

**COURSE DATA****Data Subject**

<b>Code</b>	36766
<b>Name</b>	Obligations and contracts
<b>Cycle</b>	Grade
<b>ECTS Credits</b>	7.5
<b>Academic year</b>	2023 - 2024

**Study (s)**

<b>Degree</b>	<b>Center</b>	<b>Acad. Period</b>
1933 - D.D. in Law-Economics 2022	Doubles Studies Faculty of Law - Faculty of Economics	2 Second term

**Subject-matter**

<b>Degree</b>	<b>Subject-matter</b>	<b>Character</b>
1933 - D.D. in Law-Economics 2022	2 - Asignaturas de segundo curso	Obligatory

**Coordination**

<b>Name</b>	<b>Department</b>
ATIENZA NAVARRO, MARIA LUISA	50 - Civil Law

**SUMMARY**

The subject "Civil Law II" is mandatory and it is taught in the second degree in Law, during the academic year (first and second semesters). Its teaching among contains 9 ECTS credits (225 hours). The subject is identified with the Book IV of the Civil Code (Obligations and contracts), notwithstanding the application of an increasing number of special Acts,. The subject includes general Theory of Obligations, General Theory of Contract, particular contracts (in particular, sale, , "gift", contracts for use and lease, contract of work, contract services, management contracts, financing and warrant contracts, contracts-on-trials in the litigation, games contract and atypical contracts) and Law od Tort. It is therefore one of the most important areas of Property Law and is the basis on which to settle the acquisition of property rights and the dynamics of economic traffic. Also must take into account the existence of another subjects to complete the matter, such as Consumer Law, Tort Law or the credit warrant, in order to streamline and coordinate the content of this subject.



## 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 prerequisites are required to study.

## OUTCOMES

### LEARNING OUTCOMES

Civil Law II must be oriented to the student obtain the following learning results:

- Know and use appropriately the terminology of the Obligations Law.- To understand the basic concepts of contract law and, in particular contracts.
- To know and use the spanish system of sources of obligations .
- To know in depth the basic aspects of the general theory of obligation.
- To know in depth the basic aspects of general theory of contracts
- To know the typical contracts and modalities, including the general conditions of contracts and the electronic contracts .
- Being able to read and write a contract .
- To know the current state of Community Law of contracts, and the consumer protection and care? you .
- To know the basics aspects of protection consumers in the field of Obligation and Contract Law .
- To know the Tort Law and the differents systems of civil liability

## DESCRIPTION OF CONTENTS

### 1. General Obligation theory

The general theory of obligations necessarily includes the following topics:

- Concept and sources of obligations
- Elements and circumstances dealing with the obligatory relationship
- Compliance of obligations
- The breach of duty
- Defence and guarantees of the the credit right and concurrence of creditors
- Modification and extinguishing of obligations



## 2. Contract general theory

The general theory of contracts necessarily includes the following topics:

- Introduction to Contract Law.
- Essential requirements for the contract
- Formation of contracts
- Interpretation of contracts
- validity and effects of contracts
- nullity and breach of contract

## 3. Contracts

The legally-typified contracts necessarily includes the following topics

- Contract of sale and another contracts to transfer property
- Leases
- The contract for works services
- The contract of Civil Society
- The contract of mandate
- The loan and other financing agreements
- The deposit contract
- Contracts for the settlement of disputes
- The contract of guarantee and other forms for security
- Randoms contracts
- Other contracts

**4. Tort Law**

The Law of Tort necessarily includes the following topics:

- The tort liability. Concept and elements
- Spanish system of Liability and Liability for vicarious
- Special cases of civil liability

**WORKLOAD**

ACTIVITY	Hours	% To be attended
Theoretical and practical classes	75,00	100
Attendance at events and external activities	10,00	0
Study and independent work	90,00	0
Readings supplementary material	35,00	0
<b>TOTAL</b>	<b>210,00</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 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 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.

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.

In case of coincidence of examinations, will be able to vary the type of examination concerning the planned with general character (p.And., test, oral, writing).

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

Those students that have participated in some activity of continuous evaluation, but do not realise the final proof of the corresponding announcements, will state as NO PRESENTED in the records of the corresponding announcements of the asignatura.

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.

## REFERENCES

### Basic

- F. BLASCO, Instituciones de Derecho Civil. Contratos en particular. Cuasicontratos. Daños, Tirant lo Blanch.
- E. CORDERO y M.J. MARÍN, Derecho de obligaciones y contratos en general. Lecciones de Derecho Civil Tecnos.
- J.R. DE VERDA Y BEAMONTE(dir.). Derecho Civil II. Obligaciones y Contratos, Tirant lo Blanch
- L. DíEZ-PICAZO, Fundamentos del Derecho Civil Patrimonial, vols. I, II, IV y V, Civitas.
- L. DíEZ-PICAZO y A. GULLÓN, Sistema de Derecho Civil, vol. II, Tecnos.
- L. DíEZ-PICAZO y A. GULLÓN, Instituciones de Derecho Civil, vol. II, t. I y II, Tecnos.
- C. MARTÍNEZ DE AGUIRRE y otros, Curso de Derecho civil II, t. I y II, Edisofer.