



## Information about the subject

**Degree:** Bachelor of Arts Degree in Law

**Faculty:** Faculty of Legal, Economic and Social Sciences

**Code:** 312020 **Name:** -Insurance Law

**Credits:** 6,00 **ECTS Year:** 4 **Semester:** 2

**Module:** Optional Courses

**Subject Matter:** Itinerary of Economic Law **Type:** Elective

**Field of knowledge:** Social and Legal Sciences

**Department:** Private Law

**Type of learning:** Classroom-based learning

**Languages in which it is taught:** Spanish

**Lecturer/-s:**



## Module organization

### Optional Courses

Subject Matter	ECTS	Subject	ECTS	Year/semester
Itineraries of Basic Legal Sciences	36,00	-Canon Law Institutions	6,00	4/2
		-History of European Construction	6,00	4/2
		-Human Rights	6,00	4/2
		-Roman Law	6,00	This elective is not offered in the academic year 24/25
		-Social Doctrine of the Catholic Church	6,00	This elective is not offered in the academic year 24/25
		-State Ecclesiastical Law	6,00	4/2
Itinerary of Economic Law	48,00	Banking Law	6,00	This elective is not offered in the academic year 24/25
		Consumer Law	6,00	This elective is not offered in the academic year 24/25
		-Insurance Law	6,00	4/2
		Intellectual Property Law	6,00	This elective is not offered in the academic year 24/25



Year 2024/2025  
312020 - Insurance Law

Itinerary of Economic Law		-International and Comparative Law of Brands, Designs and Unfair Competition	6,00	4/2
		International Commercial Law	6,00	This elective is not offered in the academic year 24/25
		-International Commercial Transactions	6,00	4/1
		-International Taxation Law	6,00	4/0
Itinerary of Sectorial Administrative and Specialized Labour Law	72,00	Air and Maritime Law	6,00	4/2
		-Employment Procedural Law	6,00	This elective is not offered in the academic year 24/25
		Energy Law	6,00	This elective is not offered in the academic year 24/25
		Environmental Law	6,00	This elective is not offered in the academic year 24/25
		European Union Competition Law	6,00	4/1
		Information and Communication Technology Law	6,00	4/0
		National Health System Law	6,00	This elective is not offered in the academic year 24/25



Itinerary of Sectorial Administrative and Specialized Labour Law	Public Contract Award Law	6,00	This elective is not offered in the academic year 24/25
	-Real Estate Law	6,00	This elective is not offered in the academic year 24/25
	-Trade Union Law	6,00	This elective is not offered in the academic year 24/25
	Transport Law	6,00	This elective is not offered in the academic year 24/25
	Water Law	6,00	This elective is not offered in the academic year 24/25

### Recommended knowledge

Students must have passed at least 48 ECTS of FB in the first two semesters. Students can freely choose the electives they want, breaking with the grouping that is proposed

### Prerequisites

Students must have passed at least the 48 ECTS of Basic Training of the first two semesters. Students are free to choose the electives they wish, breaking with the grouping proposed. As explained above, the Study Plan has three optional subjects that are grouped in this way:

- 1 optional subject in the seventh semester.
- 2 optional subjects in the eighth semester.



## 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 the legislation related to insurance.
- R2 To be able to distinguish the different types of insurance contracts and their most common clauses.
- R3 To distinguish the different organizations and entities or persons involved in the formalization of insurance contracts.
- R4 To apply correctly the tables of valuation of the corporal and material damage.



## 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	
CG4	Problem-solving capacity.				X
CG8	Ethical commitment to information management.		X		
CG13	Information management capacity.			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
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		
CE9	Ability to enforce legal norms with the economic environment.	X			



CE20 Mastery of computer techniques in obtaining legal information and communication of legal data (Internet, databases of legislation, jurisprudence, bibliography).

X



## Assessment system for the acquisition of competencies and grading system

Assessed learning outcomes	Granted percentage	Assessment method
R2, R3, R4	40,00%	Practical tests
R1	40,00%	Attendance, active participation and favourable attitude in the subject/ course/ module
R1, R2, R3	20,00%	Written theoretical tests

### Observations

Attendance and active participation in class sessions, group work, tutorials and seminars. Its evaluation will be carried out by means of monitoring records of attendance by the teacher.

Practical evaluation: Resolution of the different practices that will be proposed to the student throughout the course. The evaluation of the practices and group work will be carried out by means of the attendance and oral and / or written presentation of the different practices and proposed works. The work developed in groups and / or individually by the student will be evaluated. The evaluation of the works presented will be carried out taking into account the structure of the work, the quality of the documentation, the spelling and presentation and mainly, the argumentation and legal-legal basis. The qualification will be obtained from the average of all the qualifications obtained in this section. The unjustified lack of attendance at 20% of the practical sessions prevents the calculation of this percentage.

Theoretical evaluation: Theoretical-practical written tests in which the theoretical and practical knowledge acquired and the knowledge of the current legislation will be exposed. It is essential to obtain a minimum of 5 out of 10 in the exam to be able to do the average with the practice mark. Scores lower than 5 do not count in the percentage. If a grade lower than 5 is obtained in the official exam of the first call, the final average mark of the practices carried out in class and / or group work will be maintained for the second call.

Single evaluation: In accordance with article 9 of the General Regulations for the Evaluation and Qualification of Official Teachings and Own Degrees of the UCV, the continuous evaluation system is the preferred evaluation system at the UCV. The art. 10 allows, however, for those students who in a justified and accredited manner express their inability to attend in person (or to synchronous communication activities for virtual and/or hybrid teaching modalities), their evaluation on an extraordinary basis in the so-called single evaluation. Said single evaluation must be requested within the first month of each semester to the Dean of Faculty through the Vice-Deaneries or Master's Directorates, with the express decision on the admission of said request from the student concerned being the responsibility of the latter.





The evidence to be presented and/or the test/s to be carried out in the single evaluation by the student will be carried out through the same theoretical test as for the rest of the students and through a practical test to be determined by the responsible teacher, although The percentages awarded to the different evaluation instruments will be the following: 50% practical tests and 50% theoretical tests.

## CLASS ATTENDANCE IN FACE-TO-FACE DEGREES

In accordance with the development guidelines of the General Regulations for the Evaluation and Qualification of Official Teachings and Own Degrees of the UCV, in face-to-face degrees, class attendance with a minimum of 80% of the sessions of each subject will be required as a requirement to be evaluated. This means that, if a student does not attend the sessions of each subject, in a percentage greater than 20%, he/she will not be able to be evaluated, neither in the first nor in the second call, unless the person responsible for the subject, with the approval of the person responsible for degree, in view of duly justified exceptional circumstances, exempt from the minimum attendance percentage. The same criterion will be applicable for hybrid or virtual degrees in which teachers must maintain the same percentage in the requirement of "presence" in the different training activities, if any, even if these are carried out in virtual environments.

## MENTION OF DISTINCTION:

The mention of "Honors" may be awarded to students who have obtained a grade equal to or greater than 9.0. Their number may not exceed five percent of the students enrolled in a group in the corresponding academic year, unless the number of students enrolled is lower.

## 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.                           |
| M8  | Exposition of contents by the teacher, analysis of competences, explanation and demonstration of capacities, skills and knowledge in the classroom.   |
| M9  | Supervised monographic sessions with shared participation.  |
| 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, M13	R1, R2, R3, R4	25,00	1,00
Theoretical classes. M8, M9	R1, R2, R3	25,00	1,00
Seminar. M9, M14	R1	8,00	0,32
Assessment M12	R1, R2, R3	2,00	0,08
<b>TOTAL</b>		<b>60,00</b>	<b>2,40</b>

## LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Group work. M1, M11, M13	R1, R2, R3, R4	45,00	1,80
Individual work. M14	R1, R2, R3	45,00	1,80
<b>TOTAL</b>		<b>90,00</b>	<b>3,60</b>



## Description of the contents

Description of the necessary contents to acquire the learning outcomes.

Theoretical contents:

Content block

Contents



## GENERAL THEORY OF THE INSURANCE CONTRACT

### Lesson 1. General aspects of the insurance contract: Concept, Classes and Characteristics

- 1.The concept of insurance contract
2. Classes of insurance contract
- 3.Characteristics of the insurance contract

### Lesson 2. Legal regime of the insurance contract

- 1.Spanish law
- 2.Rules of Private International Law

### Lesson 3. The Insurance Contract (i): Elements of the contract

- 1.Personal items
- 2.The insured risk
- 3.The secured interest
- 4.Formal elements
  - The formation of the insurance contract
  - Documentation of the insurance contract
  - The duration of the insurance contract
  - The prescription of the insurance contract
  - The special assumption of distance and electronic contracting

### Lesson 4. The Insurance contract (ii): Obligations and duties of the policyholder / insured

- 1.Introduction
- 2.Payment of the premium
- 3.Risk statement
- 4.Risk aggravation
- 5.The reduction of the consequences of the accident
- 6.The declaration of the claim
- 7.Additional information about the claim

