



Universitat de Lleida

# DEGREE CURRICULUM **COMMERCIAL LAW**

Coordination: RIBELLES SANS, MARIA TERESA

Academic year 2023-24

Subject's general information

<b>Subject name</b>	COMMERCIAL LAW			
<b>Code</b>	103306			
<b>Semester</b>	2nd Q(SEMESTER) CONTINUED EVALUATION			
<b>Typology</b>	<b>Degree</b>	<b>Course</b>	<b>Character</b>	<b>Modality</b>
	Bachelor's Degree in Business Administration and Management	1	COMMON/CORE	Attendance-based
	Doble titulació: Grau en Enginyeria en Organització Industrial i Logística i Grau en Administració i Direcció d'Empreses	1	COMMON/CORE	Attendance-based
<b>Course number of credits (ECTS)</b>	6			
<b>Type of activity, credits, and groups</b>	<b>Activity type</b>	PRAULA		TEORIA
	<b>Number of credits</b>	2.4		3.6
	<b>Number of groups</b>	1		1
<b>Coordination</b>	RIBELLES SANS, MARIA TERESA			
<b>Department</b>	LAW			
<b>Teaching load distribution between lectures and independent student work</b>	3.6 ECTS Large Group (GG) 2.4 ECTS Medium Group (GM)			
<b>Important information on data processing</b>	Consult <a href="#">this link</a> for more information.			
<b>Language</b>	Spanish: 45% Catalan: 50% English 5%			

Teaching staff	E-mail addresses	Credits taught by teacher	Office and hour of attention
RIBELLES SANS, MARIA TERESA	mariateresa.ribelles@udl.cat	6	

## Subject's extra information

The Commercial Law subject facilitates the student of the Degree in Business Administration and Management, the approach to a sector of the private legal system whose purpose is the regulation of the company and the entrepreneur and their performance in the market under a competition regime. Attendance at all medium group (GM) sessions is recommended

## Learning objectives

1. Identify the regulatory legal framework of the legal status of the commercial entrepreneur.
2. Identify and differentiate the corporate types of the legal catalog at the structural, organizational and functional levels.
3. Determine, from the analysis of a series of elements, the ideal type of company as the owner of a company.
4. Draft the necessary documents to convene the sessions of a collegiate body of a capital company (general meeting, board of directors) and its minutes.

## Competences

### Transversal Competences

CT1-Correct oral and written expression.

### Generic skills

CG1-Analysis and synthesis capacity.

CG5-Be able to work and learn independently and simultaneously interact appropriately with others, cooperating and collaborating.

### Specific Competences

CE1-Create and direct a company attending and responding to changes in the environment in which it operates.

CE6-Understand the moral and ethical principles and legal and social responsibility, derived from their own actions and those of the institution.

## Subject contents

### MODULE 1. INTRODUCTION TO COMMERCIAL, BUSINESS AND COMPANY LAW.

1. Evolution and historical formation, concept and sources of Commercial Law. 2. The company. 3. The employer and his legal status. 4. The individual commercial entrepreneur.

### MODULE 2. THE SOCIAL COMMERCIAL ENTREPRENEUR. COMPANY LAW

1. Concept of commercial company.
2. Commercial companies in general.
3. Typology of commercial companies.
4. Personal mercantile companies.
5. Capital companies.

## **MODULE 3. FUNDAMENTAL ASPECTS OF COMMERCIAL CONTRACTS**

1. Concept and general characteristics of the commercial contract.
2. Electronic contracting and information society.
3. Contract of commercial sale.
4. Contract related to the mercantile compavenda.
5. Collaboration contracts.
6. Commission contract.
7. Agency contract.
8. Financing contracts.
9. Deposit Agreement.
10. Contract of carriage.
11. Insurance contract.
12. Consumer protection.

## **MODULE 4. COMPETITION LAW. CSR**

1. Concept and general characteristics of Corporate Social Responsibility.
2. Protection of free competition.
3. Prohibition of unfair competition.
4. Protection of the distinctive signs of the employer.
5. Commercial advertising

## Methodology

### **TEACHING/LEARNING ACTIVITIES FACE-TO-FACE (IN THE CLASSROOM)**

They are those that provide new information or help the student in the development of certain strategies that are considered relevant so that the student can start or advance in their personal learning process and knowledge construction and that due to their complexity or technical requirement, de facto elements and conceptual it is necessary to develop and that will be carried out in Grupo Mediano (GM)

#### **Activities in Medium Groups (GM)**

During the development of the session in GM the following activities will be carried out:

1. Check the students' knowledge.
2. Theoretical explanation deepening the concepts that the students have not sufficiently understood and about which doubts arise, in person to each of the groups in their time slot.
3. Self-assessment tests of the subjects included in the subject's syllabus.
4. Resolution of practical cases.

