

## 27713 - Civil Law: Obligations and Contracts

### Syllabus Information

**Academic year:** 2023/24

**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

The purpose of this subject is to provide the student with tools for the learning of concepts such as obligation, debt, credit, breach, termination, contract, invalidity, quasi-contract and non-contractual liability. There are also other derived or related concepts, necessary for the knowledge of economic and patrimonial relations, and useful for many other subjects of the Law Degree. It also provides an overview of the most common contracts.

The University of Zaragoza, in the Governing Council Agreement of May 14, 2019, decided to promote the Sustainable Development Goals of the United Nations Agenda 2030 in the training of the entire student body, teaching and research staff and administration and services staff. As SDGs with a minimal relationship with the objectives of the subject we have: Goal 16: Peace, Justice and Strong Institutions

### 2. Learning results

Identifies and legally qualifies the institutions related to the law of obligations, contracts, quasi-contracts and non-contractual liability.

Distinguishes the different types of obligations, their sources and legal regime; the general theory of contract and the regime of typical contracts, as well as the civil liability systems.

Applies the knowledge of the preceding section and the jurisprudence to the resolution of practical cases.

Identifies contractual types and decides whether they are appropriate or inappropriate to solve the specific problem.

Interprets the rules governing obligations, contracts and civil liability to draw the relevant legal consequences.

Uses ICT (Information and Communication Technologies) to search and obtain legal information to solve practical cases.

### 3. Syllabus

#### I. General theory of obligations.

1. The obligatory legal relationship: subjects, object, classes and circumstances.
2. Modification and extinction of the obligation. Payment or compliance. Acts of God and force majeure.
3. Debtor's liability. Credit protection. Creditor fraud. Concurrence and priority of credits.

#### II. Liability for damages.

1. Tort law. Contractual and non-contractual liability.
2. Non-contractual liability in the Civil Code. Other joint and several liability regimes. Civil liability derived from the punishable act.

#### III. General theory of contract

1. The contract: requirements, formation, content, interpretation and effectiveness.
2. Invalidity and ineffectiveness of the contract. Nullity, voidability and rescission.
3. Breach of contract: consequences. Delay. Article 1.124 CC.

#### IV. Contracts in particular.

1. Types of contracts and quasi-contracts. Atypical contracts.
2. Purchase and sale. Donation, mandate, leases, loan, partnership.
3. Personal and real guarantees. In particular, the bond and the mortgage.

### 4. Academic activities

- Activities of exposition and systematization of the contents of the program in charge of the teacher.

- Dynamic teacher and student activities. One of the methodologies used will be the resolution of cases, using sentences and administrative resolutions. Efforts will be made to promote student intervention in the classroom and to facilitate the development of their ability to identify and analyse legal problems.

- Other tutored activities: it is possible for the teacher to propose the realization of seminars, which may consist of active participation in the debate, moderated by the teacher, on the issues raised in the readings carried out by the student; or they can consist of a reading test that allows to evaluate the understanding of the subject, or an analysis of jurisprudence.

- Autonomous learning or personal work of the student, which may consist of: reading and personal study by the student; analysis and resolution of the problems and cases posed by the teacher; and search and analysis of the proposed jurisprudential material.

## 5. Assessment system

**MIXED SYSTEM.** It consists of the following activities:

### a) ASSESSMENT OF ACTIVITIES DEVELOPED DURING THE TERM:

During the semester, students will be required to carry out different case studies, assignments or tests, as well as to participate in their presentation or discussion in the classroom. In the evaluation of these activities, the degree of achievement of the learning results of this Teaching Guide will essentially be taken into account.

According to the general guidelines of the Degree established by its Quality Assurance Committee, the overall result of will be weighted by 30% in the final grade. The student will be provided with the partial grades.

The grade obtained in the evaluation of the activities developed during the term may be kept for the second call of the academic year.

**b) FINAL THEORETICAL TEST** on the topics of the syllabus, which will consist of an exam with a questionnaire of several questions that will measure the degree achieved in the attainment of the learning results indicated above.

**SINGLE EXAMINATION SYSTEM.** It will be applied to students who have not attended and actively participated in classes and term activities; or who do not reach the minimum grade.

The examination will consist of two parts:

a) Resolution of a practical case study on the subject matter of the activities developed during the period . This test is weighted 30% of the final grade.

b) Theoretical test that will be adjusted in everything to what is foreseen in section b) of the previous mixed evaluation system and will be weighted 70% of the final grade.

The same testing systems will be applied in the second call of the term.