

**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.

### Competences

- 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.
- Managing bibliographic and documentary resources: databases, browsing, etc.
- Memorising and utilising legal terminology.
- 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. Managing bibliographic and documentary resources: databases, browsing, etc.
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	5, 4, 10, 6, 8, 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

## Assessment

For each group, the specific date or the week of carrying out the evaluable activities will be published before the beginning of the teaching, notwithstanding the fact that, exceptionally and due to reasons of force majeure, these may, with prior notice and sufficiently in advance, be modified.

The mark of the practices and the participation in the class will be made public before the final exam.

To pass the subject, the student must have obtained a minimum mark of 3.5 in the final exam and participated in the other two evaluation activities.

Students who have not pass the subject, have right to retake the final exam if they have obtained at least 3 in each of the three evaluation activities (final exam, assignments and participation in class).

These three evaluation activities will be taken into account to determine the final grade resulting from the evaluation as well as the reevaluation. Students who retake exam may obtain a maximum grade of 7.

## Assessment Activities

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