



COURSE DESCRIPTIONS

Bachelor's Degree in Law

➤ **1st year**

5942 BASIC SKILLS FOR SOCIAL AND LEGAL SCIENCES

I. INGLÉS JURÍDICO

1. The English legal system
2. Presenting in English
3. Legal professionals in practice
4. Law in practice:
5. Liability
6. Contract
7. Intellectual property
8. Information Technology Law
9. Environmental Law
10. Business Letters

II. FRANCÉS JURÍDICO

1. Le cadre de la vie juridique
2. Les acteurs de la justice
3. Droits et biens des personnes juridiques
4. Les obligations
5. La vie des affaires
6. Les relations du travail

III. ORAL LEGAL COMMUNICATION

1. Requirements of a presentation.
2. Oral communication skills.
3. The voice of lawyers.
4. The pleadings/submissions.
5. Structure and development of a presentation.
6. Audiovisual media.

IV. LEGAL COMPUTING

1. Fundamentals of Information, search strategies and recovery of information.

2. Methodology for preparing specialized bibliographies and bibliographic quotations in the legal field.
3. Legal database management.
4. Acquiring legal information via internet.

5943 POLITICAL ECONOMY

PART I: INTRODUCTION TO ECONOMY

Unit 1: Fundamentals of Economics

1. What is economics?
2. Tools for economic analysis.
3. Production possibility frontier (PPF).
4. Market-based economy.

PART II: MICROECONOMICS

Unit 2: Demand, Supply and the Market

1. Demand.
2. Supply.
3. Market equilibrium.
4. Price controls.
5. Elasticity and its applications.

Unit 3: Consumer Behavior

1. Consumer preferences.
2. Budgetary restriction.
3. The decision to consume.

Unit 4: Business, Production and Costs

1. Short- and long-term production.
2. Short- and long-term production costs.

Unit 5: Perfect Competition

1. Characteristics of perfect competition markets.
2. Short-term competitive equilibrium.
3. Long-term competitive equilibrium.

Unit 6: Non-competitive Markets

1. Monopoly.
2. Monopolistic competition.
3. Oligopoly.

PART III: MACROECONOMICS

Unit 7: Macroeconomic Variables and Concepts

1. Macroeconomics: an overview.



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2. Measurement of economic activity: from GDP to available Income.
3. Aggregated supply and demand model.

Unit 8: Aggregated Demand and Tax Policy

1. Components of aggregated demand.
2. Multiplier.
3. Tax policy and budgetary balance.

Unit 9: Money, Banks and Monetary Policy

1. Monetary supply.
2. Monetary demand.
3. Money market balance.
4. Monetary policy.

Unit 10: Inflation and Unemployment

1. Concept and measurement of inflation.
2. Causes and effects of inflation.
3. Anti-Inflation policies.
4. Concept, measurement and effects of unemployment.
5. Types of unemployment.
6. Policies against unemployment.

Unit 11: International Relations

1. International commerce.
2. Balance of payments.
3. Foreign exchange market and exchange rates.

5944 HISTORY OF LAW

BLOCK 1. INTRODUCTION

UNIT 1

- 1.1. Law and History of Law.
- 1.2. Fundamental Concepts: History, Object and Sources.
- 1.3. Historic School of Law.
- 1.4. Eduardo de Hinojosa and his School.

BLOCK 2. PRIMITIVE SPAIN

Unit 2 THE LAW OF PRIMITIVE PEOPLES

- 2.1. The Legal order of the religious-normative system of the pre-Romanic peoples.
- 2.2. Primitive peoples and their cultural areas.
- 2.3. Modes of expression of the Law: Customary Law, judicial Law.
- 2.4. Intergroup Relations: hospitality and clientèle.

BLOCK 3. ROMAN SPAIN

UNIT 3. ROMAN SPAIN. GOVERNMENT AND ADMINISTRATION



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- 3.1. Political-cultural integration process of the Iberian Peninsula in the Roman world.
- 3.2. Stages of the Judicial Romanization of Hispania.
- 3.3. The Crisis of the Lower Roman Empire and transition towards society: adscription, colonate and commissioning.
- 3.4. Provincialization of Hispania: provinciae et civitates.
- 3.5. Administrative reforms during the Empire.
- 3.6. Roman Municipal regime: bar and magistrates.

UNIT 4: HISPANO-ROMAN LAW

- 4.1. Sources of Classic Roman Law.
- 4.2. Roman Provincial Law for Hispania: Municipal Laws.
- 4.3. Post-classic Law.
- 4.4. The Church and Canon Law. Jewish Law.

BLOCK 4. VISIGOTHIC SPAIN

UNIT 5. THE FORMATION OF VISIGOTHIC SPAIN

- 5.1. Germanic Peoples in Hispania.
- 5.2. Visigothic settlement.
- 5.3. Social, Cultural, Religious and Legal Unification.
- 5.4. The Visigothic State.
- 5.5. The political government of monarchy: the king and the Aulæ Regalis.
- 5.6. Territorial administration: provinces and dukedoms.

UNIT 6: HISPANO-VISIGOTHIC LAW

- 6.1. Territorial and personalized nature of Hispano-Visigothic Law.
- 6.2. Legal works of Euric and Alaric II.
- 6.3. The Law of the Visigothic Kingdom of Toledo.
- 6.4. Liber Iudiciorum and Canon Sources.

BLOCK 5. ISLAMIC SPAIN

UNIT 7. MUSLIM SPAIN

- 7.1. Muslims in the Iberian Peninsula.
- 7.2. Periods in the Spanish integration into the Islamic Community.
- 7.3. Decadence of the Moorish kingdoms and Islam in Spain.
- 7.4. Characters and sources of Muslim Law.
- 7.5. Main legal schools.

BLOCK 6. HIGH MEDIEVAL SPAIN

UNIT 8. CHRISTIAN HISPANIC KINGDOMS IN THE MIDDLE AGES

- 8.1. Bases of government. the territories and forms of administration.
- 8.2. Seigniorial territories and jurisdictions.
- 8.3. The stratified society and its orders.
- 8.4. Re-population: periods, modalities and legal consequences.

UNIT 9. LOCAL AND REGIONAL LAW IN CASTILE AND LEON

- 9.1. General characteristics and scope of validity.
- 9.2. Chartae populationis.



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9.3. Brief codes of Law and extensive codes of Law.

9.4. Customary Law collections of old Castile.

BLOCK 7. SPAIN OF THE LOWER MIDDLE AGES

UNIT 10. POLITICAL SYSTEM AND RENAISSANCE OF THE ROMAN LAW IN THE MIDDLE AGES

10.1. Origin and basis of legal reception.

10.2. *Ius Commune* (Common Law) and its General Diffusion.

10.3. Glossators and commentators of common law.

10.4. Primitive Leonese Law.

10.5. The legislative works of Alfonso X, the Wise: Royal Code of Law, *Speculum Juris* and *Las Partidas* (Statutory Codes).

10.6. Parliamentary Legislation: Legal System of Alcala.

UNIT 11. THE MEDIEVAL LAW RELATED TO

CASTILIAN AND SOURCES OF THE LAW OF NAVARRE, ARAGON, CATALONIA AND VALENCIA

11.1. Sources of the Law in Alava, Guipuzcoa and Vizcaya.

11.2. General Code of Law (*Fuero*) of Navarre and its Revisions.

11.3. The Huesca Code, Parliamentary Laws and *Observantiae*.

11.4. Local Laws of Tortosa, Lerida and Barcelona. The *Usatges*.

11.5. Valencian Royal Law. The '*Fueros*' of Valencian (Prerogative Codes of Law).

UNIT 12. MEDIEVAL MARITIME LAW

12.1. Formative elements and system of sources.

12.2. Customs of the sea.

12.3. *Libre de Consolat de Mar* (The Code of the Maritime Court).

12.4. Maritime Law of the Cantabrian Zone: The Rolls of Oléron/The Judgements of Oléron.

BLOCK 8. MODERN SPAIN: THE UNIVERSAL MONARCHY

UNIT 13. GENESIS OF THE UNIVERSAL MONARCHY

13.1. Constitution of the Hispanic monarchy: territorial integration.

13.2. The incorporation of the Indies into the Castilian Crown.

13.3. The Just Titles.

13.4. The Laws of the Indies: sources, formation and elements.

UNIT 14. THE GOVERNMENT OF THE MONARCHY AND TERRITORIAL AND LOCAL ADMINISTRATION

14.1. The King: authority and jurisdiction.

14.2. Secretary of State and favorites.

14.3. The Polysynodal Regime of the administration: the council system.

14.4. The Administration of the Kingdoms: viceroalties, provinces and towns.

14.5. Parliaments and regional councils.

14.6. The territorial administrative organization.

UNIT 15. SPANISH LEGISLATION AND THE COMPILING OF MODERN LAW

15.1. The compiling process.

15.2. Crises of local Laws.

15.3. The system of compilations.



BLOCK 9. ROYAL ABSOLUTISM

UNIT 16. POLITICAL ABSOLUTISM

- 16.1. The new Dynasty and the Politico-Administrative structure of the State.
- 16.2. The Nueva Planta Decrees.
- 16.3. Illustrated Despotism and its incidence in the Spanish Crown.
- 16.4. Territorial administration: general captaincies and city councils.

BLOCK 10. CONSTITUTIONAL SPAIN AND CODIFICATION

UNIT 17. THE SPANISH CONSTITUTIONS

- 17.1. Bankruptcy of the Ancient Regime.
- 17.2. Bases of the Liberal Regime.
- 17.3. The Political Constitutions: Constitution of 1812. Royal Statute of 1834. 1837 Constitution. 1845 Constitution. 1869 Constitution. 1873 Constitution. 1931 Constitution.

UNIT 18. THE SPANISH CODIFICATION: CRIMINAL AND PROCEDURAL LAW

- 18.1. Periods of codification in Spain: ideological roots and doctrinal focus.
- 18.2. Criminal Law Codification: background and criminal codes.
- 18.3. Procedural Law. 1870 Organic Law of Judicial Power.
- 18.4. Civil and criminal procedural codification.

UNIT 19. THE SPANISH CODIFICATION: CIVIL LAW AND COMMERCIAL LAW

- 19.1. Civil Codification: 1821 and 1851 Projects. Civil Code of 1889.
- 19.2. Special regional Laws.
- 19.3. Commercial Law.
- 19.4. The 1829 and 1885 Codes of Commerce.
- 19.5. Special commercial Laws.

5945 ROMAN LAW

PUBLIC ROMAN LAW AND SYSTEM OF SOURCES

Unit 1.- Concept of Roman Law. Sources: Concept, Classes and Criticism. Historical Periods of Roman Law. Monarchical state: phases and characteristics of the Monarchical Constitution. Powers of the King. The Senate. Comitia curiata. Old Roman Law: mores maiorum, ius, fas. Ius Quiritium.

Unit 2.- Transition from Monarchy to Republic. The XII Tables: Fundamental legal content. Magistratures: Concept, Characters and Classes. Popular Assemblies: Concept, Classes and Functions. The Senate: Structures and Competencies.

Unit 3.- Republican Law: Pontifical and Lay Jurisprudence. Leges publicae: Concept, Structure and Classes of Laws. Edicts and Republican ius gentium. Senatus consultum. Quaestiones perpetuae. Roman Imperialism.

Unit 4.- Transition from Republic to Empire. Legal Definition of Principality. The Classical Law and its phases. Imperial Constitutions. Classical Jurisprudence: Phases, Functions and Schools. *Ius publicum-ius privatum*.

Unit 5.- Transition from Principality to *Dominium*. The *Dominium*: Diocletian, Constantine. Christianity and Roman Law. Post-classical Law and its phases. Constitutions and Vulgar Law. Post-classical compilations. Justinian compilation.

RECEPTION OF ROMAN LAW

Unit 6.- Byzantine Law. Glossators. *Concordia discordantium canonum*. Post-glossators and Commentators. Legal Humanism. Reception in France. *Mos italicus* and *mos gallicus iura docendi*. Reception in Germany. German Historical School. Pandectism. Justinian Roman Law in Spain.

PRIVATE ROMAN LAW INSTITUTIONS

Unit 7.- Main Theoretical Principles: Legal Rule. Objective Law: Application of Rule in Time and Space. Interpretation of the Rule. Subjective Law.

Unit 8.- Legal Business: Concept, Classes and Elements. Abnormalities of Legal Businesses. Nullity, Inefficacy, Annullability. Flaws of Will. Simulation. Mental Reserve. Error. Wilful intent. Violence. Recognition and Conversion of Legal Businesses. Interpretation of Business and Substitution in the Business Activity.

Unit 9.- The person: *status libertatis*, *status civitatis*, *status familiae*. Legal Entity: classes and regimen of impersonal subjects.

PROCESS

Unit 10.- Protection of rights. *Actio* and subjective law. Origins of Roman civil process. Historical stages. Bipartition of process. *Iurisdictio*. Organization of justice. Time and place in the administration of justice. The parties and their representatives. Summons and appearance.

Unit 11.- Procedure for *legis actiones*. Formulary procedure. Extrajudicial legal protection. *Cognitio extra ordinem*.

OWNERSHIP AND REAL RIGHTS

Unit 12.- Consideration of things in Roman legal thought. Classifications of things. Real rights. Differentiating nature of real rights and obligations.

OWNERSHIP AND REAL RIGHTS

Unit 13.- Ownership: concept and classes. Good faith ownership. *Possessio iuris*. Characteristics of *possessio*. Acquisition, protection and loss of *possessio*.

Unit 14.- Historic evolution of property: *dominium ex iure Quiritium*; *in bonis habere*, provincial property. Original modes of acquiring property. Occupation. Accessions. Specification. *Confusio*. *Commixtio*. Derivative modes of acquiring property. *Mancipatio*. *In iure cessio*. *Traditio*. *La usucapio*.

Unit 15.- Limits to property. Defense of property. Condominium: structure and characteristics. Servitudes.

Unit 16.- Ususfructus. Quasi ususfructus. Usus. Habitatio. Operae servorum.
New figures: Enfiteusis and superficies. Real guarantee rights: Fiducia. Pignus. Hypotheca.

OBLIGATIONS AND CONTRACTS

Unit 17.- Roman obligatio: concept. Sources of obligations. Subject and object of obligations. Content and structure of benefit. Various classes of obligations.

Unit 18.- Non-fulfilment of obligations and contractual responsibility. Default. Concept of solutio and extinction of obligations. Several means of extinction. Fraus creditorum. Warranty of obligations.

Unit 19.- Idea of contractus in Roman thought. Types of contracts. Pacts.

Unit 20.- Oral contracts. Nexum. Sponsio. Stipulatio. Literal contracts: nomen transcripticium, chirographa, syngrapha.

Unit 21.- Real contracts. Mutuum. Depositum. Pignus. Commodatum.

Unit 22.- Consensual agreements. Societas, Mandatum, Emptio-venditio, Locatioconductio.

Unit 23.- Category of innominate agreements in Roman law. Main innominate agreements. Quasiagreements.

Unit 24.- Obligations emanating from an offence. Furtum. Rapina. Iniuria. Damnum iniuria datum. Quasioffences

FAMILY AND MARRIAGE

Unit 25.- Concept and legal structure of the family. Marriage. Divorce. Concubinate. Wedding. Wherewithal. Patria potestas. Filiation. Parenthood and affinity. Dowry. Tutelage and curatorship.

SUCCESSIONS

Unit 26.- Object of inheritance law. Hereditas and bonorum possessio. Delation: call by law and call by will. Recumbent Inheritance. Acquisition of Inheritance: heredes necessarii and heredes voluntarii. Acceptation of Inheritance: Modes and Effects.

Unit 27.- Hereditary Confusion: Patrimony of Deceased and Patrimony of inheritor. Accrual. Collation. Community of Heirs and Division of Inheritance. Hereditary Actions.

Unit 28.-Testate Inheritance: The Will: Concept and Characteristics. Several Forms of Wills. Active and Passive Testamenti Factio. Indignitas. Heredis institutio and Substitutions. Codicils. Interpretation of Wills. Nullification and Revocation of Wills. Bequests and Trusts.

Unit 29.- Ab Intestate Succession: in the old ius civile; in the Praetor's Edict, in Senatus Consulta, in novels. Legitimate Succession against Will. Donations: Concept, Classes and Limitations. Revocation.

5946 THE SPANISH CONSTITUTION AND THE SOURCES OF LAW

Constitutional Law as Scientific Discipline

UNIT 1: Introduction to Constitutional Law as Scientific Discipline.
Historical and Theoretical Bases of the Constitutional State.

UNIT 2: The State as form of Political Organization.

UNIT 3: Theory of the Constitution and Constituting Power.
Background and main Characteristics of the 1978 Spanish Constitution.

UNIT 4: Record of Spanish Constitutionalism and the Genesis of the 1978 Constitution.

The Spanish Constitution and the Sources of Law

UNIT 5. General Considerations.

UNIT 6: The Constitution as source of Law.

UNIT 7: The Law.

UNIT 8. Executive Provisions with Force of Law.

UNIT 9: The Regulations.

UNIT 10: Legal Systems of Autonomous Communities and their Relations with the State Legal System.

Unit 11: European Community Legal System and its relationship with the Spanish Legal System.

5947 THEORY OF LAW

UNIT 1: CONCEPT OF LAW

Problems in the conceptualization of the Law.

Validity, Efficacy, Justice of the Law.

Law as a means of Social Organization: Socialization and Social Control.

UNIT 2: THE LAW AND OTHER REGULATORY SYSTEMS

Law, Social Uses and Moral Norms.
Public Ethic and Private Ethic.
Dialectics of Natural Law vs Positivist Law.
Obedience to the Law.

UNIT 3: LAW AND POWER

Rule of Law: characteristics.
Rule of Law: typology and evolution.

