# UFV
# Teaching guide

## IDENTIFICATION DETAILS

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| Degree: | Law |

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| Field of Knowledge: | Social and Legal Sciences |

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| Faculty/School: | Law, Business and Government |

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| Course: | TORT LAW |

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| Type: | Compulsory | ECTS credits: | 3 |

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| Year: | 3 | Code: | 7243 |

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| Teaching period: | Sixth semester |

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| Subject: | Civil Law |

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| Module: | Private Law |

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| Teaching type: | Classroom-based |

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| Language: | Spanish |

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| Total number of student study hours: | 75 |

## SUBJECT DESCRIPTION

Compulsory core subject whose content is aimed at the study and analysis of civil liability in its two main aspects: that which arises as a result of a negligent or negligent action or omission that causes material and/or personal damage to third parties; and that which may result from the breach of the obligations contained in the contracts. The attribution of responsibility in each case will be developed and analyzed, as well as the interpretation and evolution that our Courts have been holding on this matter in the different jurisdictions. Special legislation is analyzed against specific facts or subjects.

The analysis and application of the specific solution to be applied in each case raised will take into account the victim of the harm, the injured person and its consequences in their family environment; the way in which the damage has occurred and the extent of it will be analyzed; all this without forgetting that what is important is not so

much the amount of compensation but the search for what happened, always following the path of truth.

## GOAL

Know the different types of liability and their delimitation
Appropriately apply the judicial procedure to be followed
Know which activities are most at risk of causing harm
Distinguish risks from professional activities
Investigate the new liability assumptions that will emerge as digital technology advances
Always keep in mind that the victim of the harm and the perpetrator are individuals; the degree of responsibility will determine the economic amount to be received by the victim, but this is not the only thing to take into account; moral damages and possible affective and family disorders are an important pillar that must be tried to address.


The specific aims of the subject are:

Learn about the different types of liability
Apply the procedure to be followed in each proposed situation
It distinguishes the risks involved in all activities, both business and professional.
It takes into account the person at the center of its proposal for a solution to the proposed assumption.

## PRIOR KNOWLEDGE

It is essential that students have knowledge of the subjects of previous courses and it is special that they have assimilated the concepts of the subject General Theory of Obligations and Contracts taught in the second semester. As well as the knowledge acquired in the subject 'civil and commercial contracts' corresponding to the third semester.

## COURSE SYLLABUS

. TOPIC 1. Introduction. Contractual civil liability and non-contractual civil liability. Supreme Court criteria for determining the type of liability. TOPIC 2. Criminal liability. Civil liability. Public Administration Responsibility. TOPIC 3. Contractual Liability. The Debtor's Responsibility. Guiding Principles. The criterion of good faith. Boundaries. Burden of proof. Special contractual liability regimes: The seller's liability. Tenant liability. Responsibility of the depositary. Other types of contractual liability TOPIC 4. Compensation for damages. Elements of damage. Damage calculation. Loss of profits. TOPIC 5. The wrongful act. Analysis of Article 1,902 of the Civil Code. Causal Relationship. Criteria for the attribution of responsibility: fraud and guilt. Circumstances that exempt from liability. Concurrence of causes. Damage repair. TOPIC 6. Responsibility for acts of others: concept. The responsibility of parents and guardians. Responsibility of schools. Damage caused by animals or things Assumptions provided for in the Civil Code. TOPIC 7. Civil liability for different professional activities. Responsibility in the exercise of business and industrial activities. Liability for pollution in its different types. Responsibility of the agents involved in the construction. TOPIC 8. Special laws: Legislation on the use and circulation of motor vehicles; air navigation; nuclear energy. Other. The risk of development. Legal responsibility as

a result of new disruptive technologies. TOPIC 9. Civil liability and new technologies: Artificial Intelligence and Robotics. Civil liability of electronic platforms.

## EDUCATION ACTIVITIES

Innovative methodology will be used for carrying out practical cases, carrying out individual and group work with special dedication to AI and oral presentations of proposed works and cases, through project-based learning, flipped classroom and problem-based learning. To carry out the student's practice/hours of work, an action protocol will be specified for the development of the works/practices.

## DISTRIBUTION OF WORK TIME

| TEACHER-LED TRAINING ACTIVITIES | INDIVIDUAL WORK |
|---|---|
| 30  Horas | 45  Horas |

## SKILLS

**Basic Skills**

Students must have demonstrated knowledge and understanding in an area of study that is founded on general secondary education. Moreover, the area of study is typically at a level that includes certain aspects implying knowledge at the forefront of its field of study, albeit supported by advanced textbooks

Students must be able to apply their knowledge to their work or vocation in a professional manner and possess skills that can typically be demonstrated by coming up with and sustaining arguments and solving problems within their field of study.

Students must have the ability to gather and interpret relevant data (usually within their field of study) in order to make judgments that include reflections on pertinent social, scientific or ethical issues

Students must be able to convey information, ideas, problems and solutions to both an expert and non-expert audience

Students must have developed the learning skills needed to undertake further study with a high degree of independence

To apply theoretical knowledge in the solving of problems.

