

**COURSE DATA****DATA SUBJECT****Code:** 36773**Name:** Real Rights and Register Law**Cycle:** Undergraduate Studies**ECTS Credits:** 6**Academic year:** 2026-27**STUDY (S)**

Degree	Center	Acad. year	Period
1933 - Double Degree in Law and Economics_2022	Facultat de Dret	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**

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 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**

No enrollment restrictions have been specified with other subjects in the curriculum. There are no prerequisites for taking this course.

**COMPETENCES / LEARNING OUTCOMES**

**DESCRIPTION OF CONTENTS**

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 –The community of goods.- 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 propertiesThe 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 horizontal property. 4. Limited rights of enjoymentThe 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 rightsThe security interest rights include the following elements:– Pledge, chattel mortgage and pledge without transfer of possession.– Real estate mortgage.– Antichresis 6. 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 and the relevant regulations– The so-called principles of the land registry– The registration process– The entry and its effects– Other entries in the public registry: provisional notations, marginal notes, cancellation– Rectifying entries The usucapio and the Property Registry.

p>

**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**

Exhibition of theoretical contents: The professor of the course will expose and explain the fundamental theoretical contents to guide the student in the study and understanding of the subject. The student, on his part, has to engage actively in the learning by previously reading the lesson and complementary materials that have been established in the planning of the course. Applied activities: they consist in the analysis of sentences, opinions and proposals of practical cases, complementing in this way the exhibition of theoretical contents. In each case, the professor will indicate which are going to subject to evaluation. Complementary activities: Some complementary activities will be planned, consisting in a workshop, seminar or another activity related with the matter, that will schedule in accordance with the availability of human and temporary resources, trying to make them interdisciplinary, either with groups of the same or of other courses. The activities may be developed in different centres to the University 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. Computable activities in the continuous evaluation.- The CONTINUOUS EVALUATION will value the continued assistance and work throughout the year and the preparation of the different contents of the programs and will have AT LEAST TWO evaluable tests consistent mainly in the resolution of cases, tests, individual work or in group, etc. In any case, each professor reserves the possibility of performing additional continuous evaluation activities, that will be established in the corresponding Annex to the Educational Guide. The continuous evaluation presupposes assistance and continued participation. Those students that for diverse reasons cannot fulfill the in-person requirements, do not have right to a different continuous evaluation. Punctuation of the continuous evaluation.- In the continuous evaluation no punctuation will be obtained if it does not surpass AT LEAST THE 40 PERCENT of the same. In consequence, those that do not achieve the 40 percent will have zero points of continuous evaluation. Its intention is to improve the continued work of the student. The continuous evaluation will compute in both the first and second sitting. The continuous evaluation activities have the character of not recoverable in the second sitting, in accordance with the provisions of Article 6.5 of the Regulation for Evaluation and Grading of Bachelor's and Master's Degrees at the University of Valencia. Modality of the final exam.- The modality of the FINAL EXAM (test, short questions or of development, theoretical or theoretical-practical, oral examination, etc.) will be determined by each professor and will be communicated to the students with the necessary advance notice. 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 course it will be **INDISPENSABLE TO APPROVE THE FINAL EXAM**. 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 "NOT PRESENTED" grade in the records of the corresponding exam sessions for the course. Qualification in case of no continuous evaluation.- Those students that have not participated regularly in the activities allowed in the continuous evaluation will be evaluated by the result of the final exam, to which any enrolled student can apply. In such a case, the maximum final qualification that can be obtained will be 7 points out of 10. Qualification in case of automatic cause of failure.-In case of automatic cause of failure, according to the criteria of this Educational Guide or to the Annex of each professor, the maximum note that the student can obtain is a 4.

## REFERENCES

HANDBOOKS: BLASCO GASCO, FCO. DE P: Instituciones de Derecho Civil. Derechos reales. Derecho registral inmobiliario, Tirant Lo Blanch, Valencia, 2022. DE VERDA, J.R., SERRA, A. y OTROS: Derecho civil III, Tirant Lo Blanch, Valencia, 2025. LÓPEZ-MONTÉS-ROCA (coord. M. CLEMENTE), Derecho civil. Derechos Reales y Derecho Inmobiliario Registral, Tirant Lo Blanch, Valencia, 2001. 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. VERDERA SERVER, R. y OTROS, Derechos reales e inmobiliario registral, Tomo I y II, Aranzadi, Pamplona, 2010. ALBALADEJO GARCIA, Derecho civil. Tomo III. Derecho de bienes, Vols. 1º y 2º, Barcelona.2016. DÍEZ-PICAZO/ Antonio GULLÓN, Sistema de Derecho civil. Tomo III Derecho de cosas. Derecho inmobiliario registral, Madrid. GETE-ALONSO, M. del C., y otros, Cuadernos de Teoría y Práctica de Derecho civil, III, Madrid. 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 jurídicasreales. 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, Marcial Pons, Madrid, 2012. MARTÍNEZ DE AGUIRRE, Carlos, DE PABLO CONTRERAS, Pedro DE, PÉREZ ÁLVAREZ,Miguel Ángel: Curso de Derecho civil III. Derechos Reales, EDISOFER, Madrid, 2020. PEÑA BERNALDO DE QUIROS, Manuel, Derechos reales. Derecho hipotecario, Madrid, UCM, 2020.

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, Tecnos, Madrid, 1996. 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, Dykinson, Madrid, 2010.

DATA BASES: <http://www.westlaw.es> <http://www.tirantonline.com> <http://www.iustel.com>

LEGISLATION: 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)

JUDGMENTS: 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>