechos reales. Derecho hipotecario, UCM, Madrid, 1982. Bases de datos: <http://www.westlaw.es> <http://www.tirantonline.com> <http://www.iustel.com>
- 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>