

30522 - International Private Law

Syllabus Information

Academic year: 2023/24

Subject: 30522 - International Private Law

Faculty / School: 102 - Facultad de Derecho

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

ECTS: 9.0

Year: 5

Semester: Second semester

Subject type: Compulsory

Module:

1. General information

The main goal of the subject Private International Law and its learning results is that the students acquire general and specific knowledge about the legal regime of relations between private individuals with foreign and/or heterogeneous elements, acquiring a deep knowledge of the sources, and of the application and interpretation of the rules.

These approaches and goals are aligned with the following Sustainable Development Goals (SDGs) of the United Nations Agenda 2030 (<https://www.un.org/sustainabledevelopment/en/>), so that the acquisition of the learning results of the subject provides empowerment and competence for students to engage in the achievement of a more prosperous, just and sustainable society, in which the following achievements are a priority:

Goal 16: *Peace, justice and strong institutions*

2. Learning results

In order to pass this subject, the students shall demonstrate they has acquired the following results:

- Know and understand how to use the fundamental legal terms and concepts of Private International Law, as well as how to interrelate the different sectors of the discipline
- It projects the rules and normative techniques of Private International Law to international private relations.
- He is able to interpret the rules of private international law and to make a critical analysis of the jurisprudence
- Has the ability to raise the problematic aspects in a specific case of practice, as well as to formulate the solution to the case with a legal basis
- Identify-the subject matter of private international law, including the presuppositions of plurality and legal heterogeneity in which the discipline is framed.

3. Syllabus

1. Object, content and sources of Private International Law. Function and concept of Private International Law.

Autonomous Private International Law and Community Private International Law. Internal Dimension of International Private Law.

2. International jurisdiction. Civil procedure and cross-border litigation. International civil cooperation.

3. Regulatory techniques and standards. Law applicable to international private relations: general issues and application problems.

4. Law applicable to international private relations (special part): international civil law relations, international commercial law and international labor law.

5. Extraterritorial effectiveness of foreign acts and decisions.

4. Academic activities

1. Lecture activities and systematization of knowledge by the teacher. Methodology: theoretical class.

2. Dynamic activities of teacher and students (resolution of practical cases, extension practices, seminars...).

Methodology: practical teaching based on the case model, presentation and discussion by the students. The realization of practical activities is an essential complement to the approach to a discipline of extraordinary projection in reality such as Private International Law.

3.- Personal study, tutorials, assignments and evaluation activities. Methodology: adapted to the type of activity (individual or group tutorials, active participation and theoretical and practical written tests).

5. Assessment system

Students must demonstrate that they have achieved the intended learning outcomes by means of the following assessment activities

1. In accordance with the *Statutes of the University of Saragossa* and with its *Regulation of Assessment Standards of the Learning*, the assessment instruments and procedures must meet the criteria of validity, transparency and reliability, with respect to the expected learning results. In addition, the instruments and criteria will be uniform and homogeneous for the different groups of the subject.

In accordance with the aforementioned Regulations, the evaluation of the subject *Private International Law* will be based on the system of a global evaluation test, based on an active teaching and learning methodology, in accordance with the Student's Statute University. The global test will be held according to the examination calendar approved for the different test sessions of the academic year.

2. The overall written exam will cover all the contents of the corresponding program of *International Private Law* and will be developed in two separate tests, as provided by the Statutes of the University of Zaragoza (art. 158):

a) The *first test, of a theoretical-practical nature*, will consist of the analysis of specific cases and the appropriate answer to the questions that are formulated on them, in which the projection of the theoretical knowledge is demonstrated in practice. It will count for 70% of the final grade.

b) The *second test* will consist of the resolution of legal problems specific to the discipline and adapted to peculiarities of its teaching methodology. It will count for 30% of the final grade.

The overall grade of the course will be given by the weighted average of the grades of both tests, being the value of the first test 70% and of the second test 30%. A pass mark is obtained with a grade of 5/10 and will require a minimum grade of 4/10 in each of the tests in order to obtain the weighted average.

3. Students who opt for a system of active participation in the internship and have obtained at least one point out of 3 in their evaluation, will not have to take the second test (b) of the global test. The final grade will be obtained from the grade obtained in the first test (70%), weighted with the evaluation derived from active participation (30%). A pass is obtained with a grade of 5/10 and will require a minimum grade of 4/10 on the first test (a) of the overall test.

The assessment of active participation in the practicals will be based on the continuous monitoring of the student's work, derived from their attendance and involvement in the classes, their interventions, the completion of work, as well as other learning activities, such as the resolution of cases or practical assumptions, presentation of work, extension, cooperative or other practicals that the lecturer responsible for the teaching of the group in question may indicate.

Assessment criteria

It will be taken into account in the assessment of the different objective tests:

a) The theoretical knowledge of the subject, the adequate handling of sources, the student's expository and synthesis capacity; the legal terminology known and mastered; its use in expository discourse and the correctness of syntax

b) The application of theory to the solution of practical cases and the dialectic resources to defend their thesis, as well as the adequate legal argumentation.

c) The ability to propose solutions to legal problems in the discipline, by means of the reasoned application of normative sources and jurisprudential interpretation

The assessment of learning is not limited to the verification of the memoristic assimilation of the contents of the program, but to the verification of the acquisition of the competences indicated in this teaching guide