UNIT 4: LEGAL NORM

Uses of language. Types of norms.
Essential characteristics of legal norms.
Rules and principles.

UNIT 5: LEGAL SYSTEM

Evolution of the perception of Law as system.
Unity, coherence and plenitude.

UNIT 6: HUMAN OR FUNDAMENTAL RIGHTS

Concept and definition.
Basis and evolution.
Current situation.

5948 PROPERTY AND PERSONALITY LAW

PART I: SPANISH CIVIL LAW

Unit 1. Spanish Civil Code

Concept and nature of Civil Law. Codification of Civil Law. The Civil Code;
Meaning and value. Current Coding Process.

Unit 2: Nature of General Law

Introduction. Public Law and private Law. The Unit of the Legal System. Constitution and Civil Law. Disaggregation and Substantial Decoding. The Civil Code as General Law. Supplementary Nature.

Unit 3: Character of Common Law

Meaning. Territorial Rights and Formal Decoding. Foral Compilations Constitution and Statutes of Autonomy; the new Autonomic Civil Law. Article 149.1.8 of the Constitution.

PART II: OBJECTIVE LAW

Unit 4: The Norm. Sources of Law

Sources of Law: Enumeration, Hierarchy. Recipient and Norms of Art.1.7 CC. The Constitution. European Union Law.

Unit 5: Efficacy of the Norms in Time

Transitory Law. Concept and meaning; Concept and meaning. Validity: start and derogation; disuse. Transitory Law and provisions thereof of the CC. Retroactivity of Laws.

Unit 6: General Efficacy of Legal Norms

Essential effects: the legal duty. general efficacy of legal norms.
Binding effect of the law, ignorance and error in the Law.
Mandatory and dispositive norms. dispense and waiver.
Infringement and consequences. fraud of law and acts contrary to the Law.

UNIT 7: Custom/tradition

Concept. Relationship with the law. evolution, nature, basis and Classification.
Rank and Legal requirements. Regulatory uses.
Autonomous Civil Laws: Indication.

Unit 8. General Principles of Law

Concept. Rank, suppositions and functions. Legal doctrine and Regulae juris. Autonomous civil Laws.

Unit 9: Interpretation and Integration of Legal Norms

Interpretation: Concept, classes, method. hermeneutic canons and their legal regulation: rules of art.
3.1 CC: Enumeration, content, hierarchy and binding efficacy.
Integration of Legal Norms. Modalities.
Self-integration and analogy: Basis, classes and legal system. Equity in the application of the Norms.

Unit 10: Jurisprudence

Concept and meaning. systems and nature of the Spanish system. General rule and approximations to the binding system. The Rulings of the Constitutional Court. The Scientific Doctrine and Comparative Law.

PART III: THE RIGHTS OF A PERSON

Unit 11: The Individual.

Personality. Start of Personality: Birth, Protection of the Conceived, Assisted Reproduction.
End of Personality: Death, Simultaneous Death and Predecease.
Identification of an Individual: Right to a Name; other Signs of Identification: Pseudonym, Trade Mark, Nobility Titles. The Civil Registry.

Unit 12: Property or Rights of the Personality

General Questions. Life and Physical Integrity. Freedom. Honor, Privacy and Image: Nature and Regimen. Intrusion, Consent and Protection.

Unit 13: Capacity and its Modifications

Legal Capacity and Capacity to Act. Causes Modifying Capacity: Age and Emancipation; Physical and Psychical Illness; Prodigality. Tutelage. Curatorship. Self-tutelage.



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Unit 14: Address. Right of Domicile. Absence

Concept, Classes. Protection of Domicile. Right of Domicile. Absence. Defence of the Absent Person. Declared Absence. Declaration of Death.

Unit 15: Legal Entity

Legal Entity: Concept, Classes, Capacity, Rights Held, Liability of Legal Entity. Association. Foundation. Extinction.

PART IV. SUBJECTIVE LAW AND PROPERTY LAW.

Unit 16: Legal Relationship and Subjective Law

Elements of the Legal Relationship: Subjective, Objective and Causal. Legal Duty. Subjective Law. Birth and Extinction. Modification, Transmission and Extinction of Subjective Rights. Prescription and Expiration. Potestative Rights and Expectation of Rights. Limits: Good Faith and Abuse of Right. Modification: Legitimation and Power of Disposition. Succession in Ownership. Real Subrogation. Extinction: Waiver. Prescription and Expiration.

Unit 17: Object of Rights. Things and their Classification

Things and Properties: Nature. Species: Corporal, Generic; Consumable; Fungible; especially, Money. Divisible and Indivisible; Principal and Accessories; Present and Future. Rights over Rights. Movable and Immovable. Simple and Compound: Integrating Parts and Holdings. Recordable and non-Recordable; the Property. Public Assets and Private Property. Fruits and Expenses: Classes.

Unit 19: The Estate

The Estate: Concept, Composition, Characteristics and Nature. General Estate and Special Estate. Collective Estate; the Company as Universality of Property.

5949 PUBLIC ECONOMY

Unit 1: ECONOMIC AND PUBLIC SECTOR.

Unit 2: PUBLIC BUDGET.

Unit 3: PUBLIC INTERVENTION AND EFFICIENCY.

Unit 4: PUBLIC INTERVENTION AND EQUITY.

Unit 5: PUBLIC INCOME.

Unit 6: PUBLIC EXPENSES.

Unit 7: THE PUBLIC SECTOR IN SPAIN.

5950 ECCLESIASTICAL STATE LAW

I. CONCEPT OF ECCLESIASTICAL LAW OF THE STATE

Concept of Ecclesiastical Law of the State and its Historical Evolution.

1. Name of Course. Content of the Concept of Ecclesiastical Law of the State.
2. Contemporary Background to Spanish Ecclesiastical Law.

II. SOURCE OF SPANISH ECCLESIASTICAL LAW

1. Classification of the Sources of Ecclesiastical Law by their Normative Hierarchy.
2. The Spanish 1978 Constitution.
3. International Conventions of Protection of Rights Signed by the State.
4. Agreements of the State with the Holy See.
5. Religious Freedom Organic Law of 5th July 1980.
6. Agreements of the Spanish State with other Religions.
- 7.- Other Norms of Ecclesiastical Law.

III. PRINCIPLES GUIDING THE ECCLESIASTICAL LAW OF THE STATE

1. - Concept and functions of the guiding principles.
2. The principle of religious freedom.
3. The principle of religious equality under the Law.
4. The principle of non-denomination of the State.
5. The principles of cooperation of the State with Religions.

IV. RELIGIOUS FREEDOM

Religious Freedom as a Fundamental Right.

1. Concept. Religious freedom and ideological freedom. Religious freedom and freedom of worship.
2. Content. Religious freedom in its individual and collective dimension.
3. Legal Limits, ownership and protection.

V. CHURCHES, DENOMINATIONS AND RELIGIOUS COMMUNITIES

Persons of Denominations.

1. Persons of denominations. churches, denominations, communities and religious entities.
2. Acknowledgement of religious entities as legal entities.
3. Economic and patrimonial system of religious denominations. financing and tax regimen of religions.
4. Cultural heritage of religions and their regulation under the Spanish Law.

VI.- INDIVIDUAL DIMENSION OF RELIGIOUS FREEDOM: RIGHTS AND FREEDOMS.

Education.

1. Freedom of education.
2. Materialization of the freedom of education.
3. Financing of education.
4. Agreement with the Holy See on education and cultural issues.
5. Materialization in education of the agreements with non-Catholic religions.

Conscientious objections.

1. Conscientious objection. notion and protection.
2. Different suppositions of conscientious objections.

Religious symbolism

1. Static and dynamic religious symbolism, in public domains

VII.- RELIGIOUS ATTENDANCE

Religious Attendance

1. Concept of religious attendance. Ministers of Religious Affairs.
2. Models of organization of religious attendance.

VIII.- SPANISH MARRIAGE SYSTEM

Spanish Marriage System.

Civil efficacy of canonical marriage.

Civil efficacy of religious marriages with other religions with agreement signed with the State.

➤ **2nd year**

5951 INTERNATIONAL PUBLIC LAW (I)

1. International Law from a historical perspective.
2. International Law as social tool.
3. The States as subjects of international Law.
4. Other subjects of international Law.
5. International legal norms and codification.
6. International treaties.
- 7.- International customs.
- 8.- General principles, auxiliary means and fairness.
- 9.- Unilateral Acts.
- 10.- Relationships between International Law and Internal Laws of States.
- 11.- Economic International Law.
- 12.- International Environmental Law.

5952 LABOUR LAW (I)

PRELIMINARY UNIT: LABOUR LAW AND SYSTEM OF SOURCES.

- I. The concept of work as object of labor law and legal system.
- II. Historical evolution of labor Law.
- III. International and community sources of labor Law.
- IV. National sources: constitution, legal and reglementary norms, custom and rules of Autonomous Communities.
- V. Application of sources in Labor Law: concurrence, succession and interpretation of Labor provisions.

UNIT 1.- EMPLOYMENT CONTRACT (I): WORKERS

- I. Substantive presuppositions of employment contracts.
- II. Excluded activities.
 1. Self-Employment Work.



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2. Compulsory personal benefits.
 3. Friendly, benevolent or good neighborly works.
 4. Family work.
 5. Corporate board members.
 6. Civil servants and the like.
- III. Special work relations.

UNIT 2: EMPLOYMENT CONTRACT (II): INDIVIDUAL AUTONOMY AS A SOURCE FOR DETERMINING WORKING CONDITIONS

- I. Individual autonomy and determination of work conditions.
- II. Regulatory Function. The Principle of most beneficial condition of contractual origin.
 1. General characterization.
 2. Contractual origin of conditions. Informal pacts.
 3. Limits to the content of contractual conditions.
 4. Legal system of contractual conditions.
 5. Specific problems of collective conditions of individualized formalization.
- III. Application Function.
 1. The irrevocability of Labor rights.
 2. Prescription and expiration of Labor rights.

UNIT 3. EMPLOYMENT CONTRACT (III): EMPLOYER

- I. Work employer.
- II. Company, worksite and Autonomous Production Unit.
- III. Problems with the identification of the employer and the attribution of employer responsibility.
 1. Company groups.
 2. Contracting and subcontracting of works.
 3. Illegal transfer of workers.
- IV. Temporary work agencies.
 1. Concept and legal system.
 2. Availability contract.
 3. Relationships between worker and temporary employment agency.
 4. Relationships between worker and transferee company.

UNIT 4: EMPLOYMENT CONTRACT (IV): OTHER ELEMENTS.

- I. Capacity to hire as a worker.
 1. Limitations to the capacity to hire: age.
 2. Limitations to the capacity to work.
 - A). Age.
 - B). Nationality: work by non-community and non-assimilated foreigners.
 - C). Nationality: work by community or assimilated foreigners.
 - D). Qualifications
 - E). Other limitations.
- II. Capacity to hire as employer.
- III. Form of the employment contract.
- IV. Documentation and evidence of employment contract.
- V. Inefficacy of employment contract.



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UNIT 5: TEMPORARY EMPLOYMENT

- I. Term contracts. Legal assumptions: indefinite and temporary.
- II. Structural temporary contracts.
 1. Hiring for execution of specific work or service.
 2. Hiring of seasonal workers due to circumstances of production.
 3. Hiring of interim workers.
- III. Circumstantial temporary hiring.
- IV. Provisions common to structural temporary contracts.
- V. Legal Fraud and irregularities in temporary employment.
- VI. Temporary Work in Public Administration and NGOs.

UNIT 6: MODALITIES OF EMPLOYMENT CONTRACT

- I. General considerations.
 1. Part-Time employment contract.
 2. Part-Time hiring for fixed non-periodical discontinuous work.
 3. Hand-over and partial retirement contract.
- II. Training contract.
- III. Work-experience contract.
- IV. Domestic contract.
- V. Communal work and group contract. Ancillary assistant.

UNIT 7: INCORPORATION IN THE COMPANY

- I. Freedom of the company to contract. Freedom to contract hire and freedom of choice. Freedom to contract and its limits.
 1. Limits in number.
 - A). Setting and modifying staff.
 - B). Redemption of Vacancies.
 2. Limits in structure.
 - A). Mandatory rules.
 - B). Indicative rules. Promotion of employment schemes.
- II. Freedom to choose the worker and limitations.
 1. Employment process. Employment Agencies: public employment services and non-profit making agencies
 2. Selection processes.
- III. Trial/probation period. Legal system.

UNIT 8: DETERMINATION OF WORK (I): PROFESSIONAL CLASSIFICATION AND FUNCTIONAL MOBILITY

- I. Professional classification.
 1. Professional classification systems.
 2. Worker's professional classification.
- II. Functional mobility.
 1. Unilateral employer's functional mobility.
 2. Functional mobility initiated by worker.



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- 3. Bilateral functional mobility.
- III. Worker's inventions.

UNIT 9: DETERMINATION OF WORK (II): WORKPLACE AND GEOGRAPHICAL MOBILITY

- I. Geographical mobility: concept and classes.
- II. Geographical mobility initiated by employer.
 - 1. Due to economic, technical, organizational and production reasons.
 - A). Transfers.
 - B). Trips.
 - C). Other cases.
 - 2. Due to disciplinary reasons.
- III. Geographical mobility initiated by worker: transfers due to family regrouping
- IV. Bilateral geographical mobility.
- V. Worker trips within the framework of supplying transnational services.

UNIT 10: DETERMINATION OF WORK (III): WORK TIME

- I. Work Day, Ordinary Work Hours, Special Work Hours and their Limitations.
- II. Overtime: Voluntary and Compulsory.
- III. Work Hours: Night Shift. Shift Work.
- IV. Work Calendar. Public Holidays and Vacations.
- V. Permits and Licenses

UNIT 11: DETERMINATION OF WORK (IV)

- I. Obligation of due diligence or duty of efficiency.
- II. The Duty of contractual good faith. basis and manifestations.

UNIT 12: WAGES

- I. Legal Analysis. Concept and non-wage benefits.
- II. Salary Structure. Basic salary and salary complements.
- III. Determination of wages: minimum wage, professional and contractual wages.
- IV. Absorption and salary compensation.
- V. Payment of salary. Place, time and means of payment.
- VI. Protection of wages.

UNIT 13: OBLIGATIONS OF EMPLOYER (I): THE DUTY OF SAFETY AND SECURITY AT WORK

- I. Applicable rules.
- II. Company obligations.
- III. Obligations of worker.

UNIT 14: OBLIGATIONS OF EMPLOYER (II): OTHER WORKER'S RIGHTS

- I. Protection of other rights of worker in the work relationship. Rights of worker as citizen. protected interests.
- II. Protection of the worker's professional capacity.
- III. Fundamental rights and other rights of the worker as person.

UNIT 15: CONTRACTUAL MODIFICATIONS

- I. Possible procedures for modifying contracts.



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- II. Unilateral modification by employer.
 - 1. Substantial modification of working conditions under Article 41 of WS.
 - 2. Non-Substantial modification of working conditions.
- III. Modification by mutual agreement.

Unit 16: GUARANTEES OF EMPLOYER'S MANAGING POWER

- I. Power of management and duty of obedience.
- II. Disciplinary power.
 - 1. Basis.
 - 2. Offences and penalties.
 - 3. Disciplinary proceedings.
 - 4. Judicial revision.
 - 5. Appeals.
 - 6. Prescription of offences.

Unit 17: MODIFICATIONS OF THE EMPLOYMENT CONTRACT

- I. Suspension of employment contract.
- II. Leave of absence.
 - 1. General characterization and types of leave of absence.
 - 2. Ordinary voluntary leave of absence.
 - 3. Leave of absence to take care of relatives.
 - 4. Leave of absence agreed upon.
- III. Transfer of company.
 - 1. Object of transfer.
 - 2. Transfer procedures: "inter vivos" and "mortis causa" Acts.
 - 3. Scope of employer's subrogation: obligations of transferee.
 - 4. Duty to notify and joint responsibility of transferor and transferee.

Unit 18: EXTINCTION OF THE EMPLOYMENT CONTRACT (I): THE WORKER'S WILLINGNESS TO RESOLVE A CONTRACT

- I. Without justifiable cause.
 - 1. Resignation with prior notice.
 - 2. Resignation without prior notice: Absence without leave (abandonment).
- II. With just cause.
 - 1. Grounds.
 - 2. Procedure.
 - 3. Effects.
- III. Resignation of Female Worker victim of gender violence.

Unit 19: EXTINCTION OF THE EMPLOYMENT CONTRACT (II): THE EMPLOYER'S WILLINGNESS TO TERMINATE A CONTRACT. DISCIPLINARY DISMISSAL

- I. Notion of dismissal. Disciplinary dismissal.
- II. Reasons for disciplinary dismissal.
- III. Dismissal procedure.
- IV. Effects of dismissal.
- V. Category of dismissal.
 - 1. Null dismissal.



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2. Fair dismissal.
3. Unfair dismissal.

VI. Provisional execution of dismissal judgements.

UNIT 20: EXTINCTION OF WORK EMPLOYMENT CONTRACT (III): OBJECTIVE, COLLECTIVE AND FORCE MAJEURE DISMISSALS

- I. Dismissal on objective grounds.
 1. Grounds.
 2. Procedure
 3. Category of dismissal on objective grounds.
- II. Collective redundancy.
- III. Dismissal on grounds of force majeure.

UNIT 21: OTHER REASONS FOR EXTINCTION.