### Lesson 5. The insurance contract (iii): Obligations and duties of the insurer

- 1.Delivery of the policy
- 2.Risk coverage
- 3.Compliance with the agreed service
- 4.Policyholder information
- 5.Reduction of the premium in case of reduced risk



## INSURANCE AGAINST DAMAGE

### Lesson 6. General aspects of insurance against damage

- 1.The common characteristics of insurance against damage
- 2.The value of interest
- 3.The damage
- 4.The sum insured
- 5.The relationship between the value of the interest and the sum insured
- 6.The coexistence of several insurances: cumulative insurance and coinsurance
- 7.The transfer of the insured object and the security rights in rem
- 8.The settlement of the claim
- 9.The subrogation of the insurer

### Lesson 7. Property insurance and agricultural insurance

- 1.Fire insurance
- 2.Theft insurance
- 3.Other property damage insurance
- 4.Agricultural insurance

### Lesson 8. Loss of earnings, credit, surety and legal defense insurance

- 1.Loss of profit insurance
- 2.Credit insurance
- 3.Export credit insurance
- 4.Surety insurance
- 5.Legal defense insurance

### Lesson 9. Liability insurance

- 1.Insurance and civil liability
- 2.The peculiar risk of civil liability
- 3.Legal regime
- 4.Concept
- 5.Purpose
- 6.The secured interest
- 7.The sinister
- 8.Obligations of the insurer
- 9.Duties of the policyholder / insured
- 10.Direct action

### Lesson 10. Compulsory civil liability insurance

- 1.Mandatory civil liability insurance
- 2.The duty to ensure civil liability
- 3.The compulsory civil liability insurance scheme
- 4.Compulsory automobile liability insurance



## Lesson 11. Transport insurance

1. Transport insurance
2. Marine insurance
3. Land transport insurance
4. Air insurance

## PERSONAL INSURANCE

## Lesson 12. Personal insurance contracts: general aspects

1. Concept and applicable regime
2. Contracting modalities
3. The prohibition of subrogation of the insurer
4. Registration of death coverage insurance contracts

## Lesson 13. Life insurance

1. Concept and function
2. Lessons
3. Personal items
4. The right of withdrawal
5. The risk
6. The premium and guaranteed values
7. The loss in life insurance

## Lesson 14. Accident, health, death and dependency insurance

1. Accident insurance
2. Health insurance: sickness and healthcare
3. Death insurance
4. Dependency insurance



## THE ORDER OF THE INSURANCE MARKET

Lesson 15. The insurance market. The insurance activity  
1.Organization and supervision in the law of private  
insurance

- 2.Conditions of access to the insurance activity
- 3.Conditions of exercise of the insurance activity

Lesson 16. Insurance entities

- 1.Insurance entities in the Spanish insurance market
- 2.Legal forms of authorized insurance entities in Spain
  - The Insurance Corporation
  - Mutual insurance
  - Insurance cooperatives
  - Social security mutual insurance companies
- 3.Extinction of the insurance company
- 4.The insurance compensation consortium

Lesson 17. Mediation in private insurance

- 1.The legal regime of medication
- 2.Classes of insurance intermediaries
- 3.The legal status of the mediator

## Temporary organization of learning:

Block of content	Number of sessions	Hours
GENERAL THEORY OF THE INSURANCE CONTRACT	10,00	20,00
INSURANCE AGAINST DAMAGE	11,00	22,00
PERSONAL INSURANCE	5,00	10,00
THE ORDER OF THE INSURANCE MARKET	4,00	8,00



## References

- BATALLER GRAU, J. (dir.) *Derecho de los seguros privados*, Marcial Pons, Madrid, 2007.
- TAPIA HERMIDA, A. J. *Derecho de seguros y fondos de pensiones*, Iustel Publicaciones, Madrid, 2014.
- TAPIA HERMIDA, A. J. *Guía del contrato de seguro*, Aranzadi, Navarra, 2019.
- BROSETA PONT, M.; MARTÍNEZ SANZ, F. *Manual de Derecho Mercantil*, Vol. II, 29ª ed., Tecnos, Madrid, 2022.
- VEIGA COPO, ABEL, B.; *Tratado del Contrato de Seguro*, Tomo I, 8ª ed., Civitas, Navarra, 2023.





## 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:

The practical sessions will be carried out electronically through the UCVnet platform.



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

### ONSITE WORK

#### Regarding the Assessment Tools:

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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: