

Course Unit: 9242530 – Contract law

Year 3 Semester 6 ISCED Code: 380 ECTS: 5,0

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

COURSE COORDINATOR: Marinez Oliveira Xavier

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	
125		30	30						65

Prerequisites (if applicable): Not applicable

LEARNING OUTCOMES (knowledge, skills and competence)

It is intended that the student, at the end of the U.C., has the following theoretical and technical skills:

1. Domain of knowledge:

Apprehension and understanding of the rules and regimes that integrate and regulate Portuguese contract law, identifying the fundamental principles of contract formation in civil contract law.

Assess the current relevance of legal rules and regimes designed to protect consumers in the context of contractual relationships.

2. Domain of know-how:

Ability to interpret and apply legal texts in context, namely within the scope of the analysis and formulation of contract clauses studied.

Ability to solve legal and contractual problems and analyze the validity of the clauses contained in the various contracts under study and in contracts in general. . Ability to search for legal information through New Information and Communication Technologies.

CONTENTS

- 1) Function and historical evolution of contract law;
- 2) The guiding principles;
- 3) The content of the contracts;
- 4) The will of the parties and possible vicissitudes in the drafting of the contracts;
- 5) Meaning, structure and content of contracts (consensus, effectiveness, object, people and functions);
- 6) Adhesion contracts, general contractual clauses and consumer protection;
- 7) Contracts in particular:
 - a. Purchase and sale agreement.
 - b. Donation
 - c. Loan: Lending and Loan
 - d. The Promoessa contract

e. The mandate;

f. Contract contract.

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

This curricular unit aims to provide students with theoretical knowledge about the main Portuguese private law institutes. The practical component of this curricular unit will consist in the production and presentation in class of individual or group works that aim at the main themes addressed in the curricular plan.

The interconnection between the syllabus and the educational objectives takes place as follows:

I - I. Topics 1,2 e3-Function and historical evolution of contract law, principles and... - Objective 1, points a) and b).

II. Topics 4 and 5) -Sense, structure and content; - Objective 1, points b) and c); and Objective 2, points a) and c).

III Topics .6 and 7- Contracts in particular: -Objective 1, subparagraph b) and c); objetibo 2, subparagraphs a) and c)

TEACHING METHODOLOGIES

Expository classes, individual or group work, presentations and analysis of jurisprudential pieces and research articles, as well as guided study, using new technologies.

The provision of materials, information and content will be based on the respective page on the Moodle platform, which will also be used for the interaction between teachers and students.

The face-to-face classes will be mainly aimed at debating topics and carrying out knowledge application exercises. In the remote version, there will be weekly synchronous sessions between the teacher and the students.

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

Expository classes, individual or group work, presentations and analysis of jurisprudential pieces and research articles, as well as guided study, using new technologies - Objective 1 and 2.

The provision of materials, information and content will be based on the respective page on the Moodle platform, which will also use the interaction between teachers and students - Objective 1, points a) and b).

The face-to-face classes will be mainly aimed at debating topics and carrying out knowledge application exercises. In the remote version, there will be weekly synchronous sessions between the teacher and the students - Objective 1, paragraph c); and Objective 2. .

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 Teles de Menezes. 2020. Direito das Obrigações, Vol. III – Contratos em Especial, 13ª Ed. Coimbra: Almedina;
- 2.Almeida, Carlos Ferreira de. 2005. Contratos I: Conceito, Fontes, Formação, 3ª edição, Coimbra: Almedina;
- 3.Carvalho,Jorge Morais.2019.Manual de Direito do Consumo,6ª edição,Coimbra:Almedina;
4. Oliveira, Nuno Manuel Pinto. 2011. Princípios de direito dos contratos, Coimbra: Coimbra Editora;
5. Teles, Inocêncio Galvão. 2002. Manual dos Contratos em Geral – Refundido e actualizado, Coimbra: Coimbra Editora.

Year of implementation: 2021/2022 | Date of approval by the Technical-Scientific Board: