

60758 - Comercial Practice

Syllabus Information

Academic year: 2023/24

Subject: 60758 - Comercial Practice

Faculty / School: 102 - Facultad de Derecho

Degree: 642 - Master's in Legal Practice

ECTS: 6.0

Year: 1

Semester: Annual

Subject type: Compulsory

Module:

1. General information

The objective of the subject is for the student to know the ways and means of defending in practice the interests entrusted by his clients in the field of private law applicable to business activity and to know the essential rules of the actions of these professionals, which is, in short, the field of commercial law.

At the same time, the acquisition of the learning results of the subject provides training and competency to contribute to some extent to the achievement of the following Sustainable Development Goals (SDGs) of the United Nations 2030 Agenda:

- Goal 8: Decent Work and Economic Growth. In particular, Objectives 8.3 (Promote the formalization and growth of micro, small and medium-sized enterprises); and 8.2 (Achieve higher levels of economic productivity through diversification, technological modernization and innovation).
- Goal 9: Industry, Innovation and Infrastructure. In particular, Objective 9.5 (Increase scientific research and improve the technological capacity of industrial sectors in all countries).

2. Learning results

Upon completion of the subject, the student will be able:

- CO_01: To know the techniques aimed at ascertaining and establishing the facts in the different types of procedure, especially the production of documents, interrogations and expert evidence.
- CO_02: To have the specialized knowledge to integrate the defence and the postulation of the rights of clients within the framework of the national and international jurisdictional protection systems.
- CO_03: To know the different techniques for the composition of interests and to know how to find solutions to problems by means of alternative methods to the jurisdictional route.
- HA_01: To know how to apply the specialized knowledge acquired in the degree to professional practice before courts or public authorities, as well as in advisory functions, respecting democratic principles and values and the Sustainable Development Goals.
- HA_02: To distinguish the different techniques for the composition of interests and to know how to find solutions to problems by means of alternative methods to the jurisdictional route.
- HA_07: To have the necessary skills for the use of procedures, protocols, systems, and judicial applications, which require the acts of communication and cooperation with the Administration of Justice with special attention to those of electronic, computer and telematic nature.
- HA_08: To know how to use the notary and registry functions, which in an auxiliary way complement him in the exercise of their activity.
- HA_09: To know how to develop skills that allow them to improve the efficiency of their work and enhance the overall functioning of the team or institution in which they work through access to information sources, knowledge of languages, knowledge management and the use of applied techniques and tools.
- HA_10: To know how to present facts orally and in writing, and to draw legal consequences from them, according to context and the addressee, in accordance with the modalities of each procedural field, as the case may be.
- HA_11: To know how to develop professional work in specific and interdisciplinary teams.
- HA_12: To be able to develop interpersonal attitudes that facilitate professional practice in their relationships with citizens, with other professionals and with institutions.
- CP_04: To identify the requirements for the provision and organization of legal advice and the procedural representation.
- CP_05: To apply in practice the organizational, managerial and commercial environment of the legal and procurement profession, as well as its legal, associative, fiscal, labour and personal data protection framework; articulating a protocol of

economic and fiscal management for the professional office, compliance and labour risk protection.

- CP_06: To choose the most appropriate means offered by the legal system for the performance of a quality technical representation.
- CP_07: Democracy and Sustainability: To develop a commitment to the society in which we live so that it may prosper through the dimensions of democratic values - freedom, justice and equality - and sustainability, materialized in the global framework that defines it at all times.
- CP_08: Teamwork: To actively collaborate with a group of people to achieve a common goal by pooling different talents.
- CP_09: Critical thinking: Reflective reasoning on a topic and being able to deliberate on its validity subjecting one's own and external convictions to debate.
- CP_10: Emotional intelligence: To understand and regulate one's own emotions and those of others in order to interact and participate effectively and constructively in social and professional life.
- CP_12: Permanent self-learning: Use lifelong learning and develop autonomous and flexible learning strategies throughout life to be part of an active, motivated and integrated citizenship favouring improvement of employment or personal development.

3. Syllabus

PART I. The company and the market. Competition law

1. Industrial and intellectual property
2. Competition law

PART II. Corporate Law

1. Incorporation of companies
2. Partners Transfer of shares and participations
3. Modification of bylaws. Increase and reduction of capital stock
4. Parasocial agreements
5. Corporate bodies
6. Dissolution and liquidation
7. Business transfer operations

PART III. Obligations and commercial contracts

1. Commercial contracts
2. Foreign exchange law
3. Consumer law and its collective protection

PART IV. Bankruptcy law

1. The bankruptcy process and alternatives to bankruptcy.
2. The effects of the declaration of bankruptcy
3. The insolvency administration.
4. Bankruptcy solutions: composition and liquidation
5. The qualification of the bankruptcy liability

4. Academic activities

The training activities of the subject will consist of the resolution of practical cases proposed in class. This includes the preparation and resolution of the cases, their presentation in class, analysis and defence of the proposed solutions and participation in the debates among the different possible solutions that the students who support them will have to argue.

5. Assessment system

In the first call, this subject is evaluated only by the continuous evaluation system. In order to pass students must attend at least 80% of the sessions. The final grade for the subject will be based on the evaluation of five activities carried out throughout the term. The schedule for the implementation of the evaluable activities and their specific content will be specified in the chronogram that will be given to the students at the beginning of the term. In order to pass the subject, students must complete all the activities and pass a minimum grade that will be specified in the evaluation criteria that will be given to the students at the

beginning of the term together with the schedule.

Students who have not passed the subject in the first call may take a global test in the second call. This test will consist of a questionnaire of thirty short questions (multiple choice - with only one correct answer - or questions with limited space) on the contents of the subject and the completion of a practical case. The theoretical test will represent 50% of the final exam and the practical case will represent 50%. It will be necessary to pass both parts.