

Civil Responsibility

Code: 102234
ECTS Credits: 6

2024/2025

Degree	Type	Year
2500786 Law	OT	4

Contact

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Teachers

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Teaching groups languages

You can view this information at the [end](#) of this document.

Prerequisites

For a good understanding of Tort Law, in-depth knowledge of patrimonial Law and statute of limitation periods (prescription) is needed.

The teaching of the subject will be taught taking into account the perspective of the Sustainable Development Goals.

Objectives and Contextualisation

Main goals of the subject matter are:

- In-depth consideration of fundamental principles of the law of torts
- How to brief a case on the subject matter
- Facing the problems that the student will encounter in the future praxis.
- Highlighting the importance of insurance in a global world

Competences

- Apprehending the necessary mechanisms in order to know, assess, and apply the legislative reforms as well as to follow the changes produced in a concrete subject.
- Contextualizing the several forms of creation of law in its historical evolution and its current situation.
- Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
- Identifying the underlying conflicts of interest in disputes and real cases.
- Identifying, knowing and applying the basic and general principles of the legal system.
- Managing bibliographic and documentary resources: databases, browsing, etc.
- Planning and organising: managing of time, resources, etc.
- Properly analysing the issues related to equality between men and women.
- Searching, interpreting and applying legal standards, arguing every case.
- Students must be capable of communicating their points of view in a compelling way.
- Students must be capable of demonstrating a critical awareness of the analysis of the legal system and development of legal dialectics.
- Students must be capable of learning autonomously and having an entrepreneurial spirit.
- Students must be capable of producing initiative, creative and innovative knowledge, as well as new ideas.
- Working in teams, being either a member or a coordinator of working groups, as well as making decisions affecting the whole group.

Learning Outcomes

1. Analysing the fundamental concepts of civil law.
2. Analysing the specific institutions of the property law.
3. Applying communicative strategies in order to identify and explain legal conflicts in the different fields of civil law, family law, successions, consumption, minors and civil responsibility.
4. Applying concepts in a cross-cutting way to the several subjects of civil Law from the jurisprudence of the different jurisdictional bodies.
5. Applying strategies in order to produce written and oral texts in the several fields of civil law.
6. Applying the knowledge acquired in the preparation of documents that reflect specific legal interests.
7. Contextualising the creation forms of Law in the property field.
8. Critically interpreting the foundations of the civil law.
9. Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
10. Distinguishing the socio-legal context of several civil institutions.
11. Drawing up written texts (contracts, wills).
12. Identifying the conflicts of interest that are trying to be solved by the legislator when elaborating civil regulations.
13. Managing bibliographic and documentary resources: databases, browsing, etc.
14. Planning and organising: managing of time, resources, etc.
15. Presenting orally, with a critical discourse, the reforms of civil institutions.
16. Producing oral and written texts and presenting points of view about civil-legal institutions.
17. Producing oral texts in the several fields of civil law, showing specific communicative abilities.
18. Producing reports about new legal changes.
19. Solving interferences between the several conflict interests of civil regulations.
20. Students must be capable of communicating their points of view in a compelling way.
21. Students must be capable of learning autonomously and having an entrepreneurial spirit.
22. Students must be capable of producing initiative, creative and innovative knowledge, as well as new ideas.
23. Working in teams, being either a member or a coordinator of working groups, as well as making decisions affecting the whole group.

Content

LESSON 1. EXTRACONTRACTUAL CIVIL LIABILITY

1. Introduction. Historical evolution.
2. Civil liability and criminal liability.
3. Extracontractual and contractual civil liability.
4. Extracontractual civil liability. The law of damages and its functions.
5. Mention of administrative liability.
6. Subjective and objective extracontractual civil liability.

LESSON 2. ELEMENTS OF CIVIL LIABILITY

1. Harmful behavior. Action or omission.
2. The damage to be compensated.
3. Causation.
4. Foundations of liability. Criteria for imputation.
5. Exonerating causes of liability.

