

## **NOTARY LAW PRACTICE**

Degree in Legal Studies (Solicitors)

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Code: 16911

Main Scientific Area: Legal Practice

Lecturer: Manuel Delfim Graça da Costa

Language of Instruction: Portuguese

Regime: S1

Contact Hours: 60h Total Workload: 108h

ECTS: 6,0

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### **Objectives**

The curricular unit of Notary Law aims to provide students with the fundamental knowledge of Notary Law, explaining the articulation of this matter with the branches of substantive law that are most related to them, particularly in the context of the Portuguese system of acquisition of rights on the buildings.

### **Learning Outcomes**

It is intended that students at the end of this course:

- 1 - Know what the notarial function consists of, as well as the purpose and principles that are inherent to it;
- 2-Knowing which notarial acts are the exclusive competence of the notary and which notarial acts the solicitor, as a special body of the notarial function, can prepare;
- 3 - Identify the notarial act necessary to give legal form to a given act or legal transaction, as well as its evidential value and the defects that it may suffer from.
- 4 - Know how to write the various notarial acts, having mastered the rules relating to execution, requirements and instructional documents.
- 5 - Master the terminology and specific language of the Portuguese notary, in order to correctly interpret the content of the various notarial acts and documents that instruct them.
- 6 - Acquire practical knowledge in relation to the Portuguese notary

### **Course Contents**

- 1 - The Notary Function
- 2 - Notary Acts in General

3 - Notary Acts in Special

4 - The Authenticated Private Document (which titles acts subject to land registration)

5 - The public deed 6 - Nullity and revalidation of notarial acts

### **Recommended Bibliography**

FERREIRINHA, Fernando Neto, Manual de Direito Notarial – Teoria e Prática, 2ª Edição, Coimbra: Almedina, 2019. ISBN 978-972-40-7439-9

FERREIRINHA, Fernando Neto, A Função Notarial dos Advogados e dos Solicitadores – Teoria e Prática, 2ª Edição, Coimbra: Almedina, 2019. ISBN 978-972-40-8133-5

LOPES DE FIGUEIREDO, David Martins – Titulação de Negócios Jurídicos Sobre Imóveis – 3ª Edição, Coimbra: Almedina, 2019, ISBN 978-972-40-74610-0

PEREIRA, Fernanda – A Titulação dos Negócios – Aspectos Jurídicos Fiscais e Registrais, Porto: Librum Editora, 2019. ISBN 978-989-54382-8-0

### **Learning and Teaching Methods**

The syllabus aims to familiarize students with the subjects of Notary and the practice of notarial acts of the Solicitor.

The objectives of the course are consistent with the syllabus, as shown below:

The first objective, knowing what the notarial function consists of, as well as the purpose and principles inherent to it, is compatible with the syllabus 1 to 3 and 6.

The second objective, to know which notarial acts are within the exclusive competence of the notary, and which notarial acts the solicitor, as a special organ of the notarial function, can draw up, is compatible with the syllabus 1 to 6.

The third objective, to identify the notarial act necessary to give legal form to a given act or legal transaction, as well as their evidential value and which vices they may suffer from, is compatible with the syllabus 1 and 4 to 6.

The fourth objective, knowing how to draw up the various notarial acts, mastering the rules relating to the execution, requirements and instructional documents, is compatible with the syllabus 1 to 6.

The fifth objective, to master the terminology and specific language of Portuguese notary, in order to correctly interpret the content of the various notarial acts and documents that instruct them, is compatible with the syllabus 1 to 6

The sixth objective, to acquire practical knowledge regarding the Portuguese notary, is compatible with the syllabus 1 to 6.

### **Assessment Methods**

1. At the time of continuous and periodic evaluation, the evaluation shall be carried out:

- Through two written tests, both carried out in person;
- Each of the tests will have a weighting of 50% in the final grade;
- The dates of the tests will be disclosed by the Course Direction on the E-learning/Moodle platform;
- A minimum score of 8.0 values is required in each of the tests (integer, without rounding);
- Access to the 2nd test depends on obtaining the minimum score;
- The final classification shall be calculated by weighting the scores obtained in each of the tests according to their weightings;
- The student is approved if he obtains, in the sum of the grades obtained in each of the tests (according to the respective weights) classification equal to or greater than 10.0 values.

2. At the time of appeal, the evaluation shall be carried out by written examination.

- The exam will have a weighting of 100% in the final classification and the student will pass if he/she obtains a rating equal to or greater than 10.0 values.