Legislation

Code: 102745
ECTS Credits: 3

Degree	Type	Year	Semester
2502441 Computer Engineering	OB	3	2

Contact

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Teaching groups languages

You can check it through this link. To consult the language you will need to enter the CODE of the subject. Please note that this information is provisional until 30 November 2023.

Teachers

Albert Castellanos Rodriguez

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Prerequisites

There are no prerequisites.

Objectives and Contextualisation

Objectives.

The aims of this subject consists on the acquisition of the following knowledge and skills:

1. Knowledge:

- Discover and discern the juridical implications of technology

- Learn about the fundamental juridical frames that are applicable in IT fields.

- Distinguish lawful facts from illicit behaviours

- Learn the different levels of unlawfulness in the computer practices.

2. Skills in the field of IT law:

- Identify the values protected by the existing legislation

- Identify the technological control needed according to the law

- Distinguish potential normative conflicts

- Detect the commission of illicit practices

- Analyse the legal framework and take decisions to preventin possible illicit practices

- Incorporate the legal requirements in the design of IT projects and services

Competences

- Acquire personal work habits.
- Act ethically and professionally.
- Analyse and evaluate the social and environmental impact of technical solutions and understand the ethical and professional responsibility of the activity of an IT engineer.
- Capacity to design, develop, select and evaluate computer applications and systems, ensuring reliability, security and quality, in accordance with ethical principles, and applicable standards and legislation.
- Have the capacity to produce a list of technical conditions for a computer system that fulfils applicable standards and regulations.
- Know the standards and regulations regarding computers in the national, European and international fields.
- Know, understand and apply the necessary legislation when exercising the profession of an IT engineer and manage compulsory specifications, regulations and standards.

Learning Outcomes

1. Assume and respect the role of the various team members , as well as different levels of dependence on the team.
2. Critically evaluate the work done.
3. Discover and filter the social implications and polyvalence of technologies.
4. Identify the regulations (laws, standards) susceptible to application to a computer system.
5. Know and understand the technical conditions sheet of a computer system.
6. Know the legislative and normative framework in relation to the IT profession in the pertinent field.
7. Respecting the diversity and plurality of ideas, people and situations.
8. Understand and know the current ethical principles, legislation and regulations applicable to computer systems.
9. Understand the legislative and normative framework in relation to the IT profession.

Content

Lesson 1: Introduction to law and general legal considerations
The law as a normative order. - The Right and Justice. - The protection of human rights. - The validity and validity of the right. - The problem of loopholes in the law. Analogy concept. - The person as a subject of law. - The contract as an instrument of action in economic traffic. - The branches of law. - The Spanish legal system.

Lesson 2: Internet regulation
Origin, evolution and future of new technologies. - Regulation of online content in the EU. - Legal regime of ISPs, audiovisual services and telecommunications services. - Net neutrality. - Liability of intermediaries.

Lesson 3: Fundamental rights of communication
Right to information. - Freedom of expression. - Right to privacy and secrecy of communications. - Right to honor. - Right to self-image. - Right to non-discrimination. - IT control in the workplace

Lesson 4: Privacy and data protection in digital environments
Key concepts: data protection v Privacy. - Origins of European data protection legislation. - Case law of the CJEU. - The General Data Protection Regulation. - European developments in the field of data protection. - Information systems security. - The Spanish data protection law.

Lesson 5: Intellectual property and e-commerce regulation
European copyright laws. - European Jurisprudence on copyright. - Trademark laws. - Patent law.- Free software licenses. - Cookies management.

Lesson 6: Procurement of goods and services on information technology
Computer contracts.- Service Level Agreements / Operating Level Agreements- Software development contract.- SCROW contract.- Cloud Computing contract

Lesson 7: Cybercrimes
Cybercrimes in the EU. - Hate crimes online. - Limits of the right to information. Offences of revelation of secrets. - Computer sabotage.- Stalking - Child Grooming- Forensic Readiness and judicial Expertise.

Methodology

The student will have to conduct several tasks in order to learn the contents in this course. Particularly, two types of activities will have to be completed:

1. Theoretical sessions: the lecturer will explain the contents of each lesson and students will be asked to carry out legal reflections from each of the concepts learned. Theoretical sessions will contribute to the consolidation of basic contents, necessary to perform the practical assignments defined in point 2.

2. Seminars: These sessions have for aim to put apply the concepts explained at the theoretical sessions using the methodology of resolution of practical cases. They will be divided in two types:

2.1. Non-evaluated activities: They will consist of a case study proposed at the start of the seminar which, using specific resources and materials will have to be resolved in small groups or individually. Before end the seminar, students will discuss the possible solution, guided by specific questions posed by the lecturer.

