

SUBJECT TEACHING GUIDE

G482 - Economic Criminal Law

Degree in Law

Academic year 2020-2021

1. IDENTIFYING DATA					
Degree	Degree in Law			Type and Year	Optional. Year 4
Faculty	Faculty of Law				
Discipline	Topic: Further Criminal Law				
Course unit title and code	G482 - Economic Criminal Law				
Number of ECTS credits allocated	6	Term	Semester based (1)		
Web					
Language of instruction	Spanish	English Friendly	No	Mode of delivery	Face-to-face

Department	DPTO. DERECHO PUBLICO				
Name of lecturer	PAZ MERCEDES DE LA CUESTA AGUADO				
E-mail	pazm.delacuesta@unican.es				
Office	Edificio de las Facultades de Derecho y Ciencias Económicas y Empresariales. Planta: + 2. DESPACHO (D226)				
Other lecturers	ANA GUTIERREZ CASTAÑEDA				

3.1 LEARNING OUTCOMES

- Knowing the general characteristics of economic crimes contained in the program and determine the criminal and civil liability for the offense to a given case.

4. OBJECTIVES

1. Know the essential content of the criminal program.
2. Interpret the criminal from a dogmatic analysis
3. Develop skills of legal reasoning.
4. Know how to use the legal language.

6. COURSE ORGANIZATION

CONTENTS

1	<p>ECONOMIC CRIMINAL LAW</p> <p>LESSON 1st. ECONOMIC CRIMINAL LAW 1) Delimitation and concept; 2) Economic order and bienes jurídicos protegidos; 3) Common Problems: A) Bienes jurídicos colectivos and crimes of danger; B) Legal reference back and leyes penales en blanco. The problem of accesoriadad administrativa of the criminal law.</p> <p>Lesson 2th CRIMINOLOGICAL CONSIDERATIONS I. Special crimes and crimes of breach of duty. II. Active subjects and authors: 1.- Authorship and co-authorship; 2.- Mediated authorship by domain of the organization; 3.- Participation in special crimes. III. The criminal concept of public official and authority .</p>
2	<p>CRIMES IN PARTICULAR (I)</p> <p>Lesson 4th FRUSTRACIÓN THE PERFORMANCE AND INSOLVENCY PUNITIVE: 1) General considerations; 2) Concept of insolvency. 3) Hoists goods. 4) Punishable Insolvency s.5) Crimes on auctions</p> <p>Lesson 5th I.- Crimes on intellectual property. A) General considerations and concept of copyright; B) Typical behaviors . II.- Crimes relating to industrial property: typical behaviors.</p> <p>Lesson 6th I.- Crimes related to the market and consumers: 1. Conceptual clarification. 2 .- The crime of discovery company secrets. 3. The crime of shortages. 4. The advertising crime. 5. The offense of impaired automatic measuring devices. 6. Scheming to alter the price of things. II. Corruption in business.</p> <p>Lesson 7th I.- Corporate crimes. General considerations. Social Distortion II Imposition III Abusive or harmful agreements. IV.- Impeding the exercise of the rights of members. V.- Obstruction of inspection. VI.- Fraudulent social administration. VII.- Receiving. VIII.- Money Laundering. IX.- Illegal financing of political parties.</p> <p>Lesson 8th I.- Crimes against Public Finance and Social Security. Tax fraud II. III.- The subsidy fraud. IV.- Social Security Fraud. V.- Accounting Crime.</p>

3	<p>CRIMES IN PARTICULAR (II)</p> <p>LESSON 9th</p> <p>CRIMES AGAINST THE RIGHTS OF WORKERS: A) Offences relating to working conditions and social security; B) Crimes related to labor trafficking and migration; E) Discrimination in Employment; F) Crimes against freedom of association or the right to strike; G) Endangering life, health or physical integrity of workers.</p> <p>Lesson 10th</p> <p>Introduction. II.- Crimes against planning of territory. II. Crimes against natural resources and the environment. III. environmental prevarication; IV. Application problems. V.- Introduction to offenses relating to flora, fauna and pets.</p> <p>Lesson 11th</p> <p>I.- Crimes against Public Health: Considerations of criminal policy. II. Criminal behaviors. III. Criminal liability for the product.</p> <p>Lesson 11th</p> <p>CRIMES AGAINST PUBLIC ADMINISTRATION I.- Bien jurídico protegido. II.- The criminal concept of public servant and authority. III Introduction to corruption. IV. Prevarication public official. V.- Bribery. Influence peddling VI.- Embezzlement of public funds.</p> <p>LESSON 12th</p> <p>I. Crime of bribery in private entities. I.- Crimes of corruption in international transactions. III.- Crimes committed by lawyers.</p>
---	---

7. ASSESSMENT METHODS AND CRITERIA

Description	Type	Final Eval.	Reassessn	%
Theoretical and practical final exam	Written exam	Yes	Yes	60,00
Report with the solution of a case	Work	No	No	15,00
Oral examn	Oral Exam	No	No	20,00
Participation in practical sessions	Others	No	No	5,00
TOTAL				100,00
Observations				
<p>It is recommended to have previous knowledge of Criminal Law and to have passed all the compulsory criminal law subjects to enroll in this subject.</p> <p>In the event that face-to-face academic activities have to be suspended due to unforeseen circumstances derived from COVID-19, the teaching and evaluation regime will be as follows:</p> <p>A.- TEACHING: Teaching and tutoring will be taught through telematic media and teaching materials will be provided .</p> <p>B.- EVALUATION: Oral exams will be carried out through telematic media. Likewise, the delivery of the practical cases and other works will be carried out by the same route.</p> <p>The evaluation and qualification criteria will be identical to those of the face-to-face evaluation.</p>				
Observations for part-time students				
Part time students will be examines with an oral exam and a written case study				

8. BIBLIOGRAPHY AND TEACHING MATERIALS

BASIC

- MARTÍNEZ BUJÁN, Derecho Penal Económico y de la Empresa Parte General, 5ª ed., Tirant Lo Blanch, 2016 (o última edición)
- MARTÍNEZ BUJÁN, Derecho Penal Económico y de la Empresa Parte Especial 5ª Edición 2015 (o última edición) .
- DE LA MATA BARRANCO/ LASCURAÍN SÁNCHEZ/ NIETO MARTÍN, Derecho penal económico y de la empresa, ed. Dykinson, Madrid, 2018.