

Course Description

Bachelor of Law in Portuguese Language

YEAR I

LDLP110 INTRODUÇÃO AO DIREITO / INTRODUCTION TO LAW

Chapter I - The concept of Law. 1. The social nature of Man. 2. The social and natural order. 3. The Law as part of the whole social order. 4. Comparison between the Law and other normative orders: the religion, the ethic and social behavior. 5. The aims or values of Law. 6. The Law as rule and the law as power: objective and subjective law. Chapter II - The Fields of Law. 1. Comparison between Public and Private Law. Criteria. 2. The division of the Public Law. 3. The subdivision of Private Law. 4. The new juridical subjects. Chapter III - The Rule of Law. 1. Characteristics. 2. Structure. 3. Classification. 4. The Codification and legislative techniques. Chapter IV - Protection of Law and protection of rights. 1. Introduction: the State organization for sanctioning and the protection of Law. 2. Means of juridical protection. 3. Administrative protection and citizens protection. 4. Judicial protection. Chapter V - Sources of Law. 1. Definition. 2. The sources of Law in technical sense: the law, custom, jurisprudence and doctrine. 3. The value of the several sources of Law in Macau legal system. Chapter VI – Interpretation of laws. 1. Definition. 2. Types of interpretation: authentic and doctrinal interpretation. 3. The method of interpretation of laws. 4. Elements of interpretation. 5. The results of the interpretation. 6. Integration of law. 7. Finding and solve the gaps. Chapter VII - The application of laws in time. 1. The problem. 2. The non retroactive application of laws theory. 3. The expression of the non retroactive principle in the Civil Code. 4. The theory of past fact.

LDLP130 DIREITO CONSTITUCIONAL E CIÊNCIA POLÍTICA / CONSTITUTIONAL LAW AND POLITICAL SCIENCE

Chapter I - The Politics. I - The concept of policy in “*lato sensu*”. II – The politics analysis in the perspective of its constituent elements. Chapter II - The State. I – The State as a form of political society. II - The State as a political system. Chapter III – The Macau S.A.R. as Political Region. I – The characterization of Macau S.A.R. as a political region. II - The autonomy of Macau S.A.R. III - The political system of Macau S.A.R. Chapter IV - The Rule of Law and the Democracy. Chapter V - The Constitution as Constitutional Law. I - The concept of Constitutional Law. II - Written and unwritten constitution. III - Rigid, semi-rigid and flexible constitution. IV - Formal and material constitution. Chapter VI - The Constitution as Act of Constituent Power. I – The classical theory of constituent power. II - The current problems of the constituent power. III - The phenomenology of the constituent power in material sense. IV – The particular case of the “deconstitutionalization”. Chapter

VII - General Characteristics of the Basic Law. I - The legal foundation of the Basic Law. II - Article 31 of the CPRC as Enabling Clause and the “One Country and Two systems” Principle. III - The Sino-Portuguese Joint Declaration as International Treaty. IV - The conceptions about the legal nature of the Basic Law. Chapter VIII – The Basic Law as Ordinary Law. I - The monistic and dualistic sense of law. II - The meaning of the law in Portuguese constitutionalism. III - The meaning of law in Chinese constitutionalism. Chapter IX - The Basic Law as Statutory Law. I - The regional statute as product of the state function. II - The reserve of the statute. Chapter X - The Basic Law as Law of Enhanced Value. I - The ordinary laws of enhanced value in Portugal. II – The formal classification of the Basic Law to the enhanced laws of the Portuguese constitutional model. Chapter XI – The Basic Law as Constitution in Material Sense. I - The fundamental principles of the Basic Law. II - The categories of fundamental rights. III - The legal regime of fundamental rights. IV - The protection of fundamental rights. Chapter XII - The Guarantee of the Basic Law. I – The Interpretation of the Basic Law. II – The guarantee of the enhanced value of the Basic Law. III - The limits of review of the Basic Law.

LDLP120 HISTÓRIA DAS INSTITUIÇÕES JURÍDICAS E POLÍTICAS / HISTORY OF LEGAL AND POLITICAL INSTITUTIONS

I. Introduction. 1. Historicity and historicism. 1.1. The “total social fact”. 2. Institutions and Social History. 2.1. Institutions and history. II. The formation of the Common Law. 1. The structural presence of Roman law. 1.1. The persistence of intellectual and cultural spirit of Roman Law. 1.2. Sources of Roman Law. 1.3. The Corpus Iuris Civilis. 1.4. The right of the Praetor. 2. The Canon Law. 2.1. Ordinances and decrees. 3. The factors of unification of law. 3.1. Glossators, Reviewers, Mos Gallicus iura Docendo modernus and Usus Modernus Pandectarum . 3.2. From the old Natural Law into the Modern Rational Jusnaturalism. III. The contemporary legal culture. 1. The legal positivism and ideologies of desconstruccion. 2. The Pure Theory of Law. IV. Portuguese law and the law of Macau. 1. Ordenações Afonsins (Alphonsine ordinations). 2. The Law of Good Reason and the New Code.