2.2 Evaluated activities. These activities are part of the continuous-assessment. They will evaluate the knowledge of the student through a case study, using material referred by the lecturer. It may be resolved individually or in small groups. At the end of the session, the solution will be proposed and debated.

At the end of the course, a final test will be completed. This test will allow to evaluate the knowledge and skills learned by students during the course.

Crosscutting competencies will be acquired and evaluated along the course. Specifically:

T02.08 Critical assessment through the case studies, students will assess realsituations and solve questions using specific legislation.

T05.01 Assume social, ethical, professional and legal responsibility through the knowledge of the applicable legislation and the consequences of its misusage.

T05.02 Respect of diversity and plurality of ideas, people and situations through the debates that will be generated during the theoretical sessions as well as the practical seminars.

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Practical Sessions	15	0.6	1, 2, 9, 8, 6, 5, 3, 4, 7
Theoretical Sessions	10	0.4	1, 2, 9, 8, 6, 5, 3, 4, 7
Type: Supervised			
Individual and team work	43.5	1.74	1, 2, 5, 7

Assessment

Evaluation

Evaluation criteria

Both the knowledge acquired by the student in relation to the objectives set in the subject and the degree to which the skills and competences to be developed have been achieved will be taken into account.

a) Scheduled evaluation process and activities

The subject will be assessed through:

- First partial exam on the official date assigned by the School. It will consist of a test-type exam on topics 1, 2, 3 and the sections of topic 4 taken on a date prior to the exam. This test is worth 40% of the final grade.

- Second partial exam on the official date assigned by the School. . It will consist of a test-type exam on the subjects of the sections of subject 4 taken after the first term, and subjects 5, 6 and 7. This test is worth 40% of the final grade.

- Continuous assessment activities, (the teacher will indicate at the beginning of the course the number and delivery date), can be delivered individually or in groups (according to the teacher's instructions).

In the event that a student cannot attend a session for a justified reason, he must notify the teacher two days in advance and provide the corresponding proof.

Only those students who do not achieve a final grade of 5 in the subject, once the percentages of the entire evaluation process have been weighted, can only opt for recovery: 40% first partial, 40% second partial, 20% continuous assessment tests . In other words, it is not useful for raising grades.

Those who do not pass any of the three assessment items will be able to recover them on the official re-assessment date.

There is no special treatment for repeat students.

b) Programming of assessment activities

The dates of the continuous assessment sessions will be published in the virtual space of the subject of the Virtual Campus and may be subject to schedule changes for reasons of adaptation to possible incidents. These changes will always be reported in the virtual space as it is understood to be the usual mechanism for information exchange between teacher and students.

c) Second-chance examination

People who have not passed any of the three assessment tests (first partial exam, second partial exam and continuous assessment tests) can recover them on the official day of the re-evaluation. This recovery will consist of the following tests:

1. Second-chance examination test for the first partial exam. It will consist of a test-type exam on topics 1, 2, 3 and the sections of topic 4 taken on a date prior to the exam. This test is worth 40% of the final grade.

2. Second-chance examination test for the second partial exam. It will consist of a test-type exam on the subjects of the sections of subject 4 taken after the first term, and subjects 5, 6 and 7. This test is worth 40% of the final grade.

3. Continuous assessment activities second chance. It will consist of a practical case on the subjects of the subject's program. This activity is worth 20% of the final qualification.

d) Qualification review procedure

Continuous assessment activities will be reviewed in group sessions following the publication of grades. The partial exams will be reviewed in an individual tutorial with the student concerned.

e) Qualifications

- The grade of Not Assessable will only be given to those students who do not participate in any of the assessment activities.

- The teacher may assign the Honors Matriculation qualification to those students who have stood out throughout the course, both for the grades obtained in the practical sessions and partial tests, and for their participation in class. In order to qualify for the Honors Matriculation qualification, a minimum grade of 9 at the end of the subject will be required.

f) Irregularities by the student, copying and plagiarism

Without prejudice to other disciplinary measures that are deemed appropriate, and in accordance with current academic regulations, irregularities committed by a studentthat may lead to a variation of the grade will be graded with a zero (0). For example, plagiarizing, copying, allowing copying, etc., of an assessment activity, will result in failing that assessment activity with a zero (0). Assessment activities qualified in this way and by this procedure will not be recoverable. If it is necessary to pass any of these assessment activities to pass the subject, this subject will be suspended directly, with no opportunity to recover it in the same course.

h) Single evaluation

- A test-type examination of the entire program. (80%)

- A practical case on which some test-type questions will be asked. (10%)

- Oral presentation of a topic related to the program agreed with the teacher at the beginning of the course (10%)

- Second-chance examination: If you do not pass the test-type exam, you will have to take a test-type exam on the day assigned for the second-chance examination (with a value of 80%). If you do not pass the practical case, you will have to take a test consisting of solving another practical case on the day assigned for the re-evaluation (it will have a value of 10% on the final grade), if you do not pass the oral presentation, you will have to repeat it on the day assigned for the second-chance examination (it will have a value of 10% on the final grade).

