

Course Unit	Business Law II	Field of study	Law
Bachelor in	Accounting	School	School of Technology and Management
Academic Year	2023/2024	Year of study	2
Type	Semestral	Semester	1
Level	1-2	ECTS credits	6.0
Code	9056-514-2103-00-23		
Workload (hours)	162	Contact hours	T - TP 60 PL - TC - S - E - OT - O -

T - Lectures; TP - Lectures and problem-solving; PL - Problem-solving, project or laboratory; TC - Fieldwork; S - Seminar; E - Placement; OT - Tutorial; O - Other

Name(s) of lecturer(s) Paula Odete Fernandes, Paula Cristina Anta Fontes Xavier

Learning outcomes and competences

At the end of the course unit the learner is expected to be able to:

1. Provide the acquisition of basic concepts of Commercial Law as company law.
2. Know the legal forms of company existing in the Portuguese legal order.
3. Acquire basic knowledge about essential aspects of the legal regime of commercial companies.
4. Know the forms of cooperation and association between companies.
5. Identify some legal aspects of the insolvency proceedings and their consequences.
6. Know the institute of the special process of revitalization and recovery of companies and their role in the set of the available recovery instruments of the companies.
7. Identify the main securities and their characteristics.
8. Know some of the legal aspects of commercial contracts.

Prerequisites

Before the course unit the learner is expected to be able to:
Any prerequisites required.

Course contents

Introduction to Commercial Law. Legal forms of the company. Commercial Companies. Cooperation between companies without creation of entity personified. Insolvency of companies: requirements, subjects and effects of the declaration of insolvency. The new institute of the special process of revitalization and recovery of the companies. Credit securities: concept; features; types: check, bill of exchange and promissory notes. The commercial hiring.

Course contents (extended version)

1. Introduction to Commercial Law:
 - Trade in the economic sense and in the legal sense and the scope of Commercial Law;
 - Commercial Law as business law;
 - Acts of commerce: common regime of acts of commerce and commercial activities;
 - Subjects of Commercial Law: merchant and commercial entrepreneur; requirements; statute.
 - The commercial enterprise as central reality of Commercial Law: concept of company.
2. Legal forms of the company:
 - Singular company;
 - Collective company;
 - Public and public sector companies;
 - Group Company.
3. Business Partnerships:
 - Corporate elements; legal types of company; constitution: modalities;
 - Administration and supervision of companies; forms of financing;
 - Rights and duties of members; resolutions of the partners;
 - Transformation, spin-off, merger and dissolution of companies;
 - Groups of companies.
4. Cooperation between companies without creation of personified entity:
 - Consortium;
 - Association in participation.
5. Insolvency of companies: requirements, subjects and effects of the declaration of insolvency.
6. The new institute special process of revitalization and recovery of companies.
7. Credit securities: concept; features; types: check, bill of exchange and promissory notes.
8. Business contracts.

Recommended reading

1. Menezes Leitão, L. (2021). Direito da Insolvência - Editora Almedina, Coimbra.
2. Coutinho de Abreu, J. (2021). Curso de Direito Comercial – Volume II - Das Sociedades (7.ª Ed. Reimpressão 2022). Editora Almedina, Coimbra.
3. Coutinho de Abreu, J. (2022). Curso de Direito Comercial – Volume I (13.ª Ed.). Editora Almedina, Coimbra.
4. Rocha, I. (2022). Comercial - Código Comercial, Código das Sociedades Comerciais e Legislação Conexa (24.ª Ed.). Porto Editora.
5. Antunes, J. (2021). Os Títulos de Crédito (10.ª Ed.). Editora Gestlegal.

Teaching and learning methods

The explanation of legal concepts and classifications is limited to a minimum. The teacher presents cases with a variable degree of complexity to the class, who is requested to find the answers in the legislation. Students are also invited to do short practical works outside the class.

Assessment methods

1. Continuous evaluation - (Regular, Student Worker) (Final, Supplementary)
 - Final Written Exam - 65%
 - Practical Work - 35% (Presentation in class, with a maximum duration of 10 minutes.)
2. Final examination - (Regular, Student Worker) (Special)

Language of instruction

Portuguese

Electronic validation

Paula Odete Fernandes	Joaquim Agostinho Mendes Leite	Oliva Maria Dourado Martins	José Carlos Rufino Amaro
09-10-2023	10-10-2023	10-10-2023	20-10-2023