- I. Termination by mutual accord.
- II. Termination for reasons stated in contract.
- III. Termination of contract due to extinguishment.
- IV. Receipt of final settlement.
- V. Termination of Contract due to circumstances affecting worker.
 1. Termination of contract due to worker's Retirement.
 2. Termination of contract due to Worker's Demise.
 3. Termination of contract due to permanent disability of worker.
- VI. Termination of contract due to circumstances affecting company.
 1. Individual entrepreneur.
 - A). Death of entrepreneur.
 - B). Retirement of entrepreneur.
 - C). Disability of entrepreneur.
 2. Legal entity. Extinction of entrepreneur's capacity as legal entity.

5953 LAW OF OBLIGATIONS

- Unit 1.- Obligation in general.
- Unit 2- Sources of obligations.
- Unit 3- Subjects of obligation.
- Unit 4.- Object of obligation: performance.
- Unit 5.- Determination of provision.
- Unit 6.- Financial obligations.
- Unit 7.- Fulfilment of obligations.
- Unit 8.- Allocation of payment and essential forms of fulfilment.
- Unit 9.- Non-fulfilment of obligations.
- Unit 10.- Extinction of obligations.
- Unit 11.- Modification of obligations.
- Unit 12.- Credit collaterals.
- Unit 13.- Credit protection.
- Unit 14.- Concurrence and priority (Preference) of credits.
- Unit 15.- Quasi-contracts and unlawful enrichment.
- Unit 16.- Extracontractual civil liability.

5954 INSTITUTIONS AND STATE TERRITORIAL ORGANIZATION

STATE INSTITUTIONAL ORGANIZATION: ORGANS OF THE STATE AND OF THE AUTONOMOUS COMMUNITIES

UNIT 1: THE CROWN

The Crown as an Organ of the State Functions.
Personal Status of the Monarch.

UNIT 2: THE PARLIAMENT (I): COMPOSITION AND STRUCTURE

Structure of the Parliament. Election. Composition and Organization.
Legal Statute of Parliamentarians.

UNIT 3: THE PARLIAMENT (II): FUNCTIONS

Legislative function.
The function of political control of government.

UNIT 4: THE GOVERNMENT

Composition, Structure, Formation and Functions.
Statute of the Members of Government.

UNIT 5: THE JUDICIAL POWER

Constitutional Principles. Legal Statute of Judges and Magistrates.
Structure, Organization and Government of Judicial Power.

UNIT 6: THE CONSTITUTIONAL COURT

Composition and Organization.
Competencies

UNIT 7: TERRITORIAL ORGANIZATION OF THE STATE (I)

Autonomic State and Autonomy of Nationalities and Regions.
Institutional Organization of Autonomous Communities.

UNIT 8. TERRITORIAL ORGANIZATION OF THE STATE (II)

Distribution of Competencies between the State and the Autonomous Communities.
Types of Competencies.

5955 ADMINISTRATIVE LAW I

UNIT I. PUBLIC ADMINISTRATION AND ADMINISTRATIVE LAW

- a) Historic Emergence of Administrative Institutions and the Current Public Administration.
- b) Objective and Subjective Characterization of the Administration.
- c) Definition of Administrative Law.



d) Constitutional Bases of Administrative Law.

UNIT II. THE ADMINISTRATION AND THE LEGAL ORDER

- a) The Rule of Law.
- b) The typology of sources in administrative law.
- c) The principle of legality of the Administration.
- d) Legal link and administrative discretion.

UNIT III. THE POWERS OF THE ADMINISTRATION

- a) The concept of administrative power.
- b) Means of control of the powers.
- c) Prerogatives and burdens of the Administration.
- d) The restraints of the Administration.

Compulsory reading:

AAVV, Lessons and materials for the study of Administrative Law.

Additional reading:

GAMERO CASADO, E., Administrative Law for ECTS, Iustel, 2008

UNIT IV. REGULATION OF THE SYSTEM OF SOURCES OF SPANISH LAW

- a) Concept and basis of the regulatory power.
- b) Material and formal limits of the regulation.
- c) Relations of the regulation and the law: Primacy and reserve of law
- d) Control of illegal regulations.

Compulsory reading:

MUÑOZ MACHADO, S., Lessons and materials for the study of Law Administrative.

Additional reading:

GAMERO CASADO, E., Administrative Law for ECTS, Iustel, 2008

UNIT V. AUTONOMY AND THE SYSTEM OF SOURCES

- a) Typology of norms of the Autonomous Communities.
- b) Typology of the rules of the local entities.
- c) Relations and articulating principles.

Compulsory reading:

- BELLO PAREDES, S.A., Local ordinances in the current Spanish law: scope and articulation with the state and autonomic regulations, INAP, 2002.

Additional reading:

- GAMERO CASADO, E., Administrative Law for ECTS, Iustel, 2008

UNIT VI. LEGAL CONCEPTS OF THE ORGANIZATION

- a) Centralization and decentralization.
- b) Concentration and deconcentration.
- c) Delegation and management charge.
- d) The administrative competence.

Compulsory reading:

- PARADA VÁZQUEZ, R., Administrative Law II, Marcial Pons, 2010.

UNIT VII. THE GENERAL ADMINISTRATION OF THE STATE

The Central State Administration:

- a) Development and current characterization.
- b) The Government: its President, the Ministers and the Council of Ministers.
- c) The Ministerial Departments.
- d) The Superior Administration.
- e) The Peripheral Administration.

Additional reading:

-GAMERO CASADO, E., Administrative Law for ECTS, Iustel, 2008

UNIT VIII. THE ADMINISTRATION OF THE AUTONOMOUS COMMUNITIES

The Administration of the Autonomous Communities:

- a) Distribution of competences between the State and the Autonomous Communities.
- b) Superior and directive organization.
- c) Special study of the regional organization of Castilla y León.

Additional reading:

-GAMERO CASADO, E., Administrative Law for ECTS, Iustel, 2008

UNIT IX. LOCAL ENTITIES

- a) Local autonomy
- b) Typology of local entities.
- c) The Municipality: elements and competences.
- d) The Province: elements and competencies
- e) Special situation of local entities in Castilla y León.

Compulsory reading:

- BELLO PAREDES, S.A., Local ordinances in the current Spanish law: scope and articulation with the state and autonomic regulations, INAP, 2002.

Additional reading:

-GAMERO CASADO, E., Administrative Law for ECTS, Iustel, 2008

UNIT X. ADMINISTRATIVE ACTS

- b) Classes of administrative acts.
- c) Discretionary administrative acts
- d) Political or government acts.

Compulsory reading:

-AAVV, Lessons and materials for the study of Administrative Law. Volume II, P. 153-180

Additional reading:

-GAMERO CASADO, E., Administrative Law for ECTS, Iustel, 2008

UNIT XI. ADMINISTRATIVE PROCEDURE

- a) Legal regulation and informative principles.
- b) The subjects in the procedure: the interested party and the Administration.
- c) The different phases of the procedure.
- d) Administrative silence.



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e) The termination of the procedure and the implementation of administrative acts.

Compulsory reading:

- AAVV., Lessons and materials for the study of Administrative Law. I take II, pgs. 113-142

Additional reading:

- GAMERO CASADO, E., Administrative Law for ECTS, Iustel, 2008

UNIT XII. VALIDITY AND INVALIDITY OF ADMINISTRATIVE ACTS

a) The type of illegality of the acts: nullity and nullity.

b) The ex officio review of administrative acts.

c) The declaration of harmfulness of the acts.

Compulsory reading:

- AAVV, Lessons and materials for the study of Administrative Law.

Additional reading:

- GAMERO CASADO, E., Administrative Law for ECTS, Iustel, 2008

UNIT XIII. ADMINISTRATIVE RESOURCES

a) The discretionary appeal for reversal.

b) The appeal for a review of the decision.

c) Claims prior to civil and social proceedings.

Compulsory reading:

- AAVV, Lessons and materials for the study of Administrative Law.

Additional reading:

- GAMERO CASADO, E., Administrative Law for ECTS, Iustel, 2008

5956 PHILOSOPHY OF LAW

LESSON 1

THE HISTORY OF THE PHILOSOPHY OF LAW I

1. The origin of natural law.

2. The Spanish school of natural law and rational natural law.

3. The origin of legal positivism.

LESSON 2

THE HISTORY OF THE PHILOSOPHY OF LAW (II)

1. The 20th Century.

2. Contemporary schools and writers.

LESSON 3

INTERPRETATION OF THE LAW AND LEGAL ARGUMENT

1. The role of interpretation.

2. Techniques of interpretation / argument.

3. Constitutional interpretation: deliberation vs. inclusion.

LESSON 4

LAW AND BIOETHICS

1. Introduction to bioethics: concept, origin and development.
2. Basic principles of bioethics.
3. The current state of bioethics: legislation and jurisprudence.

UNIT 5:

CURRENT PROBLEMS OF FUNDAMENTAL RIGHTS

1. The internationalization process: achievements and failures.
2. The specification process.

5957 INTERNATIONAL PUBLIC LAW (II)

1. The competences of States in this area.
2. State powers in marine waters.
3. State powers in polar areas.
4. State powers in airspace and outer space.
5. Nationality and foreign status.
6. Diplomatic protection.
7. The international protection of human rights.
8. International liability.
9. Peaceful solutions to international differences.
10. The enforcement of international law.
11. Control over the use of force.

5958 LABOUR LAW (II)

PART 1. COLLECTIVE LAW

Topic 1. Trade union freedoms and freedom of association

1. The concept and constitutional recognition of trade union freedoms: essential and additional content.
2. Individual trade union freedom.
3. Collective trade union freedom.
4. Trade union types, based on representation.
5. Institutional participation in trade unions.
6. Business associations and organisations for the self-employed.

Topic 2. Employee representation in the company

1. The two channels of representation in the company.

2. Unitary representation.
3. Trade union representation in the company: trade union sections and representatives.
4. Specialist representation in matters of occupational risk prevention.
5. The representation of public employees in the public administration.
6. Representation and participation in eu companies.
7. The right of assembly.

Topic 3. Collective negotiation

1. The spanish constitution and the different types of collective negotiation.
2. Collective agreements.
3. Ordinary collective agreements.
4. Ordinary collective agreements.
5. Other collective agreements.
6. Social partnership.
7. Collective negotiation in the public administration.

Topic 4. Industrial action

1. Concept and applicable law.
2. Reasons for industrial action.
3. Procedure for taking industrial action.
4. Strikes and essential services.
5. Ending the industrial action. Arbitration and settlement.
6. Effects of the industrial action.

Unit 5. Lockouts

1. Concept and applicable law.
2. Legal causes.
3. Settlement.
4. The effects of lockouts.

Topic 6. Conflict solution

1. The concept and types of collective conflict.
2. Extra-judicial procedures.
3. Judicial procedures.

Topic 7. The collective rights of public employees

1. The collective rights of public employees. International law.
2. The right to trade union freedom.
3. The right to collective representation.
4. The right of assembly.
5. The right to institutional participation.

6. The right to collective negotiation and consultation in the establishment of working conditions.
7. The right to strike.
8. The right to raise questions regarding collective disputes.

PART 2. THE PROTECTION OF TRADE UNION FREEDOMS

Topic 8. The protection of trade union freedoms

1. General premises
2. The administrative protection of trade union freedoms
3. The legal protection of trade union freedoms
4. The international protection of trade union freedoms

5959 CONTRACTS LAW

GENERAL THEORY OF CONTRACT LAW

- Topic 1. The contract.
- Topic 2. Elements of the contract.
- Topic 3. Drawing up the contract.
- Topic 4. The content of the contract.
- Topic 5. The interpretation and integration of the contract.
- Topic 6. Contract efficacy.
- Topic 7. Contract invalidity.
- Topic 8. Contract inefficacy.

SPECIFIC CONTRACTS

- Topic 9. Sales contracts.
- Topic 10. Donations.
- Topic 11. Lease contracts.
- Topic 12. Building contracts.
- Topic 13. Partnership contracts.
- Topic 14. Power of attorney.
- Topic 15. Loans.
- Topic 16. Deposits.
- Topic 17. Other contracts.

5960 PUBLIC LIBERTIES AND RIGHTS

FUNDAMENTAL RIGHTS AND OBLIGATIONS

- The fundamental rights stipulated in the Spanish Constitution.
- The conditions governing the exercise of fundamental rights.



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The guarantees protecting fundamental rights.
The principle of equality and non-discrimination.
Traditional rights to freedom.
Rights relating to the personality.
Freedom of speech and information.
The collective exercise of freedoms.
The right to political participation.
Procedural safeguards provided for in Article 24 of the Spanish Constitution.
Educational rights.
Socio-economic rights.
Constitutional rights.

5961 COMPANY, ENTREPRENEUR AND COMMERCIAL CORPORATIONS

I. GENERAL INTRODUCTION. COMMERCIAL LAW

1. Commercial law

1. The historical development of the concept of commercial law.
2. The sources of commercial law.

2. Control over commercial activity

1. Accounting and commercial operations.
2. The Companies Register.

II. BUSINESSES AND BUSINESS OWNERS

3. Commercial business owners

1. The business owner: definition, demarcation and types.
2. Individual commercial business owners. The capacity to be a business owner.
3. Prohibitions and incompatibilities restricting professional business activities.
4. Becoming and ceasing to be a business owner.
5. The undertaking of business activities by married people.
6. The responsibilities of a business owner.

4. The company

1. The company: integral elements and legal nature.
2. Commercial establishments.
3. The company as an object of legal transactions.

III. COMPANY LAW

5. Trading companies. Introduction.

1. The concept of a company.
2. Types of companies.

3. Types of trading companies.

6. The setting up of trading companies.

1. Partnership contracts.
2. The legal character of trading companies.

7. Trading partnerships.

1. The character of trading partnerships.
2. Collective companies.
3. Limited partnerships.

8. Capital companies. Introduction.

1. The character of capital companies. Legal regulation.
2. Types of capital companies.
3. Characteristic concepts: share capital, legal character.
4. Single-member companies.
5. Other corporate forms:
 - a) European limited companies.
 - b) New companies.
 - c) Labor companies.
 - d) Successive formation limited liability companies.

9. The incorporation of capital companies.

1. Procedure. Articles of incorporation and corporate statutes.
2. Registration: companies pending incorporation and irregular companies.
3. The nullity of capital companies.
4. Capital contributions: financial and non-financial contributions and capital calls.
5. Ancillary obligations.

10. Stock holdings and shares

1. Shares and stock holdings.
2. Shares and stock holdings as the basis for and expression of partner status.
3. The representation of shares and stock holdings.
4. The transfer of shares and stock holdings.
5. Company business with regard to shares and stock holdings.
6. Obligations.

11. Capital companies and their corporate bodies

1. The organic structure of capital companies.
2. General meetings.
3. Company administration. Company directors: general role, their duties and responsibilities.



12. Capital companies and their annual accounts

1. The annual accounts.
2. Verification of the accounts.
3. Approval of the annual accounts and application of profits for the financial year.
4. Filing and publication of the annual accounts.

13. The amendment of the articles of incorporation of capital companies

1. The amendment of the articles of incorporation.
2. Capital increases.
3. Capital reductions.
4. Dismissal and removal of members and partners.

14. Structural changes to trading companies.

1. The transformation of companies.
2. The merger of companies.
3. The division of companies.

15. The dissolution, liquidation and termination of trading companies

1. The termination process for trading companies Dissolution, liquidation and termination.
2. The restoration of a dissolved company.
3. The termination of the status of partner.

16. Other corporate vehicles

1. Economic concentrations and company mergers.
2. Cooperatives.
3. Other corporate vehicles.

5962 GENERAL JURIDICAL REGIME FOR INCOME AND EXPENDITURE OF PUBLIC ENTITIES

LESSON 1. THE CONCEPT OF FINANCIAL LAW

- I. Financial activity: meaning and study options.
- II. Financial law: concept, content and scientific autonomy.
- III. The relationship between financial law and other areas of law.

LESSON 2. FINANCIAL POWER

- I. Financial power: meaning and structure.
 1. The financial power of the State.
 2. The financial power of Autonomous Communities.
 - 2.1. Autonomous Communities included in the general system.
 - 2.2. Autonomous Communities included in special systems.



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3. The financial power of local corporations.
4. The financial power of the European Union.

II. Financial administration: meaning and structure Special reference to the State Tax Administration Agency (AEAT).

LESSON 3. THE CONSTITUTIONAL PRINCIPLES OF FINANCIAL LAW

I. The constitutional principles of financial law: general aspects and classification.

II. The constitutional legal-substantive principles of financial law.

1. The principles of tax revenue.
 - 1.1. The principle of economic capacity.
 - 1.2. The principles of generality and equality.
 - 1.3. The principle of progressivity.
 - 1.4. The principle of non-confiscation.
2. The principles of public expenditure.
 - 2.1. The principle of equitable allocation of public resources.
 - 2.2. The principles of efficiency and economy.

III. The legal-formal principles of financial law.

1. The principle of legal reservation.
2. The principle of legal preference.

LESSON 4. THE SOURCES OF FINANCIAL LAW

I. The sources of financial law: general aspects.

II. Legal standards.

1. The Spanish Constitution.
2. Organic and ordinary laws.
3. Government acts with the force of law: decree-laws and legislative decrees.
4. Autonomous Community laws.

III. Administrative provisions.

1. Royal decrees.
2. Orders.
3. Circulars and guidelines.
4. Regulations applicable to Autonomous Communities and local bodies.

IV. Unwritten sources.

1. Custom and general principles of law.
2. Jurisprudence and scientific doctrine. International agreements.

V. European Union law and the Spanish system of sources of law.

LESSON 5. THE APPLICATION OF FINANCIAL LAW REGULATIONS

I. The application of financial regulations.

1. The efficacy of financial regulations over time: its entry into force and its expiry.
 - 1.1. The entry into force of financial regulations.
 - 1.2. The expiry of financial regulations.
2. The spatial efficacy of financial regulations.



