ELECTIVES

DEGREE COURSE YEAR: ☑️ FIRST ☐ SECOND ☑️ THIRD ☐ FOURTH
SEMESTER: ☑️ 1º SEMESTER ☐ 2º SEMESTER
CATEGORY: ☑️ BASIC ☐ COMPULSORY ☑️ OPTIONAL
LANGUAGE: ☑️ ENGLISH ☐ SPANISH

1- SUBJECT DESCRIPTION

The courses available for the Bachelor of Laws aim to provide students with a solid academic training while offering them an excellent opportunity to master those specific competences connected to their specialization track and the professional activities they will carry out in their professional future.

2- OBJECTIVES AND SKILLS

- Being able to place the exercise of legal professions in the economic, social and political situation.
- Being able to analyse different legal fields from the point of view of its economic, political and social purpose.
- The ability to use search techniques and legal information as well as methodological and theoretical debates.
- The ability to read and interpret any kind of legal text.
- The development of public speaking skills regarding legal topics.
- The ability to write texts, contracts and other types of legal documents.
- The development of legal reasoning and critical analysis.
- Developing a comparative perspective of the Law.
- Competent in legal negotiation and conciliation.
- The ability to think creatively and develop new ideas in the legal sphere.

3- LIST OF ELECTIVES

The electives offered to students of 3rd and 4th year are the following:

1. ADVANCED EU LAW – Charlotte Leskinen

The course focuses on the role of the EU and EU Law in the wider world with respect to both EU External Relations Law and EU Competition law.

The first part of the course, “The EU in the Wider World”, introduces the students to the EU’s external competences and objectives, the instruments and actors shaping the EU External Relations Law and the legal effects of Internal Law and international agreements in EU Law. It
pays particular attention to the EU’s participation in the WTO and the effect it has had on the Common Commercial Policy. Lastly, it deals with EU sanctions and countermeasures against third States, legal and natural persons, and groups and non-state entities and examines the basic principles and objectives of the Common Foreign and Security Policy and the Common Security and Defense Policy.

The second part of the course, “EU and International Competition Litigation”, will focus on the public and private enforcement of EU Competition Law as it is increasingly affecting the ways companies conduct business as well as the possibilities of victims of antitrust violations obtaining compensation for the harm which they have suffered as a result of those violations. The course will cover the extraterritorial application of competition rules and the challenges of public enforcement of those rules in the EU and at a global level. Moreover, it will deal with damages actions for antitrust violations, again both in the EU and international context. The emphasis will be on the choice of appropriate jurisdiction taking into account issues such as access to evidence, collective redress and costs of damages actions as well as the possibility of enforcing the judgment.

2. COMPETITION LAW – Joaquín Hervada y Alfonso Ois

Most countries have developed legislation to govern business competition with the aim of promoting and maintaining fair competition in markets. This subject covers the fundamentals of competition law with reference to both Spanish and European applicable legislation and taking into account the legal and economic underlying theory. The course is structured with a distinct international approach, benefitting from the fact that competition law is greatly harmonized throughout the European Union and similarly structured worldwide.

3. CORPORATE GOVERNANCE – Coloma Armero

Corporate Governance is becoming a more prominent topic in Corporate Law each year. The last financial crisis has revealed a certain weakness in the Corporate Governance of some companies, especially of financial institutions and a lack of trust in the management of these companies. Also, a number of high-profile scandals associated with Corporate Governance failures and demands of activist shareholders and pressure from investors have shown that an effective Corporate Governance framework is of crucial importance because well-run companies are likely to be more competitive and more sustainable in the long term.

This course will provide a general knowledge of Corporate Governance principles and rules, as a complementary subject to Corporate Law and will help students to understand the goals of Corporate Governance.

4. CORPORATIONS – Dámaso Riaño y Ignacio Tirado

Building on the foundations set in Commercial Law & Corporations I and Commercial Law & Corporations II this course aims to provide a more advanced knowledge of corporate law, with a special focus in two deeply related areas: corporate conflict and corporate insolvency. The course is divided into two parts.

The objective of Part 1 is to enable students to get acquainted with the practical operation of conflicts between shareholders and directors and conflicts among shareholders. This panorama is presented by examining the most frequently used corporate legal actions used by dissatisfied shareholders: inter alia, challenges to shareholder resolutions and derivative actions. The course then focuses on the analysis on pre-insolvency and insolvency, which very frequently provide the setting for corporate conflict. Indeed, behind most corporate conflicts lies a frustration of the expectations that shareholders had in their investment.
Part 2 of the course is intended to provide a first insight into the law and practice of corporate restructuring. The initial session shall cover the main legal and economic justifications of collective action procedures to rescue viable companies. The following three sessions will verse upon the intricacies of pre-insolvency arrangements: work-outs and hybrid procedures will be analyzed against the backdrop of formal insolvency proceedings, and a practical description of steering committees and other vehicles towards corporate restructuring will be provided. The final sessions will focus on the main elements of formal insolvency proceedings, both from an international and a national point of view.

5. PRE MOOT – Charlotte Leskinen

This course will be a simulation of the European Law Moot Court Competition. Students will be asked to solve a hypothetical EU law case and argue it as if they were pleading before the Court of Justice of the European Union.

The aim of the course is twofold: first, to prepare students planning on participating in the European Law Moot Court Competition next academic year and, second, to improve the legal research, legal analysis and reasoning skills as well as argumentation skills of students taking this course. Students will also deepen their knowledge of EU law and learn about the working practices of the CJEU.

6. BUSINESS AND LAW IN CHINA – Jie Zhu

China has become one of the world economic powers. It is not only a key market for European companies but also an increasingly visible player in the global investment market.

China is developing a market economy under a socialist regime. Different cultural, social and political dynamics and traits are shaping a unique legal, social, and business environment. The legal and judicial systems undergo continuous changes, dealing with new challenges and realities as well as the ever existent tension between legal certainty and the consideration for the balance of different stakeholders’ interests.

In this course of 15 sessions, we will try to address the main features of the Chinese business and legal environment, trying to get an insight of the rationale behind the “Chinese style” of doing business and learning what to expect when it comes to dealing with this country.

7. GLIMPSES OF LAW AND BUSINESS IN INDIA – CRISTÓBAL ALVEAR

India is today the third largest economy of the world (PPP), the second most populous country and an emerging market. But India is also an uninterrupted ancient civilization, a cultural and religious melting pot and a whole subcontinent in geographic terms. The internationalization of foreign companies in India, the rise of foreign investments, the corporate partnership between Indian and foreign companies and the growing trade relations between India and the Western world make India a priority market for companies all over the world. Nowadays, getting to know India’s law and business peculiarities is essential to anyone who aspires to work for a transnational company or for an international law firm.
4- EVALUATION SYSTEM

4.1. GENERAL OBSERVATIONS

Evaluation will be partially based on a student’s participation in the class. Therefore, active participation in lessons, student discussions, student exercises and presentations, and student group presentations is mandatory.

Each student has four attempts over two consecutive academic years to pass this course. Attendance at 70% of the classes is compulsory and an absence of more than 30% will result in a grade of 0.0 for the subject. In addition, students not fulfilling the attendance requirement will automatically lose two attempts to pass the course and will thus only have two last attempts to do so during the following academic year.

Participation policy: To encourage participation, your attendance and participation will be graded and will be reflected in the final score. Participation in the course is mandatory (indeed, there is no need to say, almost half of the grade depends upon it). Much of the course will involve discussions among the class participants in order to build a better understanding of the issues in question.

5- EVALUATION SYSTEM

Student’s final grade will be based on both individual and group work of different characteristics that will be weighed in the following way:

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<tbody>
<tr>
<td>A</td>
<td>Class participation</td>
<td>25%</td>
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<tr>
<td>B</td>
<td>Presentations and case studies</td>
<td>50%</td>
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<td>C</td>
<td>Final Exam (minimum grade 5)</td>
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<td><strong>TOTAL</strong></td>
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5.1. GENERAL OBSERVATIONS

Each student has four attempts over two consecutive academic years to pass this course.

Students must attend at least 70% of the sessions and obtain a minimum grade of 5 at the final exam to pass this course. Students who do not comply with the 70% attendance rule will lose their 1st and 2nd chance, and go directly to the 3rd one (they will need to enroll again in this course next academic year).

Students who are in third or fourth call should contact the professor during the first two weeks of the course.

RETAKE POLICY

If a student’s course grade is below 5.0, the student is required to take the retake exam to pass the course. The maximum grade that students can obtain in the retake exam period is 8.0.

A student who has missed over 30% of the class meetings will not be allowed to take the retake exam, but will only have two attempts left to pass the course during the following academic year.