

SUBJECT TEACHING GUIDE

G1885 - Spanish Private Law from an International Perspective

Degree in Law
First Degree in Law

Academic year 2024-2025

1. IDENTIFYING DATA			
Degree	Degree in Law First Degree in Law	Type and Year	Optional. Year 4 Optional. Year 4
Faculty	Faculty of Law		
Discipline	Topic: Further Civil Law		
Course unit title and code	G1885 - Spanish Private Law from an International Perspective		
Number of ECTS credits allocated	6	Term	Semester based (1)
Web			
Language of instruction	English	Mode of delivery	Face-to-face

Department	DPTO. DERECHO PRIVADO		
Name of lecturer	SONIA MARTIN SANTISTEBAN		
E-mail	sonia.martin@unican.es		
Office	Edificio de las Facultades de Derecho y Ciencias Económicas y Empresariales. Planta: + 1. DESPACHO (D132)		
Other lecturers	CARMEN FERNANDEZ CANALES		

3.1 LEARNING OUTCOMES

- 1) Getting the basics of the different legal traditions in the world and a deep knowledge of specific areas of Spanish private law
- 2) Capacity to read and interpret legal documents written in English
- 3) Capacity to sustain basic legal arguments in English

4. OBJECTIVES

- 1) Acquisition of linguistic skills through the study of specific vocabulary and expressions and the analysis of legal documents related to topics included within the field of Spanish Private law.
- 2) Understanding of the basics of the tradition of legal families in the world and the main economic and legal issues covered by Contract Law, Real Property, ADR, Patrimonial Effects of the Marriage and Succession Law

6. SUBJECT PROGRAM

CONTENTS

1	Unit 1: Legal systems in the world. General background of the Spanish legal system Common law and civil law systems: historical development, legal sources and legal actors. ("English law may be the common language in the world but the Common law is not the common law of the word") The Spanish Legal System: general background of the country, the Sources of Law and the Position of the Judiciary.
2	Unit 2: Contract Law Contracts and freedom of will Requirements for an enforceable contract. Formation of contracts Interpretation and Integration Ineffectiveness of contracts Performance and breach Remedies
3	Unit 3: Real Property Ownership and iura in re aliena versus personal rights Acquisition and transfer of ownership Property protection Possession and protecting possession
4	Unit 4: Alternative Dispute Resolution Methods ADR ODR
5	Unit 5: Patrimonial Effects of the Marriage General provisions Freedom to agree Joint ownership upon marriage Separation of property Mixed model (régimen de participación)
6	Unit 6: Succession Law The heir Testamentary succession: the will Testamentary freedom: legitima Legal succession or succession ab intestate

7. ASSESSMENT METHODS AND CRITERIA

Description	Type	Final Eval.	Reassessn	%
Oral presentation	Work	No	No	40,00
Assessment activities	Written exam	No	Yes	60,00
TOTAL				100,00
Observations				
<p>The assessment activities represent 60% of the grade. The remaining 40% of the grade will be obtained through a presentation delivered by the student at the end of the course on a comparative law study. It is required to obtain a minimum of 3 points from 6, as a whole, in order to have access to the oral presentation due at the end of the term.</p> <p>If for health reasons the evaluation had to be carried out remotely, both the assessment activities and the oral presentation will be organised through the moodle platform</p>				
Observations for part-time students				

8. BIBLIOGRAPHY AND TEACHING MATERIALS

BASIC

ZWEIGERT, K. & KÖTZ, H., An Introduction to Comparative Law, New York, last edition, ed. Oxford University Press,
 BERGEL SAINZ-BARRANDA, Y., Handbook on Spanish Civil Patrimonial Law, Madrid, 2011, ed. Tecnos
 SJEF VAN ERP, S y VAQUER, A., Introduction to Spanish Patrimonial Law, Granada 2006, ed. Comares
 RODRIGUEZ DE LAS HERAS BALLELL, T., Introduction to Spanish Private Law, London and New York, 2010, ed. Routledge Cavendish