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes

Continuous-Assessment activity	20%	3.5	0.14	1, 2, 9, 8, 6, 5, 3, 4, 7
Final Test	40%	1.5	0.06	1, 9, 8, 6, 5, 3, 4
Mid-term exam	40%	1.5	0.06	9, 8, 6, 4

Bibliography

<u>Basic bibliography</u>

- Barberán, Pascual (2020)*: Propiedad Intelectual para estudios de grado. Con cuadros sinópticos, preguntas de autoevaluación y glosario español-inglés*, 1ª ed., Tecnos, I.S.B.N.: 978-84-309-7924-0

- Blasi Casagran Cristina (2016): *Global data protection in the field of law enforcement: An EU perspective*, Routledge. Taylor & Francis Group, Oxfordshire, UK, June 2016. ISBN-10: 1138655384.

- Davava Fernández Marcos, Elena, Davara Fernández Marcos, Laura, Davara Rodríguez, Miguel Ángel, (2020): *Manual de Derecho Informático,* Madrid, Thomson Reuters Aranzadi, 2020, ISBN: 978-84-1346-478-7 (electronic resource)

- del Rey Morató, Javier (2019): *Comunicación política, Internet y campañas electorales. De la teledemocracia a la ciberdemocr@cia*, Tecnos, Segunda edición, I.S.B.N.: 978-84-309-7720-8

- López Calvo, José (2017): *Comentarios al Reglamento Europeo de Protección de Datos,* Sepin, Madrid, ISBN: 978-84-17009-04-5

- Martínez González, Mª Mercedes (2014): *Informática jurídica para estudiantes de derecho. Introducción a los sistemas de información y seguridad,* Tecnos, 1ª edición, I.S.B.N.: 978-84-309-6193-1

- Presno Linera, Miguel Ángel (2023): *Inteligencia Artificial y derechos fundamentales,* Marcial Pons, Madrid, ISBN: 978-84-1381-539-8

- Garrote Fernández-Díez, Ignacio (2015) *La responsabilidad de los intermediarios en Internet en materia de Propiedad Intelectual. Un estudio de Derecho Comparado*, Tecnos, 1era ed., I.S.B.N.: 978-84-309-6458-1

- De Miguel Asensio, Pedro A. (2015): *Derecho privado de internet*, editorial Civitas, Madrid.

- Santos García, Daniel (2012) Nociones Generales de la Ley Orgánica de Protección de Datos y su Reglamento", Editorial Tecnos, segunda edición, Madrid (España), 2012.

- Savin, Andrej (2013): EU Internet Law, Editorial Elgar European Law, Glos (UK), 2013.

- Soler, Pere; Piattini, Mario; Elias, Eduard (dir). (2016): *Manual de Gestión y contratación informática (comentarios, jurisprudencia actualizada y formularios de contratos comentados, modelos oficiales del COEINF),* editorial Aranzadi, Pamplona.

Besides this bibliography, the lecturer may provide other appropriate and up-to-date resources, along with regulations and legal texts. In addition, the lecturer will indicate what pieces are of obligatory reading and study, and what are recommendable.

<u>Links web</u>

- Handbook on European Data Protection Law:
https://fra.europa.eu/en/publication/2018/handbook-european-data-protection-law-2018-edition

- Spanish Agency of Data Protection: http://www.agpd.es/

- Spanish Institute of Cybersecurity: https://www.incibe.es/

- Spanish Cryptologic Centre: https://www.ccn-cert.cni.es/

- E.Signature Portal: http://firmaelectronica.gob.es/

- Spanish Cybersecurity Law: https://www.boe.es/legislacion/codigos/abrir_pdf.php?fich=173

- Spanish Security Scheme: https://www.ccn-cert.cni.es/ens.html

- WIPO portal: http://www.wipo.int/portal/es/

- PCI DSS Law (e-payment): https://es.pcisecuritystandards.org

- ISO 27001 Law: http://www.iso.org/iso/home/standards/management-standards/iso27001.htm

Software

The subject does not require any specific software.