LDLP140 ECONOMIA / ECONOMICS

Part I: Introduction. 1 – Economics: scope, concepts and method. 2 – The organization of economic activities. 3 – Brief history of economics and the economic systems. Part II: Microeconomics. 4 – Demand: The behaviour of consumers. 5 - Supply: The behaviour of firms. 6 - The behaviour of markets and prices. 7 - Markets for production factors and income distribution. 8 – Specialisation and international trade. Part III – Macroeconomics. 9 – Economic flows and National Accounting. 10 – Economic cycles, aggregate demand and the multiplier model. 11 - Government: policies, taxation and expenditure. 12 - Unemployment, inflation and the stabilisation and growth policies. 13 - Money, the banking system and the financial markets. 14 - Open economies, growth and economic integration.

Part IV – Current topics. 15 - International trade: issues and trends. 16 - Economics and the environment. 17 - Economics, the law and the social institutions.

LDLP154 LÍNGUA E CULTURA CHINESA I / CHINESE LANGUAGE AND CULTURE I

The contents of the lessons are mainly about Mandarin Chinese (*Putonghua*), Chinese culture and traditional habits and the general words and phrases used by Chinese during their daily lives. The student acquires a basic knowledge of the grammar, a limited general vocabulary, pronunciation (*Pinyin*), and an ability to read and understand simple texts. In this course, the students are required to listen, to speak and to write all those texts which they have learned.

LDLP155 LÍNGUA E CULTURA PORTUGUESA I / PORTUGUESE LANGUAGE AND CULTURE I

Socio-cultural aspects of Law. 1. Man. Society and Law. 2. Social and juridical rules. 3. Social and juridical rules in different social and political environment. 4. Law as a social fact. 5. Law and social groups. 6. Law as an expression of social control: Conformity and devious behavior. 7. Law and social change. 8. Law and societies in transition: The case of Macau – Brief notes of political, juridical, economic and sociological aspects of territory.

YEAR II

LDLP210 TEORIA GERAL DO DIREITO CIVIL / GENERAL THEORY OF CIVIL LAW

Introduction. General concepts of civil law. I – Preliminaries. II – General theory of the civil juridical order. 1. Sources of civil law. 2. Fundamental principles of civil law. III – General theory of the civil juridical relationship. 1. General theory of the individuals of the juridical relationship. General concepts. Natural persons. Legal persons. 2. General theory of the object of the juridical relationship. General concepts. Things and patrimony. 3. General theory of the juridical transaction. About juridical facts in general: concepts and classifications; acquisition, modification and extinction of juridical relationships; juridical transaction and simple juridical act. Transactional declaration: general concepts; interpretation and integration of juridical transactions; divergence between the intention and the declaration; defects of intention; representation in juridical transactions. Transactional object. Accidental elements of juridical transactions. Ineffectiveness and invalidity of juridical transactions: general concepts; invalidities; reduction and conversion of juridical transactions.

LDLP220 DIREITO ADMINISTRATIVO I / ADMINISTRATIVE LAW I

Chap. I - Public administration 1. Public Administration. Concept and different meanings. 2. Historical evolution. 3. Administrative systems: comparison between the continental-European system and the British system. Chap. II - The administration and the Law 1. The principle of legality of Administration. Primacy of law and reservation for the Parliament (Legislative Power) the regulation of the principal matters (historical and modern meanings). 2. "Binding" (to the content of acts fixed by law) and "Discretionary" (cases that the legislator gives Administration the power to fix the content of it's own acts). 3. The sources of Administrative Law: in special, the administrative Regulations Chap. III - The Administrative Activity 1. The dispositive facts. Typology (in special, torts). 2. Administrative act. Concept and meaning. Typology. 3. Instrumental acts. 4. The administrative procedure. 5. Effectiveness and legal strength of the administrative act: the possibility of execution by Administration of it own acts. 6. The structure of administrative act: the subject, the object and the statution. 7. The defects of the administrative act. Types of invalidity.

LDLP240 DIREITO INTERNACIONAL PÚBLICO GERAL E REGIONAL /
PUBLIC INTERNATIONAL LAW

1. Conception and nature of Public International Law. 2. Sources of Public International Law: Treaties and customs. 3. The State: Elements of the State, the Recognition of State, Succession of states, Rights and Duties of the State. 4. International Organizations: definition and types. The UN. 5. The individuals in Public International Law: nationality and juridical statute of the foreigners. 6. Diplomatic and Consular relations Law. 7. The pacific resolution of the international conflicts: political resolution and juridical resolution of the international conflicts. 8. Problems of Public International Law about Macau. 8.1. The Sino-Portuguese Joint Declaration, 8.2. The capacity of Macau's Special Administrative Region in matters related with external affairs, according to the Basic Law of MSAR.

LDLP230 ECONOMIA PÚBLICA / PUBLIC ECONOMICS

The meaning of Public Economics - Financial Activity of State: Expenses, Revenues and Budget. Economic Activity of State: Characterization of Public Economic activity and the Enterprise activity of State - Public Revenues - Public Expenses - Public Budget - Financial Policy problems.

LDLP254 LÍNGUA E CULTURA CHINESA III/ CHINESE LANGUAGE AND
CULTURE II

This course will help students expand from their base in first year "Chinese Language and Culture I" to continue to develop their four skills of aurally understanding, speaking,

reading and writing in Chinese at intermediate level. Some grammatical constructions introduced in first year “Chinese Language and Culture I” will be repeated in this course with increasing sophistication in terms of style and usage. The course helps students to develop necessary knowledge of Mandarin Chinese (*Putonghua*), including pronunciation, vocabulary, idiomatic expressions, grammatical structures, and written characters.

