Course: Law I
Code: 10BBA70000

Type: Required Year: 1 Semester: 1
ECTS credits: 6
Language: Spanish
Coordination:

Faculty:
Pilar Carreras Boj
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Prerequisites:

Prior knowledge:

Workload distribution:
Lectures 36 hours
Participatory sessions 27 hours
Independent work 111 hours
Tutorials / feedback 6 hours

Course contribution to the programme:
This course will familiarise students with:
* the necessary business structure to carry out business activities,
* the resources law makes available to carry out these activities and
* the basic and most representative legal limits to bear in mind when launching or continuing
with a business activity.

Course learning objectives:
Upon completing this course, students will be able to critically analyse specific legal questions
regarding business activity; they will understand the purpose of other courses within the
programme; they will be able to make the appropriate decisions within legal limits for the
concrete activity carried out; and they will have the basic criteria to understand, evaluate and
decide on the appropriateness of actions taken by legal professionals.

Skills developed:
- The ability to acquire, understand and critically structure knowledge.
- The ability to understand the context (legal/judicial) in which parties participate in the
market and their activity.
- The ability to choose and make decisions regarding different or alternative legal options,
weighing the pros and cons of each.

Contents and methodology:
Block 1: The law, regulations and legislation

- Objectives:
To obtain an in-depth understanding of legal concepts and legislation, as well as the mechanics, technicalities and functions of law.

- Contents:

  The concept of law. Legal rights.
  Legal rule, its structure and limits.
  National and supranational legislation. European law.

- Activities:

  4.5 hours of lectures

Block 2: Natural person

- Objectives:

To obtain an in-depth understanding of the concepts of the natural person and businessman and the ability to act in an official legal capacity.

- Contents:

  The business and businessman concepts.
  The natural person and relevant circumstances.
  Legal capacity and the capacity to act.
  The natural person as a businessman.

- Activities:

  2.5 hours of lectures
  0.5 hours of dynamic reflection and comparison
  1.5 hours to develop a practical case study

- Materials:

  Practical case. Includes the material to be used.
  Reading a legal document to demonstrate how facts fit in with the rule of law.

Block 3: Sole proprietors and corporations

- Objectives:

Classify different types of businessman concepts.
Become familiar with the capital and share concepts.
Analyse shares from the ‘triple’ perspective as established by legal norms.
Shares versus equity ownership.
Related questions: Issuing debentures, treasury stock.

- Contents:

  Sole proprietors. Classification: Individualists and capitalists.
  Capital, assets and reserves.
  Contributions.
  Shares and participation.
  Treasury stock.
- Activities:

3 hours of lectures
0.5 hours of dynamic reflection and comparison
1.5 hours to prepare case studies.

- Materials:

Practical case study. Students will be informed of the necessary materials during the class.

- Message to students:

Preparing the incorporation of a company and other questions related to capital based on a real case study. This will create a context for both assessment of initiative and risk assessment compared to other options. Students must justify the option they have chosen and deal with other matters such as judicial and case law justification.

Block 4: Companies

- Objectives:

To learn about the concept and workings of the general board meetings; particular emphasis is given to the board of directors, its members' activities and delegated duties. Combining the tasks of director and legal representative. The auditors' activities.

- Contents:

Corporate governing bodies.
General Assembly of Shareholders.
Administrative body.
Annual accounts. Audits.

- Activities:

5 hours of lectures
1 hour of dynamic reflection and comparison.

- Materials:

Practical case study. Students will be informed of the necessary materials during the class.

Block 5: Intellectual property, defence of competition, and unfair competition

- Objectives:

Study the different resources the law affords entrepreneurs to distinguish themselves and their products from the competitors. Clearly differentiate between the concepts “defence of competition” and “unfair competition” to apply both in the real world.

- Contents:

Distinguishing signs for the company and its products: Trade name and trademarks
General law on competition.
The “defence of competition” and “unfair competition” concepts: Differences.
Unfair competition: Legal concept. Competency model. Concrete assumptions.

- Activities:

5 hours of lectures
1 hour of dynamic reflection and comparison
3 hours to prepare case studies.

