



Information about the subject

Degree: Bachelor of Arts Degree in Law

Faculty: Faculty of Legal, Economic and Social Sciences

Code: 310102 **Name:** Civil Law II

Credits: 6,00 **ECTS Year:** 1 **Semester:** 2

Module: Civil Law

Subject Matter: Civil Law **Type:** Compulsory

Field of knowledge: Social and Legal Sciences

Department: Private Law

Type of learning: Classroom-based learning

Languages in which it is taught: Spanish

Lecturer/-s:

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Module organization

Civil Law

Subject Matter	ECTS	Subject	ECTS	Year/semester
Civil Law	30,00	Civil Law I	6,00	1/1
		Civil Law II	6,00	1/2
		Civil Law III	6,00	2/1
		Civil Law IV	6,00	3/1
		Civil Law V	6,00	3/2

Recommended knowledge

No previous knowledge is required to complete the course



Learning outcomes

At the end of the course, the student must be able to prove that he/she has acquired the following learning outcomes:

- R1 To handle with fluency the sources and elements of the obligations.
- R2 To know how to order obligations according to the subjects involved, the provision or its conditions.
- R3 To know the effects of the obligations, both those related to their fulfilment and those related to their non-fulfilment.
- R4 To know and be able to write guarantee clauses for the obligations.
- R5 To know and handle the different forms of extinction of the obligations.
- R6 To know the subjective modification of obligations and how this affects third parties.
- R7 To know and handle with fluency the sources of contracts, and be able to write general clauses.
- R8 To know and draft pre-contracts, especially in specific areas of economic activity.
- R9 To Familiarize with membership contracts, know their regulations and be able to write general clauses.
- R10 To know and be able to write term and condition clauses in contracts.
- R11 To know, be familiar with and be able to draw up typical and atypical contracts.
- R12 To know the problems of urban and rural leases.
- R13 To know and write work and service contracts.
- R14 To know and write money loan contracts, as well as the usual banking practice.
- R15 To know the real guarantees of obligations, and know how to draw up a contract with a real guarantee clause.



R16 To identify cases of quasi-contracts and their voluntary and involuntary effects.





Competencies

Depending on the learning outcomes, the competencies to which the subject contributes are (please score from 1 to 4, being 4 the highest score):

GENERAL	Weighting			
	1	2	3	4
CG1	Knowledge of the Science being studied, in this case of the science of Law, fundamentally of the most practical branches, with their international and economic implications and their specialized language.			X
CG2	Analysis and synthesis capacity		X	
CG3	Capacity for organization and planning		X	
CG4	Problem-solving capacity.			X
CG5	Computer skills related to the field of knowledge.		X	
CG6	To be able to effectively obtain information from books and specialized journals, and from other sources.			X
CG7	Critical reasoning when analysing information.		X	
CG8	Ethical commitment to information management.		X	
CG9	Oral and written communication skills in their native language in relation to the Science of Law.		X	
CG11	Professional relationships: be able to establish and maintain relationships with other relevant professionals and institutions.		X	
CG12	To be able to develop audiovisual presentations.	X		
CG13	Information management capacity.		X	
CG14	Ability to work as a team and collaborate effectively with others.			X



CG16 Ability to develop and maintain one's own competencies, skills and knowledge according to the standards of the profession.

X

SPECIFIC	Weighting			
	1	2	3	4
CE1 To become aware of the Law as an orderly system of legal norms regulating social relations.				X
CE2 Understanding of the different ways of creation of Law in its historical evolution and in its current reality, assimilating the existence of subordinate and supranational legal systems and the forms in which they are articulated.		X		
CE3 Ability to use constitutional principles and values as a working tool in the interpretation of the legal system.				X
CE5 Ability to identify the rights and obligations of the natural persons in all the areas of Law and give legal form to their acts of will.				X
CE16 Acquisition of a critical conscience in the analysis of the legal system and acquisition of values and ethical principles.				X
CE18 To learn how to use the existing legal bibliographic information.		X		
CE19 Ability to handle the different legal sources (legal, jurisprudential and doctrinal).			X	
CE20 Mastery of computer techniques in obtaining legal information and communication of legal data (Internet, databases of legislation, jurisprudence, bibliography).		X		
CE21 Ability to read and interpret legal texts.				X
CE22 Ability to make legal arguments.			X	
CE23 Ability to write legal texts. Basic knowledge of legal argumentation.			X	
CE24 Development of legal oratory. Ability to express oneself appropriately in front of an audience.			X	
CE25 Development of the ability of working in teams.				X
CE26 Assumption of the necessary interdisciplinary vision of legal problems.			X	