LESSON 3. EFFECTS OF EXTRACTIONAL CIVIL LIABILITY

1. Damage repair.
2. Mechanisms or avenues for repair.
3. Liability insurance.
4. Claim actions. Prescription.

LESSON 4. LIABILITY FOR OWN ACTS

1. Concept and foundations.
2. Fault as a criterion for imputation.
3. Exclusion of liability.

LESSON 5. LIABILITY FOR THE ACTS OF OTHERS

1. Concept and foundations.
2. Liability of parents, guardians, and tutors.
3. Employer's liability.
4. Liability of private educational institutions.

LESSON 6. SPECIFIC CASES OF OBJECTIVE EXTRACTIONAL CIVIL LIABILITY

1. Basis and elements.
2. Liability for damages caused by animals.
3. Owner's liability.
4. Liability of construction professionals for defects.

LESSON 7. OTHER CASES OF EXTRACTIONAL CIVIL LIABILITY

1. Civil liability arising from traffic accidents.
2. Civil liability in air navigation.
3. Civil liability for damages arising from hunting.
4. Civil liability for damages to personality rights.
5. Civil liability for damages to intellectual property.
6. Civil liability of professionals.
7. Civil liability of information society service providers.
8. Civil liability for defective products.

Activities and Methodology

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
master classes and tactics	44	1.76	6, 3, 5, 9, 18, 15, 14, 23
Type: Supervised			
Tutorials, guidance, etc	6	0.24	9, 10, 15, 17, 16, 22, 23
Type: Autonomous			
learning	45	1.8	5, 7, 18, 14, 17, 16, 23
readings	20	0.8	2, 4, 6, 22, 23
search of literature and leading cases	15	0.6	4, 6, 7, 9, 13, 11, 23
writings	15	0.6	4, 6, 5, 20, 18, 13, 8, 14, 17

The learning process is based on the work of the student, who learns by doing, being the lecturer's task to help by supplying information and showing where the juridical sources can be obtained.

The teaching of the matter and the student's training and learning process is based on the following activities:

1. Activities directed by the lecturer:

1.1 Lectures: the student can reach the fundamentals, the legal framework and the leading cases of the subject matter. These lectures are the kind of activities in which less interactivity is required from the student and are conceived as a fundamentally one-direction method of transmitting knowledge on the side of the lecturer.

1.2 Practical workshops: the student will be focused on solving real cases on tort law, discussing and commenting on news related to the subject or legal texts, making diagrams, etc. The specific content of these activities will be determined by the lecturer of each group.

2. Activities supervised by the lecturer: activities that can be carried out autonomously, but which require a minimum of supervision of the lecturer (tutorials, assistance in work, etc.).

3. Students autonomous activities:

3.1. Preparation of legal documents: Analyzing of leading cases proposed in advance by the lecturer extracted from court judgments. An exam is also proposed as an autonomous activity, the type of which will be determined by the lecturer at the start of the academic year.

3.2. Search of bibliography and leading cases as a good preparation for the exam.

3.3. Comprehensive reading of legal texts: Legal texts may be judgments, rules, journal articles or monographs, in addition to the recommended Handbooks. The specific material will be determined by the lecturer during the academic year.

Part of the legal material available to the student will be delivered through the moodle.

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.

Assessment

Continuous Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
jurisprudence commentary and oral presentation	25% and 25 % respectively	2	0.08	1, 2, 4, 6, 7, 9, 18, 15, 12, 14, 11, 19, 21, 22, 23
re-exam	100%	1.5	0.06	1, 3, 9, 10, 13, 12, 8, 14, 17, 11, 22, 23
test	50 %	1.5	0.06	2, 4, 6, 5, 20, 7, 9, 10, 8, 14, 17, 16, 22, 23

ASSESSMENT SYSTEM OF THE ACQUISITION OF SKILLS AND QUALIFICATIONS SYSTEM

1. ORDINARY EVALUATION AND QUALIFICATION SYSTEM:

1.1. Continued evaluation:

The teaching staff will propose at the beginning of the course the activities they consider relevant for the purposes of continuous assessment by publishing a calendar with the schedule of activities in the moodle classroom. The ones that will make the evaluation grade are: test with a minimum grade of 4 out of 10 (50%) and the group analysis of a sentence by two people, on which a written work must be presented (25%) and an exhibition will have to be done in class (25%).