- II. The interpretation of financial regulations.
- III. Integration, analogy and financial regulations.
- IV. Conflict in the application of tax law Fraud.

LESSON 6. CONCEPT AND TYPES OF TAXES

- I. Taxes.
 1. Concept.
 2. Types of taxes.
- II. Taxes.
 1. Concept.
 2. Types of taxes.
- III. Special contributions.
 1. Concept and legal framework.
 2. Types of special contributions.
- IV. Rates.
 1. Concept and legal framework.
 2. Types of rates.
- V. Public utility pricing.
 1. Concept and legal framework.
 2. A critical assessment of their regulation.

LESSON 7. THE STRUCTURE OF TAXES

- I. Conceptual frameworks that explain the legal principle of taxes: the legal-fiscal relationship and the fiscal role.
- II. The purpose of taxation: definitions and meanings.
- III. The structural components of the specific regulations that regulate taxation.

LESSON 8. THE ORIGIN OF TAXATION

- I. Taxable events.
 1. Concept and meaning.
 2. The structure of taxable events.
 - 2.1. The objective aspect.
 - 2.2. The subjective aspect.
 - 2.3. The temporal aspect.
- II. Tax exemption and cases not liable for tax.
 1. The concept of exemption: how it differs from cases not liable for tax and other similar concepts.
 2. Types of exemption.

LESSON 9. CALCULATING TAXES

- I. Calculating the tax debt: initial considerations.
- II. Tax bases.
 1. Concept.



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- 2. Types of tax bases.
- 3. Tax base estimation frameworks.
- III. The tax rate.
 - 1. Concept.
 - 2. Types of tax rates.
- IV. Tax quotas and tax debt.

LESSON 10. LIABLE TAXPAYERS

- I. The parties concerned: the tax collector.
- II. Liable taxpayers: classification.
- III. The initially obligated parties
 - 1. The taxable subject.
 - 2. Taxpayers and tax liable parties.
 - 3. Surrogate taxpayer and tax withholders.
- IV. Derivative taxpayers: those liable and successors.
 - 1. General framework and types of liability.
 - 1.1. Subsidiary liability.
 - 1.2. Joint and several guarantors.
 - 2. The successors.
- V. Other liable taxpayers. Remission.
- VI. Capacity and representation in the context of taxation.
- VII. Tax residence.

LESSON 11. THE DISCHARGE OF TAX OBLIGATIONS

- I. The discharge of tax obligations: substantive aspects.
- II. Payment of the tax debt Payment allocation and deposit.
- III. Other forms of discharge: limitation, compensation and cancellation.
 - 1. Prescription.
 - 2. Compensation.
 - 3. Cancellation/Remission.
- IV. Tax credit guarantees.
 - 1. Concept and types.
 - 2. Personal guarantees.
 - 3. Real guarantees.
 - 3.1. The right of pre-emption.
 - 3.2. The right of pledge.
 - 3.3. The right of retention.
 - 3.4. Precautionary measures.

LESSON 12. THE APPLICATION OF TAX OBLIGATIONS

- I. Formal tax law, procedural tax law and the administration of tax obligations
- II. Instruments that facilitate the application of tax obligations.
 - 1. In the liable taxpayers' favor.



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- 1.1. Tax queries.
 - 1.1.1. General aspects of the tax framework.
 - 1.1.2. Legitimacy and procedure.
 - 1.1.3. Effect of the response to tax queries.
- 1.2. The publication and sending of notifications.
- 1.3. Prior agreements regarding information on and the assessment of immovable property.
2. In the tax administration's favor.
 - 2.1. Cooperation agreements.
 - 2.2. The duty to notify the tax administration.
- III. General procedural aspects concerning the administration of tax obligations.
 1. Evidence in tax matters.
 2. The obligation to settle. With special reference to tax settlement.
 3. Tax notification.

LESSON 13. TAX MANAGEMENT

- I. The concept of tax management.
- II. Beginning in tax management: general aspects.
- III. Specific tax management procedures.
 1. The tax return process through self-assessment, application or notification of information.
 2. The declaration process.
 3. The data verification process.
 4. The securities verification process.
 5. The limited verification process.

LESSON 14. TAX INSPECTION

- I. Tax inspection: general background.
- II. Checking and investigation: the inspection process.
 1. Inspection phases.
 2. Inspection reports.
 - 2.1. Concepts and content.
 - 2.2. Types of reports.
 - 2.3. Report procedures.
- III. Other tax inspection procedures.

LESSON 15. TAX COLLECTION

- I. Tax collection.
 1. General considerations.
 2. Deferment and payment in instalments.
- II. Tax collection during the voluntary period.
- III. Voluntary compliance: examples and its effects.



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- IV. Tax collection during the enforcement period.
 1. The enforcement period.
 2. Enforcement proceedings.
 - 2.1. Concept and characteristics.
 - 2.2. Requirements.
 - 2.3. The phases of enforcement proceedings.
 - 2.4. Suspension of enforcement proceedings.
- V. Tax collection procedures regarding those liable and successors.
 1. Tax collection procedures applicable to those liable.
 2. Tax collection procedures regarding successors.

LESSON 16. FISCAL WRONG-DOING

- I. Fiscal wrong-doing: general ideas and classification.
- II. Tax offences.
 1. Legal definition and elements of the offence.
 - 1.1. The action.
 - 1.2. *Actus reus*.
 - 1.3. The unlawfulness of the act.
 - 1.4. Guilt.
 - 1.5. Grounds for exclusion.
 2. Offenders.
 3. Types of offence.
 4. Infringing conduct.
 5. Discharge of liability stemming from infringement.
- III. Tax penalties.
 1. Types of penalties.
 2. Calculation of financial penalties: criteria for graduation.
 3. The cancellation of penalties.
 4. Tax penalty procedures.
- IV. Public finance offences.
 1. Tax fraud.
 2. Accounting offences.
 3. Fraud against the European Community's financial interests.
 4. Social Security fraud.
 5. The illegal procurement of grants and subsidies from the Public Administration.

LESSON 17. ADMINISTRATIVE REVIEW OF TAX MEASURES

- I. Procedural tax law: administrative review of tax measures.
- II. *Ex officio* review: special review procedures.
 1. Declaration of *void ab initio*.
 2. Declaration of measures susceptible of annulment.
 3. Revocation.



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4. Rectification of mistakes.
5. Repayment of undue amounts paid.
- III. Appeal for judicial review.
 1. Administrative appeal for reconsideration.
 2. Economic-administrative claims.
 - 2.1. Legal nature – subjects and objects of law.
 - 2.2. Economic-administrative procedure: general regulations and procedure in the first or single instance.
 - 2.3. Summary procedures involving single-member companies.
 - 2.4. Ordinary appeals.
 - 2.5. Extraordinary appeals with unification of criteria.
 - 2.6. Extraordinary appeals with case-law unification.
 - 2.7. Extraordinary appeals for review.

➤ 3rd year

5963 MARKET, CONCURRENCE AND INDUSTRIAL PROPERTY LAW

I. MARKET LAW

1. ORIGIN, DEVELOPMENT AND CURRENT MEANING OF COMMERCIAL LAW

- I. Commercial law as a historical category.
- II. Historical development of commercial law.
- III. Development of Spanish commercial law.
- IV. Commercial law today.

2. THE SOURCES OF COMMERCIAL LAW

- I. The source system with regard to commercial law.
- II. The impact of European Union regulations on the sources of commercial law.
- III. Spanish sources of commercial law.
- IV. The Spanish Constitution and commercial law.

II. COMPETITION LAW

3. THE PROTECTION OF FREE COMPETITION

- I. The right of free competition.
- II. Market economies and free competition.
- III. Meaning and development of legislation protecting free competition.
- IV. Legal framework for the protection of free competition: Spanish and EU systems.
- V. Cooperation between companies: different regulation models.
- VI. General principle of cooperation between companies.
- VII. Main premises and the limits to their application.



- VIII. Prohibition of the abuse of a dominant position.
- IX. Distortion of free competition through unfair acts.
- X. Organizations that defend free competition.
- XI. Procedures and judgements of infractions and their penalties.
- XII. Private application of the right of free competition.
- XIII. Control over economic mergers.
- XIV. Control over public subsidies.

4. THE FIGHT AGAINST UNFAIR COMPETITION

- I. Origin and development of regulations that combat unfair competition.
- II. The legal framework combating unfair competition.
- III. The scope of the protection against unfair competition.
- IV. General overview and specific cases of unfair competition.
- V. Unfair competition and consumer protection.
- VI. Action and procedures.
- VII. Administrative penalties.

5. COMMERCIAL ADVERTISING

- I. The General Advertising Act and the concept of advertising.
- II. Examples of illegal advertising.
- III. Control over illegal advertising: action and procedures.
- IV. Self-regulation in advertising Codes of conduct.

III. INDUSTRIAL PROPERTY

6. PATENTS AND THE PROTECTION OF OTHER CREATIONS

- I. Industrial property Concepts and content.
- II. Patents: The protection of inventions and other creations. The purpose of patent Law.
- III. Spanish law and international agreements.
- IV. Invention as a prior requirement.
- V. Patentability requirements.
- VI. Non-patentable inventions.
- VII. Patents: subjective requirements.
- VIII. Applying for patents and the approval process.
- IX. The content of the patent right.
- X. Patents as property and their transfer.
- XI. Breaches of the patent right.
- XII. The extinction of the patent right.
- XIII. Utility models.
- XIV. Plant variety rights.
- XV. Industrial design: definition and legal protection.
- XVI. The industrial design registration process.
- XVII. Content of and limitations to design rights.

- XVIII. Breaches of industrial design rights.
- XIX. The extinction of industrial design rights.

7. TRADEMARKS AND OTHER DISTINGUISHING MARKS

- I. The distinguishing marks of a company and other distinguishing marks as the object of legal transactions.
- II. Distinguishing marks vs. industrial creations.
- III. Trademarks: legal regulation, concept and roles.
- IV. Types of trademarks.
- V. Requirements and prohibitions concerning the acquisition of trademark rights.
- VI. The application and registration process Spanish and EU trademarks.
- VII. The content of trademark rights: Rights and obligations.
- VIII. Trademarks as the object of legal transactions.
- IX. Breaches of trademark rights.
- X. The extinction of trademark rights.
- XI. Other distinguishing marks: commercial names, shop signs and domain names.

5964 SPANISH TAX LAW I

I. INTRODUCTION THE TAX SYSTEM

LESSON 1. THE SPANISH TAX SYSTEM

- 1. Concept and structure of the tax system.
- 2. Development of the tax system in Spain.
- 3. The State tax system.
- 4. The tax system in Spain's Autonomous Communities.
- 5. The tax system in Spain's municipalities.

II. TAXATION BASED ON INCOME

LESSON 2. PERSONAL INCOME TAX

- 1. General characteristics and position within the tax system.
- 2. Sources of law and scope of application.
- 3. The taxable event.
- 4. Revenue exempt from income tax
- 5. Taxpayers.
- 6. Determining taxable income.
 - 6.1. Tax base calculation frameworks.
 - 6.2. Earned income.
 - 6.3. Investment income.
 - 6.4. Income from business activities.
 - 6.5. Capital gains and losses.
- 7. Specific assessment rules: special reference to income in kind.
- 8. Types of income. General earnings and income from savings.

9. Income integration and compensation.
10. Taxable base.
11. Adaptation of the tax to personal and family circumstances.
12. Tax debt.
 - 12.1. Calculation of state funding.
 - 12.2. Calculation of the regional or complementary levy.
 - 12.3. Net tax payable and calculation of the tax difference.
13. Family taxation.
14. Special systems.
15. Tax management.

LESSON 3. CORPORATE INCOME TAX

1. Basis and positioning within the tax system.
2. Sources.
3. Nature and object.
4. The taxable event.
 - 4.1. Concept.
 - 4.2. Examples of non-liability and exemption.
5. Territorial scope.
6. The temporal aspect of the taxable event.
7. The taxable subject.
8. Taxable income.
 - 8.1. Calculation of taxable income Accounting profit or loss.
 - 8.2. Regulations governing income earned.
 - 8.3. Deductible expenses.
 - 8.4. Non-deductible expenses.
 - 8.5. Assessment regulations: general rules and recourse to normal market value.
 - 8.6. Undercapitalization.
 - 8.7. Temporary imputation.
 - 8.8. Tax-loss offsets.
9. Tax rates. Full contribution.
10. Contribution deductions.
 - 10.1. Deductions for double taxation.
 - 10.2. Tax relief and tax credits as incentives for certain activities.
 - 10.3. Deductions for payments on account.
11. Special systems.
12. Tax management.
 - 12.1. Index of entities. Tax residency
 - 12.2. Declaration-settlement and payment. Provisional settlement and rebates.
 - 12.3. Instalment payments.
 - 12.4. Payment on account retentions.
 - 12.5. Accounting and registration obligations.

LESSON 4. NON-RESIDENT INCOME TAX

1. Basis and positioning within the tax system sources.
2. Nature and object.
3. The subjective element.
 - 3.1. The taxable subject.
 - 3.2. The person responsible.
 - 3.3. The representative.
 - 3.4. Tax residency.
4. The taxable event and exemptions.
 - 4.1. The taxable event.
 - 4.2. Exemptions.
5. The taxation of permanent non-residents.
6. The taxation of non-permanent non-residents.
7. Individuals resident in other European Union member states.

III. THE TAXATION OF CAPITAL

LESSON 5. PROPERTY TAX

1. Background.
2. Nature and roles.
 - 2.1. Nature.
 - 2.2. Functions.
3. Territorial scope and regulatory sources.
4. The taxable event.
 - 4.1. General analysis.
 - 4.2. Specific analysis of ownership as a subjective element of the taxable event.
5. Exempt assets.
6. The taxable subject.
 - 6.1. The taxpayer.
 - 6.2. The joint and several guarantor.
7. Taxable income.
 - 7.1. Concept.
 - 7.2. The tax base estimation framework.
 - 7.3. Assessment regulations.
8. Taxable base.
9. Tax debt.
 - 9.1. Full contribution.
 - 9.2. Joint limits and the IRPF contribution.
 - 9.3. Contribution deductions.
 - 9.4. Pecuniary liability.
10. Tax management.
 - 10.1. Competition.
 - 10.2. Self-assessment and payment.



LESSON 6. SPECIAL TAX ON NON-RESIDENT PROPERTY

1. Characteristics.
2. The taxable event and the taxable subject.
3. The tax base and the tax debt.
4. Exemptions.

LESSON 7. INHERITANCE AND DONATION TAX

1. Introduction, nature and characteristics.
2. Territorial scope and points of connection.
3. The taxable event.
 - 3.1. Types.
 - 3.2. Examples of non-liability and exemption.
 - 3.3. Accrual.
4. Assumptions regarding the taxable event.
5. Taxable subjects.
 - 5.1. Taxpayers.
 - 5.2. Persons with subsidiary liability.
6. Taxable income.
 - 6.1. Definition.
 - 6.2. Special regulations covering *mortis causa* acquisitions.
 - 6.3. Special regulations covering *inter vivos* transfers for gain.
 - 6.4. Accumulation.
 - 6.5. Tax base calculation frameworks and the verification of securities.
7. Taxable base.
 - 7.1. *Mortis causa* acquisitions and sums derived from life insurance payments.
 - 7.2. Donations and comparable *inter vivos* transfers for gain.
8. Tax debt.
 - 8.1. Fees.
 - 8.2. Multiplier coefficients.
 - 8.3. Tax credits and tax relief.
9. Special regulations.
 - 9.1. Usufruct and other institutions.
 - 9.2. Repudiation and waiver.
10. Administration.
 - 10.1. Competition
 - 10.2. Formal obligations.
 - 10.3. Guarantees.
 - 10.4. Partial settlements on account.
- 10.5. Payment.



5965 LEGAL THEORY OF CRIME

PART ONE. CONCEPT, METHOD AND SOURCES OF CRIMINAL LAW

TOPIC I. The formal concept and structure of criminal law.

TOPIC II. The material concept of criminal law.

TOPIC III. *Jus puniendi* and its limits.

TOPIC IV. Method in the science of criminal law and the historic-dogmatic development of Spanish criminal legislation.

TOPIC V. Sources of criminal law, guarantees of criminal justice and the interpretation of criminal law.

TOPIC VI. Criminal law and its scope of application: temporal, spatial and personal.

PART TWO. THE LEGAL THEORY OF CRIME

TOPIC VII. Introduction to the legal theory of crime. Typical behaviour and the subjects of crime.

TOPIC VIII. The objective nature of intentional crime. Elements.

TOPIC IX. The subjective nature of intentional crime. Errors in the statutory definition of a crime.

TOPIC X. Illegality and the nature of the injustice.

TOPIC XI. The absence of illegality. General theory of the causes of justification.

TOPIC XII. Guilt and attributability. Elements.

TOPIC XIII. Imputability and its absence. Knowledge of illegality and the error of prohibition the exclusion of guilt.

TOPIC XIV. *El iter criminis*. Pre-conceived punishable acts the theory of attempted commission.

TOPIC XV. The perpetrator the general theory of participation.

TOPIC XVI. The intentional crime of omission.

TOPIC XVII. Recklessness and the law.

PART THREE. THE LEGAL CONSEQUENCES OF THE CRIME

TOPIC XVIII. The sentencing system in the Spanish criminal code and sentencing regulations. Combinations of criminal offences. Compliance with the sentencing.

TOPIC XIX. Criminal responsibility and its modifying circumstances.

TOPIC XX: security measures and incidental consequences. Civil responsibility. Reasons for the annulment of civil responsibility.

5966 ADMINISTRATIVE LAW (II)

I. THE CONTENTIOUS-ADMINISTRATIVE JURISDICTION

Lesson 1. The historic formation of contentious-administrative courts.