LDLP255 LÍNGUA E CULTURA PORTUGUESA III/ PORTUGUESE LANGUAGE AND CULTURE II

Socio-cultural aspects of Law. 1. Man. Society and Law. 2. Social and juridical rules. 3. Social and juridical rules in different social and political environment. 4. Law as a social fact. 5. Law and social groups. 6. Law as an expression of social control: Conformity and devious behavior. 7. Law and social change. 8. Law and societies in transition: The case of Macau – Brief notes of political, juridical, economic and sociological aspects of territory.

YEAR III

LDLP310 DIREITO DAS OBRIGAÇÕES / OBLIGATION LAW

I. Introduction. Obligation. Execution of a Performance. Complex “Obligational” Relation. Function of the Obligation. Obligation and Property Rights. Guiding Principles of Obligations Law: Principle of Individual Autonomy; Principle of Good Faith; Principle of the Unjust Enrichment. II. Sources of obligations. Contracts. Unilateral Transactions. Management of Alien Affairs. Unjust Enrichment. Civil Liability. Contractual and Non Contractual Liability. Liability for Illegal Actions. Objective Liability. Liability by Legal Actions. III. Modalities of Obligations. Natural and Civil Obligations. Conjoint and Jointly Liable Obligations. Other Modalities. IV. Transfer of Obligations. Transfer of Credit and Debts. Cession of Credits. Sub-rogation. Individual Transfer of Debts. Cession of the Contractual Position. V. Security of Obligations. Protection of Guarantees. Void Contracts. Sub-rogation. *Actio Pauliana*. Seizure of Assets. VI. Special Guarantees. Personal and Real Guarantees. Bail. Bond. VII. Performance and Non Performance of Obligations. 7.1. Performance. 7.2. Non Performance. Impossibility and Delay Not Imputable to the Debtor. Impossibility and Delay Imputable to the Debtor. 7.3. Defective Performance. 7.4. Contractual Regulation of the Rights of the Debtor. 7.5. Forced Execution of the Credit. 7.6. Cession of Assets to the Creditor. 7.7. Delay of the Creditor. VIII. Other Causes of Extinction of Obligations besides the Performance. IX. Special Contracts. Contracts Regulated and not Regulated in the Law. Types of Mixed Contracts. Contracts Regulated in the Civil Code. Brief Features. Gaming and Betting.

LDLP320 DIREITO PROCESSUAL CIVIL I / CIVIL PROCEDURE LAW I

I. Introduction, Procedure and Procedural Law. Jurisdiction and jurisdictional function.

General frame of the action in civil jurisdiction. Civil Procedure Law. II. The action. The right to a legal action. Legal classification of the actions: according to their goal, according to their form. Interlocutory injunctions. III. Civil Procedure Law. Concept. Features. Importance. Interpretation and integration. Application in time. Application in space. IV. Sources of the Portuguese Civil Procedure Law and close Disciplines. Historical evolution. V. Theory of the Procedural Relationship. The instance as a procedural relationship. The structure of procedural relationship. 1. The subjects. 1.1 The parties. Procedural requisites concerning the parties. Judiciary personality. Judiciary capacity. Legitimization. Compulsive representation by an attorney at law. Special mention to Macau. The procedural interest. 1.2. The court. The judicial organization. Jurisdiction. 2. The object. The claim and the cause of action. VI. The procedural act. Concept. Form. Time. Place. Parties. Goal. Pathology. VII. Dynamics of the procedural Relationship. The bringing of a suit. Development of the instance. Modifications. Suspension and interruption. Conclusion. Incidents. VII 1. Formalities of the Ordinary Declaratory Procedure. Phases. 1. Articulated pleading. Declaration. "*In limine*" order. Service of summons. The Answer: Defensive-answer. Counterclaim answer. The Replication. The Rejoinder. Supervening articulated pleadings. 2. Healing and Abridgement. Curative decision. Specification and Questionnaire. 3. The instruction. The evidences in general. Material probative law. Formal probative law. The burden of proof. Fundamental principles. Means of proof. 4. Trial. Final hearing. 5. Final decision. "*Res judicata*". IX. Formalities of the Summary Declaratory Process X. Judicial Organization of Macau. Comparative perspective.

LDLP330 DIREITO CRIMINAL / CRIMINAL LAW

Part I - General considerations. Chap. I. Nature of Criminal Law. 1. Scope, function and limits of Criminal Law. 2. The aim of the penalties. Penalties and security measures 3. Evolution of Criminal Law. Chap. II - The criminal law and its application 4. Sources of Criminal Law 5. The application of Criminal Law 6. Validity of Criminal Law. Part II - General Theory of Criminal Infraction. Introduction: the constitutive elements of crime 7. Classification of the crimes 8. The general theory of crime 9. "Type" of offenses. Chap. I - The "types" of criminal offenses 10. The elements of the "type" 11. The objective attribution of the result to the behave. 12. The subjective attribution to the "type": the intention and the negligence of the "type" and their elements. Chap. II - The causes of exclusion of the illicit or "justifying types". 13. General principles 14. The particular "justifying types". Chap. III - The "type of guilty" 15. The problem of guilt in Criminal Law 16. Intentional and negligent guilt 17. Obstacles to guilty: non imputability, non exigibility and non responsible lack of knowledge of the offense. Chap. IV - Special configurations of criminal offences 18. Attempt and frustration. "*Itercriminis*". 19. Comparticipation. Perpetration and accomplicity.

LDLP360 DIREITO DO TRABALHO E DA SEGURANÇA SOCIAL / LABOR AND SOCIAL SECURITY LAW

I. 1. Formation of Labor Law. 2. Labor Law: conception, object, terms and importance. 3. Range of Labor Law. 4. Sources of Labor Law. 5. The labor contract: conception, elements and legal characteristics. Comparison with similar contracts. 6. The formation of the contract: material and formal requirements. 7. Principle of equality, Good faith and Protection of Privacy. 8. Rights and duties of employee and employer. 9. Types of contracts. 10. Probationary Period. 11. Term labor contract. 12. Fixed term labor contracts. 13. A variable term labor contract. 14. Labor contract of minors. 15. Working time. 16. Overtime work. 17. Night work. 18. Shift work. 19. Weekly rest. 20. Work on rest days. 21. Holidays. 22. Work on mandatory holidays. 23. Annual leave. 24. Absences: types of absences. 25. Maternity leave. 26. Remuneration. 27. Types of remuneration. 28. Termination of the labor relation: forms of termination. 29. Revocation. 30. Rescission. 31. Expiry. 32. Denunciation. 33. Certificate of employment. 34. The labor relations established with non-resident workers. 35. The Social Security System.

LDLP340 DIREITO ADMINISTRATIVO III/ ADMINISTRATIVE LAW II

Introduction. I - Administrative Justice. Separation of Powers. Historical background. Models of administrative justice. Evolution of judicial review in Macau. II – Judiciary. Administrative Courts. Appeals Courts. Judicial organization in Macau. III – Judicial review. General principles. Annulment of administrative decisions. Conditions for suing. Standing of the parties. Proceeding. IV – Special judicial remedies. Judicial review of norms. Electoral litigation. Judicial review of administrative infractions. V – Administrative Actions. Judicial action on administrative contracts. Judicial action on torts liability. Injunction. Judicial action to compel the practice of an administrative act. Judicial action for the protection of rights and lawful interests. VI – Interim Measures. Suspension of the effects of an administrative decision. Provisory injunction. Production of endangered evidence. Other interim measures. VII – Judicial Decisions. Legal effects of judicial decisions. VII – Judicial appeals. Right to appeal. Types of judicial appeals. VIII – Execution of judicial decisions. Execution for the delivery of an asset or performance in kind. Execution for payment of an amount. Guarantees of the execution. IX – Arbitration. Arbitration. Appeal of arbitration. Institutionalized arbitration.

LDLP350 DIREITO FISCAL / TAX LAW

Introduction. I - Tax Law. Historical background. Theory of taxation. Taxes and other contributions. Administrative taxation procedure. Classification of taxes. Definition of Taxes. Tax law and other fields of law. Constitutional Law. Administrative Law. Commercial law. Private Law. Criminal Law. International Law. II – Tax Jurisdiction. Sources of tax law. General principles of law. International and interregional tax law

agreements. Customary law. Jurisprudence. Doctrine. Interpretation of tax laws. Integration of tax laws. Application of tax laws in time and space. Double taxation. Tax avoidance and tax evasion. International exchange of tax information. III – Legal relation. Nature. Parties. Tax obligation. Tax duties and warranties. Execution procedure. IV – Taxation in Macau. Evolution. Taxation on income. Taxation of property. Taxation of services. Stamp duty. Special Gaming Tax. Other taxes.

LDLP374 LÍNGUA E CULTURA CHINESA III/ CHINESE LANGUAGE AND CULTURE III

Textbook: *Chinese Made Easy*, book1 《輕鬆學漢語 第一冊》. First semester 第一學期: Lesson 11 to Lesson 13. 1. Review the words and Chinese characters the students have learned before. 2. Lesson 11 中國在亞洲. Chinese characters: 亞 來 去 過 可. Lesson 12 他去過很多國家. Chinese characters: 友 地方 但 出. Lesson 13 中國人說漢語. Chinese characters: 說 漢語 話. 3. Culture: Introduce some Chinese characters about Chinese surnames, such as 木子李, 口天吳, 弓長張, 古月胡. After these three lessons, the students know the names of many countries and continents in Chinese, they can express “which country I have been to” and tell what’s the native language of these countries. Second semester 第二學期: Lesson 14 to Lesson 16. 1. Review the words and Chinese characters the students have learned before and do some exercises about these. 2. Lesson 14 她會說好幾種語言. Chinese characters: 會 幾 世界 上. Lesson 15 她是醫生. Chinese characters: 老師 家庭 大夫. Lesson 16 他做什麼工作. Chinese characters: 做 員 喜歡. 3. Culture: How to introduce oneself and family members. After these three lessons, the students can express “where they come from” and some useful occupation expressions.

LDLP375 LÍNGUA E CULTURA PORTUGUESA III/ PORTUGUESE LANGUAGE AND CULTURE III

Introduction. 1. This course is destined to students of Chinese (or non-Portuguese) mother language who study in one higher programme taught in Portuguese Language. 2. General objectives: To develop the capacities of written and oral communication; To solidify and perform past apprenticeships in Portuguese Culture and Language; To stimulate the development of interest related with Portuguese reality on the present. 3. Programmatic contents. The linguistic (grammatical and lexical exponents) will result from the down mentioned topics, according to the student’s needs and knowledge. Special attention will be given to idiomatic sentences. 3.1. Language and Culture concepts. 3.2. Portugal, actual context, with special incidence in historical, political and economic aspects; educational, cultural and artistic aspects; Portugal and European Community. 3.3. Portuguese myths. 3.4. Cultural stereotypes. 4. The classes will be conducted by inactive and exploratory methodologies. The activities to privilege will be the text’s lecture and analysis, the dialogue, the discussion and the writing (abstracts, abbreviations and composition).

YEAR 4

LDLP410 DIREITOS REAIS / PROPERTY LAW

Introduction (evolution of the systems of real property rights). I - The real property rights in general: Definition - structural and functional perspective. II. Constitutive principles of "*ius in re*" - Internal principles; External principles. III. Characteristics of the real property rights. IV. The great forms of ordination of dominion. V - In special, real property rights (*ius in re*) (definitive ordination of dominion). Types of "*ius in re*". Real property rights of use - Property. Community property. Joint ownership. Horizontal ownership. The usufruct. The use and habitation rights. Timesharing right. Superficial right - Real servitudes. Emphyteusis constituted before the new Civil Code of Macau. Real property rights resulting from concession of government land in Macau (granted dominium utile; ownership of buildings on leased land). Abstract on rights *in rem* for acquisition and for real security. VI - Possession (provisional ordination of dominion). Definition of possession. The two greatest functions of possession. Possession systems; The system of Macau. Possession with cause and formal possession. Possession and mere detention. Rights that can be possessed. Things that can be possessed. Capacity for possess. Characteristics of possession. Acquisition of possession. Conjunctions of possession. Conservation and loss of the possession. The protection of the possession: Rights resulting from the possession; Legal actions to defend the possession). The adverse possession (*usucapio*).

LDLP420 DIREITO DA FAMÍLIA E DAS SUCESSÕES / FAMILY AND SUCCESSION LAW

I. Introduction. Legal Notion of Family and Succession and the Succession Phenomenon. Family and Succession Law. Sources. Constitutional Principles. Features of Family and Succession Law and of Family and Succession Rights. II. Family Relations. 2.1. Relatives. Affiliation Relation. Establishment of Parent-Child Relationship. Establishment of Mother-Child Relationship. Establishment of Father- Child Relationship. Assisted Procreation. Effects of the Affiliation. 2.2. In-laws. 2.3. Adoption. 2.4. Marriage. Matrimonial Regimes. III. Matrimonial Relation. 3.1. Constitution of a Matrimonial Relation: Marriage as an Act. 3.1.1. Civil Marriage. 3.1.2. Catholic Marriage. 3.2. Effects of Marriage: Marriage as a "*status*". 3.2.1 . Personal Effects. 3.2.2. Patrimonial Effects. Regime of the Matrimonial Goods. Pre-Nuptial Agreements. Description of the Legal Regimes of Goods. Administration of the Goods of the Couple. Matrimonial Illegitimacies. Liability for the Debts of the Spouse. 3.2.3 Termination of the Patrimonial relations. Partition. 3.3. Modification of the Matrimonial Relations. Judicial Separation of Goods. Judicial Separation of Persons and Goods. 3.4. Termination of the Matrimonial Relation. Causes of Termination of the Civil and Catholic Marriage. Death. Divorce. IV. *De Facto* Union. Notion. Legal Relevance. Condition of the Legal Relevance. V. Provide

Nourishment. VI. Succession in General. Death as a Prerequisite to Succession. Several Types of Succession by Death. Heir and Legatee. Opening of Succession. Succession “Calling”. Succession “Appointment”. Content of the Succession “Calling”. Prerequisites of Succession “Calling”. Modes of “Calling”. Indirect “Calling”: Right to Representation; Direct Substitution; Right of Accretion. Vacant Succession. Succession Acquisition. Inheritance Acceptance. Refusal of the Inheritance. Request of the Inheritance. Transfer of the Inheritance. Administration of the Inheritance. Inheritance Charges. Partition of the Inheritance. VII. Successions in Special. 7.1. Legal Succession. 7.2. Legal Mandatory Succession. 7.3. Testate Succession. 7.4. Contractual Succession.