To pass the continuous assessment, attendance at 80% of the sessions is required.

Students will be assessed as long as they have completed the three proposed activities. Otherwise, it may be considered non-evaluable.

1.2. Subject qualification with the continuous assessment system:

The score obtained in the continuous assessment will have a value of 100% of the subject's grade.

The subject will be approved by obtaining a minimum of 5 out of 10, in accordance with the established percentages.

Note: In the test (50% of the grade) a minimum grade of 4 out of 10 is required. If a 4 is not achieved, the student will not be able to pass the continuous assessment and will be able to opt for the reassessment whenever he has achieved a 3 in the total calculation of the continuous assessment.

In order to pass the continuous assessment, attendance at 80% of the sessions is required.

Students who copy or attempt to copy in an exam will have a 0 in the subject. A student who presents a practice in which there are signs of plagiarism or fraud and who cannot justify the arguments of his practice will get a 0 and receive a warning. In case of repetition of the behavior, the student will suspend the subject.

1.3. Evaluation and re-evaluation system: to access the re-evaluation, a minimum score of 3 out of 10 must be obtained from the continuous evaluation score. The students will be examined for the entire program of the subject with a written test consisting of four questions from the syllabus to be developed.

The subject will be approved by obtaining a minimum of 5 out of 10. The final mark will be the one obtained in the re-evaluation exam if it is done.

2. SINGLE EVALUATION SYSTEM

2.1. Unique assessment:

Students enrolled in the single assessment system, in accordance with the guidelines for the single assessment approved by the Faculty of Law, will be assessed in a single academic event, composed of as many tests as are necessary to certify that they have acquired all the skills described in the teaching guide for the subject.

2.2. Single Assessment Test:

The single assessment test will consist of: a test with a minimum grade of 4 out of 10 (50%), analysis of a sentence, on which a written work must be presented (25%) and oral presentation on the same (25%). The same limits and the same re-evaluation system will apply as those established for the continuous evaluation.

2.3. Subject qualification with the evaluation system:

The subject will be approved by obtaining a minimum of 5 out of 10, in accordance with the established percentages.

2.4. Evaluation and re-evaluation system: to access the re-evaluation, a minimum grade of 3 out of 10 must be obtained from the grade of the single evaluation test. Students will be examined for the entire program of the subject.

The subject will be approved with a minimum of 5 out of 10. The final mark will be the one obtained in the re-evaluation exam if it is done.

Bibliography

HANDBOOKS, TEXTS AND MATERIALS:

1. Encarna Roca Trias / Mónica Navarro Michel, Derecho de Daños, Textos y Materiales, 8ª ed, Tirant Lo Blanch, Valencia, 2020.

ADDITIONALLY SUGGESTED MATERIALS:

1. Mariano Yzquierdo Tolsada, Responsabilidad civil extracontractual. Parte general, Dykinson, 8ª Ed. Madrid, 2022.
2. Joaquín Ataz López / José Antonio Cobacho Gómez (Coords.), Cuestiones clásicas y actuales del Derecho de daños, Thomson Reuters Aranzadi, Madrid, 2021

LEGAL INSTRUMENTS: ACTS AND REGULATIONS

- Civil Code of Catalonia
- Spanish Civil Code
- Other legal instruments

Software

The subject does not require any specific software.

Language list

Name	Group	Language	Semester	Turn
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(PAUL) Classroom practices	1	Catalan	second semester	morning-mixed
(TE) Theory	1	Catalan	second semester	morning-mixed

PROVISIONAL