

news items and interviews), simulation of situations and improvisation of dialogues.

Pre-requisite: PORT2006

PORT2013 WRITTEN COMPREHENSION AND PRODUCTION SKILLS IV

A detailed revision of the use of structures learned by students during the previous three semesters and the reinforcement of new structures. Students are expected to write essays on different topics, to practice summary and abstract writing.

Pre-requisite: PORT2007

PORT3019 ADVANCED COMPREHENSION AND PRODUCTION SKILLS I

Language Laboratory practice in comprehension of real-life audio and video texts in different varieties of Portuguese, focusing on areas of current affairs, diplomacy, legal language, and business. Transcription and oral and written report of audio and video texts. Advanced production through simulation activities.

Pre-requisite: PORT3011

PORT3020 ADVANCED COMPREHENSION AND PRODUCTION SKILLS II

Language Laboratory practice in comprehension of real-life audio and video texts in different varieties of Portuguese, focusing on areas of current affairs, diplomacy, legal language, and business in the context of the Portuguese-speaking world. Transcription and oral and written summary report. Advanced production through simulation activities.

Pre-requisite: PORT3019

BACHELOR OF LAW IN PORTUGUESE LANGUAGE PROGRAMME

LAWS1000/LAWS1001 INTRODUCTION TO LAW

Title I. The concept of Law. Chapter I. The Law as part of the whole social order. 1. The Law and other normative orders. 2. The religion. 3. The ethic. 4. The social behavior.

Title II. The aims or values of the Law. Chapter I. Justice and security.

Title III. The structure of the Law. Chapter I. The rule of Law.

Title IV. Sources of Law. Chapter I. voluntary sources of Law and non-voluntary sources of Law.

Title V. Interpretation of the Law. Chapter I. Types of interpretation. 1. Elements of interpretation. 2. Results of the interpretation. Chapter II. Integration of the gaps in the Law. 1. Analogy. 2. Creation of a ad hoc rule.

Pre-requisite: None

LAWS1002 LEGAL HISTORY

Title I. Chapter I. Legal thoughts in traditional Chinese society. 1. Divine Law 2. Patriarchal law 3. Confucianism. 4. Legalism. Chapter II. Legal and political thoughts in Modern China. Chapter III. 1. Legal History of Macao. 1.1 Introduction. 1.2 Specificity and sources of law of overseas Portuguese territories. 1.3 Law and justice. 1.3.1. Portuguese law and local laws, scope of application. 1.3.2 Indigenous law and the mixed relations. 1.3.3 Legal pluralism and mixed jurisdiction in Macao. 1.3.4. Judicial organization of Macao.

Title II. Chapter I. Introduction. 1. Social history of law. Chapter II. The formation of the Common Law. 1. The Roman Law. Sources: (Corpus Iuris Civilis). General Characteristics of the Praetor's Law. The evolution of Roman law until the imperial constitutions. vulgarrecht. 2. Legal pluralism. The role of legal thought in the formation and evolution of the common law. The glossators, commentators, mos gallicus iura docendi, usus modernus pandectarum and naturalists. Chapter III. Philosophy of Law. 1. Legal positivism, legal, historical, sociological and conceptual. 2. Pure theory of law and the right alternative use.

Pre-requisite: None

LAWS1003/LAWS1004 CONSTITUTIONAL LAW

Title I. General notions of Constitutionalism. Chapter I. Constitution as legal statute of politics. 1. The autonomy of public sphere. 2. State as a political form of modernity. 3. The crisis of State: regionalism and globalization. Chapter II. From Constitutionality to Inter-constitutionality. 1. The hierarchical and normative scheme of the constitution of the supervising state. 2. The binding inter-constitutionality of the supervised State. 3. Dem'ocracy and rule of law. Chapter III. Comparative Constitutional Law. 1. The Portuguese constitutional experience. 2. The Chinese constitutional experience. 3 The evolution of Macao autonomic status.

