

SUBJECT DETAILS

Data on the subject	
Name	EU Consumer Protection Law
Degree	Postgraduate in Master in International and European Business Law
Year	2018-2019
Nature	Spring
ECTS Credits	1
Department	Law
Area	Law

Data on the teaching staff	
Teaching staff	Inmaculada Herbosa Martínez
Group	
e-mail	iherbosa@icade.comillas.edu
Telephone	619 02 63 64
Office	Universidad de Deusto
Tutoring Schedule	Upon request from students

SPECIFIC DATA ON THE SUBJECT

Pre-requisites
None
Contribution of the degree to the professional profile
<p>This subject focuses primarily on the study of various Directives regarding “Contract law” in the field of consumer protection, as well as other initiatives for future regulation of contract law in Europe. Thus, this course helps the student specialized training, and complements the insights offered by other core subjects of the curriculum, such as Civil law, Commercial law and European Union law.</p>

COMPETENCES TO BE IMPROVED

Generic Competences

Instrumental

- GC 1: Analysis and synthesis abilities
- GC 3: Ability to manage information
- GC 8: Critical appraisal skills
- GC 10: Ability to develop autonomous learning skills
- GC 11: Concern for quality
- GC 12: Ability to apply theoretical knowledge into practice

Specific competences of the subject

SC 8 - Knowing in depth the main rules regulating markets in special sectors (like financial markets, utilities and markets for consumer goods)

THEMATIC AREA AND CONTENT

AREA 1:

Theme 1: Liability product Directive (85/374/EEC)

- 1.1. Scope, definitions and liability provided for by this Directive
- 1.2. Case Law of the ECJ:
 - Case C-203/99: Judgment of the Court (Fifth Chamber), 10 May 2001.
 - Case C-183/00: Judgment of the Court (Fifth Chamber), 25 April 2002.

Theme 2: Consumer goods Directive (1999/44/EC)

- 2.1. Scope, definitions and rights conferred to consumers
- 2.2. Case Law of the ECJ: Case C-404/06: Judgment of the Court (First Chamber), 17 April 2008.

AREA 2: NEW DIRECTIVE ON CONSUMER RIGHTS (2011/83/EU)

Theme 1: Distance contracts and off- premises contracts

- 1.1. Legal definitions
- 1.2. Rights conferred to consumers

Theme 2: Case-Law related to these contracts

- 2.1. Case C-423/97: Judgment of the Court (Third Chamber), of 22 April 1999.

BIBLIOGRAPHY AND RESOURCES

Basic Bibliography

Text books
<ul style="list-style-type: none"> - DEVENNEY, J.: European Consumer Protection: Theory and Practice, Cambridge University Press, 2012. - SCHULZE, R.: European Contract Law: A Commentary, Beck/Hart, 2012.
Websites
<ul style="list-style-type: none"> -http://europa.eu -http://curia.eu
Additional Bibliography
Text books
<ul style="list-style-type: none"> -BOELE WOELKI, K. and GROSHEIDE, W.: The future of European Contract Law, Kluwer Law, 2007. -GRUNDMANN, S.: Constitutional Values and European Contract Law, Kluwer Law, 2008. - HESSELINK, M.: An Introduction to European Contract Law (Introduction to European Private Law), Hart Publishing, 2012. - HONDIUS, W.: Unexpected circumstances in European Contract Law, Cambridge University Press, 2011. - HOWELLS, G. and WEATHERILL , S.: Consumer Protection Law , Dartmouth, 2005 (2 nd edition) - MICKLITZ, H. , REICH N. AND P. ROTT, Understanding EU Consumer Law, Intersentia, 2009. - MILLER, L.: The Emergence of EU Contract Law: Exploring Europeanization, Oxford University, 2012. - SCHULZE, R.: Towards a European Contract Law, European Law Series, 2011. - VOGENAUER, E.. and WEATHERILL, S.: The Harmonisation of European Contract Law: Implications for European Private Laws, Business and Legal Practice, Volume 1, Oxford University, 2006. - WEATHERILL, S.: EU Consumer Law and Policy, Edward Elgar Publishing (European Law Series), 2005.

