Corporate, Bankruptcy and Competition Law

Code: 42991
ECTS Credits: 9

2024/2025

Degree	Type	Year
4313781 Enterprise Law	OB	0

Contact

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Teachers

Francisco Mercadal Vidal

Teaching groups languages

You can view this information at the end of this document.

Prerequisites

There are no previous requirements.

Objectives and Contextualisation

The aim is to have specialized knowledge in matters of Company law, insolvency and competition law

Competences

- Communicate and justify conclusions clearly and unambiguously to both specialised and non-specialised audiences.
- 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.
- 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.

1

Learning Outcomes

1. Communicate and justify conclusions clearly and unambiguously to both specialised and non-specialised audiences.
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 cases of business law, bankruptcy law and competition law.
4. Provide a fair, effective response to practical cases in business law, bankruptcy law and competition law.
5. Seek out information in the scientific literature using appropriate channels, and use this information to formulate and contextualise a research topic in business law.
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 general content of the module are the basic subjects of commercial Law according to the conventional concept of this discipline in Spain and, in particular, in matters of companies, insolvency and restructuring procedures and competition law. These are very broad subjects, so within the aforementioned framework, a very specific topics will be selected, so students will have updated knowledge of corporate law, insolvency and competition law. Any modification will be notified at the beginning of the course.

Activities and Methodology

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Lecturing	52	2.08	1, 2, 3, 6, 7
Type: Supervised			
Resolution of exercises	10	0.4	1, 2, 3, 4, 5, 7
Type: Autonomous			
Personal study	87	3.48	1, 2, 3, 4, 5, 7

Each class day will be divided into two sessions, in which the topics indicated in the calendar delivered together with the syllabus will be treated, without prejudice to possible readjustments in justified cases.

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

Continous Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Classroom exercises	25%	20	0.8	2, 3, 4, 5, 6, 7
Exam	50%	4	0.16	2, 3, 4, 6
Other activities	25%	52	2.08	1, 2

The final grades will be awarded according to the following criteria: a) 25% for participation in class (not for mere passive attendance); b) 25% for the response to the case raised; c) 50% for taking the exam. Once the final evaluation has been communicated, a review may be requested in order for the Professor to explain to the student the criteria applied (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 Master Degree, after consulting the lecturers and the student, will propose a new schedule within the corresponding school period (art. 115.1 Calendar of evaluation activities, UAB Academic Regulations).

To pass the subject, the student must have participated in the three evaluation activities and to obtain at least a 3,5 at the final exam. To take the final exam, it is necessary to attend at 90% of the classes.

To retake the exam, it is necessary to have obtained at least 3 in each of the three evaluation activities. Students who retake the exam may obtain a maximum grade of 7 in the subject.

It will be considered that a student who participates in any of the continuous evaluation activities will no longer be eligible for a "non-evaluable" status.

This subject/module does not provide for a single evaluation system.

Bibliography

JUSTE, J. (Coord.), *Comentario de la reforma del régimen de las sociedades de capital en materia de gobierno corporativo (Ley 31/2014)*, Civitas Thomson Reuters, 2015.

MENÉNDEZ A. y ROJO. A. (Dir.), *Lecciones de Derecho Mercantil*, two volumes, Cicitas Thomson Reuters, last edition.

ROJO, A. y BELTRÁN, E. (Dir.*), Comentario de la Ley de Sociedades de Capital*, two volumes, Civitas Thomson Reuters, 2011.

SALA ARQUER, J.M., FOLGUERA CRESPO, J., MASSAGUER FUENTES, J. y GUTIÉRREZ, A. (Dir.), *Comentario a Ley de Defensa de la Competencia*, sixth ed., 2020.

Software

The subject does not require any specific software.

Language list

Name	Group	Language	Semester	Turn
(TEm) Theory (master)	1	Spanish	first semester	afternoon