

Maritime Business and Companies

Code: 42997
ECTS Credits: 6

Degree	Type	Year	Semester
4313781 Enterprise Law	OT	0	2

The proposed teaching and assessment methodology that appear in the guide may be subject to changes as a result of the restrictions to face-to-face class attendance imposed by the health authorities.

Contact

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Teachers

Maria Isabel Martínez Jiménez

Use of Languages

Principal working language: spanish (spa)

Prerequisites

There are no previous requirements.

Objectives and Contextualisation

To achieve specialized knowledge on issues related to the maritime business.

Competences

- Integrate knowledge and use it to make judgements in complex situations, with incomplete information, while keeping in mind social and ethical responsibilities.
- Integrate knowledge of the law and of negotiation to make judgments in the business context.
- Seek out information in the scientific literature using appropriate channels, and use this information to formulate and contextualise a research topic in business law.
- Seek out, interpret and apply legal provisions related to tax, employment or penal matters within corporate activity, and any others in which a legal solution is needed for situations arising in the business context.
- Solve problems in new or little-known situations within broader (or multidisciplinary) contexts related to the field of study.
- Use acquired knowledge as a basis for originality in the application of ideas, often in a research context.
- Work in a team to create synergies in the workplace, in a coordinated, cooperative fashion.

Learning Outcomes

1. Explain and interpret the laws on shipping companies and their subsidiaries, and the principal contracts in maritime law.
2. Integrate knowledge and use it to make judgements in complex situations, with incomplete information, while keeping in mind social and ethical responsibilities.
3. Interrelate legal principles and negotiation techniques to assess matters of maritime law.

4. Seek out information in the scientific literature using appropriate channels, and use this information to formulate and contextualise a research topic in business law.
5. Solve problems in new or little-known situations within broader (or multidisciplinary) contexts related to the field of study.
6. Use acquired knowledge as a basis for originality in the application of ideas, often in a research context.
7. Work in a team to create synergies in the workplace, in a coordinated, cooperative fashion.

Content

The module analyzes some specific issues of maritime Law, such as the figure of the shipowner (legal nature, limitation of liability), its dependents, the maritime contracts (chartering, bareboat charter, passengers), accidents at navigation (collision, average, pollution), from the perspective of national, European and international law, as well as the practice and uses of the sea.

Methodology

Lecturers responsible for each group will plan at the beginning of the course the theoretical sessions and the most practical sessions where discussion seminars, practical cases, comments, text, etc. will be developed.

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Classroom lectures	36	1.44	3, 2, 5, 6, 7
Type: Supervised			
Resolution of exercises	10	0.4	4, 1, 3, 2, 5, 6, 7
Type: Autonomous			
Personal study	54	2.16	4, 1, 3, 2, 5, 6

Assessment

The evaluation of the subject will be carried out by means of a final test on the set of the syllabus of the subject at the end of the course (50% grade) and the different practices that will be carried out throughout the course (50% of the grade).

Once the evaluation has been communicated, a review may be requested so that the Professor explains to the student the applied criteria (art. 114.3 UAB academic regulations), without prejudice to the student's rights to challenge the grade.

The date of the final exam of the subject is scheduled in the exam calendar of the Faculty.

The scheduling of the evaluation tests cannot be modified, unless there is an exceptional and duly justified reason why an evaluation act cannot be carried out. In this case, the people responsible for the degrees, after consulting the teachers and the affected students, will propose a new schedule within the corresponding school period (art. 115.1 Calendar of evaluation activities, UAB Academic Regulations)

To pass the course, the student must have participated in the three evaluation activities and have obtained at least a 3.5 in the final exam. To take the final exam, it is necessary to prove attendance to 90% of the classes.

Only the reevaluation of the test is possible (50%). The continuous assessment activities cannot be reevaluated, since their meaning is to check the knowledge progressively acquired throughout the course, notwithstanding that in case of illness or other eventualities an alternative solution may be found for the specifically affected student.

To retake the exam, student must have obtained at least a 3 in each of the three evaluation activities. Students who take the reevaluation exam may obtain a maximum grade of 7 in the subject.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Attendance and active participation in class	20%	36	1.44	2, 6, 7
Resolution of exercises	30%	10	0.4	4, 1, 3, 2, 5, 6, 7
Theory and practical tests	50%	4	0.16	4, 1, 3, 2, 6

Bibliography

GABALDÓN GARCÍA, J. L.: *Curso de derecho marítimo internacional. Derecho marítimo internacional público y privado y contratos marítimos internacionales*, Marcial Pons, Barcelona-Madrid-Buenos Aires, 2012.

GABALDÓN GARCÍA, J. L. y RUIZ SOROA, J. M.: *Manual de Derecho de la navegación marítima*, 3ª edición, Marcial Pons, Barcelona-Madrid, 2006.

GIRGADO, P., "Los seguros marítimos y la valoración convencional del interés asegurado", en GARCÍA-PITA, *Estudios de derecho marítimo*, Aranzadi, Cizur Menor, pp. 1015-1034.

MARTÍN OSANTE, J. M., "Responsabilidad del naviero en vía civil y en vía penal: algunas diferencias", en *La Ley*, núm. 1, 2005, pp. 191-201.

PULIDO BEGINES, J. L.: *Instituciones de Derecho de la navegación marítima*, Tecnos, Madrid, 2009.

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RUIZ SOROA, J. M., "Los créditos marítimos privilegiados y el concurso de acreedores", en *Revista de Derecho concursal y paraconcursal*, núm. 6, 2007, pp. 119-130.