Pre-requisite: None

LAWS1005/LAWS1006 MACAO BASIC LAW

Title I. The Basic Law of the SARM. Chapter I. Characterizing the SARM. 1. SARM as a political region. 2. Scope of autonomy of SARM. 3. SARM's political system. Chapter II. Purposes of Basic Law. 1. Theories on the purposes of Basic Law. 2. Art. 31 of the CPRC and its double task. 3. Luso-Chinese joint-declaration. Chapter III. Legal nature of the Basic Law. 1. Ideas on the legal nature of the Basic Law. 2. Basic Law as an ordinary legal norm. 3. Basic Law as statutory legal norm. 4. Basic Law as a reinforced legal norm. 5. Basic Law as a material constitutional legal norm. Chapter IV. Guaranty of the Basic Law. 1. Interpretation of the Basic law. 2. Guaranty of the reinforced value of the Basic Law. 3. Limits to revision of the Basic Law.

Pre-requisite: None

LAWS1007/LAWS1008 PUBLIC INTERNATIONAL LAW

1. Concept and nature of Public International Law. 2. Relationship between International and Domestic Law. 3. Sources of Public International Law: treaties and customary norms. 4. International Legal Personality. 5. The State: elements of the State, the recognition of State, succession of states, rights and duties of the State. 6. International Organizations: definition and types. The United Nations. 7. Diplomatic and Consular relations Law. 8. The pacific resolution of the international conflicts. 9. Individuals in Public International Law. 10. Application of Public International Law to Macao.

Pre-requisite: None

LAWS1009 ECONOMICS I

Title I Introduction. 1. Economics: scope, concepts and method. 2. The organization of economic activities. 3. Brief history of economics and the economic systems.

Title II. Microeconomics. 4. Demand: The behavior of consumers. 5. Supply: The behavior of firms. 6. The behavior of markets and prices. 7. Markets for production factors and income distribution. 8. Specialization and international trade.

Pre-requisite: None

LAWS1010 ECONOMICS II

Title I. Macroeconomics. 1. Economic flows and National Accounting. 2. Economic cycles, aggregate demand and the multiplier model. 3. Government: policies, taxation and expenditure. 4. Unemployment, inflation and the stabilisation and growth policies. 5. Money, the banking system and the financial markets. 6. Open economies, growth and economic integration.

Title II. Current topics. 7. International trade: issues and trends. 8. Economics and the environment. 9. Economics, the law and the social institutions.

Pre-requisite: None

LAWS1011/LAWS1012/LAWS2008/LAWS2009/LAWS3020/LAWS3021 CHINESE LANGUAGE (I TO VI)

The main objective of these courses is to provide the basic skills on *Putonghua*, both spoken and written. Chinese Culture shall also be part of the programme.

Pre-requisite: None

LAWS1013/LAWS1014 TRANSLATION TECHNIQUES CHINESE/PORTUGUESE I AND II

These subjects require the knowledge of both languages, Chinese and Portuguese. The main

objective is to provide the students with the basic techniques used in any translation. Students shall then practice such methods by translating, texts and oral speeches and dialogues, from Chinese into Portuguese and vice-versa.

Pre-requisite: None

LAWS1015 ENHANCEMENT LEARNING ACTIVITIES

Apart from regular legal courses, students are encouraged to participate in other activities, such as attending seminars, participating in competitions, sharing and discussing legal problems with one another.

Pre-requisite: None

LAWS1017 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 Macao. Evolution. Taxation on income. Taxation of property. Taxation of services. Stamp duty. Special Gaming Tax. Other taxes.

Pre-requisite: None

LAWS1021 FORENSIC MEDICINE

1 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 Macao, 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.

Pre-requisite: None

LAWS2000/LAWS2001 GENERAL THEORY OF CIVIL LAW I

Title I. Introduction. 1. General concepts of civil law. 2. Preliminaries.

Title II. General theory of the civil juridical order. Chapter I. Sources of civil law. Chapter II. Fundamental principles of civil law.

Title III – General theory of the civil juridical relationship. Chapter I. General theory of the individuals of the juridical relationship. 1. General concepts. 2. Natural persons. 3. Legal persons. Chapter II. General theory of the object of the juridical relationship. 1. General concepts. 2. Things and patrimony.