CE27 Capacity for negotiation and conciliation.

X

CE28 Ability to give legal form to bilateral and multilateral relations of individuals.

X

CE29 Ability to legally articulate projects, agreements, or disagreements.

X



Assessment system for the acquisition of competencies and grading system

Assessed learning outcomes	Granted percentage	Assessment method
	40,00%	Practical tests
	20,00%	Attendance, active participation and favourable attitude in the subject/ course/ module
	40,00%	Written theoretical tests

Observations

The evaluation of the acquisition of the skills of the module will be carried out paying special importance to the practical resolution of problems, which is consistent with the objectives of the degree and with the skills marked as necessary to achieve those goals. In this way, preponderance will not be given exclusively to the theoretical exam, without taking into account, in a relevant way, a practical exam and the assistance and active participation in the different activities so that students acquire a practical vision of legal problems. Thus, to be consistent with the objectives of the degree and the skills that are intended to be acquired, in the final grade there will be a participation of 60% between practical activities (40%) and attendance and active participation in classroom sessions theory, tutorials, seminars and group work (20%), leaving 40% of the mark for the written tests.

EVALUATION INSTRUMENT THEORIC EXAM. Theoretical and / or theoretical-practical written tests in which the acquired theoretical and practical knowledge will be exposed. If the development of the course allows it, there will be a voluntary partial exam of around half of the syllabus (which, if passed, will be eliminated). The conditions of the partial exam will be the same as those of the official call. The theoretical final mark (40%) will result from the average mark resulting from the 2 exams (only in the case of the practical exam). In any case, it will be necessary to obtain a 5 in the theoretical exam to make an average with the practical mark and with the attendance and participation mark. If a grade lower than 5 is obtained in the official exam of the first call, both the attendance mark and the mark of practices carried out in class and group work will be kept for the second call. Finally, given the importance of the correct formal presentation of legal documents, it is noted that each misspelling will deduct 0.1 points from the exam grade.

PRACTICES. Resolution of the different practices that will be proposed to the student throughout the course. The evaluation of the practices and the group work will be carried out by means of the assistance and oral and / or written presentation individually by the student. The evaluation of the works presented will be carried out taking into account the structure of the work, the quality of the documentation, the spelling and the presentation. The rating will be obtained from the average of all the ratings obtained in this section. The qualification of the practices carried out in class will be maintained for the second call.



The lack of unjustified attendance at 20% of the practical sessions, prevents the computation of this percentage. ASSISTANCE AND PARTICIPATION. Attendance and active participation in class sessions, group work, tutorials and seminars. Its evaluation will be carried out by means of monitoring records of attendance by the teacher. The lack of unjustified attendance at 20% of the practical sessions, prevents the computation of this percentage.

Single evaluation: In accordance with article 9 of the General Regulations for the Evaluation and Qualification of Official Teachings and Own Degrees of the UCV, the continuous evaluation system is the preferred evaluation system at the UCV. The art. 10 allows, however, for those students who in a justified and accredited manner express their inability to attend in person (or to synchronous communication activities for virtual and/or hybrid teaching modalities), their evaluation on an extraordinary basis in the so-called single evaluation. Said single evaluation must be requested within the first month of each semester to the Dean of Faculty through the Vice-Deaneries or Master's Directorates, with the express decision on the admission of said request from the student concerned being the responsibility of the latter. The evidence to be presented and/or the test/s to be carried out in the single evaluation by the student will be carried out through the same theoretical test as for the rest of the students and through a practical test consisting of taking a practical written test. , although the percentages awarded to the different evaluation instruments will be the following: 50% practical tests and 50% theoretical tests.

