

61455 - Civil and Business Law

Información del Plan Docente

Academic Year	2016/17
Academic center	109 - Facultad de Economía y Empresa
Degree	545 - Master's in Auditing
ECTS	6.0
Course	1
Period	First semester
Subject Type	Compulsory
Module	---

1.Basic info

1.1.Recommendations to take this course

1.2.Activities and key dates for the course

2.Initiation

2.1.Learning outcomes that define the subject

2.2.Introduction

3.Context and competences

3.1.Goals

3.2.Context and meaning of the subject in the degree

3.3.Competences

3.4.Importance of learning outcomes

4.Evaluation

5.Activities and resources

5.1.General methodological presentation

The learning process that is designed for this subject is based on the following: The course is designed to develop the proposed through the presentation of content by teachers with active student participation program. Accordingly, in each session the contents of the subject under analysis (previously published in the ADD in the form of script or summary) will be addressed primarily through the resolution of practical cases to jointly develop between teacher and students , with incidence in the most innovative and spots .

5.2.Learning activities

61455 - Civil and Business Law

The program that the student is offered to help you achieve the expected results includes the following activities : - Exhibition of concepts and discussion - Analysis and discussion of the materials used in the subject - Resolution of practical cases

5.3.Program

1. Legal capability and capability to contract. Representation and its distinction with the mandate. Empowerment
2. General theory of legal entities. Private Law legal entities. Cajas de Ahorros and Banking Foundations in particular
3. Property Law: obligations and credit rights. Real rights. Obligations fulfillment and Guarantees
4. Contracts as sources of obligations. Contracts: their general aspects. Some contracts in particular
5. The purpose of economic rights. The Heritage. The undertakings as transactions object
6. Business persons
7. Business companies: types of commercial companies
8. Corporations
 - 8.1. Corporations incorporation
 - 8.2. Shares and Quotas. Members' rights
 - 8.3. Corporates governing bodies: general meeting and directors
 - 8.4. Share capital increase and decrease resolutions. Other bylaws amendment
 - 8.5. Corporations financing
 - 8.6. Corporations structural changes
 - 8.7. Corporations winding up proceedings
9. Bankruptcy
 - 9.1. Pre- insolvency proceedings
 - 9.1.a. Workouts
 - 9.1.b. Out of court payment agreements
 - 9.2. Bankruptcy

61455 - Civil and Business Law

9.2.a. Bankruptcy proceedings opening. Its effects

9.2.b. The common phase of bankruptcy

9.2.c. Bankruptcy solutions

9.2.d. Bankruptcy classification

9.2.e. Conclusion and reopening of bankruptcy proceedings

5.4.Planning and scheduling

The course has a total of 60 hours instrumented in sessions. These classroom sessions will take place in classroom Master (M4) . The timing and frequency of these classroom sessions will be disclosed to students in advance.

5.5.Bibliography and recommended resources

OBRAS GENERALES DE REFERENCIA

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DE PABLO CONTRERAS, P., MARTÍNEZ DE AGUIRRE, C., M.A. PÉREZ ALVÁREZ, M.A., y PARRA LUCÁN, M.A.: *Curso de Derecho civil (I). Derecho privado. Derecho de la persona* , coord. P. de Pablo Contreras, 5ª ed., Ed. Colex, Madrid, última edición

- y *Curso de Derecho civil II, Derecho de obligaciones* , coord. C. Martínez de Aguirre, 4ª ed., Ed. Colex, Madrid, última edición.

MENÉNDEZ, A. Y ROJO, A. (doctores) y otros autores, *Lecciones de Derecho Mercantil* , vols. 1 y 2, Thomson-Cívitas, Madrid, última edición.

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OBRAS ESPECÍFICAS

BADENAS CARPIO, J.M.: *Apoderamiento y representación voluntaria* , Aranzadi, Cizur Menor (Navarra), 1998.

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61455 - Civil and Business Law

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FERNÁNDEZ DE LA GANDARA, L.: *Derecho de sociedades* , Tirant lo Blanch, Valencia, 2010.

GADEA SOLER, E. : *Iniciación al Derecho concursal* , Dykinson, Madrid, 2010.

GARCÍA RUBIO, F.: *Reflexiones acerca del nuevo régimen jurídico de las Cajas de Ahorro: El epílogo*, Ed. Atelier, Barcelona, 2015.

IRIARTE IBARGUEN, A., SAN SEBASTIÁN CARRERA, A. y SAINZ MARQUÍNEZ, A.: *Guía para la transmisión de empresas* , Gobierno de España (Ministerio de Energía, industria y turismo), 2013.

LACRUZ MANTECÓN, M.: [Formación del contrato de seguro y cobertura del riesgo](#) , Ed. Reus, Madrid, 2013.

LORCA NAVARRETE, A.M.: Embargo, hipoteca y ejecución procesal del establecimiento mercantil: a propósito de la Ley de Hipoteca Mobiliaria sobre establecimientos mercantiles, Universidad, San Sebastián, 1983.

MUÑOZ VILLAREAL, A.: "La responsabilidad civil del auditor", [Partida doble](#) , [núm. 225, 2010](#) , pp. 52-68.

RONCERO SÁNCHEZ, A.: " [El régimen previsto para las fundaciones bancarias en la Ley de Cajas de ahorros y fundaciones bancarias](#) ", *Anuario de Derecho de fundaciones* , núm. 2013, pp. 57-134.