Pre-requisite: None

LAWS2002/LAWS2003 GENERAL THEORY OF CIVIL LAW II

Title I. General theory of the civil juridical relationship (cont.). Chapter I. General theory of the

juridical fact. 1. About juridical facts in general: concepts and classifications; acquisition, modification and extinction of juridical relationships; juridical transaction and simple juridical act. 2. Transactional declaration: general concepts; interpretation and integration of juridical transactions; divergence between the intention and the declaration; defects of the intention; representation in juridical transactions. 3. Transactional object. 4. Accidental elements of juridical transactions. 5. Ineffectiveness and invalidity of juridical transactions: general concepts; invalidities; reduction and conversion of juridical transactions.

Pre-requisite: None

LAWS2004/LAWS2005 ADMINISTRATIVE LAW I

I. Public administration 1. Public Administration. Concept and different meanings. 2. Historical evolution. 3. Public Administration and the other State functions 4. Administrative systems: comparison between the continental-European system and the British system.

II. Administrative organization 1. The structure of the public administration 2. Types of inter-organic relations: hierarchy, superintendence and supervision; delegation of powers 3. The Administrative organization of the SARM.

III. The administration and the Law 1. Public Administration and private law 2. Public administration and administrative law: the principle of legality of Administration. 3. Activity bound by the law and discretionary activity: the administrative discretionary activity. 4. Sources of administrative law: in special, the administrative Regulations.

Pre-requisite: May be considered within FLL Pedagogic Regulations

LAWS2006/LAWS2007 ADMINISTRATIVE LAW II

I. The Administrative Activity. 1. General notions: legal facts in administrative law; in special the administrative illicit 2. Administrative activity.

II. The regulatory power. 1. Notion, function and grounds for the administrative regulations 2. The administrative regulations and the law: admissibility of the independent regulations. 3. The regulatory procedure.

III. Administrative act 1. Notion and meaning 2. Typology 3. Instrumental acts. 4. The administrative procedure. 5. Effectiveness and legal strength of the administrative act: the possibility of execution by Administration of its own acts. 6. The structure of the administrative act: the subject, the object and the declaration. 7. The defects of the administrative act. Types of invalidity.

IV. The administrative contract 1. General notions: the public administration, consensus and authority. 2. Legal regime: formation, content and principles relating to the "life" of the administrative contracts. Invalidity of administrative contracts.

Pre-requisite: None

LAWS2010/LAWS2011 LEGAL TRANSLATION CHINESE/PORTUGUESE I AND II

These subjects require the knowledge not only of both languages, Chinese and Portuguese, but also of the legal issues being translated, as well as of basic translation techniques. The main objective is to provide students with the basic methods used in legal translation. Students shall then practice such methods by translating, legal texts as well as legal speeches and dialogues, from Chinese into Portuguese and vice-versa.

Pre-requisite: None

LAWS2013 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.

Pre-requisite: None

LAWS3000/LAWS3001 OBLIGATION LAW I

Chapter I. Introduction. 2. Obligation law and the importance of its study. 2. Reference to Comparative Law. 3. Guiding principles of Civil Law and Obligation Law. 4. General notions. Obligation stricto sensu. Performance of the obligation. The problem of non-autonomous

obligations. Complex "obligational" relation. Function of the obligation and the interests of the creditor. 5. Credit rights and property rights. The external effect of obligations. 6. Guiding Principles of Obligation Law. Principle of individual autonomy and contractual freedom. Principle of good faith. Principle of the unjust enrichment.

Chapter II. Sources of obligations. 1. Contracts. Contractual relations. 2.1. Promissory contract. 2.2. Preference pact. 2.3. Exception of non-performance. Termination of the contract. 3. Unilateral transactions. 4. Management of alien affairs. 5. Unjust enrichment. 6. Civil Liability. 6.1. Contractual and non contractual liability. 6.2. Liability for unlawful actions. Requirements and regime of the obligation on compensation. The function of civil liability. 6.3. Objective Liability. Liability of the committer. Liability of public legal persons by acts of private management. Liability for damages caused by animals. Liability for damages caused by terrestrial circulation vehicles. Liability for damages caused by electrical energy or gas installations. 6.4. Liability for legal actions. 6.5. Mandatory civil liability insurance. 6.6. Mandatory automobile civil liability insurance. 6.7. Limitations to the liability and the right to compensation.

