

Course Unit	Commercial Law	Field of study	Law
Bachelor in	Law for Solicitors	School	School of Public Management, Communication and Tourism
Academic Year	2023/2024	Year of study	1
Type	Semestral	Semester	2
Workload (hours)	162	Contact hours	T - , TP 60, PL - , TC - , S - , E - , OT 20, O -
Level	1-1	ECTS credits	6.0
Code	9242-317-1201-00-23		

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, Nina Teresa Sousa Santos Aguiar

Learning outcomes and competences

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

1. To know and be able to justify whether commercial law applies to a given legal relationship, and whether it applies to all parts of the legal relationship or only to one or some of the parts.
2. To choose the appropriate form for a commercial act.
3. To apply to commercial legal relations the regime of plural responsibility, the regime of prescription and the regime of interest on commercial arrears.
4. To identify and extract the legal consequences of the existence of a commercial mandate.
5. To identify the various businesses concerning companies and establishments (including "trespasse" and "cessão de exploração do estabelecimento").
6. To identify the most important commercial contracts.

Prerequisites

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

Course contents

Scope and object of commercial law; commercial acts; the regime of commercial acts; typical commercial contracts; debt securities.

Course contents (extended version)

1. Introduction
 - Concept of Commercial Law
 - Historical evolution
 - Autonomy of Commercial Law
 - Sources of Commercial Law
 - Interpretation and Integration of Commercial Law
2. Commercial acts
 - Concept of commercial act
 - "Comerciante" (businessman)
 - Classifications of commercial acts
 - Some commercial contracts: Agency Contract, Franchise Contract, and Commercial Concession Contract
3. The legal regime of acts of commerce
 - Plural responsibility
 - Interest on arrears
 - Prescription of commercial obligations
4. Merchant obligations
5. Contracts on companies and establishments
 - "Trespasse" of the trade establishment
 - The trade establishment operating lease
 - Sale of companies
6. Debt securities
 - Concept, function, and characteristics of bills of exchange, promissory notes, and cheques
 - Bill of exchange

Recommended reading

1. Coutinho de Abreu, J. (2022). Curso de direito comercial - Volume I. 13a ed. Coimbra: Almedina. ISBN 9789894007029
2. Cunha, C. (2022). Manual de Letras e Livranças. Coimbra: Almedina. ISBN 9789894005742.
3. Pinto Monteiro, A. (2009). Direito comercial - contratos de distribuicao comercial. Coimbra: Almedina. ISBN 9789724016146
4. Ramos, M. (2018). Direito comercial e das sociedades - Entre as Empresas e o Mercado. Coimbra: Almedina. ISBN 9789724070230.

Teaching and learning methods

Presentation and discussion of the program of the course unit. Resolution of practical cases, with application of the legal concepts and the legal rules.

Assessment methods

1. Final Written Exam - 100% - (Regular, Student Worker) (Final, Supplementary, Special)
2. Incoming Students - (Regular) (Final, Supplementary, Special)
 - Presentations - 100% (written work)
3. Ongoing evaluation - (Regular, Student Worker) (Final)
 - Intermediate Written Test - 50%
 - Intermediate Written Test - 50%

Language of instruction

Portuguese, with additional English support for foreign students.

Electronic validation

César Manuel Ferreira Pires, Nina Teresa Sousa Santos Aguiar	Susana Isabel Pinto Ferreira dos Santos Gil	Catarina Alexandra Alves Fernandes	Luisa Margarida Barata Lopes
06-03-2024	06-03-2024	06-03-2024	12-03-2024