

Mercantile Law II

Code: 102270
ECTS Credits: 6

Degree	Type	Year	Semester
2500786 Law	OB	3	1

Contact

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Use of languages

Principal working language: spanish (spa)
Some groups entirely in English: No
Some groups entirely in Catalan: Yes
Some groups entirely in Spanish: Yes

Prerequisites

There is no previous requirements.

Groups 1, 2 and 3 of the Law Degree are in Spanish. Groups 51 of the Law Degree and 70 of the Law-Business Management Administration Degree are in Catalan.

Objectives and Contextualisation

To assume a good knowledge of the principal institutions of Commercial law related to commercial contracts, securities and bankruptcy law.

Skills

- Defending and promoting the essential values of the social and democratic State of Law.
- Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
- Efficiently managing information, being capable of assimilating a considerable volume of data in a limited amount of time.
- Identifying, knowing and applying the basic and general principles of the legal system.
- Memorising and utilising legal terminology.
- Orally and clearly defending ideas, works, reports, documents and rulings in a structured way.
- Presenting in front of an audience the problems of a concrete law suit, the applicable legal regulations, and the most consistent solutions.
- Searching, interpreting and applying legal standards, arguing every case.
- Students must be capable of learning autonomously and having an entrepreneurial spirit.

Learning outcomes

1. Associating the Commercial Law with the current and future society as well as with other (political, sociological, etc.) sectors of society and also with its state, community and international context.
2. Contextualising the Commercial Law within the legal system, its role and its usefulness in the business traffic.
3. Critically distinguishing the historical trajectory in the approval of commercial standards and in the training of trade uses, and being ready to anticipate alternative legal solutions.

4. Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
5. Demonstrating theoretical and practical knowledge of Commercial Law, appropriately using its terminology.
6. Efficiently managing information, being capable of assimilating a considerable volume of data in a limited amount of time.
7. Identifying the difference in efficiency of including or not concrete clauses in a trading commercial contract, company contract, charter contract, an other commercial contracts.
8. Orally and clearly defending ideas, works, reports, documents and rulings in a structured way.
9. Providing a fair and efficient response to the practical cases proposed from the acquired knowledge.
10. Publicly presenting practical cases and its possible legal solutions.
11. Relating the knowledge with problems derived from business traffic in terms of offering fair and efficient solutions.
12. Students must be capable of learning autonomously and having an entrepreneurial spirit.
13. Summarising the theoretical and practical knowledge when drawing up contracts and other commercial law instruments.

Content

The commercial contract

The commercial sale contract and related contracts
 Collaboration contracts
 Bank contracts
 Contracts in securities markets
 Insurance contracts
 The contract of transport
 Securities
 Bankruptcy Law

Methodology

Lecturers will put into practice the educational activities they deem appropriate in order to facilitate the study and The development of the teaching of the subject and of the learning of the

1. Guided activities: activities where the teacher develops the active part

It includes master classes where the student reaches the conceptual bases of the subject and its legal and regul

Also, the practical classes, where students, individually or in small groups, analyze and solve along with the prof

such as discussion and resolution of cases, comments, debates, simulations of judgments, others.

2. Autonomous activities: activities that students will develop autonomou:

norms and jurisprudence, study, preparation of practical cases.

Activities

Title	Hours	ECTS	Learning outcomes
Type: Directed			
Exercises in the classroom (practices and cases, comments, debates, simulation of trials...)	22.5	0.9	8, 5, 4, 10, 6, 13
Master classes	22.5	0.9	2, 3, 7, 11, 13, 1
Type: Autonomous			
Tasks and study out the class	72.5	2.9	2, 5, 3, 6, 9, 11, 1

Evaluation

For every single group, the dates of the evaluation activities will be announced at the beginning of the course in the Virtual Campus, even though, exceptionally and force majeure, these activities could, with advance notice in good time, be modified.

Qualification of the assignments and participation in class will be published before the final exam.

To pass the subject, student must have taken part in the three evaluation activities.

To be eligible to participate in the retake process, it is required to: 1) Do the final exam and do not pass it, and 2) have achieved an average grade in every one of the three evaluation activities not inferior to 3. Students who take the retake exam, will be a maximum grade of the subject is 7.

Evaluation activities

Title	Weighting	Hours	ECTS	Learning outcomes
Assignments	30%	5	0.2	8, 5, 4, 3, 10, 11, 12
Final exam	50%	5	0.2	2, 3, 6, 7, 9, 11, 13, 1
Participation in class	20%	22.5	0.9	8, 4, 10, 11, 13

Bibliography

RECOMMENDED BOOKS

Broseta Pont, Manuel - Martínez Sanz, Fernando, *Manual de derecho mercantil*, vol. II, last edition, Madrid, Tecnos.

Jiménez Sánchez, Guillermo - Díaz Moreno, Alberto (dirs.), *Derecho mercantil II*, several volums, Barcelona-Madrid-São Paulo, Marcial Pons

Menéndez, Aurelio - Rojo, Angel (dirs.), *Lecciones de derecho mercantil*, vol. II, last edition, Cizur Menor, Thomson Reuters Civitas

Sánchez Calero, Fernando, *Instituciones de derecho mercantil*, vol. II, last edition, Cizur Menor, Thomson Reuters Aranzadi.

Sierra, Eliseo, *Esquemas de derecho de los contratos mercantiles*, last edition, Valencia, Tirant lo Blanc.