

## **TEORIA GERAL DO DIREITO CIVIL**

Degree in Legal Studies (Solicitors)

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Code: 16603

Main Scientific Area: Private Law

Lecturer: Márcia Fernanda Ribeiro de Oliveira

Language of Instruction: Portuguese

Regime: S2

Contact Hours: 60h Total Workload: 108h

ECTS: 6,0

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### **Objectives**

1. Begin the systematic study of Private Law
2. Understand the fundamental principles of Private Law.
3. Analyze the elements of legal relationship.
4. Understand the essential and non essential elements of legal acts.
5. Provide the students with the necessary tools to solve cases.

### **Learning Outcomes**

At the end of the semester, students should be able to demonstrate proficiency in the following items:

1. Knowledge of fundamental principles of Private Law;
2. Understanding the essential elements of legal relationships;
3. Describing the essential and non essential elements of legal acts;
4. Ability to properly analyze and synthesize cases and materials.
5. Applying the knowledge and skills acquired in the autonomous resolution of cases.
6. Acquire critical and evaluation skills in specific cases;
7. Acquire decision-making skills

### **Course Contents**

- Introduction

1. Basic concepts

2. Fundamental characteristics of Private Law

II – Fundamental Principles of Portuguese Private Law

III – General theory of the legal relationship

1. Basic concepts

2. Persons

2.1 Natural person

2.2 Legal person

3. Object

4. General theory of the legal act

4.1 Contract and other legal acts

4.2 Essential elements of contract

4.3 Non-essential elements of contract

4.4 Ineffectiveness and invalidity of contract

5. Enforcement of the legal relationship

### **Recommended Bibliography**

PINTO, Carlos Alberto da Mota – Teoria Geral do Direito Civil. 4.<sup>a</sup> Ed., por PINTO MONTEIRO, António e MOTA PINTO, Paulo., Gestlegal, 2020

VASCONCELOS, Pedro Pais de – Teoria Geral do Direito Civil, 9.<sup>a</sup> Ed., Almedina, 2019.

BARBOSA, Mafalda Miranda – Maiores Acompanhados, 3.<sup>a</sup> Ed., Gestlegal, 2023

### **Learning and Teaching Methods**

The curricular unit is an introduction to the Portuguese Private Law, and is essential to the study of other curricular units.

The first and second Chapters of the syllabus are designed to familiarize students with the systematic ordering of Portuguese Private Law and its principles and terminology, hence fulfilling the first objective.

The third part is dedicated to the legal relationship and, in particular, to the legal act, both central to the Portuguese Private Law, will allow students to achieve a wide knowledge of these figures and the necessary knowledge and skills to the autonomous application of the rules and principles regulating them, allowing to achieve the objectives 2 to 5.

### **Assessment Methods**

Two written tests (50% each); Minimum grade on first test : 8 (out of 20).

The evaluation dates will be displayed by the Course Direction.

Erasmus students may have a different evaluation method.