

Level of qualification:

First cycle (EQF level 6) - Bachelor

Study cycle:

Legal Services

**Course Unit: 9242513 – Law of Obligations I**

Year 2

Semester 3

ISCED Code: 380

ECTS: 7,0

Type of Course Unit: Compulsory Delivery Mode: Face-to-face

Language of Instruction: Portuguese

COURSE COORDINATOR: Francisco Gala

**HOURS OF WORK**

TOTAL HOURS	Contact Hours								Hours in autonomous work
	Theory	Theory and practice	Practical and laboratory work	Field work	Seminar	Internship	Tutorial guidance	Other	
175		60	30				00		85

Prerequisites (if applicable): Not applicable

**LEARNING OUTCOMES (knowledge, skills and competence)**

Upon successful completion of the course unit, students should be able to:

- Identify, contextualize and apply the general principles of the law of obligations.
- Define and understand the concept and structure of the obligation.
- Understand the different modalities of obligations.
- Identify and understand the sources of obligations.
- Understand the different modalities of contracts.
- Differentiate promissory contract, pact of preference, contracts in favour of third parties (contrato a favor de terceiro), contracts for a person to be appointed (contrato para pessoa a nomear).
- Identify the "unilateral legal transactions" (negócios jurídicos unilaterais).
- Understand the negotiorum gestio and unjust enrichment regimes.

**CONTENTS**

- Importance, contextualisation and systematic location of the subject.
- General principles of the law of obligations.
- The obligation: concept, structure, characteristics and object.
- Modalities of obligations.
- Sources of obligations: overall view.
- The contract: generalities; modalities of contracts; promissory contract; pact of preference; contracts in favour of third parties (contrato a favor de terceiro); contracts for a person to be appointed (contrato para pessoa a nomear).
- Unilateral legal transactions (negócios jurídicos unilaterais).
- Negotiorum gestio.
- Unjust enrichment.

**DEMONSTRATION OF THE CONTENTS COHERENCE WITH THE COURSE UNIT'S LEARNING OUTCOMES**

1. Importance, contextualisation and systematic location of the subject - objectives a) and d).
2. General principles of the law of obligations - objectives a).
3. The obligation: concept, structure, characteristics and object - objectives b).
4. Modalities of obligations - objectives c).
5. Sources of obligations: overall view - objectives a) and d).
6. The contract: generalities; modalities of contracts; promissory contract; pact of preference; contracts in favour of third parties (contrato a favor de terceiro); contracts for a person to be appointed (contrato para pessoa a nomear) - objectives d), e) and f).
7. Unilateral legal transactions (negócios jurídicos unilaterais) - objectives d) and g).
8. Negotiorium gestio - objectives d) and h).
9. Unjust enrichment - objectives d) and h).

#### **TEACHING METHODOLOGIES**

- Expositive lectures (using a range of means: oral, written and with multimedia projection).
- Analysis and resolution of case studies in the classroom with the participation of the students.
- Analysis of judicial decisions, through a guided debate with the students.
- Guided study, with subsequent debate during the classes.

#### **DEMONSTRATION OF THE COHERENCE BETWEEN THE TEACHING METHODOLOGIES AND THE LEARNING OUTCOMES**

- Expositive lectures (using a range of means: oral, written and with multimedia projection) - objectives a) to h).
- Analysis and resolution of case studies in the classroom with the participation of the students - objectives a) to h).
- Analysis of judicial decisions, through a guided debate with the students - objectives a) to h).
- Guided study, with subsequent debate during the classes - objectives a) to h).

#### **EVALUATION METHODS**

There are three different evaluation periods: (i) Continuous Evaluation; (ii) Evaluation by Final Exam; and (iii) Time of Appeal.

- 1) Continuous evaluation: it is comprised by written evaluation, work in the classroom and one oral exam. The sum of these elements of evaluation will result in a score that is susceptible to appeal or improvement during the Time of Appeal. The grade of the oral test is eliminatory.
- 2) Final Exam: it is comprised by a written test (50%) and an oral exam (50%). The written test and the oral exam does not depend on previous performance in any of the elements mentioned above. The grade obtained in this phase is subject to appeal or improvement in the Time of Appeal. The grade of the oral test is final.
- 3) Time of Appeal: it is comprised by one oral exam which represents 100% of the grade. Students are allowed to sit the Time of Appeal exam regardless of being subject to any previous evaluation.

#### **MAIN BIBLIOGRAPHY**

1. Leitão, Luís Manuel Telles de Menezes, Direito das Obrigações - Vol. I. Coimbra: Almedina, 15.<sup>a</sup> ed., reimpressão de 2020.
2. Leitão, Luís Manuel Telles de Menezes, Direito das Obrigações - Vol. II. Coimbra: Almedina, 12.<sup>a</sup> ed., reimpressão de 2021.
3. Costa, Mário Júlio de Almeida, Direito das Obrigações. Coimbra: Almedina, 12.<sup>a</sup> ed., reimpressão de 2020.
4. Varela, João de Matos Antunes, Das Obrigações em Geral - Vol. I. Coimbra: Almedina, 10.<sup>a</sup> ed., reimpressão de 2020.
5. Júnior, Eduardo Santos, Direito das Obrigações I - Sinopse Explicativa e Ilustrada. Lisboa: AAFDL, 3.<sup>a</sup> ed., 2014.
6. AAVV., Comentário ao Código Civil - Direito das Obrigações. Lisboa: Universidade Católica, 2019.