LDLP430 DIREITO COMERCIAL I / COMMERCIAL LAW I

1. Introduction to commercial law. 2. Exercise of a commercial enterprise in general. 2.1. Commercial entrepreneurs, commercial enterprises and acts of commerce. 2.2. Obligations of commercial entrepreneurs: firm (business name); commercial bookkeeping; registration; rendering of accounts. 2.3. Representation in the exercise of an enterprise. 2.4. Liability for the exercise of an enterprise. 2.5. Products liability. 3. Commercial enterprise. 3.1. Transactions over a commercial enterprise: sale, lease, usufruct, pledge. 4. Regulation of competition between entrepreneurs: Unfair competition law. 5. Company law. 5.1. Nature and types of company. 5.2. Company formation: The memorandum of association; The articles of association. 5.3. Capital stock and dividends. 5.4. Membership: rights and liabilities of stockholders. 5.5. Company organs: General meetings; Directors. The management of the company; Supervisory Board; Secretary. 5.6. Liability of holders of the company organs. 5.7. Amendments to the articles of association. 5.7. Dissolution and liquidation of the company. 6. Negotiable instruments in general. 6.1. Types of Negotiable Instruments. 6.2. The legal regimen of the Bill of Exchange. 6.3. The draw. 6.4. The acceptance. 6.5. The endorsement. 6.6. The “aval”. 6.7. Maturity. 6.8. Payment. 6.9. Action for nonacceptance and non-payment.

LDLP440 DIREITO E PROCESSO CRIMINAL / CRIMINAL LAW AND CRIMINAL PROCEDURE LAW

Part I - Legal Consequences of the Crime. Introduction. 1. The legal consequences of the crime. 2. The criminal law reform movement and its connection with Macao’s sanctioning system. Criminal law policy theories. Chapter I – Penalties. 3. Preliminary remarks 4. Imprisonment. 5. Fine 6. Alternative penalties. 7. Accessory penalties. Chapter II – Determination of the Penalty. 8. The system of determination of the penalty. 9. The concrete measure of the penalty. 10. Special cases of determining of the penalty. Chapter III – Security Measures. 11. General doctrine. 12. Security measures that involve the deprivation of liberty. 13. Security measures that do not involve the deprivation of liberty. Chapter IV – Special Institutes. 14. Conditional release. 15. Imprisonment prorogation. Part

II – Criminal Procedure Law. Chapter I – General Notions. 1. Function and meaning of criminal law procedure. 2. Criminal law procedure within the legal system. 3. The juristic and constitutional compliance of the criminal procedure and its structure. 4. The application of the criminal procedure law. Chapter II - General Principles of Criminal Procedure Law. 5. Principles relating to the initial stage of the procedure. 6. Principles relating to the continuation of the procedure. 7. Principles relating to evidence. 8. Principles relating to the form of the procedure. Chapter III – The Agents of the Criminal Procedure. 9. Court. 10. Public prosecutor and criminal police bodies. 11. The defendant and the defendant's lawyer. 12. The victim and injured party. Chapter IV – Coercive Measures and Measures of Patrimonial Guarantee. 13. The coercive measures. 14. Measures of patrimonial guarantee. Chapter V – Stages of the Criminal Procedure. 15. The forms of criminal procedure and their respective procedure. 14. Appeals.

LDLP460 DIREITO DA INTEGRAÇÃO ECONÓMICA / EUROPEAN UNION

LAW

1. The History of European Union. 1.1. The European Communities: European Coal and Steel Community (ECSC), European Economic Community (EEC) and European Atomic Energy Community (EURATOM). 1.2. The Objectives 2. The institutions of the Communities: The Commission, the Council, the Council of Ministers, the European Parliament. The Court of Justice, the Court of Auditors, the Economic and Social Committee and the Committee of the Regions, the European Ombudsman, the European Investment Bank and the Central Bank. 3. The Decision Procedures 4. The European Union Law: the sources and judicial control. 5. The European Common Market: The Free Movement of Goods, the Free Movement of Workers, the Free Movement of Establishment and the Free Movement of Capital.

LDLP470 DIREITO PROCESSUAL CIVIL II / CIVIL PROCEDURE LAW II

Enforcement action. I. General Theory of the enforcement action. Concept and goals. The legal classification. II. Procedural requisites of the enforcement action. 1. Specific requisites. Formal and substantial requisites. The writ of enforcement. Legal nature. Historical evolution. Classification. Consequences of the lack of writ of enforcement or of its non-enforcementness. Certainty and exigibility of the debt: The liquidated debt. 2. General requisites of the enforcement action. International and internal jurisdiction. Formal legitimization. Compulsive representation by an attorney. III. Forms of the executive proceedings. Legal regime of the different species and forms of execution. IV. The phases of the enforcement process. 1. Ordinary enforcement process for the payment of a right amount. Phases: The Articulates. Initially pleading. "*In limine*" decision. Service of summons. Opposition. Attachment: definition, object, cases of withdrawing from execution and forced sale. Opposition to the attachment. Finding. Concurrence of creditor claims.

Reclamation and verification of claims. Proceeding. Payment. Forms of payment. Termination of the enforcement procedure. Avoidance and renovation of the enforcement procedure. 2. Summary enforcement procedure for the payment of a certain amount of money. 3. Common enforcement procedure for delivery of a determinate thing. Ordinary and summary proceedings. 4. Common enforcement process for rendering a certain fact positive or negative. Ordinary and summary procedures.

LDLP450 DIREITO INTERNACIONAL PRIVADO I / PRIVATE INTERNATIONAL LAW I

I - 1. On the dogmatic object of Private International Law structure (types of) private international relations. 2. The debate on method: comparison between the American methodological perspective on PIL and the classical European approach. 3. General interests or regulation values. 4. General theory of the conflict rule and determination of its functional limits 4.0. Structure and function of the conflict rule in PIL, 4.1. Classification 4.2. Renvoi (remission/transmission). 4.3. The principle of ‘vested rights’, 5. The eviction of foreign law: the undetermined general clause of public policy ("*ordre public*"). 6. The "*fraus legis*" in Private International Law, Recognition of foreign sentences.

