



Information about the subject

Degree: Bachelor of Arts Degree in Law

Faculty: Faculty of Legal, Economic and Social Sciences

Code: 310203 **Name:** Civil Law III

Credits: 6,00 **ECTS Year:** 2 **Semester:** 1

Module: Civil Law

Subject Matter: Civil Law **Type:** Compulsory

Field of knowledge: Social and Legal Sciences

Department: -

Type of learning: Classroom-based learning

Languages in which it is taught: Spanish

Lecturer/-s:

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Module organization

Civil Law

Subject Matter	ECTS	Subject	ECTS	Year/semester
Civil Law	30,00	Civil Law I	6,00	1/1
		Civil Law II	6,00	1/2
		Civil Law III	6,00	2/1
		Civil Law IV	6,00	3/1
		Civil Law V	6,00	3/2

Recommended knowledge

1- General acknowledge of the following subjects:

- Concept of real right.
- Acquisition and extinction of ownership and other real rights.
- The possession, its types and its defense.
- Ownership, its protection, co-ownership, condominiums, special properties.
- Actions to protect ownership.
- Real rights of use and enjoyment, servitudes.
- Warranty rights, pledge, movable and immovable mortgage and anticresis.
- Real right of preemption and redemption.
- Mortgage law and Land Registry.
- Registral publicity.
- Registral procedure and different types of entries.
- Effects of Registration II. Registral public faith

2- Analysis and interpretation of legal texts.

3- Analysis and criticism of Jurisprudence concerning real rights



Learning outcomes

At the end of the course, the student must be able to prove that he/she has acquired the following learning outcomes:

- R1 To know Property Law and its types.
- R2 The student must know and handle the different forms of accessions (discrete and continuous, with special reference to industrial accession).
- R3 The student must know the limitations of property (neighbourhood relations, legal limitations) including those of an urbanistic nature, and those of an agrarian nature.
- R4 To know the legal regime of special properties.
- R5 To know with fluency the regime and operation of the community in general, of the ordinary community, of the special communities of pastures, firewood and other products of the mountains and the communal uses.
- R6 To become familiar with and to know the functioning of the real estate groups, especially the horizontal property (rights and obligations of the co-owners, organization of the community, and extinction).
- R7 To know the system of dividing walls in common and foral law.
- R8 Brief knowledge of the figures of emphyteusis, consignative and reservative census in Common Law.
- R9 Knowledge of the rights to build and plant (the right of surface).
- R10 Knowledge of the real rights of guarantee and their general characteristics.
- R11 Knowledge of the right in rem of pledge with displacement of possession. The student must know the right of real estate mortgage (constitution, content, mortgaged assets, powers of the mortgagee, defence and conservation of the mortgage, powers of the owner of the mortgaged asset, subrogation in the credit, and its extinction).
- R12 To know the chattel mortgage and the nonpossessory pledge.
- R13 To know the problems of the transfer of mortgaged or pledged goods and rights.



R14 To know the mortgage principles.





Competencies

Depending on the learning outcomes, the competencies to which the subject contributes are (please score from 1 to 4, being 4 the highest score):

GENERAL	Weighting			
	1	2	3	4
CG1 Knowledge of the Science being studied, in this case of the science of Law, fundamentally of the most practical branches, with their international and economic implications and their specialized language.				X
CG2 Analysis and synthesis capacity			X	
CG3 Capacity for organization and planning			X	
CG4 Problem-solving capacity.				X
CG5 Computer skills related to the field of knowledge.			X	
CG6 To be able to effectively obtain information from books and specialized journals, and from other sources.				X
CG7 Critical reasoning when analysing information.			X	
CG8 Ethical commitment to information management.			X	
CG9 Oral and written communication skills in their native language in relation to the Science of Law.		X		
CG11 Professional relationships: be able to establish and maintain relationships with other relevant professionals and institutions.			X	
CG12 To be able to develop audiovisual presentations.	X			
CG13 Information management capacity.			X	
CG14 Ability to work as a team and collaborate effectively with others.			X	
CG15 Ability to work in interdisciplinary teams.			X	



CG16 Ability to develop and maintain one's own competencies, skills and knowledge according to the standards of the profession.

X

SPECIFIC	Weighting			
	1	2	3	4
CE1 To become aware of the Law as an orderly system of legal norms regulating social relations.				X
CE2 Understanding of the different ways of creation of Law in its historical evolution and in its current reality, assimilating the existence of subordinate and supranational legal systems and the forms in which they are articulated.		X		
CE3 Ability to use constitutional principles and values as a working tool in the interpretation of the legal system.				X
CE5 Ability to identify the rights and obligations of the natural persons in all the areas of Law and give legal form to their acts of will.				X
CE16 Acquisition of a critical conscience in the analysis of the legal system and acquisition of values and ethical principles.				X
CE18 To learn how to use the existing legal bibliographic information.		X		
CE19 Ability to handle the different legal sources (legal, jurisprudential and doctrinal).		X		
CE20 Mastery of computer techniques in obtaining legal information and communication of legal data (Internet, databases of legislation, jurisprudence, bibliography).		X		
CE21 Ability to read and interpret legal texts.				X
CE22 Ability to make legal arguments.			X	
CE23 Ability to write legal texts. Basic knowledge of legal argumentation.			X	
CE24 Development of legal oratory. Ability to express oneself appropriately in front of an audience.			X	
CE25 Development of the ability of working in teams.			X	
CE26 Assumption of the necessary interdisciplinary vision of legal problems.				X



CE27 Capacity for negotiation and conciliation.