Pre-requisite: None

LAWS3002/LAWS3003 OBLIGATION LAW II

Chapter I. Modalities of obligations. 1. Obligations in relation to their binding: the natural and civil obligations. 2. Obligations in relation to the individuals: conjoint and jointly liable obligations. 3. Obligations in relation to the object. Pecuniary, interest and compensation obligations.

Chapter II Transfer of obligations. 1. Transfer of credit. Sub-rogation. 2. Individual transfer of debts. 3. Cession of the contractual position.

Chapter III General security of obligations. 1. Scope. 2. Protection of patrimonial guarantees. Void contracts. Sub-rogation of the creditor to the debtor. *Actio pauliana*. Seizure of assets.

Chapter IV. Special security of obligations. 1. Personal and real securities. 2. Bail. 3. Real securities. 4. Bond.

Chapter V. Performance and non performance of obligations. 1. Performance. Performance and principle of good faith. Timeliness of obligations. Who can perform and to whom can the obligation be performed. Place and deadline of the performance. Allocation and evidence of performance. 2. Non performance. Impossibility and delay not imputable to the debtor. Impossibility and delay imputable to the debtor. 3. Defective performance. 4. Contractual regulation of the rights of the creditor. Penalty clause. 5. Forced execution of the credit. Action to enforce the performance, specific performance, performance by equivalent. 6. Cession of assets to the creditors. 7. Delay of the creditor.

Chapter VI. Causes of extinction of obligations besides the performance.

Chapter VII. Special contracts. 1. Contracts regulated and not regulated in the law. 2. Mixed contracts and contracts related. 3. Contracts regulated in the Civil Code. 4. Gaming and betting. General and special features of gaming and betting.

Pre-requisite: None

LAWS3004/LAWS3005 LABOUR LAW

Title I. Labour Law: concept, object and importance. Chapter I. Historical evolution of Labour Law.

Chapter II. Sources of Labuor Law.

Title II. The labour contract. Chapter I. Concept, elements and legal characteristics of the labour contract.

Title III. The formation of the labour contract. Chapter I. Parts of the labour contract. 1. Employee. 2. Employer. 3. Rights and duties. Chapter II. Types of employment contracts. 1. Infnitive duration period. 2. Fixed term and non-fixed term. Chapter III. Probationary period. Chapter IV. Employment of minors.

Title IV. Working time. Chapter I. Normal working hours. 1. Exemption for the working time schedule. 2. Overtime work. 3. Night work. 4. Shift work. Chapter II. Periods of rest. 1. Weekly rest. 2. Holidays. 3. Annual leave. 4. Absences. 5. Maternity leave.

Title V. Salary. Chapter I. Types of salary. 1. Basic remuneration. 2. Variable remuneration. 3. Calculation of the retribution. 4. Compensation and deductions on salary.

Title VI. Termination of the labour relation. Chapter I. Forms of termination. 1. Revocation. 2. Resolution. 3. Rescission. 4. Expiry.

Title VII. Labour relations with non-residents workers.

Title VIII. Social Security.

Pre-requisite: None

LAWS3006/LAWS3007 COMMERCIAL LAW I

Title I. The exercise of commercial entrepreneurs in general. Chapter I. 1. Introduction to Commercial Law. 2. The commercial law as the law "around" the business. Chapter II. Commercial enterprise and Commercial entrepreneurs. 1. Commercial entrepreneurs and acts of commerce. Chapter III. Commercial entrepreneurs. 1. Commercial capacity, Impediments and incompatibilities. 2. Legitimacy. 3. Obligations of commercial entrepreneurs. 3.1. Firm. 3.2. Commercial bookkeeping. 3.3. Commercial register. 3.4. Render accounts. Chapter IV. Representation in the performance of an enterprise. 1. Managers. 2. Assistants of an entrepreneur. Chapter V. Liability for the exercise of an commercial enterprise. 1. Liability for debts contracted in the exercise of an enterprise. 2. Liability for defective products. Chapter VI. A commercial enterprise as an object of business. 1. The right over the enterprise and the rights on the assets of the enterprise. 2. The commercial enterprise as object of contracts. 2.1. The transfer of the commercial enterprise. 2.2. Lease of commercial enterprise. 3. Usufruct of commercial enterprise. 4. Pledge of commercial enterprise. Chapter VII. Trade distinctive signs. 1. Firm (remission). 2. Name and emblem. 3. Trademark. Chapter VIII. Competition legal discipline. 1. Competition in general. 2. Unfair competition.