LDLP484 LÍNGUA E CULTURA CHINESA IV/ CHINESE LANGUAGE AND CULTURE IV

Textbook: *Chinese Made Easy*, book2. 《輕鬆學漢語 第二冊》. First semester 第一學期: Lesson 7 and Lesson 8. 1. A test to what the students have learned before. 2. Lesson 7 我最喜歡過寒假 Chinese characters: 過 因為 所以. Sentence patterns: 因為……所以……; 是……的. Lesson 8 我的愛好是聽音樂. Chinese characters: 聽 音樂 看 電視 玩. Sentence patterns: ……，都……; ……完……以後，…… 3. Culture: “風箏” (the kite) and “春節” (the Chinese new year). Students can tell something about their hobbies in Chinese. Students can use “得” to describe an action. Second semester 第二學期: Lesson 9 to Lesson 12. Lesson 9 他打籃球打得最好. Chinese characters: 打籃球 參加 好多 跟……一起…… Sentence patterns: 跟……一起…… Lesson 10 她喜歡彈吉他. Chinese characters: 除了 唱歌 正在. Sentence patterns: 除了……以外; 一邊……一邊…… Lesson 11 我們八點一刻上課. Chinese characters: 上課 洗 從來 忙. Sentence patterns: ……就……; “了”. 2. Culture: “端午節(the Dragon Boat Festival)” and “中秋節(Mid-autumn Festival)”. Students can describe their hobbies in a more complete way than before. They can express two actions happening at the same time with “正在”, and two ways of expressing duration of an action.

LDLP485 LÍNGUA E CULTURA PORTUGUESA IV/ PORTUGUESE LANGUAGE AND CULTURE IV

Introduction. 1. This programme is designated to students of Chinese (or non-Portuguese)

mother language who study in one higher programme taught in Portuguese Language. 2. General objectives: To develop the capacities of written and oral communication; To solidify and perform past apprenticeships in Portuguese Culture and Language; To stimulate the development of interest related with Portuguese reality on the present. 3. Programmatic contents. The linguistic contents (grammatical and lexical exponents) will result from the down mentioned topics, according with the student's needs and knowledge. Special attention will be given to idiomatic sentences. 3.1. Language and Culture Concepts. 3.2. Portugal, actual context, with special incidence in historical, politician and economic aspects; educational, cultural and artistically aspects; Portugal and European community. 3.3. Portuguese myths. 3.4. Cultural stereotypes. 4. The classes will be conducted by inactive and exploratory methodologies. The actives to privilege will be the text's lecture and analysis, the dialogue, the discussion and the writing (abstracts abbreviations and composition).

YEAR 5

LDLP510 TEORIA GERAL DO DIREITO CHINÊS / GENERAL THEORY OF CHINESE LAW

Part I – History of Chinese Law. 1. Legal thoughts and characteristics of legal system in ancient China. 2. The transition of Chinese traditional legal system towards modernization. Part II – Constitutional Law. 1. The basic political and economic system. 2. The State Organs of China. 3. Rights and Duties of Chinese citizens. Part III – Sources of Law and Legislative System. 1. Legislative power. 2. Hierarchy of sources of law. 3. Legislative procedures prescribed in the Law on Law-Making. Part IV – Judicial System and Judicial Reform. 1. Judicial Organs. 2. People's Courts, Organizations, Jurisdictions and some important systems of trial in Chinese Law 3. People's Procuratorates, Organizations and Competences. Part V – Overview of Chinese Procedural Law and Comparative Studies. Part VI – Criminal Law. 1. Scope of Application, Concept of Crime and Constitutive Elements of Crime, Penalties. 2. Provisions of General Part of Criminal Law. Part VII – Civil Law. 1. General Principles of Civil Law and Sources of Civil Law. 2. Subjects of Civil Legal Relation, Natural Persons and Legal Persons. 3. Property Law and the Law on Rights in rem. 4. Present Legal Framework on Contracts. 5. Civil Juridical Acts and Civil Liability. Part VIII – Company Law. 1. Overview, Structure and Scope of the Company Law. 2. Theory of Piercing the Corporate Veil. 3. Limited Liability Companies. 4. Company Limited by Shares. 5. Corporate Governance. Part IX – The Marriage and Succession Law. Part X. Other Selected Topics on Foreign Investment Law.

LDLP530 DIREITO COMERCIAL II / COMMERCIAL LAW II

1. Introduction to the commercial contracts. 2. The problem of standard contracts. 3. Special

regimen of commercial contracts. 4. Contract of sale. 5. Contract of sale or return. 6. Supply contract. 7. Commission contract; forwarding contract. 8. Distribution contracts (agency; exclusive dealership; franchising). 9. Brokerage contract. 10. Advertising contracts. 11. Carriage contract. 12. Deposit in general warehouses. 13. Lodging contract. 14. Banking contracts. 15. Guarantees contracts. 16. Insurance contract.