TEACHING METHODOLOGY

General methodological aspects of the subject
Contact hours methodology: Activities
<ul style="list-style-type: none"> Basic explanations on the subject Short practice issues related to the subject Analysis of case law of the ECJ on the matter Conclusions
Independent study methodology: Activities
<ul style="list-style-type: none"> Read the guidelines before class Learn the basic elements of the Directives explained in classs and the ECJ cases

Application of concepts to practical cases related to the subject

SUMMARY OF STUDENT WORK HOURS			
Activity	Number of contact hours	Number of independent study hours	Total number of hours
Lecture	3	3	6
Practical class	4.30	3	7.30
Debate	1		1
In class presentation	-		
Individual work	-	7	7
Work in collaboration	-		
Evaluation: reflection paper	20'		20'
Evaluation: class test	20' (10+10)		20'
Evaluation: exam	1,30	2	3,30
Evaluation: exam review	-		
Others	-		
ECTS Credits:	10 horas	15 horas	25 horas

GRADE EVALUATION AND CRITERIA

Evaluation Activities	Generic Competences	Indicators	Date of assignment * (it will be handed out the same day)	Evaluation Weighting
<p>Continuous Evaluation:</p> <p><i>Participation in class</i></p>	<p>GC 1: Analysis and synthesis abilities</p> <p>GC 3: Ability to manage information</p> <p>GC 8: Critical appraisal skills</p> <p>GC 11: Concern for quality</p> <p>GC 12: Ability to apply theoretical knowledge into practice</p>	<p>Reasonable answers to the questions raised in class</p>		<p>5 %</p>
<p>Continuous Evaluation:</p> <p><i>Product liability test</i></p>	<p>GC 1: Analysis and synthesis abilities</p> <p>GC 3: Ability to manage information</p> <p>GC 8: Critical appraisal skills</p> <p>GC 10: Ability to develop autonomous learning skills</p> <p>GC 12: Ability to apply theoretical knowledge into practice</p> <p>SC 8 - Knowing in depth the main rules regulating markets in special sectors (like financial</p>	<p>Understanding of legal concepts</p>	<p>1st day (in class)</p>	<p>10 %</p>

	markets, utilities and markets for consumer goods)			
Continuous Evaluation: <i>Consumer guarantees reflection paper</i>	GC 1: Analysis and synthesis abilities GC 3: Ability to manage information GC 8: Critical appraisal skills GC 10: Ability to develop autonomous learning skills GC 11: Concern for quality GC 12: Ability to apply theoretical knowledge into practice	Use of consistent and reasonable reasons to solve legal issues	2 nd day (in class)	15%
Continuous Evaluation: <i>Consumer rights test</i>	GC 1: Analysis and synthesis abilities GC 3: Ability to manage information GC 8: Critical appraisal skills GC 10: Ability to develop autonomous learning skills GC 11: Concern for quality GC 12: Ability to apply theoretical knowledge into practice SC 8 - Knowing in depth the main rules regulating markets	Understanding of legal concepts	3 rd day (in class)	10 %

	in special sectors (like financial markets, utilities and markets for consumer goods)			
Evaluation: <i>Close book exam</i>	<p>GC 1: Analysis and synthesis abilities</p> <p>GC 3: Ability to manage information</p> <p>GC 8: Critical appraisal skills</p> <p>GC 10: Ability to develop autonomous learning skills</p> <p>GC 11: Concern for quality</p> <p>GC 12: Ability to apply theoretical knowledge into practice</p> <p>SC 8 - Knowing in depth the main rules regulating markets in special sectors (like financial markets, utilities and markets for consumer goods)</p>	<p>- Identification of the applicable law</p> <p>- Application of the legal rules to the case</p>	4 th day (in class)	50 %
Attendance				10%