

The Financial, Banking, and Insurance System

MAPO_009115

Departments	Department of Law
Language	English, Spanish
ECTS	3
Lead faculty	Doce Deibe, Maria Noemi - marianoemi.doce@esade.edu

Subject objectives

The objective of this subject is for students, as lawyers, to be able to understand and critically assess the legal relations established within financial markets, understanding the roles that the different players assume, the goals they pursue, the financial instruments they acquire, and the legal contracts that bind them. This subject thus aims to familiarize students with legal consultancy services specialized in financial markets, learning about applicable legal techniques and developing their negotiation skills in this area.

Prior knowledge

Civil Law, Mercantile Law. Familiarity with the accounting and financial concepts taught in the Bachelor in Law program. English.

Prerequisites

The requirements to be able to enroll in the University Master in Law (MUA) program.

Methodology

The methodology applied in this subject combines the use of theory based on material provided to students before each session (specific documentation, articles, reports, etc.) and different types of practical case studies (analysis of how Financial Law has been applied to real market cases, the critical analysis of contracts, negotiation techniques based on real cases, trial simulations related to financial instruments, etc.).

Description

Subject contribution to the program

This subject aims to provide students with a solid understanding of how both national and international financial markets work and their current situations, all from a legal perspective, as well as familiarize them with the tools they need to be able to carry out a personal assessment of the economic and financial policies that affect how those markets function.

Brief description

This subject enables students to carry out an in-depth analysis of financial instruments traded in international markets by focusing on some of the most important types of contracts, as well as developing students' ability to draft and negotiate these contracts, at all times based on practical experience in the legal consultancy area.

Bibliography

- The class notes provided prior to each session will include the corresponding bibliography. (document)

Activities

Analyzing case studies

Analyzing pre-contractual information provided by credit bodies to financial instrument investors.

Analyzing Spanish and European jurisprudence in the financial instrument area.

Content

#	Module
1	International Financial System I. Introduction to the concept and its economic function. Monograph: Benchmark regulations and their legal impact.
2	International Financial System II. Introduction to the different market players and their functions. International regulations in the solvency and liquidity area. What does being a solvent company mean?
3	International Financial System III. Financial markets: What are they and how do they really work? Concept, types of markets, and their functioning.
4	Anatomy of a Bank's Balance Sheet I. Liability and equity instruments: Fixed-income, variable-income, and other investment products. European norms governing financial instruments.
5	Anatomy of a Bank's Balance Sheet II. Asset instruments. Customized financing. Monograph: Project Finance.
6	OTC derivatives: Different financial structures, their risks, and economic functions. Monograph: Contractual compensation agreements.

Assessment

Tool	Assessment method	Category	%
Written and/or oral exams	Exam	Both ordinary and extraordinary calls	50%
Final individual assignment	Practical case study	Ordinary call	50%

PROGRAMS

113-Bachelor in Law Exchange Program (Undergraduates: Law)
113 Year 1 (elective)

DD05-Double Degree Program (exchange) (Undergraduates: Law)
DD05 Year 1 (elective)

LAF23-Master in Continuous Learning in Tax Law (Master's: MUA)
LAF23 Year 1 (elective)

LCL23-Master in Continuous Learning in Corporate Law (Master's: MUA)
LCL23 Year 1 (elective)

LCP23-Master in Continuous Learning in Corporate Compliance and Economic Criminal Law (Master's: MUA)
LCP23 Year 1 (elective)

LDA23-Master in Continuous Learning in Economic Administrative Law (Master's: MUA)
LDA23 Year 1 (elective)

LDL23-Master in Continuous Learning in Employment Law and People Management Services (Master's: MUA)
LDL23 Year 1 (elective)

LIB23-Master in Continuous Learning in International Business Law (Master's: MUA)
LIB23 Year 1 (elective)

LIT23-Master in Continuous Learning in New Technologies and Intellectual Property (Master's: MUA)
LIT23 Year 1 (elective)