To research, manage sources and handle information.

**General Skills**

To apply theoretical knowledge in the solving of problems.

To research, manage sources and handle information.

**Specific skills**

Develop criteria for problem solving and decision-making.

Offer creative and imaginative solutions to legal, personal and professional problems, based on the approach or sources used.

Apply ethical principles and values in personal and professional life.

Manage the legal sources (legal, jurisprudential and doctrinal) applicable to the case study.

## LEARNING RESULTS

It applies the rules that regulate liability arising from harm to people and property in accordance with ethical principles and values

It manages databases and computer tools to provide solutions to problems raised during civil liability in the field of professional and business activities.

Investigate and adapt what has been learned to new situations that have arisen or to arise as a result of technological advances.

Look for the best solution following ethical values

## LEARNING APPRAISAL SYSTEM

EVALUATION AND EVALUATION SYSTEM: 55% EXAM: Throughout the course, questionnaires or short questions will be carried out to determine the student's degree of theoretical knowledge. 45% PRACTICAL ACTIVITIES: Throughout the course, different types of practices will be carried out, which may consist of COLLABORATIVE PROJECTS OR FLIPPED CLASSROMM; PARTICIPATION IN FORUMS, FOLLOW-UP QUESTIONNAIRES, AND ANY OTHER ACTIVITY THAT THE TEACHER CONSIDERS NECESSARY TO COMPLETE THE PRACTICAL TEACHING OF THE SUBJECT.
NOTE: The subject has an eminently practical component. The student will carry out the individual and group work determined throughout the semester. It will be ensured that each of the classes will entail the completion of a practice; this can be developed throughout the face-to-face class or, or the student must have completed it in their independent time. • All tests subject to evaluation will be subject to the provisions of the UFV Evaluation Regulations. Plagiarism, as well as the use of illegitimate means in evaluation tests, will be sanctioned in accordance with those established in the Evaluation Regulations and the University's Coexistence Regulations.

ALTERNATIVE EVALUATION SYSTEM FOR STUDENTS WITH DISPENSATION, SECOND AND FOLLOWING CALLS: students must submit the works/practices that are proposed by the teacher for this purpose, in order to obtain the necessary percentages, and may be the same as those carried out during the course or others indicated. For students with dispensations or repeaters, the evaluation system will be the same in terms of the percentages. 55% FINAL EXAM AND 45% PRACTICAL ACTIVITIES. The evaluation rates are therefore: 55% EXAM and 45% PRACTICAL ACTIVITIES

Plagiarism, as well as the use of illegitimate means in evaluation tests, will be sanctioned in accordance with those established in the Evaluation Regulations and the University's Coexistence Regulations.

## ETHICAL AND RESPONSIBLE USE OF ARTIFICIAL INTELLIGENCE

1.- The use of any Artificial Intelligence (AI) system or service shall be determined by the lecturer, and may only be used in the manner and under the conditions indicated by them. In all cases, its use must comply with the following principles:

a) The use of AI systems or services must be accompanied by critical reflection on the part of the student regarding their impact and/or limitations in the development of the assigned task or project.

b) The selection of AI systems or services must be justified, explaining their advantages over other tools or methods of obtaining information. The chosen model and the version of AI used must be described in as much detail as possible.

c) The student must appropriately cite the use of AI systems or services, specifying the parts of the work where they were used and describing the creative process followed. The use of citation formats and usage examples may be consulted on the Library website(https://www.ufv.es/gestion-de-la-informacion_biblioteca/).

d) The results obtained through AI systems or services must always be verified. As the author, the student is responsible for their work and for the legitimacy of the sources used.

2.- In all cases, the use of AI systems or services must always respect the principles of responsible and ethical use upheld by the university, as outlined in the Guide for the Responsible Use of Artificial Intelligence in Studies at UFV. Additionally, the lecturer may request other types of individual commitments from the student when deemed necessary.

3.- Without prejudice to the above, in cases of doubt regarding the ethical and responsible use of any AI system or service, the lecturer may require an oral presentation of any assignment or partial submission. This oral evaluation shall take precedence over any other form of assessment outlined in the Teaching Guide. In this oral defense, the student must demonstrate knowledge of the subject, justify their decisions, and explain the development of their work.

## BIBLIOGRAPHY AND OTHER RESOURCES

### Basic

Algarra Prats, Esther. Civil liability for damage caused by falling trees and other things/

Alonso García, María Consuela. The recent case law on the property liability of the legislator State for damages derived from unconstitutional laws/

Alonso Pérez, María Teresa, author. Traffic accidents and game animals: civil liability for damage caused by/

Andrés Melchiori, Franco. Theories of causality in harm: equivalence of conditions, adequate causation and objective imputation in the doctrine of the Supreme Court/

Herrera de las Heras, Ramón. Liability arising from damage caused by biotechnology/

Núñez Zorrilla, María del Carmen, (1968-), author. Artificial intelligence and civil liability: legal regime for damage

caused by autonomous robots with artificial intelligence/

Zurita Martín, Isabel, author. Civil liability for damage caused by intelligent robots such as defective products/