X

CE28 Ability to give legal form to bilateral and multilateral relations of individuals.

X

CE29 Ability to legally articulate projects, agreements, or disagreements.

X

Assessment system for the acquisition of competencies and grading system

Assessed learning outcomes	Granted percentage	Assessment method
	40,00%	Practical tests
	20,00%	Attendance, active participation and favourable attitude in the subject/ course/ module
	40,00%	Written theoretical tests

Observations

Observations

If the course development allows, there will be one voluntary partial individual written exercise about lessons already explained (if it is passed the contents will be eliminated from the final individual exercise). Partial individual written exercise conditions are the same as those of the official announcement. And the final qualification (40%) result from the average qualification of the 2 exercises. It is essential to obtain a minimum of 5 out of 10 in the final exercise in order to make the average of both qualifications (partial and final). Below 5 qualifications will not be counted in the percentage. If the final exercise qualification is lower than 5 on the ordinary sat, partial written qualification passed and the practices qualification carried out in class and group work (with a grade equal to or greater than 5), will remain for the extraordinary sat.

Criteria for the granting of a mark of Distinction: A mark of Distinction may be granted to the best students, who always must have exceeded a mark of 9 and, in principle and except for exceptional circumstances, will only be awarded in the first call of examinations for this subject.

Attendance of nursing mothers: Because of the timetable of this course that is taught in the morning, nursing mothers who cannot attend classroom activities regularly will establish with the teacher an alternative work plan that allows the acquisition of the same knowledge and skills as the rest of her classmates.



MENTION OF DISTINCTION:

According to Article 22 of the Regulations governing the Evaluation and Qualification of UCV Courses, the mention of "Distinction of Honor" may be awarded by the professor responsible for the course to students who have obtained, at least, the qualification of 9 over 10 ("Sobresaliente"). The number of "Distinction of Honor" mentions that may be awarded may not exceed five percent of the number of students included in the same official record, unless this number is lower than 20, in which case only one "Distinction of Honor" may be awarded.

Learning activities

The following methodologies will be used so that the students can achieve the learning outcomes of the subject:

- M1 Group work sessions supervised by the teacher. Study of legal cases, both true and fictitious. Significant construction of knowledge through student interaction and activity. Critical analysis of values and social commitment.
- M2 Supervised monographic sessions with the student's participation.
- M8 Exposition of contents by the teacher, analysis of competences, explanation and demonstration of capacities, skills and knowledge in the classroom.
- M10 Application of interdisciplinary knowledge.
- M11 Personalised attention and in small groups. Period of instruction and/or orientation carried out by a tutor with the aim of reviewing and discussing the materials and topics presented in the classes, seminars, readings, completion of assignments, etc.
- M12 Set of written and/or oral tests used in the initial, formative or summative evaluation of the student.
- M13 Group preparation of readings, essays, resolution of problems, seminars, papers, dossiers, etc., to be presented or delivered in theory classes, practical classes, and/or small group tutorials.
- M14 Student's study: individual preparation of readings, essays, problem-solving, seminars, works, reports, etc. to present or deliver in the theoretical classes, practical classes and/or small group tutorials.



IN-CLASS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
Practical cases. M1, M10	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14	20,00	0,80
Theoretical classes. M8, M10	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14	20,00	0,80
Seminar. M2	R6, R10, R11, R12, R13, R14	10,00	0,40
Tutorial. M11	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14	5,00	0,20
Assessment M12	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14	5,00	0,20
TOTAL		60,00	2,40

LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Group work. M13	R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14	45,00	1,80
Individual work. M10, M14	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14	45,00	1,80
TOTAL		90,00	3,60



Description of the contents

Description of the necessary contents to acquire the learning outcomes.

Theoretical contents:

Content block

Contents



Civil Law III. Real rights and Land Registry Law.

BLOCK I. Real Rights.

1. Concept. Characteristics and differences between real rights and contracts.
2. Ways of acquisition of ownership and other real rights.
3. Ways of acquisition of ownership and other real rights: Occupation and usucapion.
4. Ways of extinction of ownership and other real rights.

BLOCK II. Possession and Ownership

1. Possession.
2. Ownership.
3. Structure of ownership.
4. Right of Accession.

BLOCK III. Restrictions of ownership. Special properties. Defense of property.

1. Restrictions of ownership.
2. Actions to defend possession and ownership.
3. Joint ownership.
4. Condominium.

BLOCK IV. Real Rights of enjoyment and acquisition.

1. Right of usufruct.
2. Right of use and occupancy.
3. Right of servitude.
4. Surface and construction rights.
5. Option to purchase
6. Statutory Right of pre-emption and redemption.
7. Right of conventional pre-emption and redemption.

BLOCK V. Warranty Real Rights.

1. General questions.
2. Right of ordinary pledge.
3. Right of anticresis.
4. Right of movable mortgage and pledge without transfer of possession.
5. Right of immovable mortgage.

BLOCK VI. Land Registry Law

1. Land Registry: Characteristics.
2. Land Registry's Principles
3. Registral procedure.
4. Function of the Land Registry.
5. Different entries in Land Registry.



Temporary organization of learning:

Block of content	Number of sessions	Hours
Civil Law III. Real rights and Land Registry Law.	30,00	60,00

References

Basic Bibliography.

- Díez-Picazo, Luis. Sistema de Derecho Civil. Vol. III. Tomo 1. Tecnos, Madrid, 2019
- Díez-Picazo, Luis. Sistema de Derecho Civil. Vol. III. Tomo 2. Tecnos, Madrid, 2019
- De Verda Beamonte, Jose Ramon y otros. Derecho Civil III Derechos Reales 5ª Ed., 2019
- Llopis Giner, Juan Manuel y otros: Curso básico de Derechos Reales. Práctica del Derecho, 3ª Ed., 2010
- Lacruz Berdejo, José Luis, Elementos de Derecho Civil, III, 1. Derechos reales, posesión y propiedad. Dykinson, 3ª Ed., 2008
- Peña Bernaldo de Quirós, Manuel: Derechos Reales. Derecho Hipotecario. Colegio de Registradores de la Propiedad y Mercantiles de España. Madrid, 4ª Ed., 2001.
- Francisco de P., Blasco Gascó. Instituciones de derecho Civil Derechos Reales. Derecho Registral Inmobiliario. 3ª Ed., 2019

Complementary Bibliography

- Lasarte Álvarez, C., Principios de Derecho Civil, T. V. Derechos Reales y Derecho Hipotecario. Marcial Pons, 2010
- Manuel Albaladejo. Derecho Civil T. III. Derecho de Bienes. Ed. Edisofer S.L., 12ª Ed., 2016
- De Pablo Contreras Pedro y otros: Curso de Derecho Civil III. Derechos reales. Cóllex, 5ª Ed., 2020
- Alvarez Caperochipi, J.A.: Curso de Derecho Civil. T. I. Curso de Derechos Reales. Vol I. Propiedad y Derechos Reales. Ed. Comares, 1ª Edición, 2005
- Mª Pia Calderón Cuadrado. Tutela de los Derechos Reales inscritos. 2018



Addendum to the Course Guide of the Subject

Due to the exceptional situation caused by the health crisis of the COVID-19 and taking into account the security measures related to the development of the educational activity in the Higher Education Institution teaching area, the following changes have been made in the guide of the subject to ensure that Students achieve their learning outcomes of the Subject.

Situation 1: Teaching without limited capacity (when the number of enrolled students is lower than the allowed capacity in classroom, according to the security measures taken).

In this case, no changes are made in the guide of the subject.

Situation 2: Teaching with limited capacity (when the number of enrolled students is higher than the allowed capacity in classroom, according to the security measures taken).

In this case, the following changes are made:

1. Educational Activities of Onsite Work:

All the foreseen activities to be developed in the classroom as indicated in this field of the guide of the subject will be made through a simultaneous teaching method combining onsite teaching in the classroom and synchronous online teaching. Students will be able to attend classes onsite or to attend them online through the telematic tools provided by the university (videoconferences). In any case, students who attend classes onsite and who attend them by videoconference will rotate periodically.

In the particular case of this subject, these videoconferences will be made through:

☐ Microsoft Teams

☐ Kaltura



Situation 3: Confinement due to a new State of Alarm.

In this case, the following changes are made:

1. Educational Activities of Onsite Work:

All the foreseen activities to be developed in the classroom as indicated in this field of the guide of the subject, as well as the group and personalized tutoring, will be done with the telematic tools provided by the University, through:

☐

Microsoft Teams

☐

Kaltura

Explanation about the practical sessions:



2. System for Assessing the Acquisition of the competences and Assessment System

ONSITE WORK

Regarding the Assessment Tools:

☒ The Assessment Tools will not be modified. If onsite assessment is not possible, it will be done online through the UCVnet Campus.

☐ The following changes will be made to adapt the subject's assessment to the online teaching.

Course guide		Adaptation	
Assessment tool	Allocated percentage	Description of the suggested changes	Platform to be used

The other Assessment Tools will not be modified with regards to what is indicated in the Course Guide.

Comments to the Assessment System: