

Course Unit	Business Law	Field of study	Law
Bachelor in	Public Management and Administration	School	School of Public Management, Communication and Tourism
Academic Year	2023/2024	Year of study	2
Type	Semestral	Semester	1
Level	1-2	ECTS credits	6.0
Code	9165-315-2102-00-23		
Workload (hours)	162	Contact hours	T - , TP 60, PL - , TC - , S - , E - , OT 20, 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) César Manuel Ferreira Pires

Learning outcomes and competences

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

1. Critically understand Portuguese Commercial Law, with a special focus on certain traditional legal institutes that are essential
2. Identify the different types of commercial companies (the personal element, share capital, corporate responsibility, organisational structure, and transfer of shareholdings).
3. Understand the "life" of commercial companies, from their incorporation to their extinction, including mergers, spin-offs and transformations.
4. Critically understand Portuguese labour law and the main dynamics of hiring workers, from formation to termination of the employment relationship.
5. Outline workers' rights and duties, functional content, duration and organisation of working time, salary, absence regime and the main aspects of the disciplinary proceedings.
6. Solve practical cases that elucidate the main issues addressed in case law, taking a critical approach to the solutions found by the courts for a specific case.

Prerequisites

Before the course unit the learner is expected to be able to:
Not applicable.

Course contents

Commercial Law:
Introductory Notions; II Acts of Commerce; III Merchants; IV Companies and Commercial Companies; V Distinctive Signs of Companies and Products; VI Credit Titles

Labour Law

I. Concept, object and sources; II. Labour Contract; III. Formation; IV. Content; V. Modalities; VI- Duration and organisation; VII. Breach and termination of the labour contract.

Course contents (extended version)

1. COMMERCIAL LAW
 - Concept of Commercial Law; Sources of Commercial Law; Application of civil law to commercial matters
 - Acts of Commerce (different classifications)
 - Merchants (natural and legal persons, especially commercial companies)
 - Firms and designations; liability for debts of married people;
 - Companies in the objective and subjective terms;
 - Incorporation, personality and capacity of commercial companies.
 - Organisational structure, merger, spin-off, and transformation of commercial companies
 - Distinctive signs for companies and products;
 - Credit titles
2. LABOUR LAW
 - Concept, object, function and sources
 - The labour contract: concept, object, parties, payment, and legal subordination
 - Formation of the labour contract: subjective and objective prerequisites; contract form.
 - Content of the individual labour relationship
 - Fundamental types of labour contract
 - Length and organisation of working time
 - Breach of contract, labour disciplinary proceedings and termination of employment contract

Recommended reading

1. Abreu, J. (2022). Curso de direito comercial vol. I (13. a Ed.). Coimbra: Almedina. ISBN: 9789894007029
2. Martins, A. (2008). Títulos de crédito e valores mobiliários, Parte I, vol. I. Coimbra: Almedina. ISBN: 9789724035291
3. Abreu, J. (2021). Curso de direito comercial vol. II (7. a Ed.). Coimbra: Almedina. ISBN: 9789724091389
4. Fernandes, A. (2023). Direito do Trabalho (22. a Ed.), Coimbra: Almedina. ISBN: 9789894013938
5. Falcão, D., & Santos, S. (2020). Casos práticos – Direito do trabalho (4. a Ed). Coimbra: Almedina. ISBN: 9789724083094

Teaching and learning methods

Lectures on the main frameworks and in-depth study of the most relevant issues, and practical classes to apply and experiment the theoretical frameworks and legislation.

Please note: students who take the 2nd assessment test and do not obtain a minimum weighted and rounded mark of 10 will only be allowed to take an appeal exam.

Assessment methods

1. Distributed Evaluation - (Regular, Student Worker) (Final)
 - Intermediate Written Test - 60% (Module I - Labour Law)
 - Intermediate Written Test - 40% (Module II - Commercial Law)
2. Final Written Exam - 100% - (Regular, Student Worker) (Final, Supplementary, Special)
3. Exchange Students - (Regular, Student Worker) (Final, Supplementary, Special)
 - Development Topics - 100% (Written work - between 15 and 20 pages)

Language of instruction

Portuguese, with additional English support for foreign students.

Electronic validation

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04-10-2023	05-10-2023	06-10-2023	09-10-2023