Origin and evolution.- The jurisdictional Law of 1956 and its modifications.- The incidence of the Constitution.- The jurisdictional Law of 1998 and its reforms.

Lesson 2. Nature and characters of the contentious jurisdiction.

Extension and limits.- The contentious-administrative jurisdictional organs: the distribution of competences.

Lesson 3. The parties and the purpose of the contentious process.

The parties.- Requirements: capability, legal representation.- Legitimation.- The object.- The pretensions. The challengeable administrative activity.

Lesson 4. The contentious-administrative procedure.

The procedure in first or sole instance. Lodging the appeal and its effects.- Interim relief and its regime.- The processing of the appeal: the application and the response; termination: its different modes.- interim relief and its application.- The processing of the appeal: the application and the response; test; termination; its different modes.- The Sentence and its content.- The enforcements of Judgments. Appeals against judgments, writs and court orders.- The costs.- The abbreviated (fast-track) Procedure and the special procedures.

II. THE FINANCIAL LIABILITY OF PUBLIC ADMINISTRATIONS

Lesson 5. General introduction.

Financial liability: origin and evolution of positive Spanish law.- Current regulation.- Reference to Court liability and legislator liability.

Lesson 6. Budgets and effectiveness.

The concept of indemnifiable harm.- The problem of the accusation.- The relationship of causality.- The effectiveness of compensation: criteria for indemnification.- The civil liability action.



III. THE SANCTIONING POWER OF THE ADMINISTRATION

Lesson 7. Administrative sanctions.

Administrative sanctions: Origin, expansion and constitutional recognition of sanctioning power. Relations between administrative sanctions and criminal justice.

Lesson 8. Constitutional principles and procedure. Constitutional principles applicable to administrative sanctioning power. The sanctioning procedure.

5967 SOCIAL SYSTEM LAW

I. THE SOCIAL SECURITY SYSTEM.

1. Historic background and concept.
2. Subjective framework and structure of social security.
3. Management and financing.
4. Protective action.

II. THE GENERAL REGIME OF SOCIAL SECURITY.

5. Field of application and acts of registration.
6. Payments.
7. Health care.
8. Temporal incapacity, maternity, paternity, risk during pregnancy and breast feeding.
9. Permanent incapacity.
10. Retirement.
11. Death and survival.
12. Unemployment.
13. Non-contributory social security.
14. Other institutions of social protection.

5968 REAL RIGHTS (IUS AND REM)

- Topic 1.- The property.
- Topic 2.- The Property Registry.
- Topic 3.- Joint ownership.
- Topic 4.- Horizontal property.
- Topic 5.- Intellectual property.
- Topic 6.- Ownership.
- Topic 7.- Ownership.
- Topic 8.- Usucapion (Ownership by virtue of undisturbed possession).
- Topic 9.- Limited property rights.
- Topic 10.- Easements.
- Topic 11.- Surface rights, overhang rights.
- Topic 12.- Property rights with guarantees.



Topic 13.- The mortgage.

Topic 14.- Preferential acquisition property law.

Topic 15.- Census, surface, above ground level and below ground level.

Topic 16.- Guaranteed property rights. The security on the mortgage.

Topic 17.- The property mortgage. The antichresis.

Topic 18.- Acquisition financing rights.

5969 EUROPEAN COMMUNITY INSTITUTIONS AND LAW I

I.- THE PROCESS OF EUROPEAN INTEGRATION

Lesson 1.- European integration. Evolution and general nature.

- 1.- Evolution of the process of European integration.
- 2.- Concept and nature of the European Union.
- 3.- The principles of the Union.
- 4.- Citizenship of the Union. Concept and meaning.
- 5.- Membership of the European Union.

Lesson 2.- The European Union.

- 1.- Objectives and competencies of the European Union.
- 2.- The functions of the Union.
 - A) The single market.
 - B) Social and economic cohesion.
 - C) Economic and monetary union.
- 3.- Inter-governmental cooperation.
- 4.- Reinforced cooperation.

II.- THE INSTITUTIONAL SYSTEM

Lesson 3.- The European Council.

- 1.- Composition and operation.
- 2.- Functions of the European Council.
- 3.- Acts of the European Council.

Lesson 4.- The Commission.

- 1.- Nature, composition and appointment.
- 2.- Status of the Commission and its members. Internal organization and operation.
- 3.- Political liability of the Commission.
- 4.- Powers of the Commission.
 - A) The right to a normative initiative.
 - B) Powers of control over compliance with Community Law.
 - C) The power of decision or management.



D) Powers in matters concerning exterior relations.

Lesson 5.- The Council.

1.-Composition and nature.

2.-Decision-making powers.

A) The power of decision.

B) The power of coordination.

C) Powers in matters relation to Common Foreign Policy and Security and Police and Judicial Cooperation.

3.-Functioning of the Council.

A) The Presidency and its functions.

B) The preparation of the tasks of the Council. The COREPER.

C) The decision-making systems.

Lesson 6.-The European Parliament.

1.-E-Lesson and representation.

2.-Composition, status of its members and internal organization.

3.-The powers of the European Parliament.

A) Powers of political control.

B) Powers in the normative process.

C) Budgetary powers.

D) Powers in the field of foreign affairs.

4.-The right of petition to the European Parliament.

Lesson 7.-Inter-institutional relations and the decision-making process.

1.-The normative initiative.

2.-The ordinary procedure.

3.-Other decision-making procedures.

Lesson 8.-The Court of Justice of the European Union.

1.-The jurisdictional system of the Union.

2.-The Court of Justice.

A) Nature, composition and status of its members.

B) Organization and Operation.

C) Competences.

3.-The General court.

A) Nature, composition and status of its members.

B) Organization and Operation.

C). Competences.

4.- Specialized Courts.

A) Nature, Foundation and general character of the specialized courtrooms

B. The civil service Tribunal.

Lesson 9.-The Court of Auditors.

- 1.-Reference to the financing system of the Union. The institutional framework of Action of the Court of Auditors.
- 2.-Composition, appointment and status of its members.
- 3.-Competences.
- 4.-The protection of the financial interests of the European Communities.

Lesson 10.-The European Central Bank and the European System of Central Banks.

- 1.-The organs of Economic and Monetary union.
- 2.-Objectives and functions of the European system of central banks.
- 3.-The organs of the European Central Bank. Composition, functioning and status of its members.
- 4.-Powers of the European Central Bank.
- 5.-The independence of the European Central Bank and control over its decisions.

Lesson 11.-The auxiliary organs. Media and Headquarters.

- 1.-The Economic and Social Committee.
- 2.-The Committee of the Regions.
- 3.-The European Investment Bank.
- 4.- Community public service.
- 5.-Linguistic regime.
- 6.-Headquarter.

III.- THE COMMUNITY LEGAL SYSTEM

Lesson 12.- The community legal system. Primary or original law

- 1.-General character of the Community legal system.
- 2.-The system of sources of Community law.
3. Inter-normative relations in European Community law.
- 4.-Primary or original law.

**Lesson 13.-Secondary or derived law. Other acts and rules of the Union
European**

- 1.- Secondary or derived Law.
- 2.- Public International Law.
 - A) Conventional International Law.
 - B) General international Law.
- 3.- The general principles of Law.
- 4.- Custom.
- 5.- The decisions of the Council and of the representatives of the Member State Governments meeting within the Council.
- 6.- Complementary agreements concluded between the Member States.
- 7.-Considerations on jurisprudence.
- 8.-Acts arising from the structures of cooperation.
 - A. Acts arising from the CFSP.



- B. Acts arising from police and judicial cooperation in criminal matters.

Lesson 14.- Relations between European Community Law and the internal legal orders of the Member States

- 1.- The direct effect of the community rules.
- 2.- The primacy of Community law over the internal legal systems of the member states.
- 3.- Relations between European Community Law and the Spanish legal system.
 - A) European Community law and the Spanish system of legal sources.
 - B) The internal mechanisms to ensure compliance with European Community Law.
- 4.- The application of European Community law in Spain.
 - A) The application by the general organs of the State.
 - B) The application by the Autonomous Communities.
 - C) The judicial application of European Community law
- 5.- State responsibility towards individuals for non-compliance with Community law.

IV- EXTERNAL RELATIONS

Lesson 15.- The external relations of the European Union

- 1.- The international subjectivity of the European Union.
- 2.- The external competences of the European Union.
- 3.- The conclusion of international treaties.
 - A) Capability to conclude international treaties.
 - B) The procedure for concluding international treaties.
- 4.- The common commercial policy.
- 5.- Development cooperation.
- 6.- The right of active and passive legation.
- 7.- Active and passive international responsibility.
- 8.- Participation in international organizations and conferences.
- 9.- International sanctions.

V.- COOPERATION AREAS

Lesson 16.- Intergovernmental cooperation

- 1.- The common foreign and security policy.
 - A) Origin and background.
 - B) Structure.
 - C) Legal-functional framework.
 - D) Material areas.
- 2.- The area of freedom, security and justice.
 - A) Evolution and formulation of cooperation in justice and home affairs.
 - B) The legal articulation of the area of freedom, security and justice.
 - a) The community scope.
 - b) Police and judicial cooperation in criminal matters.



c) The Schengen system in the area of freedom, security and justice.

VI.- THE JURISDICTIONAL SYSTEM

Lesson 17.- The jurisdictional system of the Union. Prejudicial questions

- 1.- The judicial organization of the European Union.
- 2.- The national judge as an ordinary judge of Community law.
- 3.- Mutual cooperation between the national courts and the Court of Justice of the European Union.
- 4.- Prejudicial (preliminary) questions.
 - A) Object, scope and classes.
 - B) Approach by national judges: concept of jurisdictional body; faculty and obligation in the formulation; content of the issue; the clear act.
 - C) The procedure before the Court of Justice of the European Union.
 - D) Effects of preliminary rulings.

Lesson 18.- Appeals before the Court of Justice of the European Union

- 1.- The remedy of non-compliance.
- 2.- Jurisdictional control of community legality.
 - A) The appeal for annulment.
 - B) The remedy by omission.
 - C) The exception of illegality
- 3.- The remedy for extra-contractual liability.
- 4.- Cassation appeals.
- 5.- Litigation between the European Communities and Commission employees and other agents at their service.
- 6.- The advisory competence.
- 7.- Other special procedures.

VII- FUNDAMENTAL FREEDOMS

Lesson 19.- Fundamental freedoms and the internal market

- 1.- Concept and foundation.
- 2.- The free movement of goods.
- 3.- The free movement of people.
 - A) The free movement of workers.
 - B) The freedom of establishment.
- 4.- The freedom to provide services.
- 5.- The free movement of capital.

Lesson 20.- Fundamental rights and the Statute of citizenship of the Union

- 1.- Fundamental rights in the European Union.
 - A) Initial situation and evolution.
 - B) The jurisprudential construction of the European Court of Justice.



- C) The process of normative formalization of fundamental rights.
- 2.- The rights and freedoms inherent to the citizenship of the Union.
- 3.- The Declaration of Fundamental Rights.

5970 SECURITIES AND INSOLVENCY LAW

I. EQUITY-SECURITIES.

Topic 1. General notions of equity-securities

- 1. The statement of the right in the document.
- 2. Economic function of the equity-securities.
- 3. Concept of equity-security.
- 4. Main points of the equity-securities.

Topic 2. Classes of bonds-securities

- 1. Classification criteria.
- 2. Kinds of equity-securities according to the designation of the rights holder.
 - 2.1 Bearer securities.
 - 2.2 Securities order.
 - 2.3 Nominative titles.
- 3. Computerized securities: account annotations.

Topic 3. The bill of Exchange: Introduction

- 1. Concept, characters and functions of the Bill of exchange.
- 2. Formation and historical evolution of the Bill of exchange.
- 3. Personal elements: functions and responsibilities.
- 4. The form of the bill of exchange.

Topic 4. The issuance of the bill of exchange

- 1. The drafting of the letter: obligatory clauses and optional clauses.
- 2. The form of the bill of exchange.
- 3. The blank letter, the incomplete letter, supplements and copies.

Topic 5. Circulation maturity and payment of the bill of exchange

- 1. The endorsement of the Bill of exchange: concept, classes and effects
- 2. The transmission of the bill of exchange.
- 3. The expiry of the bill of exchange.

Topic 6. Acceptance and payment of the bill of exchange

- 1. Meaning and concept.
- 2. Presentation of the bill of exchange for acceptance.
- 3. Form and content of acceptance.
- 4. Effects of acceptance and non-acceptance.



5. Payment of the bill of exchange.
6. Bill of exchange payment guarantees: exchange rate guarantees.

Topic 7. Objection, expiry and intervention of the bill of exchange. The exercise of currency rights.

1. Forced payment. Expiry or detriment of the bill of exchange.
2. The objection and other proceedings in the case of non-payment of the bill.
3. Currency interventions.
4. Legal procedure for collection of the bill of exchange.

Topic 8. The promissory note, the cheque and other equity-securities.

1. The promissory note (issuer and payee).
 - 1.1 Meaning, conception and classes.
 - 1.2 Formal requirements.
 - 1.3 Legal regime.
2. The check.
 - 2.1 Concept, characters and economic function.
 - 2.2 Formal requirements and issuance of the cheque.
 - 2.3 Material requirements for emission of the cheque.
 - 2.4 Circulation and endorsement of the cheque.
 - 2.5 Receipt and payment of the cheque.
 - 2.6 Non-payment of the cheque, objections, and the corresponding actions.
 - 2.7 Special checks.
3. Other equity-securities.

II. INSOLVENCY LAW.

Topic 9. Bankruptcy institutions: preliminary questions

1. The economic crisis of the company.
2. Historical evolution of bankruptcy institutions.
3. Reform of Spanish insolvency law.

Topic 10. Insolvency budgets, classes and organs

1. Bankruptcy budgets.
2. Classes and type of insolvency.
3. Bankruptcy organs.
 - 3.1. The insolvency judge.
 - 3.2. The insolvency administration.
 - 3.3. The board of creditors.

Topic 11. Effects of the insolvency statement

1. Effects of insolvency on the debtor.
 - 1.1. Personal effects.



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- 1.2. Effects on wealth.
2. Effects on the meeting of creditors.
 - 2.1. Paralysis of individual actions.
 - 2.2. The formation of the passive mass or mass of creditors.
3. Effects of the insolvency proceedings on credit.
4. Effects of the insolvency proceedings on bilateral contracts pending implementation.
5. Determination of credit and debt in insolvency.
 - 5.2. Reimbursement of credit and debt.
 - 5.3. Reduction of credit and debt.

Topic 12. The conclusion of the insolvency proceedings and other issues

1. Termination of the insolvency proceedings by agreement.
 - 1.1. Purpose and classes of agreement.
 - 1.2. Proposal, opening and approval of the agreement.
 - 1.3. Effectiveness and compliance with the agreement.
2. Termination of the insolvency proceedings by means of liquidation.
3. Conclusion and reopening of the insolvency proceedings.

5971 SPANISH TAX LAW (II)

I. TAXATION ON CIVIL, BUSINESS, AND CUSTOMS GOODS

LESSON 1. INHERITANCE TAX AND DOCUMENTED LEGAL ACTS

1. Background and normative sources.
2. Nature, characters and structure.
 - 2.1. Nature and characters.
 - 2.2. Structure.
 - 2.3. Incompatibilities.
3. Territorial scope and connection points.
 - 3.1. Territorial scope and binding criteria.
 - 3.2. Connection points with respect to the Autonomous communities.
4. Common principles.
 - 4.1. Principle of qualification of the Act or contract.
 - 4.2. Principle of legal qualification of the assets.
 - 4.3. Principle of uniqueness of conventions.
 - 4.4. Right of affection.
5. Onerous patrimonial transmissions.
 - 5.1. Taxable fact.
 - 5.2. Passive subject.
 - 5.3. Taxable Base.



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- 5.4. Fee.
- 6. Corporate operations.
 - 6.1. General considerations.
 - 6.2. Taxable event.
 - 6.3. Entities assimilated to companies.
 - 6.4. Passive subjects.
 - 6.5. Taxable Base.
 - 6.6. Tax category.
- 7. Documented legal acts.
 - 7.1. General considerations.
 - 7.2. Notarial documents.
 - 7.3. Commercial documents.
 - 7.4. Administrative documents.
- 8. Common provisions.
 - 8.1. Tax benefits.
 - 8.2. Verification of values.
 - 8.3. Tax payment.
 - 8.4. Devolution.
- 9. Tax management.
 - 9.1. Competence.
 - 9.2. Formal obligations.
 - 9.3. Guarantees.

LESSON 2. VALUE-ADDED TAX

- 1. Regulation, nature and scope of application.
- 2. The taxable event.
 - 2.1. Delivery of goods and provision of services.
 - 2.2. Intra-Community acquisitions.
 - 2.3. Imports.
- 3. Exemptions.
- 4. Obligated subjects.
 - 4.1. Passive subjects.
 - 4.2. Responsible for the tax.
 - 4.3. Tax impact.
- 5. Quantification.
 - 5.1. Taxable Base.
 - 5.2. Types of assessment.
 - 5.3. Deductions.
- 6. Returns.
- 7. Special tax rules.
 - 7.1. Simplified tax rules.
 - 7.2. Special scheme for agriculture, livestock and fisheries.



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- 7.3. Special scheme for used goods, art objects, antiques and collectable items.
- 7.4. Special rules on investment in gold.
- 7.5. Special scheme for travel agencies.
- 7.6. Special rate of equivalence surcharge.
- 7.7. Special scheme applicable to the electronic provision of services.
- 7.8. Special scheme for groups of entities.
- 8. Value-Added Tax management.

LESSON 3. SPECIAL TAXES

- 1. General considerations.
- 2. Special manufacturing taxes.
 - 2.1. Nature and scope of application.
 - 2.2. The taxable fact.
 - 2.3. Exemptions.
 - 2.4. Passive subjects.
 - 2.5. Quantification of the tax debt.
- 3. Special tax on certain means of transport.
 - 3.1. The taxable fact.
 - 3.2. Exemptions.
 - 3.3. Passive subjects.
 - 3.4. Quantification of the tax debt.
- 4. Special tax on coal.
- 5. Management of excise duties.
- 6. Excise duty on retail sales of certain hydrocarbons.
 - 6.1. Nature and objective scope.
 - 6.2. Taxable, accrual, non-subjective and exemptions.
 - 6.3. Taxable persons and repercussions.
 - 6.4. Quantification.
 - 6.5. Management.

LESSON 4. THE TAX ON INSURANCE PREMIUMS

- 1. Nature, taxable event, and exemptions.
- 2. Taxable persons and effects.
- 3. Quantification.
- 4. Management.

LESSON 5. CUSTOM TAX

- 1. Introduction.
- 2. Nature and classes.
- 3. The taxable even.

4. Exemptions.
5. Passive subjects.
6. Quantification.
7. Management.

II. REGIONAL AND LOCAL TAXATION

LESSON 5. TAXATION IN THE AUTONOMOUS COMMUNITIES

1. The economic agreement of the historical communities of the Basque Country and the regional community of Navarra.
 - 1.1. The economic arrangements of the historical communities of the Basque Country
 - 1.2. The economic convention of Navarra.
2. The common tax system of the Autonomous Communities.
 - 2.1. Our own taxes.
 - 2.2. State-issued taxes.
3. Other special tax arrangements by reason of the territory.
 - 3.1. System of the autonomous Community of the Canary Islands.
 - 3.2. Economic and financial regime of Ceuta and Melilla.

LESSON 6. LOCAL CORPORATION TAX.

1. The local tax system in the Constitution.
2. Structure of the local tax system: general characterization.
3. Municipal taxes.
 - 3.1. Real estate tax.
 - 3.2. Tax on economic activities.
 - 3.3. Tax on mechanical traction vehicles.
 - 3.4. Tax on constructions, installations and works.
 - 3.5. Tax on the increase in value of land of urban nature.
 - 3.6. Tax on luxury expenses (hunting and fishing bans).
4. Fees.
5. Special contributions.
6. Provincial taxes.
7. Taxes of supra-municipal entities and of sub-municipality territorial scope.

5972 CRIMES AND PENALTIES (I)

TOPIC I: crimes against independent human life.

TOPIC II: crimes against dependent human life.

TOPIC III: crimes against physical integrity. Injury. Injury to the fetus.



TOPIC IV: genetic manipulation.

TOPIC V: crimes against freedom (1). Illegals arrests and kidnappings.

TOPIC VI: crimes against freedom (2). Coercion and threats.

TOPIC VII: crimes against moral integrity. The trafficking of humans.

TOPIC VIII: crimes against freedom and sexual indemnity (1). Sexual assaults. Sexual abuse. Sexual harassment.

TOPIC IX: crimes against freedom and sexual indemnity (2). Offences relating to prostitution. Exhibitionism and sexual provocation.

TOPIC X: the omission of the duty of relief

5973 DERECHO ADMINISTRATIVO (III)

COMPULSORY EXPROPRIATION

Topic 1. Compulsory expropriation (I): concept, legal regulations and competences, subjects and pre-requisites

1. Constitutional and legal configuration of expropriation.
2. Legal framework and distribution of powers of compulsory expropriation.
3. Subjects of compulsory expropriation.
4. The declaration of public utility as a prerequisite.

Topic 2. Compulsory expropriation (II): The expropriation procedure and Reversion

1. The declaration of need for occupancy.
2. Setting the just and fair price.
3. Payment and taking possession.
4. The urgent expropriation procedure.
5. Extinction of expropriation: reversion.

PUBLIC ADMINISTRATION PERSONAL MEDIA

Topic 3. The constitutional model of public employment

1. Evolution of public employment.
2. Legal regime of personnel at the service of the public administrations: Constitutional configuration and legal framework.

Topic 4. Access, development and termination of the service relationship

1. Access to Public Administration service positions.
2. The provision of jobs.
3. Professional promotion.
4. Administrative situations.
5. Loss of employment status.

Topic 5. Content of the service relationship: rights, duties and incompatibilities



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1. Rights of public sector employees: economic rights; material rights; collective rights.
2. The duties of public sector employees and their disciplinary control.
3. Incompatibilities of the personnel at the service of the Public Administrations.

MATERIAL MEDIA OF THE PUBLIC ADMINISTRATIONS

Topic 6. General Regulations on the Assets of the Public Administrations.

1. Evolution and current framework for public property.
2. Concept and legal framework for publicly owned property.
3. Concept and legal framework for cultural heritage.
4. Other public properties: national heritage and communal property.

Topic 7. Assets in the Public Domain.

1. Assignment and declassification of publicly owned assets.
2. Use of publicly owned assets.
3. Protection of publicly owned property.
4. The public domain of waters, coasts, mines.

URBANISM

Topic 8.-Urban Planning law

1. Concept and origins of urban law.
2. State bases of urban law.
3. The planning authority.
4. The urban discipline.
5. Execution of planning and land use.

PUBLIC SECTOR CONTRACTS

Topic 9. Public sector contractual activity

1. Origin and evolution of public procurement.
2. Legal framework for public sector contracts: object and scope of application of the consolidated text of the Law on Public Sector Contracting.
3. Administrative contracts and private contracts: criteria of distinction and legal consequences.
4. The parties to public contracts: the requirements for contracting with the sector public.

Topic 10. Selection and award of the contract. Formalization, execution, and Extinction

1. Selection and award of contracts: procedures and award criteria.
2. Modernization techniques and rationalization of public contracting.
3. Formalization of the contract.
4. Contract execution: termination and payment.
5. Contract termination and settlement.



5974 INTRODUCTION TO PROCEDURAL LAW

JUSTICE AND PROCEDURAL LAW.

TOPIC 1: Justice in the Democratic State under the rule of law

1. Introduction.
2. Justice and the division of powers.
3. Articulation of justice: jurisdiction, action, and process.

TOPIC 2: Procedural law

1. Introduction.
2. Historical evolution.
3. Concept, characters and content.
4. Sources of procedural law:
 - a) Constitution.
 - b) Law: Organic and procedural.
 - c) Others.
5. Scope of application of procedural rules:
 - a) In time.
 - b) In space.

Jurisdiction

TOPIC 3: Jurisdictional authority and function

1. Introduction.
2. Jurisdictional Authority:
 - a) Concept.
 - b) Characters: Unity, exclusivity and independence.
3. Jurisdictional function:
 - a) Object and Purposes.
 - b) Extension and Limits.
 - c) Jurisdiction and administration: conflicts of attributions.

TOPIC 4: Ordinary and special jurisdiction.

1. Introduction.
2. Organization of courts and tribunals:
 - a) Civil jurisdictional order.
 - b) Criminal jurisdictional order.
 - c) Contentious-Administrative jurisdictional order.
 - d) Social jurisdictional order.
3. Military jurisdiction.
 - a) Organization.
 - b) Conflicts of jurisdiction.
4. Other jurisdictional bodies.
 - a) Constitutional Court.

- b) Court of Auditors.
- 5. Court of Justice of the European Union.
- 6. European Court of Human Rights.
- 7. International Criminal Tribunal.

TOPIC 5: Government and functioning of the justice system.

- 1. Introduction.
- 2. The General Council of the Judiciary.
 - a) Composition and organization.
 - b) Attributions.
- 3. The Plenary Chamber.
- 4. Functioning of the courts.
- 5. Material responsibility of the State for the abnormal functioning of the Justice System.

TOPIC 6: Jurisdiction Employees

- 1. Introduction.
- 2. Judges and Magistrates.
 - a) Legal status.
 - b) Abstention and challenges.
 - c) Liability.
- 3. Court clerk.
 - a) Organization.
 - b) Lawyers of the justice system: their legal status, functions and appointment.
 - c) Public-sector employees serving the justice system: general and special.

TOPIC 7: Justice System Staff.

- 1. Introduction.
- 2. Ministry of Justice.
 - a) Nature, principles and organization.
 - b) Legal status of its members.
 - c) Functions.
- 3. Lawyers.
 - a) Access to the profession.
 - b) Rights and duties.
 - c) Functions.
- 4. Attorneys.
 - a) Access to the profession.
 - b) Rights and duties.
 - c) Functions.
- 5. Representation and defense of the administration: State attorneys and lawyers of the Autonomous Communities and local corporations.
- 6. Judicial Police.



Action

TOPIC 8: Action as a right to effective legal protection.

1. Introduction.
2. Action: Concept and historical evolution.
3. The fundamental right to effective legal protection.
 - a) Headlines.
 - b) Content.
 - c) Protection.
4. Action and claim: types of claims.

Process

TOPIC 9: The process as the right to due process

1. Introduction.
2. The process: concept, legal nature and historical evolution.
3. The fundamental right to due process:
 - A. Origin.
 - B. Content.
 - C. Protection.
4. Terminology and Definitions:
 - A. Process and Procedure.
 - B. Trial and prosecution.

TOPIC 10: Principles of Due Process

1. Introduction.
2. Right to the judge as predetermined by law and right to an impartial judge.
3. Defence right:
 - a) Contradiction.
 - b) Procedural equality.
 - c) Legal counsel.
 - d) Right to an interpreter.
 - e) Right to the presumption of innocence.
 - f) Right to use the relevant means of evidence for the defense.
4. Right to a public trial.
5. Right to a trial without undue delay.
6. Others:
 - a) Right to a reasoned legal decision.
 - b) Right to precautionary guardianship.
 - c) Right to the means of legal challenges.
 - d) Right to the implementation of judicial decisions.

TOPIC 11: Principles of procedural activity.

1. Introduction.



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2. Principle of legality and principle of opportunity.
3. Principle of proportionality.
4. Principle of officiality and the dispositive principle.
5. Principle of production of evidence.
6. Principles relating to the form of procedural activity:
 - a) Orality and writing.
 - b) Inmediation.
 - c) Concentration and eventuality.
 - d) Preclusion.
 - e) Official impulse.

TOPIC 12: Procedural Acts

1. Introduction.
2. Concept and characteristics.
3. Requirements:
 - a) Place.
 - b) Time.
 - c) Form.
4. Nullity and other defects of procedural acts.
5. Procedural Acts:
 - a) Of the Judge.
 - b) Of the Lawyer of the Justice System.
 - c) Of the parties.
6. Acts of communication:
 - a) With other jurisdictional bodies: judicial assistance and cooperation.
 - b) With other public bodies.
 - c) With individuals.

TOPIC 13: Evidence, means of legal challenges and res judicata.

1. Evidence and probative activity:
 - a) Concept, characteristics and requirements.
 - b) Limits of probative activity: illegal evidence.
 - c) Assessment of the test: systems.
2. Means of mounting a challenge:
 - a) Concept and rationale.
 - b) Effects.
 - c) Classes.
3. Final Judgment:
 - a) Formal final judgment.
 - b) Material final judgment.
 - c) Challenge of res judicata.

TOPIC 14: Economic aspects of the process.

1. Procedural costs.
2. Judicial fees.
3. Free legal assistance:
 - a) Concept and rationale.
 - b) Budgets.
 - c) Content.
 - d) Procedure.

TOPIC 15: Alternative modes of conflict resolution

1. Introduction: ADR as an alternative to the process.
2. Conciliation.
3. Mediation.
4. Arbitration.

5975 EUROPEAN COMMUNITY INSTITUTIONS AND LAW (II)

I. RIGHTS IN THE EU AND THE JUDICIAL SYSTEM

1. The jurisdictional system of the European Union.
2. The fundamental rights of the European Union.
3. Union citizenship and status.
4. Common foreign and security policy
5. The area of freedom, security and justice

II. THE COMPETENTIAL SYSTEM OF THE EUROPEAN UNION AND EUROPEAN POLICIES

1. The competences of the European Union: their categorization.
2. European Policies.

➤ **4th year**

5976 INTERNATIONAL PRIVATE LAW (I)

GENERAL PART

- TOPIC 1. Object, functions, content and sources of international private law.
- TOPIC 2. Methods of regulation and positivation techniques.
- TOPIC 3. The conflict-of-laws rule. Concept, characteristics and structure.
- TOPIC 4. Problems of its application.

THE RIGHT OF NATIONALITY

TOPIC 5. Concept and function. General characteristics of spanish nationality law.

TOPIC 6. The attribution of nationality.

TOPIC 7. The acquisition of nationality.

TOPIC 8. Loss, conservation and recovery of nationality.

TOPIC 9. Determination of citizenship in assumptions of plurinacionality.

IMMIGRATION LAW

TOPIC 10. Rights and freedoms of foreigners in Spain.

TOPIC 11. Access to the territory. Stay and residence. Family regrouping and roots.

TOPIC 12. Departures from the territory. Infringements and sanctions.

5977 CRIMES AND PENALTIES (II)

TOPIC 1

Civil proceedings: general notions.

1. Introduction.
2. Declarative process.
3. Execution process.
4. Precautionary process.
5. Types of declarative processes. Rules to determine the corresponding process.
6. Alternative dispute resolution systems to civil proceedings.

TOPIC 2

Competence.

1. Introduction.
2. Jurisdiction and civil competence.
3. Objective competence.
4. Functional competence.
5. Territorial competence.
6. The distribution of matters.

TOPIC 3

Procedural parties.

1. Introduction.
3. Qualification of a party.
4. Procedural capacity.
5. Procedural legitimation.
6. Plurality of the parties.
7. Procedural succession.
8. Procedural application.
9. The Public Administrations as procedural party.



10. The Public Prosecutor in civil proceedings.

TOPIC 4

Object of the proceedings

1. Introduction.
2. The claim as the object of the proceedings: a) Concept; b) Elements: petitum and cause petendi.
3. Plurality of claims: a) Accumulation of shares; b) Accumulation of Proceedings.

TOPIC 5

Prior activities.

1. Introduction.
2. Conciliation.
3. Preliminary measures.
4. Prior administrative claim.
5. Judicial rates.

TOPIC 6

Demand.

1. Introduction.
2. Concept, form and content.
3. Presentation of documents, opinions, reports and other means and instruments.
4. Admission of the claim.
5. Effects.
6. Transformation and change of demand.

TOPIC 7

Defendant's attitudes.

1. Introduction.
2. Rebellion.
3. Answer to the request: a) Form; b) Content.
4. The exceptions: a) Concept; b) Classes.
5. Counterclaim.

TOPIC 8

Preliminary hearing and trial.

1. Introduction.
2. The preliminary hearing: a) Purpose; b) Subjects; c) Content and development; d) effects.
3. The trial: a) Purpose; b) Development.

TOPIC 9

Probative phase: general notions.



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1. Introduction.
2. Sources and means of proof.
3. Object.
4. Burden of proof.
5. Probatory procedure.
6. Anticipation and assurance of the test.

TOPIC 10

Probative phase: means of proof.

1. Interrogation of the parties.
2. Documentary evidence.
3. Opinion of experts.
4. Examination of witnesses.
5. Judicial recognition.
6. Means of reproduction of sound or image and archival instruments.
7. Presumptions.

TOPIC 11

Conclusions and judgment phase.

1. Introduction.
2. Conclusions: a) Concept; b) Legal regulation.
3. Summons for sentencing.
4. Final proceedings.
5. Judgment: a) Concept and classes; b) Requirements: exhaustive, cohesive, logical and reasoned.

TOPIC 12

Effects of the proceedings.

1. Introduction.
2. Final Judgment: a) Formal and material; b) Resolutions with force of *res judicata*; c) Limits; d) Procedural treatment.
3. Economic effects; procedural costs: a) Concept and content; b) Criteria of imposition; c) Charges and levies.

TOPIC 13

Development and abnormal conclusion of the process.

1. Introduction.
2. Abnormal process development: a) Incidental issues; b) Prejudicial issues; c) Paralysis of the process.
3. Abnormal termination of the proceedings: a) Renunciation; b) Withdrawal; c) Admission of liability; d) Plea-bargaining; e) Out-of-Court settlements or ex-post lack of cause; f) Stay of proceedings; g) Time limitation.



TOPIC 14

The oral trial.

1. Introduction.
2. Modalities of oral judgment.
3. Demand: specialties.
4. Actions.
5. Hearing.
6. Judgment.

TOPIC 15

Special proceedings.

1. Proceedings on the civil status of people.
2. Proceedings for the judicial division of assets.
3. The small claims procedure.
4. The order for payment procedure.

TOPIC 16

Means of legal challenges:

1. Introduction.
2. Classification.
3. Application for reconsideration.
4. Appeal for review.
5. Appeal against refusal of leave to appeal.
6. Appeal (against a judgment).
7. Extraordinary remedy for procedural infringement.
8. Third-tier appeal to the Supreme Court [Appeal for cassation].
9. Appeal on a point of law.
10. Challenge to res judicata [final judgement]: a) Review; b) Hearing the defendant; c) Nullity of action.

TOPIC 17

Provisional process.

1. Introduction.
2. Concept and rationale.
3. Legal nature.
4. Budgets.
5. Characteristics and effects.
6. Provisional measures: a) Specific; b) Other.

TOPIC 18

Enforcement process.

1. Introduction.
2. Concept, nature and classes.

3. Characteristics and principles.
4. Enforceable rights.
5. Competence.
6. Parties.
7. Opening a session.
8. Opposition to enforceable measures.

5978 CIVIL PROCEDURAL LAW

TOPIC 1

Civil proceedings: general notions.