The practices consist of two parts: Questions of a practical nature to be developed briefly on the content of the corresponding Module. Practical case resolution.

A certain assumption of fact will be raised and the student will have to resolve the issues that arise. The teachers will solve the practice session for each of the groups. Practices are weekly. The students must post their practice in the "Activities" section of the CV before the GM face-to-face session in which the teacher will solve the practice so that the student can correct the mistakes they have made or expand the content.

### **AUTONOMOUS TEACHING/LEARNING ACTIVITIES (OUTSIDE THE CLASSROOM)**

In this type of activity, the student works autonomously on aspects that they already master since they have sufficient information, knowledge and strategies. Among the most common autonomous teaching-learning activities, it is worth mentioning personal study, which basically consists of studying content related to theoretical or practical classes or carrying out internships.

Self-employment activities associated with GM.

Before each GM session the student has to:

1. Read the theoretical materials corresponding to the corresponding module or thematic block that will be available in the Virtual Campus Resources section of the subject.

#### **Self-employment activities associated with GM**

Students must solve the practices that are available to them in the resources section of the Virtual Campus with the support of theoretical material, legislation, jurisprudence and other resources they deem appropriate (see the bibliography and information resources section).

The practices have to be presented compulsorily, in the period established by the teaching staff in the Activities section (sakai tool) before its correction in the classroom. The correction will be made by the teachers in the session corresponding to the GM.

**The practices will be handed in before the GM session.**

## Development plan

SEMANA	ACTIVITAT PRESENCIAL
1 <sup>a</sup>	GG Presentación asignatura y Módulo 1 No hay GM
2 <sup>a</sup>	GG Módulo 1. No hay GM
3 <sup>a</sup>	GG Módulo 1. No hay GM
4 <sup>a</sup>	GG. Módulo 1. GM Corrección PRAC 1
5 <sup>a</sup>	GG. Módulo 2. GM Corrección PRAC 2
6 <sup>a</sup>	GG. Módulo 2. GM Corrección PRAC 2
7 <sup>a</sup>	GG. Módulo 2. GM Corrección PRAC 3
	VACACIONES SEMANA SANTA
8 <sup>a</sup>	GG Módul 3. GM Corrección PRAC 4
9 <sup>a</sup>	Examen teórico práctico Módulos 1 y 2 evaluación continua
10 <sup>a</sup>	GG Módulo 3. GM Corrección PRAC 5
11 <sup>a</sup>	GG. Módulo 3. GM Corrección PRAC 6
12 <sup>a</sup>	GG. Módulo 3. GM Corrección PRAC 7
13 <sup>a</sup>	GG. Módulo 4. GM Corrección PRAC 8
14 <sup>a</sup>	GG. Módulo 4. GM Corrección PRAC 9
15 <sup>a</sup>	GG. Módul 4. GM Corrección PRAC 10
16 <sup>a</sup> i 17 <sup>a</sup>	Examen teórico-práctico módulos 3 y 4 evaluación continua Examen teórico práctico evaluación única
18 <sup>a</sup>	Tutorías
19 <sup>a</sup>	Recuperaciones exámenes de evaluación única y continua

## Evaluation

Two evaluation models are established: continuous evaluation and single evaluation

### (1) CONTINUOUS ASSESSMENT

The continuous evaluation is established according to the following four evaluative blocks

#### EVALUATION BLOCKS

##### BLOCK 1

1st Test (Week 9) corresponding to Modules 1 and 2.

##### CHARACTER

Mandatory Activity

##### EVALUATORY ACTIVITY

Theoretical-practical exam of Modules 1 and 2 consisting of two parts: a theoretical part and a practical part.

##### CORRECTION CRITERIA

**THEORETICAL PART:** The theoretical part is articulated through a test exam of 50 multiple-choice questions with a single correct answer corresponding to Modules 1 and 2. Correct answers add 0.2 points and incorrect ones discount 0.1; unanswered questions will not score.

**PRACTICAL PART:** The practical part is made up of: 5 short questions of a practical nature and the resolution of an integrated case study.

The value of the theoretical part computes 70% and the practical part computes 30%, so that the exam as a whole has a maximum score of 10 points.

**WEIGHTING:** 35%

**RECOVERY:** YES

## **BLOCK 2**

2nd Test (Week 9) corresponding to Modules 3 and 4.

### **CHARACTER**

Mandatory Activity

### **EVALUATORY ACTIVITY**

Theoretical-practical exam of Modules 3 and 4 consisting of two parts: a theoretical part and a practical part.

### **CORRECTION CRITERIA**

**THEORETICAL PART:** The theoretical part is articulated through a test exam of 50 multiple-choice questions with a single correct answer corresponding to Modules 1 and 2. Correct answers add 0.2 points and incorrect ones discount 0.1; unanswered questions will not score.

**PRACTICAL PART:** The practical part is made up of: 5 short questions of a practical nature and the resolution of an integrated case study.

The value of the theoretical part computes 70% and the practical part computes 30%, so that the exam as a whole has a maximum score of 10 points.

**WEIGHTING:** 35%

**RECOVERY:** YES

## **BLOCK 3**

Realization and delivery of 10 practices corresponding to the subjects of Modules 1 to 4

### **CHARACTER**

Mandatory delivery of practices weekly according to calendar

### **EVALUATORY ACTIVITY**

10 practices corresponding to the subjects of Modules 1 to 4 delivered weekly

### **CORRECTION CRITERIA**

0.2 for each practice carried out and presented within the established period

**WEIGHTING:** 20%

**RECOVERY:** NO

## **BLOCK 4**

Completion of pre- and post-assessment tests of the different subjects corresponding to modules 1 to 4

### **CHARACTER**

Mandatory

### **EVALUATORY ACTIVITY**

6 Self-assessment test for modules 1 to 4

## **CORRECTION CRITERIA**

0.6 for each test carried out and delivered within the established period

**WEIGHTING:** 10%

**RECOVERY:** NO

**IMPORTANT:** The final grade is obtained from the average of the grades obtained in each one of the blocks according to the weighting assigned taking into account the following PRECISION:

1. The two exams of week 9 and week 16/17 are MANDATORY, failure to take any of them immediately implies the qualification of NOT PRESENTED in the subject.
2. The two exams are recoverable in the period indicated for this purpose in the exam schedule.
3. In order to pass the subject, it IS ESSENTIAL that the mark of each one of the exams be equal to or greater than 5. Accordingly, even if the result of the weighted average is equal to or greater than 5, the subject will be qualified on the record with a 4.9. (art. 4.5 of the Regulations for Evaluation and Qualification of Degrees and Masters).
4. In the case of the 10 practices, LATE or incomplete delivery is equivalent to a NP for the corresponding practice.

## **(2) SINGLE OR ALTERNATIVE ASSESSMENT**

To facilitate work or family reconciliation, the student who wishes has the right to waive the continuous evaluation at the beginning of each semester and to carry out an alternative evaluation. The student who wants to accept the alternative evaluation will have to present a work contract or justify, by means of a letter addressed to the dean or dean or the director or director of the center, the reasons that make it impossible for him to do the continuous evaluation.

The term to waive the continuous evaluation will be during the first month of each semester: until March 20 in subjects taught in the second semester

This test will consist of a test on the content of the four modules of the subject and will consist of:

- A test of 50 multiple-choice questions and 10 practical questions on the four modules 1 to 4 that make up the course content.
- The multiple choice questions will be valued as follows: the correct answers score (0.2) the incorrect ones discount (0.1). 3. Questions of a practical nature will be valued at 0.5 each correct answer.

This test will be done the same day and together with the test corresponding to the second assessment of continuous assessment students. This test is recoverable in the periods indicated in the academic calendar

## **Plagiarism**

In accordance with art. 3.1 of the UdL evaluation regulations, the student may not use, in any case, during the evaluation tests, unauthorized means or fraudulent mechanisms. The student who uses any fraudulent means related to the test and/or carries electronic devices that are not allowed, will have to abandon the exam or the test, and will be subject to the consequences provided for in these regulations or in any other internal regulations of the UdL

Article 43 of the UdL Coexistence Regulations describes the applicable sanctions, which include, among others and depending on the seriousness of the offense, the loss of the right to be evaluated in the subject, the loss of enrollment for one semester or a course or expulsion for up to three years.

## **Bibliography**

Código de Comercio y Legislación Mercantil (ediciones actualizadas a septiembre 2023)

También se puede consultar la legislación actualizada a: <http://noticias.juridicas.com/>

### **Bibliografía básica**

AAVV, Introducción al Derecho Mercantil (ADE), Ed. Aranzadi

### **Páginas Web oficiales**

<http://www.rmc.es/> (Registro Mercantil Central)

<http://www.icac.meh.es/> (Instituto de Contabilidad y Auditoria de Cuentas)

<http://www.oepm.es/ca/> (Oficina Española de Patentes y Marcas)

## **Otros recursos**

<http://almacenederecho.org/> <http://www.abogares.com/>

<http://jsanchezcalero.blogspot.com/>

<http://derechomercantilesana.blogspot.com/>