

## 28621 - Construction Law

### Syllabus Information

**Academic year:** 2023/24

**Subject:** 28621 - Construction Law

**Faculty / School:** 175 - Escuela Universitaria Politécnica de La Almunia

**Degree:** 422 - Bachelor's Degree in Building Engineering

**ECTS:** 6.0

**Year:** 3

**Semester:** Second semester

**Subject type:** Basic Education

**Module:**

### 1. General information

The subject of **Construction Law** is part of the curriculum of the **Degree in Technical Architecture** that is taught at the **Polytechnic University School of La Almunia de Doña Godina**. It is a **compulsory** subject, of six ECTS credits, framed in the third year of the career.

In relation to the Sustainable Development Goals (SDGs) of the United Nations Agenda 2030 (<https://www.un.org/sustainabledevelopment/es/>), the acquisition of the learning results of the subject provide training for the achievement, among others, of the following goals:

**Goal 8:** Promote Inclusive and Sustainable Economic Growth, Employment and Decent Work for All

**Objective 8.8** Protect labor rights and promote a safe and secure working environment for all workers, including migrant workers, in particular migrant women and those in precarious employment **Goal 12:** Ensure sustainable consumption and production patterns.

### 2. Learning results

- Differentiate between the different types of legal rules existing in the Spanish legal system.
- Differentiate the different Public Administrations, their powers and to understand the process of production of administrative acts
- Understand the basic aspects of public procurement regulations and the legal regime of public property.
- Distinguish the agents involved in the building process and differentiate their functions.
- Understand the civil and criminal liabilities derived from the practice of their profession.
- Know and differentiate the main contractual relationships that occur in the different phases of the building process

### 3. Syllabus

- Law: concept and sources.
- Public Administrations. Administrative powers. The administrative procedure.
- Contracting in the public sector: the administrative works contract.
- The legal regime of public domain property: public domain concessions.
- The building process: agents, responsibilities and guarantees.
- Criminal liability of technicians on construction sites.
- The real estate construction contract: elements, types and execution.
- The exercise of real property: ownership, possession, surface rights, easements, usufruct and mortgage
- The declaration of new construction and the horizontal division of the property.
- General aspects of the regulation of immovable cultural heritage.
- Technical requirements of the building. The Technical Code: legal aspects.
- The right to decent and adequate housing.

### 4. Academic activities

#### 1.- Theoretical sessions:

- The basic contents of the course will be presented.

#### 2.- Practical sessions:

- You will learn how to use online legislation and jurisprudence search engines.
- The use of the electronic headquarters of the Cadastre will be learned.
- Students will learn how to search for legal models and forms that will be adapted to the practical cases presented in

class.

### **3.- Preparation and presentation of an academic paper**

#### **4.- Personal study based on the exposed contents**

At the end of the four-month period, if the student has followed with dedication the programmed sessions and has carried out the planned activities, understanding and passing the subject will be simple and natural

### **5. Assessment system**

The assessment will be based on two aspects:

- **assessment of the theoretical and practical knowledge and**
- **oral defense of a paper.**

Each part must obtain a grade equal to or higher than 5 to pass the subject.

If any of the parts are not passed, the numerical grade for failure will be that of the lowest grade obtained by the student.

#### **Standards with respect to work:**

The work will focus on the analysis of a legal document. The work will be presented in writing and defended orally.

The grade of the work will represent 20% of the final grade of the subject.

For the assessment of this test will be taken into account the capacity of synthesis, the clarity of the exposition, the agile use of specialized terminology and the use of appropriate audiovisual means

#### **Theoretical-practical knowledge assessment standards:**

In order to obtain a positive assessment, the student must meet one of these two conditions:

- Pass a comprehensive test (obtain a grade of 5 or higher) to be held on the date scheduled in the official exam calendar
- Passing two mid-term exams (obtaining a grade of 5 or more on average between the two) that will be held during the term.

The assessment of these tests will take into account the adequacy of the student's answers to the content of the subject and their grammatical and spelling clarity

The grade of the theoretical-practical tests will represent 80% of the final grade of the subject.