1. Introduction.
2. Declarative process.
3. Enforcement process.
4. Provisional process.
5. Types of declarative processes. Rules to determine the corresponding process.
6. Alternative dispute resolution systems to civil proceedings

TOPIC 2

Competence.

1. Introduction.
2. Jurisdiction and civil competence.
3. Objective competence.
4. Functional competence.
5. Territorial competence.
6. The distribution of cases.

TOPIC 3

Parties to the procedure.

1. Introduction.
2. Concept.
3. Requirements for parties.
4. Procedural capability.
5. Procedural legitimation.
6. Plurality of parties.
7. Procedural succession.
8. Procedural representation.
9. The Public Administrations as procedural parties.
10. The Public Prosecutor in the civil proceeding.

TOPIC 4

Object of the proceedings.



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1. Introduction.
2. The claim as the object of the proceedings: a) Concept; b) Elements: petitum and cause petendi.
3. Plurality of claims: a) Accumulation of actions; b) Accumulation of Proceedings.

TOPIC 5

Preliminary actions.

1. Introduction.
2. Conciliation.
3. Preliminary measures.
4. Preliminary administrative claim.
5. Court fees.

TOPIC 6

Demand.

1. Introduction.
2. Concept, form, and content.
3. Presentation of documents, opinions, reports, and other means, and instruments.
4. Admission of the claim.
5. Effects.
6. Transformation and change of demand.

TOPIC 7

Attitudes of the Defendant.

1. Introduction.
2. Absence.
3. Response to the challenge: a) Form; b) Content.
4. The exceptions: a) Concept; b) Classes.
5. Counterclaim.

TOPIC 8

Preliminary hearing and trial.

1. Introduction.
2. The preliminary hearing: a) Purpose; b) Subjects; c) Content and Development; d) Effects.
3. The trial: a) Purpose; b) Development.

TOPIC 9

Probative phase: general notions

1. Introduction.
2. Sources and means of evidence.
3. Object.
4. Burden of proof.

5. Probatory procedure.
6. Pre-trial disclosure and securing the evidence.

TOPIC 10

Probative phase: means of proof.

1. Interrogation of the parties.
2. Documentary evidence.
3. Expert opinion.
4. Cross-examination of witnesses.
5. Judicial recognition.
6. Means of reproduction of sound or image and archival instruments.
7. Presumptions.

TOPIC 11

Conclusions and judgment phase.

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Effects of the proceedings.

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3. Economic effects; procedural costs: a) Concept and content; b) Criteria for application; c) Costs and levies.

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Development and abnormal conclusion of the process.

1. Introduction.
2. Abnormal procedural developments: a) Incidental issues; b) Prejudicial issues; c) stay of the proceedings.
3. Abnormal termination of the proceedings: a) Abandonment; b) Withdrawal; c) Admission of liability; d) Plea-bargaining; e) Out-of-court settlement or ex-post lack of cause; f) Dismissal; g) Time limitation.

TOPIC 14

The oral hearing.

1. Introduction.
2. Modalities of the oral judgment.



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3. Claim: specialties.
4. Preliminary actions prior to the oral hearing.
5. Oral hearing.
6. Judgment.

TOPIC 15

Special processes.

1. Process on civil status.
2. Proceedings for the judicial division of assets.
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9. Appeal on a point of law.
10. Challenge to res judicata [final judgement]: a) Review; b) Hearing the defendant; c) Nullity of action.

Means of legal challenges.

5979 INTERNATIONAL PRIVATE LAW (II)

INTERNATIONAL CIVIL PROCEDURAL LAW.

TOPIC 1. International judicial competence of the spanish courts in the civil order.

Autonomous region law.

TOPIC 2. Civil procedural framework with foreign elements. International judicial assistance.

TOPIC 3. Recognition and execution of foreign judicial decisions in spain. Autonomous regional systems.

TOPIC 4. Study of regulation 1215/2012.

TOPIC 5. Study of law 29/2015 on international judicial cooperation in civil matters.

CONFLICTING LAWS IN INTERNATIONAL CIVIL LAW.

TOPIC 5. Legal framework of the person in international private law.



TOPIC 6. Marriage in private international law. Personal effects, assets, and related items.

TOPIC 7. Marriage crises: suspension and transformation of the link.

TOPIC 8. Filiation. Parental-subsidiary relations and protection of the child.

TOPIC 9. Mortis causa successions.

TOPIC 10. Legal framework of real rights in private international law.

TOPIC 11. Obligations and contracts. Contentious contractual matters. Special contracts.

TOPIC 12. Extracontractual obligations. The rome ii regulation 864/2007 (rome ii).

5980 CRIMINAL PROCEDURAL LAW

Section I: General notions.

TOPIC 1: The criminal process. Basic lines.

- 1) Functions and purpose of the criminal process.
- 2) Criminal procedural systems.
 - a) Historic approximation.
 - b) Current models.
- 3) Structure and phases.
- 4) The purpose of the criminal process.
 - a) Criminal claim.
 - b) Civil action derived from the crime.

TOPIC 2: Subjects of the proceedings.

- 1) The court.
 - a) Jurisdiction
 - b) Competence: objective, territorial and functional.
 - c) Connection rules.
- 2) Active legitimation.
 - a) Justice Ministry.
 - b) Popular accusation.
 - c) Legitimization of the victim: 1) Private accusation; 2) Private accusation.
- 3) Passive legitimation.
 - a) The physical person under investigation.
 - b) The legal person under investigation.
- 4) Defense and representation.
- 5) Joined cases in civil proceedings
 - a) Civil actor.
 - b) Civil liability.

Section 2: The Instruction

TOPIC 3: The Instruction: general notions

- 1) Concept and functions.
- 2) Content, characteristics and general rules.
- 3) Publicity of the process and secrecy of the summary.
- 4) Value of the summary proceedings.
- 5) Forms of instituting criminal proceedings: a) report; b) police statement; c) complaint.

TOPIC 4: Investigation Measures

- 1) Investigation of the crime and identification of the offender.
 - a) Judicial inspection.
 - b) Statement of the accused.
 - c) Witness statements. Interviews.
 - d) Expert reports.
- 2) Investigative measures.
 - a) Entry and searches of homes and buildings.
 - b) Registration of documents and computer files.
 - c) Investigative measures linked to communications: seizure of data traffic and content and intercepting live communications.
 - d) Other technological research measures: location measures, observation and monitoring.
 - e) Corporal interventions.
 - f) Biometric tests: DNA analysis, breathalyzer and "tests" for psychotropic substances.
 - g) Other investigative actions (undercover agents, supervised deliveries, filming in public places, etc.)

Section 3: Provisional measures

TOPIC 5: Personal provisional measures

- 1) Concept, features, and budgets.
- 2) Detention: a) Concept; b) Classes; c) Time; d) Guarantees of the detainee; and e) Special consideration of the Law on the Protection of Citizen Security; f) European Arrest Warrant.
- 3) Provisional prison: a) Legal nature; b) Budgets and limits; c) Classes; d) Proceedings.
- 4) Provisional freedom.
- 5) Protection order.
- 6) Other measures restricting freedom
- 7) The Habeas Corpus procedure

TOPIC 6: Real precautionary measures and assurance of responsibilities pecuniary

- 1) Concept and budgets



- 2) Bonds
- 3) Embargoes
- 4) Intervention of motor vehicles
- 5) Other
- 6) Precautionary measures against legal entities

Section 4: Intermediate phase and oral hearing

TOPIC 7: Intermediate phase

- 1) Conclusion of the summary.
- 2) Stay of proceedings. a) Concept; b) Classes and effects; c) Challenge.
- 3) Provisional qualifications and opening of the oral trial.
- 4) Conformity: a) concept and nature; b) scope and modalities; c) effects.

TOPIC 8: Oral hearing

- 1) Preliminary questions.
- 2) Early disclosure of evidence and other preparatory acts.
- 3) Trial development.
 - a) Opening the proceedings.
 - b) Presentation of evidence: presumption of innocence and minimum levels of evidence.
 - c) Definitive conclusions, reports and "the last word".
 - d) Mistaken legal classification in the view of the Court.

TOPIC 9: Judgment and effects of the proceedings

- 1) The judgment: concept and content
- 2) Assessment of the evidence and pronouncement of the sentence.
- 3) Final Criminal Judgment.
- 4) Efficacy of the criminal sentence in other jurisdictional orders.
- 5) Procedural costs.
- 6) Execution (criminal and civil).

Section 6: Criminal Procedures

TOPIC 10: The Procedures of the Criminal Procedural Law

- 1) Ordinary procedure: a) scope of application; b) characteristics
- 2) Abbreviated procedure: a) scope of application; b) characteristics; c) actions of the judicial police; d) measures of the Public Prosecutor's Office; e) specialties in the instruction; Specialties in the oral hearing
- 3) Procedure for fast-track prosecution of certain crimes: a) scope of application; b) actions of the Judicial Police; c) Urgent proceedings before the *de officio* Court; d) Preparation for the oral hearing; e) Oral hearing and judgment.
- 4) Trial for lesser offenses (former minor infringements).

TOPIC 11: Other criminal procedures



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- 1) Procedure before the Jury Court.
 - a) Scope of application and general characteristics.
 - b) Instruction: specialties.
 - c) Trial, verdict and sentence.
- 2) Juvenile Procedures.
- 3) Military criminal process
- 4) Procedural specialties.
 - a) By reason of the people.
 - b) By reason of the matter.
- 5) Extradition.

Section 7. Means of legal challenges

TOPIC 12: Means of legal challenges

- 1) Appeal to a court of last resort: amendment and pleading.
- 2) Appeal.
 - a) Concept and requirements.
 - b) Procedure.
 - c) Appeal against refusal of leave to appeal.
- 3) Third-tier appeal to the supreme court.
 - a) Concept and characteristics
 - b) Reasons:
 - a) Breach of law;
 - b) Breach of form
 - c) Substantiation and effects.
- 4) Appeal for annulment.
- 5) Criminal review.
 - a) Concept, characteristics and reasons.
 - b) Procedure.
 - c) Effects.

5981 FAMILY AND SUCCESSION LAW

Part I Family

Topic I

Family Law. The family as a social institution and its legal regulation. Family law in the Constitution. Marriage: nature, characters and historical evolution. Classes and form of marriage in Spanish Civil Law. The fiancés. Civil marriage: Capacity of subjects, consent and absence of impediment. Proof of marriage.

Topic 2

The nullity of civil marriage: causes. The putative marriage: origin, nature and effects. Effects of marriage: community of life, rights and duties of the spouses. Suspension of

cohabitation: judicial and de facto separation. Reconciliation. The annulment of marriage: death, declaration of death and divorce.

Topic 3

Effects common to nullity, separation and divorce. Provisional measures. The Regulatory agreement. Judicial measures in the absence of agreement. Modification of the agreement. Common Law marriages.

Topic 4

General provisions regarding property ownership between couples: the so-called primary framework. Agreed freedom. Domestic authority. Usual family dwelling. Acquisition rights of the widowed spouse. Freedom of contracting between spouses.

Topic 5

Co-owned properties: nature and structure. Co-owned assets. Exclusive goods. Charges and obligations. Administration and disposal. Divorce and settlement. Rights of preferential attribution.

Topic 6

The framework for participation in profits: nature and structure. Determination of participation. Liquidation and discharge. The division of joint property: structure. Contribution to common charges. Presumption of community and other presumptions. Disposal of the jointly acquired property.

Topic 7

Family relations: classes. Effects of family relations. Duties that derive from family relations. Family relations by nature. Actions claiming or challenging family relations. Exclusion of the resulting rights. Aspects of registration. Adoption of family members. International adoption.

Topic 8

Parental authority. Joint exercise. Content: asset management and legal representation. Termination of parental rights. Extension and rehabilitation of the custody. The right to food: foundation, concept and classes. Nature of the injunction. Subjects of the injunction: priority order of those affected by the injunction. Content. Application.

Topic 9

Inheritance mortis causa and inheritance law. Constitutional basis. Voluntary inheritance and legal inheritance. The inheritance. Phases of the inheritance process. The transmission of ius delationis. Fitness to inherit and disabilities. Disinheritance and

disqualification from inheritance. The survival of the heir. The right of representation. The right of accrual.

Topic 10

Effects of succession. Acceptance: its classes and forms. Repudiation of the inheritance. The acquisition and ownership of hereditary assets. The action of requesting the inheritance. The hereditary community. Debts and inheritance charges: settlement. The collation principle. Partition: classes. Effects of the partition. Inefficiency and means of legal challenges.

Topic 11

Inheritance by last will and testament: concept of the testament. Fitness of testator to make a will. Defects of the last will and testament. The interpretation of the will. Classes of wills: notarial wills. Open wills (non-notarial). The holographic testament. Special testaments. The Record of Acts of last will and testament. Content of the will. The institution of the heir: requirements and modalities. Provisions in favor of the soul, the poor and relatives. Legacies: legal regime. Classes of legacies regulated in the Civil Code.

Topic 12

Substitutions: concept and classes. Vulgar substitution. Pupillary and exemplary substitutions. Trust substitution. The execution of testamentary wills: the executorship. Classes. Rights and duties of the executor. Duration and extension of the post. Discharge. Inefficacy of the testament: classes. Revocation of a will. Invalidity of the clauses of a testament. Expiry of the testament.

Topic 13

Limitations on testamentary freedom. The lawful portion: concept and nature. The lawful or legitimate portion both of the descendants and of the ascendants. The lawful portion of the widowed spouse. Calculation, allocation and payment of the legitimate portion. Protection of the legitimate portion. The "mejora" (2nd of 3 portions into which an inheritance is divided by law) Reservations: concept. The ordinary reservation. The linear reserve. The right of legal reversion. Wrongful omission. Disinheritance.

Topic 14

The intestate succession. The contractual succession. The exceptional succession: titled nobility. Succession in favor of the State.



5984 ELECTION LAW AND POLITICAL PARTIES

I. ELECTORAL LAW. GENERAL PART

TOPIC 1. INTRODUCTION

1. Historical background of electoral law in Spain.
2. Approach to the concept of electoral law.
3. Sources of electoral law.

TOPIC 2. PERSONAL ELEMENTS OF THE ELECTION

1. The right to active suffrage.
2. The right to passive suffrage.

TOPIC 3. THE MATERIAL ELEMENTS OF THE ELECTION

1. The electoral district.
2. The electoral system.
3. The electoral Administration.
4. The electoral process.
5. Post-election processes.

II. ELECTORAL LAW. SPECIAL PART.

TOPIC 4. ELECTORAL PROCESSES IN SPANISH LAW

1. Elections to the Spanish Parliament (*Cortes General*).
2. Elections to the parliaments of the Autonomous Communities.
3. Local elections.
4. Elections to the European Parliament.

III ELECTORAL ANALYSIS.

TOPIC 5. ELECTORAL ANALYSIS

1. Performance of the electoral system.
2. Proposals for reform.

IV. LAW OF POLITICAL PARTIES

TOPIC 6 LAW OF POLITICAL PARTIES

1. Constitutional configuration of political parties.
2. Legal regulation. The law of parties.
3. Financing of political parties.



5985 BUDGETARY LAW

LESSON 1

Budgetary law.

LESSON 2

Budgetary principles.

LESSON 3

Development and approval of the general budgets of the state.

LESSON 4

The execution of the general budgeting laws of the State.

LESSON 5

Control of the general budgeting laws of the state.

LESSON 6

The public treasury.

LESSON 7

The subsidy.

LESSON 8

The budget of the autonomous communities.

LESSON 9

The budget of local corporations.

LESSON 10

The budget of the European Union.

5986 INTERNATIONAL AND EUROPEAN LAW OF FOREIGNERS

1. Conceptual and general aspects.
2. Rules applicable to foreigners.
3. Human rights of foreigners.
4. Nationality of States and citizenship of the Union.
5. The area of freedom, security and justice in the EU.
6. Regulations on entry, stay, residence and departure of foreigners in Spain.
7. The family in the rights of foreigners.
8. Work authorization for foreigners.
9. Sanctions, expulsions, expatriation and returns of foreigners
10. European comparative law regarding foreigners.



5987 PUBLIC PROCUREMENT

REGULATORY FRAMEWORK OF PUBLIC CONTRACTING

Topic 1

- Origin and evolution of contractual regulations.
- The importance of European public procurement law

Topic 2

- The Consolidated Text of the Law on Public Sector Contracts (*Texto Refundido de la Ley de Contratos del Sector Público*) (TRLCSP).
- Structure and novelties of the TRLCSP.
- Contracting in the water, energy, and transport sectors and in the postal services.
- Contracting in the fields of defense and security.

Topic 3

- Subjective scope of application of the TRLCSP.
- Objective scope of application of the TRLCSP.
- The parties to the contract.

Topic 4

- Delimitation of public sector contracts.
- Applicable legal regime.
- The competent jurisdictional order in charge of public contracts.
- The special appeal in matters relating to contracting.
- Courts of contractual remedies.

Topic 5

- Preparation and award of contracts.

Topic 6

- Execution of contracts.
- Modification of contracts and price revision.
- Termination of the contracts.

5988 COMMERCIAL CONTRACTS

1.- GENERAL THEORY

A) THE MERCANTILE OBLIGATION

- 1.- Sources of mercantile obligations.
- 2.- Special regime of mercantile obligations.



3.- The transfer of credits in Mercantile Law.

B) THE MERCANTILE CONTRACT

- 1.- Particularities of mercantile contracts.
- 2.- The interpretation of mercantile contracts.
- 3.- Other aspects of mercantile contracting.
- 4.- Modern mercantile contracting.
- 5.- International contracts. The INCOTERMS.

2.- CONTRACTS FOR THE PROMOTION OF OTHER CONTRACTS

A) THE CONTRACTS OF THE COMMISSION, AGENCY AND MEDIATION

- 1.- The contract and commission.
 - 1.1.- Concept and content.
 - 1.2.- Special commission cases.
- 2.- The agency contract
 - 2.1.- Economic function, regulation and characteristics.
 - 2.2.- Content. Exclusive clauses.
- 3.- The mediation or brokerage contract.
 - 3.1.- Distinction of related figures.
 - 3.2.- Concept and characteristic notes.

B) DISTRIBUTION CONTRACTS

- 1.- The distribution contracts.
 - 1.1.- The different forms of commercial distribution.
 - 1.2.- The commercial concession contract.
 - 1.3.- The franchise contract.

3.- CONTRACTS FOR THE EXCHANGE OF GOODS

A) THE COMMERCIAL PURCHASE AGREEMENT

- 1.- Concept and requirements of the contract.
- 2.- Content of the contract.
- 3.- The transfer of risk in the commercial sale.
- 4.- LBO and MBO.

B) SPECIAL PURCHASES AND OTHER RELATED CONTRACTS

- 1.- Special purchases and sales in response to the consent of the buyer or the seller.
- 2.- Purchases in which the payment is split or postponed.
- 3.- Special sales with regard to the venue or place of delivery.
- 4.- Special sales and purchase with regard to its promotional character.
- 5.- The international sale.



4.- TRANSPORTATION CONTRACTS

- 1.- The transport contract in general: nature, classes and legal framework.
- 2.- The contract of transport by road: national haulage and international goods transport.
 - 2.1.- Overland goods transport.
 - 2.2.- Overland transport of passengers.
- 3.- Rail transport.
- 4.- Air transport of passengers and goods.
- 5.- The maritime transport contract.
- 6.- MULTIMODAL transport.

5.- LOAN AND GUARANTEE CONTRACTS.

- 1.- The commercial loan contract.
 - 1.1.- Participative loans.
 - 1.2.- "Mezzanine" debt.
 - 1.3.- Syndicated financing.
- 2.- The commercial bond.
- 3.- Warranty upon first request.
- 4.- Comfort letter.

6.- TECHNICAL AND / OR FINANCIAL COLLABORATION CONTRACTS

- 1.- The commercial current account contract.
- 2.- The contract of accounts in participation.
- 3.- Temporary Business Unions.
- 4.- Joint Venture.
- 5.- Leasing contracts. Renting.
- 6.- The transmission of technology. The licenses
- 7.- The factoring contract.
- 8.- The engineering contract.

7.- BANK CONTRACTS

- 1.- The passive banking operations. Bank deposits.
- 2.- Active banking operations. The loan.

5989 ECONOMIC CRIMINAL LAW

1.- GENERAL THEORY

A) THE COMMERCIAL OBLIGATION

- 1.- Sources of commercial obligations.
- 2.- Special rules of commercial obligations.
- 3.- The transfer of credits in Commercial Law.



B) THE COMMERCIAL CONTRACT

- 1.- Particularities of commercial contracts.
- 2.- The interpretation of commercial contracts.
- 3.- Other aspects of commercial contracting.
- 4.- Modern commercial contracting.
- 5.- International contracts. INCOTERMS.

2.- CONTRACTS FOR THE PROMOTION OF OTHER CONTRACTS.

A) COMMISSION, AGENCY AND MEDIATION CONTRACTS.

- 1.- The commission contract.
 - 1.1.- Concept and content.
 - 1.2.- Special commission cases.
- 2.- The agency contract.
 - 2.1.- Economic function, regulation and characteristics.
 - 2.2.- Content. Exclusive clauses.
- 3.- Mediation or brokerage contract.
 - 3.1.- Distinction of related figures.
 - 3.2.- Concept and characteristic notes.

B) DISTRIBUTION CONTRACTS

- 1.- Distribution contracts.
 - 1.1.- Different forms of commercial distribution.
 - 1.2.- The commercial concession contract.
 - 1.3.- The franchise contract.

3.- CONTRACTS FOR THE EXCHANGE OF GOODS

A) THE COMMERCIAL SALES AGREEMENT

- 1.- Concept and requirements of the contract.
- 2.- Content of the contract.
- 3.- The transfer of risk in the commercial sale.
- 4.- Leveraged Buyout (LBO) and Management Buy Out (MBO).

B) SPECIAL SALES AND OTHER RELATED CONTRACTS

- 1.- Special sales relating to the consent of the buyer or the seller.
- 2.- Purchases in which the payment is split or postponed.
- 3.- Special sales with regard to the venue or place of delivery.
- 4.- Special sales with regard to their promotional nature.

TOPIC 1: Introduction to Economic Criminal Law. Conceptual boundaries. Protected legal asset. Basic dogmatic problems relating to the general theory of crime and legal consequences.

TOPIC 2: Criminological considerations on white collar crime. White collar crime and organized crime. Aspects of corruption. Crimes against the Public Administration.

TOPIC 3: Classic patrimonial crimes: theft, robbery and fraud.

TOPIC 4: Punishable insolvencies. Alteration of prices. Damage.

TOPIC 5: Crimes relating to intellectual and industrial property.

TOPIC 6: Crimes relating to the market and to consumers. Criminal protection of public health.

TOPIC 7: Corporate crimes.

TOPIC 8: Handling stolen goods and money laundering.

TOPIC 9: Crimes against the Public Treasury and the Social Security System.

TOPIC 10: Crimes against the rights of workers and against the rights of foreign workers.

TOPIC 11: Crimes relating to land management, protection of the historical heritage and the environment.

TOPIC 12: Smuggling offenses.

5990 LEGAL AN ADMINISTRATIVE TUTELAGE OF LABOUR RIGHTS

Topic 1.- Introduction to the Spanish system of legal protection of the rights of workers
The Social Jurisdictional Order.
Organization of Social Jurisdictional Order.
Competence of the Social Jurisdictional Order.

Topic 2.- The labor process in general
The configuration of the labor process.
The principles of the labor process.
The parts of the labor process.

The object of the labor process.
Ordinary labor process and procedural modalities.

Topic 3.- The ordinary or "common" labor process
General ideas about the ordinary labor process.
The procedural acts.
Pre-procedural measures for the avoidance of procedural acts.

Topic 4. Ordinary common process, its institution and development
Preparatory acts.
The claim.
Accumulation of actions and proceedings.
The oral hearing.
Conciliation.
Allegations and response to the claim.
Probatory phase.
Conclusions.
Final Proceedings.
Sentencing..

Topic 5.- The payment process
Origin and Purpose.
Object.
Processing specialties.

Topic 6.- The procedural modalities
The processes for dismissal and other causes of termination of the employment relationship.
Disciplinary dismissal.
Individual extinction due to objective causes.
Collective dismissals for economic, organizational, technical or production reasons or due to *force majeure*.
Processes for challenging sanctions.

Topic 7.- Other procedural modalities (1)
Vacation-related proceedings.
Proceedings related to professional classification.
Challenges in matters of geographical mobility, substantial modifications of working conditions.
Proceedings relating to challenges to contract interruption and the reduction of the working day, due to economic, organizational, technical or production-related reasons.
Proceedings in matters of conciliation rights of personal, family and work life recognized both legally and conventionally.

Topic 8.- Other procedural modalities (2)

Proceedings in electoral matters.

Proceedings relating to collective disputes.

Challenging collective agreements.

Process of protection of fundamental rights and public liberties.

De officio proceedings.

Topic 9.- Other procedural modalities (3)

Social Security proceedings.

Topic 10.- The means of legal challenges. Appeals

General considerations

Appeal for reversal.

Direct appeal for review.

Appeal against refusal of leave to appeal.

Topic 11.- The means of legal challenges. Appeals (1)

Appeal for reversal of a decision.

Legal configuration, legitimation.

Reversible decisions.

Motives for Appeal.

Processing.

The sentence, its effects.

Topic 12.- The means of legal challenges. Appeals (2)

Final labor arbitration decisions (court of last resort).

Configuration, function and typology.

The appeal to the court of last resort (ordinary cassation appeal).

The appeal to the court of last resort on a point of law for the unification of doctrine.

Review of sentences and binding arbitration.

Topic 13.- Enforcement proceedings

General features.

Ordinary enforcement of labor-related decisions.

Special enforcement.

Provisional enforcement.

Topic 14 - Introduction to the Spanish system of administrative protection of the labor rights

The state organs of labor administration.

The autonomous organs of labor administration.

The Inspection of Work and the Social Security System.

The functions of labor administration.

Topic 15.- Labor-related administrative procedures

The sanctioning power of the administration.

Infringements and sanctions.

Jurisdictional review of labor-related administrative actions.

Topic 16.- Other means, neither administrative nor jurisdictional, of protection of labor rights:

Conciliation.

Mediation.

Arbitration.

5991 TORT LAW

Topic 1.- Introduction. Origin and jurisprudential evolution.

1.1.- Concept of liability and tort law.

1.2.- Evolution: subjective to objective liability.

1.3.- Liability for one's own actions and for the actions of others (vicarious liability).

1.4.- Legal sources.

1.5.- Risk sectors, compulsory insurance and voluntary insurance.

Topic 2. Elements of civil liability. Reparation of harm.

2.1.-The fault.

2.2.- The nexus of causality and its interruption.

2.3.- The damage.

2.5.- Reparation: forms, valuation systems.

2.6.- Special reference to bodily harm.

2.7.- Prescription of the action.

Topic 3. Civil liability of the professional

3.1.- Performance of resources and results.

3.2.- The civil liability of the lawyer.

3.3.- Civil liability in medical and hospital contexts.

Topic 4. The liability of the manufacturer for defective products

4.1.- The consumer or user

4.2.- Concept of defective product

4.3.- The duty of information. Correct usage

4.4.- The rule of joint and several liability.

4.5.-Causes of exoneration

4.6.- The risks of development

4.7.- The liability of the Public Administrations in this field.



Topic 5. Liability in construction projects

- 5.1. Law 38/1999, of November 5, on Construction and Land use (*Ley 38/1999, de 5 de noviembre, de Ordenación de la edificación*) (LOE).
- 5.2.- Scope of application of the LOE and building agents
- 5.3.- Liability of the parties.
- 5.4.- Damages to which it answers.
- 5.5.- Term or warranty periods
- 5.6.- Term or terms of prescription.
- 5.7.- Insurance.
- 5.8.- Prevention of building risks: Health and Safety coordinator.

Topic 6. Civil liability in high-risk sports activities.

- 6.1. Categories
- 6.2.- Legal regime.
- 6.3. Liability of the parties: the organization, the athlete.

5992 CONSTRUCTION LAW

Topic 1.- Property and building

The ground, classes, rights and urban duties. Works license.
Notification of new construction works.
Assignment of land in exchange for construction of flats.
Easement and access rights on adjoining land.

Topic 2.- Construction contract and building regulations

Works contract. Risk and responsibility.
Horizontal property.
Multiproperty and analogous situations.

Topic 3.- Access to housing

Promise of sale.
Option contract.
Sales. Differences in capacity and hidden flaws.
(*Viviendas de protección oficial*) Council housing.
Urban leases.

Topic 4.- Real estate guarantees

Mortgage. Transmission of the mortgage. Subrogation of mortgage and mortgage renewals.
Fixed-loan credit.

Registration and Land Registry.

Topic 5.- Real rights and property limits

Usufruct.

Ground, building upwards and building downwards. Easements.

Extracontractual liability of the owner.

Topic 6.- Consumer protection

Offer and advertising.

General conditions of the contract.

Abusive clauses.

5993 SPECIAL PROCEEDINGS AND ARBITRATION

SPECIAL CIVIL PROCEEDINGS

Topic 1. Proceedings on personal capability, family relations, marriage, and children

1. Introduction.
- 2.- Nature and characteristics.
- 3.- General provisions.
- 4.- Proceedings regarding personal capability.
- 5.- Proceedings regarding family relations, paternity and maternity.
- 6.- Proceedings linked to marriage:
 - a) Competence.
 - b) Proceedings.
 - c) Provisional measures.
 - d) Definitive measures.
 - e) Separation and Divorce by mutual agreement.
 - f) Civil effectiveness of ecclesiastical resolutions.
- 7.- Processes relating to the safeguard of children.

Topic 2. Proceedings on the judicial division of personal property

- 1.- Introduction.
- 2.- Division of the inheritance:
 - a) Procedure.
 - b) Intervention of the estate.
 - c) Administration of the estate.
- 3.- Procedure for the liquidation of matrimonial property.

Topic 3. Payment orders and exchange procedures

- 1.- The payment procedure.
 - a) Scope of application.
 - b) Characteristics.



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- c) Competence.
- d) Initial request and payment request.
- d) Attitudes of the debtor: payment, opposition, non-appearance.
- e) Enforcement Office.
- f) Specialties in horizontal property material.
- g) The European order for payment procedure.

2.- The Exchange process

- a) Characteristics and scope of application.
- b) Competence.
- c) Commencement.
- d) Requirement for payment and frozen assets.
- e) Payment or opposition.

5994 MARRIAGE CHURCH LAW

1.- CANNONICAL MARRIAGE LAW

1.1.- Concept.

1.2.- Sources.

1.3.- Definition of marriage.

1.4.- Spanish marriage system

1.4.1.- Concept.

1.4.2.- Competence over marriage.

1.4.3.- Forms of marriage.

1.4.4.- Circumstances of double marriage: civil and canonical.

1.4.5.- Executory nature of Ecclesiastical Decisions over marriage.

2.- CANNONICAL MARRIAGE

2.1.- Sacramental consideration of canonical marriage.

2.2.- Canonical legal consideration of civil marriage.

2.3.- Legal protection of marriage:

2.3.1.- Ius Connubii.

2.3.2.- The marriage favor.

2.4.- The ends of canonical marriage.

2.5.- The essential properties of canonical marriage.

3.- THE IMPEDIMENTS TO MARRIAGE

3.A- IMPEDIMENTS TO MARRIAGE.

3.1.- Introduction.

3.2.- Legal notion and legal nature.

3.3.- Classification of impediments.



- 3.4.- Legal regime of impediments.
 - 3.4.1.- Establishment.
 - 3.4.2.- Termination, Annulment, Dispensation of impediments.
 - 3.4.3.- Exceptional cases of dispensation of impediments.
- 3.5.- Legal prohibitions.
 - 3.5.1.- Mixed marriage.
 - 3.5.2.- Prohibitions of the Canon of 1071.

3.B.- CANNONICAL IMPEDIMENTS

- 3.1.- Impediments due to physical disability.
- 3.2.- Impediments due to legal incompatibility.
- 3.3.- Impediments due to criminal record.
- 3.4.- Impediments due to kinship.

4.- CONSENT TO MARRIAGE

- 4.1.- Concept, content, functions, and requirements.
- 4.2.- The consensual psychological incapacity.
 - 4.2.1.- Lack of use of reason.
 - 4.2.2.- Serious defect of discretion of judgment.
 - 4.2.3.- Inability to assume the essential obligations of marriage.
- 4.3.- Voluntariness.
- 4.4.- Manifestation. Marriage contracted through the Procurator. Marriage with Interpreter assistance.
- 4.5.- The irrevocability of consent.

5.- LACK OF CONSENT

- 5.1.- Prior notions. Ignorance and error.
 - 5.1.1.- Legal (Iuris) error.
 - A.- Error about the nature of marriage.
 - B. - Error on the essential properties of marriage.
 - 5.1.2.- Factual error.
 - A.- Error in the person.
 - B. - Error in the qualities of the person.
 - 5.1.3.- Intentional error.

6.- VITIATED CONSENT

- 6.1.- Consent under coercion.
 - 6.1.1.- Physical violence.
 - 6.1.2.- Forced Marriage.
 - A.- Physical coercion.
 - B.- Family coercion.
- 6.2.- Simulation in matrimonial consent.



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6.2.1.- Total simulation.

6.2.2.- Partial simulation.

6.3.- Conditioned consent.

6.3.1.- Requirements.

6.3.2.- Future condition.

6.3.3.- The past or present condition.

6.3.4.- Proof of conditioned consent.

7.- THE LEGAL FORM OF MARRIAGE

7.1- Function and classes of the legal form.

7.2.- The ordinary form.

7.3.- The extraordinary form.

7.4.- Secret marriage.

7.5.- Dispensation of the form

8.- MARRIAGE CRISES

8.1.- Nullity and validation.

8.1.1- Simple convalidation.

8.1.2.- Healing at the root.

8.2.- The dissolution of the canonical marriage.

8.2.1.- Dissolution due to death.

8.2.2.- Declaration of presumed death.

8.2.3.- Dissolution of the unconsumated marriage.

8.2.4.- Dissolution of marriage in favor of faith.

A.- Pauline privilege.

B.- Petrine privilege.

5995 NATIONALITY AND IMMIGRATION

NATIONALITY LAW

TOPIC 1. Introduction: General characteristics of the Spanish Law on nationality.

TOPIC 2. The acquisition of nationality.

TOPIC 3. Loss and recovery of nationality: voluntary loss; Loss as punishment.

TOPIC 4. Nationality conflicts: Dual nationality.

-Conventional dual nationality.

-Circumstances of dual nationality provided for under Spanish law.

-Pathological circumstances of dual nationality.

IMMIGRANT RIGHTS.

TOPIC 5. The Constitutional framework for immigrants.

TOPIC 6. Entry into and exit from Spain: requirements, prohibitions; Visas.

TOPIC 7. Immigrant situations in Spain.



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TOPIC 8. Foreign access to the labor market.

TOPIC 9. Offences and penalties. Sanctioning powers.

- Sanctioning authorities and their principles in the field of immigration.
- The sanctioning procedure.
- Infringements, prescription and expiration.
- Penalties: prescription and expiry.
- Expulsion from abroad: assumptions and procedures.
- Precautionary measures. The internment of foreigners.