



FICHA TÉCNICA DE LA ASIGNATURA

Datos de la asignatura	
Nombre completo	Derecho de daños, responsabilidad y seguro / Tort, Liability and EU Insurance Law
Código	E900001225
Cuatrimestre	Semestral
Créditos	2,0 ECTS
Carácter	Obligatoria
Responsable	Paulino Fajardo
Horario	Email: pjfajardo@comillas.edu
Horario de tutorías	Upon request from students. Preferably via email.

Datos del profesorado	
Profesor	
Nombre	Paulino José Fajardo Martos
Departamento / Área	Departamento de Disciplinas Comunes
Correo electrónico	pjfajardo@icade.comillas.edu

DATOS ESPECÍFICOS DE LA ASIGNATURA

Contextualización de la asignatura

Competencias - Objetivos

BLOQUES TEMÁTICOS Y CONTENIDOS

Contenidos – Bloques Temáticos

COURSE SYLLABUS AND CONTENT				
<table border="1"><thead><tr><th>Content</th></tr></thead><tbody><tr><td>AREA 1. BASICS OF TORT LAW AND LIABILITY INSURANCE</td></tr><tr><td>1. Principles of Tort Law</td></tr><tr><td><ol style="list-style-type: none">1. What is Tort Law and what for2. History of Tort Law and Codified systems Vs. Common law3. Elements of Tort Law</td></tr></tbody></table>	Content	AREA 1. BASICS OF TORT LAW AND LIABILITY INSURANCE	1. Principles of Tort Law	<ol style="list-style-type: none">1. What is Tort Law and what for2. History of Tort Law and Codified systems Vs. Common law3. Elements of Tort Law
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- 4. Types of torts
- 5. Remedies

Theme 2. **LIABILITY INSURANCE**

2.1 Insurance contracts and what for

- 1. Elements of an insurance contract

- 1. The insurance markets in practice

- 1. Liability Insurance and what for

- 1. Elements of Liability Insurance

- 1. Types of Liability Insurance

AREA 2. TORT & INSURANCE IN PRACTICE

Theme 1. PROTECTING THE ENVIRONMENT

- 1. ESG: Tort and Human Rights

1.2 Liability of States



1.3 Where does insurance reach?

Theme 2. LIABILITY FROM THE BOARD

1. Company directors and liability

2.2 Global reach and criminal law

2.3 D&O Insurance and indemnities

Theme 3. DEFECTIVE PRODUCTS

1. When a product is defective? Evidence in practice

2.2 Class Actions

2.3 Serial losses limits in insurance

Theme 4. TECH IN MOTION

4.1 Cyber liability and Intimacy

4.2 International Criminal law

4.3 Loss of profits insurance coverage

Theme 5. SETTLING LIABILITIES

5.1 Diagnosis and treatment: conflict analysis and decision making

5.2 ADR: how it works in practice

5.2 The role of lawyers: strategy and implementation

Theme 6. STOP THE PRESSES!

6.1 Crisis management: the first hour

6.2 Reputational aspects



6.3 Do's and don't's

METODOLOGÍA DOCENTE

Aspectos metodológicos generales de la asignatura

TEACHING METHODOLOGY

General methodology of the subject

Contact hours methodology: Activities

Brief lecturing followed by practical examples based on existing cases(case study).

Outside class methodology: Activities

Preparation of case studies and pre-reading of recommended articles and bibliography

Post-summaries of learning points

RESUMEN HORAS DE TRABAJO DEL ALUMNO

SUMMARY OF STUDENT WORK HOURS

NUMBER OF CONTACT HOURS

Lecture	Practical class	Debate	In class presentation	Individual work	Work in collaboration	Evaluation exam



4	5	2	3	2	2	2
NUMBER OF INDEPENDENT WORK HOURS						
Lecture	Practical class	Debate	In class presentation	Individual work	Work in collaboration	Evaluation exam
7	4	6	2	1	1	9
ECTS CREDITS: 2 (50,00 hours)						

EVALUACIÓN Y CRITERIOS DE CALIFICACIÓN

GRADE EVALUATION AND CRITERIA

Evaluation Activities	Indicators	Evaluation weighting
Individual work(case study totake home)	Grounds and Reasoned defence of opinions	40%
Evaluation: exam(final)	Level of knowledge shown in the responses, clarity of the ideas and reasonability	50%
Assistance	Regular attendance to classes control by signature of a daily sheet	10%

BIBLIOGRAFÍA Y RECURSOS

Bibliografía Básica

BIBLIOGRAPHY AND RESOURCES

Basic Bibliography and Resources



SUGGESTED ARTICLES

- Brüggemeier, G: "Comparative Studies in the Development of the Law of Torts in Europe", in *JETL*, 2014, i.5
- Battaller Grau, J.: "The Harmonization Of European Contract Law: The Case Of Insurance Contracts" en *Connecticut Insurance Law Journal* , vol 21 issue 1

<http://insurancejournal.org/wp-content/uploads/2015/03/Grau.pdf>

- Ordoñez Ordoñez: "Las nuevas tendencias del derecho de seguros en las legislaciones más recientes de los países latinoamericanos", en *Revista de Derecho Privado*, nº 26/2014. <http://dialnet.unirioja.es/servlet/articulo?codigo=4774718>
- AAVV: *Journal of European Tort Law*, *JETL*

WEBSITES

- ECTIL- European Centre for Law and Insurance Law: <http://www.ectil.org/>

- European Commission-Justice-Insurance Contract Law: http://ec.europa.eu/justice/contract/insurance/expert-group/index_en.htm

OTHER MATERIALS

- Principles of European Tort Law, <http://civil.udg.edu/php/biblioteca/items/283/PETL.pdf>
- Project Group "Restatement of European Insurance Contract Law", Universität Innsbruck PEICL (Principles of European Insurance Contract Law).

English: <http://www.uibk.ac.at/zivilrecht/restatement/sprachfassungen/peicl-en.pdf>
Spanish: <http://www.uibk.ac.at/zivilrecht/restatement/sprachfassungen/peicl-esp.pdf>