

30518 - Mercantile law II

Syllabus Information

Academic year: 2023/24

Subject: 30518 - Mercantile law II

Faculty / School: 102 - Facultad de Derecho

Degree: 432 - Joint Law - Business Administration and Management Programme

ECTS: 9.0

Year: 4

Semester: Second semester

Subject type: Compulsory

Module:

1. General information

The goal of the subject Commercial Law II is for students to acquire general knowledge about the legal regime of the means or instruments necessary for the economic activity carried out in the market in the form of a company, of the traffic itself in which this activity consists, and the situations of crisis and insolvency that affect them; at the same time as progressing in the acquisition of essential competences for a jurist, such as obtaining regulations, jurisprudence and doctrinal contributions, the critical analysis of current regulations, the analysis and synthesis of legal- commercial problems, as well as the ability to formulate solutions to them.

These approaches and goals are aligned with the Sustainable Development Goals (SDGs) of the 2030 Agenda of United Nations (<https://www.un.org/sustainabledevelopment/es/>). The learning activities foreseen in this subject will contribute to the achievement of objective 8.3 of goal 8 and objective 12.6 of goal 12.

2. Learning results

In order to pass this subject, the student must demonstrate that he/she has achieved the following learning results:

1. -Explains and explains the main concepts, elements and institutions that make up the legal regime of part of the means or instruments necessary to carry out economic activity in the market in the form of a company, of the traffic itself in which this activity consists, and of the situations of crisis and insolvency that affect them.
2. -It obtains, with the support of ICT, regulations, jurisprudence and doctrinal contributions relevant to the field of
-Commercial law.
3. -Critically analyzes the current regulations in the field of commercial law.
4. -Analyzes and synthesizes problems related to the knowledge indicated in the first point and the solutions proposed by the doctrine
5. -Formulates solutions to legal-commercial problems.
6. -Drafts documents for practice related to commercial matters such as, for example, opinions, lawsuits, contracts, exchange documents, etc...

3. Syllabus

Program of contents of the subject Commercial Law II

1. Instruments of commercial transactions (I): securities and untitled securities.
2. The instruments of commercial transactions (II): commercial obligations and contracts.
3. Institutions and contracts in the financial market
4. Situations of economic crisis in commercial transactions and insolvency law

4. Academic activities

Theoretical teaching sessions to introduce the student to the systematics and basic contents of the subject. The participatory lecture and/or flipped classroom methodology will be used . 54 hours

Problems and cases: resolution, exposition and discussion of practical cases, carried out in the classroom or outside the classroom and seminars. 30 hours

Study and preparation of practical activities. 136.5 hours

5. Assessment system

Two assessment systems are established, one mixed (I) and the other, simple (II), consisting of a "global final test",

I. MIXED SYSTEM

It consists of the following assessment activities:

a) Assessment of activities developed during the term. The overall result of this assessment is weighted at 30% of the final grade.

During the semester, students must participate in some of the seminars or carry out the different case studies, or partial assessment tests provided by the teacher of the subject, as well as to participate in their exposition or debate in the classroom

The assessment of these activities will be based on the qualification of between 2 and 5 learning activities. Partial grades will be provided to the student.

The assessment of these activities will assess the constant and responsible work, the knowledge achieved in relation to the main concepts, elements and institutions that make up the subject, the capacity of legal writing, the handling of sources specific to the subject and the argumentative and critical reflection capacity. In all the activities and exercises, clarity of exposition, argumentative coherence and linguistic correctness will also be taken into consideration, as well as respect for the basic criteria in the preparation of academic papers (absence of plagiarism, etc.).

The grade obtained in the assessment of the activities developed during the term is kept for the second call of the term

b) Final written test. It constitutes 70% of the final grade.

It consists of a single practical test that will consist of the resolution of a practical case. Students must come to the tests with the legal texts they deem necessary for the resolution of the practical case. Failure to do so is the sole responsibility of the examinee.

The student who does not obtain in this final written test a minimum grade of 4 out of 10 points, will not pass the subject. Only on the basis of this score will the assessment grade of the activities developed during the term be weighted.

II. SIMPLE SYSTEM BASED EXCLUSIVELY ON A FINAL GLOBAL TEST

It will apply to students who do not attend class regularly or who, while attending, choose not to participate in the scheduled activities

The final overall test will consist of two parts:

a) a final written test consisting of the resolution of a practical case study identical to the one foreseen as final test in the mixed system. It will constitute 70% of the final grade. To pass the subject it will be necessary to achieve a minimum grade of 4 out of 10 points in this test.

b) completion of an additional written exercise that will constitute 30% of the final grade. It will consist of a questionnaire with several short questions on the content of the subject. The assessment of this test will assess the knowledge achieved in relation to the main concepts, elements and institutions that make up the subject, the legal writing skills and the argumentative and critical reflection capacity; it will also take into consideration the expository clarity, the argumentative coherence and linguistic correctness. In order to pass the subject it will be necessary to achieve a minimum grade of 5 out of 10 points in this test.