- Materials:

Practical case study. Students will be informed of the necessary materials during the class.

- Message to students:

Depending on the work carried out during the week, a practical case study will be prepared focusing on competition.
Recommended reading: Most likely different legal sentences and resolutions to comment on these.

Block 6: General theory of obligations and contract law. Corporate purchase-sale law.

- Objectives:

To understand the concepts of obligations and contracts and their different classifications and functions and to look at the specific corporate features of each concept. To present a purchase-sale contract as a basic contract.

- Contents:

Obligation: Concept and classifications. Specific features of corporate obligation.
The contract: Concept and classifications. Specific corporate features of the contract.
Obligations of the different parties. Risk transfer.
Special purchase-sales.
International purchase-sales.

- Activities:

3 hours of lectures
0.5 hours of dynamic reflection and comparison
1.5 hours to prepare case studies.

- Materials:

Practical case study. Students will be informed of the necessary materials during the class.

Block 7: Agency, distribution and franchise agreements.

- Objectives:

Study the contracts which are produced when entrepreneurs collaborate to market their products and consider the advantages and disadvantages of different types of agreements and decision-making elements.

- Contents:
Distribution: The concept and economic function. Obligations of the parties. Termination.
Franchise: The concept and economic function. Obligations of the parties.

- Activities:
3 hours of lectures
0.5 hours of dynamic reflection and comparison
1.5 hours to prepare case studies.

- Materials:
Practical case study. Students will be informed of the necessary materials during the class.
Study of basic purchase-sales contracts, especially international ones.

Block 8: Banking contracts.

- Objectives:
To study the banking organisation, its functions and characteristics. To understand active and passive banking transactions, and the services offered by credit institutions. Examine the relationships that exist between these institutions.

- Contents:
Banking transactions: The concept, characteristics and types.
Active transactions. Credit account opening: The concept and economic function, obligations of parties, termination. Opening of third party credit facility or documentary credit. Discounting agreement; the concept and economic function. Obligations of parties. Termination.

- Activities:
3 hours of lectures
0.5 hours of dynamic reflection and comparison
1.5 hours to prepare case studies.

- Materials:
Practical case study. Students will be informed of the necessary materials during the class.
Study the different contracts for each type identified.

Block 9: General securities theory. Bills of exchange, cheques and promissory notes.

- Objectives:
To understand the reasons for securities and their objectives. To look at their functionality and study the specific regulations which govern them.
Analysis of their specific functions, highlighting their differences and areas of application. Study of legal regulations.

- Contents:

- Activities: 
  5 hours of lectures  
  1 hour of dynamic reflection and comparison.  
  3 hours to prepare case studies.  

- Materials: 
  Practical case study. Students will be informed of the necessary materials during the class. A case study which analyses a security, following the steps back to the legal transaction where it started. Assumptions underlying the use of one or another type of security. 

Evaluation: 
Evaluations will be based, in part, on the marks obtained on the case study analyses carried out throughout the course. Class participation will also be considered in addition to the students' responses on the voluntary partial exam and on the final exam which will dedicate a section to each of the sections mentioned above. 
Exams: 70%  
Practical cases: 20%  
Dynamic reflection and comparison: 10%  
(i) Written  
(ii) Oral participation  
(iii) Conclusions  

Midway through the course, a voluntary partial exam will be provided on the subjects addressed thus far.  
In no case shall students pass this course if their marks on the final exam or the average mark on the two partial exams is a 4 or less.  
Assessment of students’ performance during the course will take into consideration the acquisition of the learning objectives, on a scale of 0 to 10. Information relating to the development of competences worked on throughout the course may be considered in the 0 to 10 mark, and will also be reflected from A to D in an independent indicator. This indicator will be incorporated into all courses and will be used to follow up on each student’s progress throughout the programme. 

Core bibliography:  
Uría, Rodrigo - Menéndez, Aurelio: Lecciones de Derecho Mercantil. Civitas Ediciones, S.L.  
Uría, Rodrigo, Derecho Mercantil. Marcial Pons Editeores