LDLP550 TEORIA GERAL DO DIREITO / LEGAL THEORY

I. Introduction: Object and interest of the subject. II. The phenomenon of law. 1. Grounds of law. 1.1. Recurrent issues of General Theory of Law. 1.1.1. The concept of law. 1.1.2. Legal norms. 1.1.3. The ground of validity of a legal system. 1.1.4. Hume's *law* and legal positivism. 1.1.5. The theory of justice. John Rawls: justice as fairness. 1.1.6. Law and ethics. 1.2. Sources of law. 1.3. General principles of law. 2. Law environment. 2.1. Time and law. 2.2. Space and law. 2.3. Law and social facts. 2.3.1. Legal sociology.

LDLP560 DIREITO INTERNACIONAL PRIVADO II / PRIVATE INTERNATIONAL LAW II

1. The specific relevance of personal law in Private international Law. 2. The historical evolution of Private International Law and the progressive autonomy of the problems on the determination of personal law. 3. General interests of PIL and its projection on the conflict of laws concerning personal matters: the protection of the principle of unity in this area. 4. The relevance of the developing comparative analysis on the matter. 5. Marriage in PIL: the distinct importance of the contractual dimension and of the institutional one. 6. Divorce and separation by law in PIL. 7. Legitimacy, legitimization and adoption and determination of the structure of family relations by those means constituted. 8. Succession law in PIL.

LDLP570 MEDICINA LEGAL / FORENSIC MEDICINE

Legal Medicine represents four broad areas of medical practice, encapsulating the fields of civil legal medicine, Criminal or Forensic legal medicine, Medical Ethics, and medical practice areas affected by statute law. The course includes: 1. Legal medicine context. The compared Law in medical issues in Macau, Portugal and other countries. Medical reports and certificates. 2. Forensic Medical Sciences (concept, organization, law). 3. Corporal offenses. 4. Forensic sexology. 5. Sudden natural death. Violent death. Homicide, Suicide, parasuicide, and deliberate self-harm. 6. Injury and death from physical agents. 7. Wounding. 8. Asphyxia. Immersion and Drowning. 9. Death investigation and causes of death. Autopsy, medico-legal examinations. 10. Sexual offenses. 11. Abortion and Pregnancy. Infant deaths. 12. Toxicology. Poisoning and drugs. Alcohol abuse. Drug addiction. 13. Forensic Psychiatry and Mental Health. 14. Odontology, Anthropology. Man-made and natural Mass disasters. Corpses Identification. 15. Labor, Occupational Health and Safety Law. 16. Medical ethics, responsibility and negligence. Transplantation

of organs and tissues practice of observations. 17. Euthanasia. 18. Assisted reproductive technologies and ethical concerns. 19. Debate on Public Health Protection and Prevention. International Health Regulation and law enforcement in epidemics. 20. Genetics and DNA. Use of DNA in Paternity and Criminal identification. 21. Basic research on medico-legal areas performed by students.

LDLP520 SISTEMAS JURÍDICOS COMPARADOS / COMPARATIVE LEGAL SYSTEMS

Part I - Introduction: 1. The concept of comparative law and its neighboring disciplines; 2. The history of comparative law; 3. The function and aims of comparative law; 4. The method of comparative law; 5. Legal formants; 6. Comparative law as a science; 7. The grouping of the legal systems into families. Part II - Legal traditions of the world. 1. Civil law: a) History; b) Structure; c) Sources; d) The French and German experiences of codification, e) the diffusion of the respective patterns. 2. Common law: 2.1. The English law: a) History; b) Structure; c) Sources. 2.2. The American law: a) History; b) Structure; c) Sources. 3. Islamic law. 4. African law. 5 Indian law. 6 Japanese law.

LDLP540 RELAÇÕES ECONÓMICAS REGIONAIS / REGIONAL ECONOMIC RELATIONS

Introduction: Why International Economics is a separate field. Part I. Why Nations Trade. 1. Classical theory. 1.1. Absolute Advantage. 1.2. Comparative advantage. 1.3. Reciprocal Demand and the terms of trade. 2. New approaches to trade theory. Part II. International Trade. 1. The Trading System in Perspective. 1.1. Trade and Trade Agreements in History. 1.2. From GATT to WTO. 2. The World Trade Organization 2.1. Scope, Functions and Structure of the WTO. 2.2. Decision-Making. 3. Functions of the Multilateral Trading System – WTO. 3.1. The System as a Forum for Exchange. 3.2. A Code of Conduct for Trade Policy. 4. Nondiscrimination. 4.1. Most-Favored-Nation Clause 4.2. National Treatment. 5. Reciprocity. 6. Enforceable Commitments. 6.1. Dispute Settlement. 6.2. Trade in Services. 6.3. Protection of Intellectual Property. 7. Transparency. 7.1. Trade Policy Review Mechanism. 8. Safety Valves. 8.1. Safeguards and Exceptions. 8.1.1. Renegotiation of Concessions. 8.1.2. Waivers. 8.1.3. Emergency Protection and VRS 8.1.4. Antidumping Actions. 8.1.5. Measures to Countervail Subsidized Imports. 8.1.6. General Exceptions. Part III. International Finance and Open economy Macroeconomics. 1. Balance-of-Payments Accounting. 2. International Monetary experience before World War II. 3. The International Monetary System.