

Course Unit	Commercial Law	Field of study	Law
Bachelor in	Law for Solicitors	School	School of Public Management, Communication and Tourism
Academic Year	2022/2023	Year of study	1
Type	Semestral	Semester	2
Level	1-1	ECTS credits	6.0
Code	9242-317-1201-00-22		
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) Eduardo Augusto da Igreja Firmino, 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
3. The legal regime of acts of commerce
 - Plural responsibility
 - Interest on arrears
 - Prescription of commercial obligations
4. Merchant obligations
5. Distribution contracts
 - Agency Agreement
 - Franchise Contract
 - Commercial Concession Contract
6. Contracts on companies and establishments
 - "Trespasse" of the trade establishment
 - The trade establishment operating lease
 - Sale of companies
7. Debt securities
 - Concept, purpose and characteristics
 - Bill of exchange
 - Promissory note
 - Cheque

Recommended reading

1. Coutinho de Abreu, J. (2022). Curso de direito comercial - Volume I. 13ª ed. Coimbra: Almedina. ISBN 9789894007029
2. Pinto Furtado, J. (2015). Títulos de crédito. Coimbra: Almedina. ISBN 9789724058856.
3. Pinto Monteiro, A. (2009). Direito comercial - contratos de distribuição comercial. Coimbra: Almedina. ISBN 9789724016146.
4. Pupo Correia, M. (2022). Direito comercial. 15ª ed. Lisboa: U Lusíada Editora. ISBN 9789896402426.

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. Midterm tests - (Regular, Student Worker) (Final)
 - Intermediate Written Test - 50% (Two midterm tests, each with a weighting of 50%)

Language of instruction

Portuguese, with additional English support for foreign students.

Electronic validation

Eduardo Augusto da Igreja Firmino, Nina Teresa Sousa Santos Aguiar	Susana Isabel Pinto Ferreira dos Santos Gil	Catarina Alexandra Alves Fernandes	Luisa Margarida Barata Lopes
13-03-2023	14-03-2023	14-03-2023	15-03-2023