Attendance at breastfeeding mothers class: Due to the schedule of this subject that is taught in the morning, nursing mothers who cannot attend face-to-face activities regularly, will establish, together with the teacher, an alternative work plan that allows the acquisition of the same knowledge and skills as the rest of his classmates.

CLASS ATTENDANCE IN FACE-TO-FACE DEGREES

In accordance with the development guidelines of the General Regulations for the Evaluation and Qualification of Official Teachings and Own Degrees of the UCV, in face-to-face degrees, class attendance with a minimum of 80% of the sessions of each subject will be required as a requirement to be evaluated. This means that, if a student does not attend the sessions of each subject, in a percentage greater than 20%, he/she will not be able to be evaluated, neither in the first nor in the second call, unless the person responsible for the subject, with the approval of the person responsible for degree, in view of duly justified exceptional circumstances, exempt from the minimum attendance percentage. The same criterion will be applicable for hybrid or virtual degrees in which teachers must maintain the same percentage in the requirement of "presence" in the different training activities, if any, even if these are carried out in virtual environments.

MENTION OF DISTINCTION:

The mention of "Honors" may be awarded to students who have obtained a grade equal to or greater than 9.0. Their number may not exceed five percent of the students enrolled in a group in the corresponding academic year, unless the number of students enrolled is lower.



Learning activities

The following methodologies will be used so that the students can achieve the learning outcomes of the subject:

- M1 Group work sessions supervised by the teacher. Study of legal cases, both true and fictitious. Significant construction of knowledge through student interaction and activity. Critical analysis of values and social commitment.
- M2 Supervised monographic sessions with the student's participation.
- M8 Exposition of contents by the teacher, analysis of competences, explanation and demonstration of capacities, skills and knowledge in the classroom.
- M10 Application of interdisciplinary knowledge.
- M11 Personalised attention and in small groups. Period of instruction and/or orientation carried out by a tutor with the aim of reviewing and discussing the materials and topics presented in the classes, seminars, readings, completion of assignments, etc.
- M12 Set of written and/or oral tests used in the initial, formative or summative evaluation of the student.
- M13 Group preparation of readings, essays, resolution of problems, seminars, papers, dossiers, etc., to be presented or delivered in theory classes, practical classes, and/or small group tutorials.
- M14 Student's study: individual preparation of readings, essays, problem-solving, seminars, works, reports, etc. to present or deliver in the theoretical classes, practical classes and/or small group tutorials.



IN-CLASS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
Practical cases. M1, M2, M8	R1, R2, R3, R4	23,00	0,92
Theoretical classes. M2, M8	R1, R2, R3, R4	20,00	0,80
Seminar. M1, M8	R1, R2, R3, R4	2,00	0,08
Presentation of group work. M1, M8	R1, R2, R3, R4	5,00	0,20
Tutorial. M8	R1, R2, R3, R4	5,00	0,20
Assessment M1, M8	R1, R2, R3, R4	5,00	0,20
TOTAL		60,00	2,40

LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Group work. M1, M8	R1, R2, R3, R4	45,00	1,80
Individual work. M2, M8	R1, R2, R3, R4	45,00	1,80
TOTAL		90,00	3,60



Description of the contents

Description of the necessary contents to acquire the learning outcomes.

Theoretical contents:

Content block	Contents
1. GENERAL THEORY OF OBLIGATIONS	<p>Unit 1. Concept of obligation. The elements of the obligations. The subjects of the mandatory relationship. The object of the mandatory relationship: the provision. The cause of the mandatory relationship</p> <p>Unit 2. Circumstances of the mandatory relationship. Time. The place. The conditions. The guarantees of the obligation. The criminal clause. earnest money contract. The right of retention</p> <p>Unit 3. The extinction of the obligatory relation. Causes of extinction. Compliance with the obligation: Payment. The subjects of the payment. Subrogated from the payment. Other causes of extinction of obligations.</p> <p>Unit 4. The breach of the obligation. Debtor's default. Effects of default. The debtor's responsibility.</p> <p>Unit 5. The defense of the credit right. The action of compliance with the obligation. Compensation for damages. Subrogatory action. The Paulian action</p> <p>Unit 6. Modification of the mandatory relationship. The novation in the Civil Code. The change of creditor and debtor. The assignment of the contract.</p>



2. GENERAL THEORY OF THE CONTRACT

Unit 7. Concept and formation of the contract. Types of contracts. Concept. Elements of the contract. The consent. The object. The cause. The form of the contract. The formation of the contract. The offer. The pre-contract. The option contract. Advertising. Adhesion contract. General contracting conditions.

Unit 8. Vices of the essential elements of the contract. The error. The violence. The intent. Vices of the declaration of will. Vices of the cause.

Unit 9. Interpretation and effects of the contract. Effects of the contract. Unit 10. The condition and kinds of conditions. Function and types of the term. The modal obligation. The ineffectiveness of the contract.

3. CONTRACT TYPES

Unit 11. The sale. Concept and characters. The parts. The thing. The price. Obligations of the parties. Special sales. Agreements annexed for sale. Plurality of sales of the same thing. the swap.

Unit 12. The donation. Donation concept. The parts. The object of the donation. Limits. Effects. Classification of donations. Revocation of the donation. Informality and donation reduction.

Unit 13. The leasing of things. Concept and characters. The leasing of urban farms. Housing lease. The lease for use other than housing. The work contract. Obligations of the parties. Construction of buildings. The leasing of services. Obligations of the parties.

Unit 14. The loan contract. The use loan. The money loan. The precarious.

Unit 15. The deposit. The guarantor's obligation. Relations between creditor, guarantor and debtor. Pledge, mortgage and antichresis contracts.

Unit 16. The mandate contract. Obligations of the parties.

Unit 17. The deposit contract. The voluntary deposit and the necessary deposit.

4. QUASI-CONTRACTS AND ILLICIT ACTS

Unit 18. Quasi-contracts. Enrichment without a cause: presuppositions and effects. The collection of the undue: budgets and effects.

Unit 19. Civil liability. Contractual and tort liability. The damage. The causal relationship. The blame. The exemption of responsibility. Subjects of civil liability. The repair of the damage. Liability derived from a criminal offense.



Temporary organization of learning:

Block of content	Number of sessions	Hours
1. GENERAL THEORY OF OBLIGATIONS	10,00	20,00
2. GENERAL THEORY OF THE CONTRACT	10,00	20,00
3. CONTRACT TYPES	8,00	16,00
4. QUASI-CONTRACTS AND ILLICIT ACTS	2,00	4,00

References

1. Derecho Civil II. Obligaciones y Contratos. J.R. de Verda y Beamonte y otros. 6ª Edición. Editorial Tirant lo Blanch. Valencia. 2023.
 2. Sistema de Derecho Civil . Vol. II. Contratos en especial. Cuasicontratos. Enriquecimiento sin causa. Responsabilidad civil extracontractual. Luis Díez-Picazo y Antonio Gullón. 12 edición. Editorial Tecnos. Madrid. 2018.
 3. Derecho Civil español común y foral. Tomo III. Derecho de obligaciones. La obligación y el contrato en general. José Castán Tobeñas. Editorial Reus. Madrid. 2008.
- Bibliografía complementaria:
4. Derecho de Obligaciones. Tomo II. Carlos Lasarte. Editorial Marcial Pons. Madrid. 2021. 24ª edición.
 5. Contratos. Tomo III. Carlos Lasarte. Editorial Marcial Pons. Madrid. 2021. 22ª edición.
 6. Código Civil adaptado a la reforma Ley 8/2021, de 2 de junio por la que se reforma la legislación civil y procesal para el apoyo a las personas con discapacidad.
 7. Código Civil con jurisprudencia sistematizada. 3ª Edición. Editorial Tirant lo Blanch. Valencia. 2018.