

27719 - Mercantile law I

Syllabus Information

Academic year: 2023/24

Subject: 27719 - Mercantile law I

Faculty / School: 102 - Facultad de Derecho

Degree: 421 - Degree in Law

ECTS: 9.0

Year: 3

Semester: First semester

Subject type: Compulsory

Module:

1. General information

The purpose of the subject is to provide students with general knowledge about the legal regime of economic activity in the market, the legal status of entrepreneurs, the regulation of the means or instruments to carry out such activity, as well as of the traffic itself in which such activity consists at the same time that they progress in the acquisition of essential competences for a jurist such as: the acquisition of regulations, jurisprudence and doctrinal contributions, the critical analysis of the current regulations and the analysis, synthesis and resolution of legal-mercantile problems.

These approaches and objectives 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 Objectives 8.2 and 8.3 of Goal 8.

2. Learning results

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

1. -Explains the main concepts, elements and institutions that make up the legal regime of the economic activity developed in the market, the status of the subjects that professionally develop such activity (entrepreneurs) and some of the means or instruments necessary for this purpose.
2. -Obtains, with the support of ICT, regulations, jurisprudence and relevant doctrinal contributions in the field of commercial law
3. -Critically analyses the current regulations in the field of commercial law.
4. -Analyses and synthesizes problems related to the knowledge indicated in the first point, as well as 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, legal opinions, lawsuits, contracts, articles of association, etc...

3. Syllabus

1. Commercial law as a category: concept and sources. New trends in commercial law.
2. The organizing principles of the entrepreneur's activity: free competition, industrial property, correctness in traffic, advertising and accounting.
3. The commercial company and business about the company.
4. The commercial entrepreneur and their statute.
5. Individual commercial entrepreneur and social entrepreneur. Corporate law. Commercial companies.

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

Assessment 4.5 hours

5. Assessment system

Two evaluation 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 evaluation 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, assignments or midterm evaluation tests provided by the teachers of the subject, as well as to participate in their presentation or debate in the classroom.

The evaluation of these activities will be based on the assessment of between 2 and 5 learning activities. The student will be provided with the partial grades.

The evaluation 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 capacity and critical reflection. All activities and exercises will also take into consideration the explanatory clarity, argumentative coherence and linguistic correctness, as well as respect for the basic criteria in the preparation of academic papers (absence of plagiarism, etc...).

The grade obtained in the evaluation of the activities developed during the term is saved for the second call of the academic year.

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

It consists of a single practical test on the resolution of a practical case. The 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 grade will it be weighted with the grade of the evaluation of the activities developed during the term.

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.