

## 27713 - Civil Law: Obligations and Contracts

### Syllabus Information

**Academic Year:** 2020/21

**Subject:** 27713 - Civil Law: Obligations and Contracts

**Faculty / School:** 102 - Facultad de Derecho

**Degree:** 421 - Degree in Law

**ECTS:** 9.0

**Year:** 2

**Semester:** First semester

**Subject Type:** Compulsory

**Module:** ---

### 1.General information

#### 1.1.Aims of the course

#### 1.2.Context and importance of this course in the degree

#### 1.3.Recommendations to take this course

### 2.Learning goals

#### 2.1.Competences

#### 2.2.Learning goals

#### 2.3.Importance of learning goals

### 3.Assessment (1st and 2nd call)

#### 3.1.Assessment tasks (description of tasks, marking system and assessment criteria)

### 4.Methodology, learning tasks, syllabus and resources

#### 4.1.Methodological overview

The methodology followed in this course is oriented towards the achievement of the learning objectives. The course has a theoretical and practical dimension. So the methodology combines, on the one hand, the face-to-face system in the classroom (with theoretical classes and practice sessions based on the case model, exposure and debate by the students) and, on the other hand, the autonomous work system by the student that takes place outside the classroom.

#### 4.2.Learning tasks

The program offered to students to assist in achieving the expected results includes the following activities:

- Lectures. Activities that require the presence of the student in the classroom should conveniently alternate lectures and practice sessions based on the resolution of problems and case studies. Expository activities and systematization of knowledge by the teacher. This type of activities are assigned a total of 54 hours per student and group. This type of classes provide the student with a first theoretical contact with the concepts and basic knowledge of the subject that will allow him, later, to carry out a more effective personal work and, in the end, a better learning of the subject, being able to train him for a more clear identification of the problems related to obligations and contracts and to try to design the ways of legal solution to them.
- Practice sessions. These activities are assigned a total of 36 hours per student and group. These classes will promote the acquisition by the student of the transversal competence of ICT consultation for the acquisition of legal information.

One of the methodologies used will be the case. Efforts will be made to promote the intervention of the student in the classroom and facilitate, in this way, to develop their ability to obtain the intended result of identification and analysis of legal problems, in addition to developing their critical sense and skill for oral presentation. In addition, in this way, the student becomes familiar with the use of the technical-legal language of the subject. Such activities can also revolve around the study and analysis of judgments issued by the courts or administrative decisions (RDGRN). Within these activities is also considered the possibility that the professor proposes, among the programmed activities, the realization of seminars of diverse content: that can consist of the active participation in the debate, moderated by the professor, on the questions raised in the readings carried out by the student; or they may consist of a reading control that allows to assess the understanding of the subject, or in jurisprudential analysis. Transversal practices may also be carried out with other subjects of the degree, preferably in the first or second year.

- Autonomous work. The student's personal work outside the classroom is fundamental to their learning; It may consist, among other activities, of:
  - Reading and directed study of bibliographic material indicated by the responsible professor for the group.
  - Analysis and resolution of problems and cases raised by the professor.
  - Search and analysis of the jurisprudential material proposed, where appropriate, by the professor.

### 4.3.Syllabus

The course will address the following sections and topics:

Section I. General theory of obligations.

- Topic 1. The legal obligations: subject, object, classes and circumstances.
- Topic 2. Modification and termination of the obligation. Payment or performance. The fortuitous event and the force majeure.
- Topic 3. Liability of the debtor. Credit protection. Defraud creditors. Concurrency and priority of claims.

Section II. general theory of contract

- Topic 4. Contract requirements, training, content, performance and effectiveness.
- Topic 5. Invalidity and ineffectiveness. Nullity, relative nullity and, rescission.
- Topic 6. Breach of contract consequences. The delay. Article 1124 CC.

Section III. Contracts in particular.

- Topic 7. Types of contracts and quasi-contracts. In particular, the sale.
- Topic 8. Personal and real guarantees. In particular, the bail and the mortgage.

Section IV. Liability for damages.

- Topic 9. Law of Torts. Contractual and civil non-contractual liability.
- Topic 10. The contractual liability in the Civil Code. Other tortious liability regimes. Civil liability for the offense.

### 4.4.Course planning and calendar

Each professor will prepare for his group the set of programmed activities, such as resolution of practical cases, preparation of opinions, reviews of texts, books, judgments, attendance and participation in conferences or seminars, together with the schedule of the subject.

The following links can be consulted to obtain information about:

- Academic calendar (period of classes and non-school periods, holidays, exam period (cf. <http://derecho.unizar.es/calendario.html>)
- Schedules and classrooms (cf. <http://derecho.unizar.es/horarios.html>).
- Dates in which examinations of the official calls for the subject will take place (cfr. [http://derecho.unizar.es/fechas\\_examenes.html](http://derecho.unizar.es/fechas_examenes.html))

### 4.5.Bibliography and recommended resources