Title II. Negotiable instruments. Chapter I. Negotiable instrument in general. Chapter II. Bill of exchange. 1. Typical notes of the obligation incorporated in a negotiable instrument. 2. Requisites of the bill of exchange. 2.1. Essential requisites. 2.2. Non essential requisites. 3. Legal institutes of the Bill of Exchange. 3.1. Drawing. 3.2. Endorsement. 3.3. Acceptance. 3.4. "Aval". 3.5. Types of maturity. 3.6. Recourse.

Pre-requisite: None

LAWS3008/LAWS3009 COMMERCIAL LAW II

Title I. Commercial companies in general. Chapter I. Notion of commercial company and related figures. Chapter II. Brief historical reference. Chapter III. Types of commercial companies.

Title II. Constitution and functioning of commercial companies. Chapter I. Constitution of commercial companies. Chapter II. Legal personality and capacity of commercial companies. Chapter III. On the shares. Chapter IV. Capital and legal capital, profits and losses. Chapter V. Company organs. 1. Administration. 2. General Meeting. 2.1. Company resolutions. 2.2. Ineffectiveness of company resolutions. 2.2.1. Resolutions ineffective. 2.2.2. Void resolutions. 2.2.3. Voidable resolutions. 2.2.4. Nonexistent resolutions? 3. Supervisory Board and single supervisor. 4. The company secretary. 5. The liability of members of company organs.

Title III. Amendment of the articles of association. Chapter I. Amendments to the articles of association. 1. Generalities. 2. Increase or reduction of the company capital. 3. Modification of the company object. Chapter II. Mergers and divisions of companies. Chapter III. Transformation of companies.

Title IV. Extinction of commercial companies. Chapter I. Winding up of commercial companies. Chapter II. Liquidation of commercial companies

ons
Pre-requisite: None

LAWS3010/LAWS3011 CRIMINAL LAW I

Title I. General Considerations. Chap. I. Criminal Law in a formal perspective. 1. Concept. Chap. II. The whole Criminal Law Science. Chap. III. Criminal Law main principles. Chap. IV. The role of the Criminal Law in the legal system – the question of the material concept of crime. 1. The criminal legal property. Chap. V. The aim of the penalties and the security measures. Chap. VI. Criminal Law limits. 1. Comparison to the other Law fields. Chap. VII. The principle of the legality – role, reasons and consequences. 1. Criminal Law interpretation and integration. 2. Criminal Law validity – application of the Criminal Law depending on time and space factors.

Title II. The General Theory of the Criminal Infraction. Chap. I. Introduction. 1. Constitutive elements of the crime. 2. Classification of the crimes. Chap. II. The so-called 'incriminatory type'.

1. The illicit type in an objective perspective and the attribution of the result to the behave. 2. The illicit type in a subjective perspective. 3. The intention and its elements. 4. The problem of the mistake. 5. The negligence.

Pre-requisite: None

LAWS3012/LAWS3013 CRIMINAL LAW II

Title I. Continuation of the General Theory of the Criminal Infraction. Chap. I. The so-called 'justifying type'. 1. The causes of exclusion of the illicit. Chap. II. The so-called 'type of fault'. 1. Definition of the criminal fault. 2. Intentional and negligent fault. 3. Non-imputability due to the age or to a mental health disorder. 4. The causes of exclusion of the fault. Chap. III. Punishment. Chap. IV. Omission – general notions. Chap. V. Attempt. Chap. VI. Participation in the crime - perpetration and complicity.

Title II. Legal consequences of the crime. Chap. I. Penalties. 1. Preliminary remarks. 2. Imprisonment – or the penalty that restricts the freedom . 3. Fine – or the penalty that restricts the property. 4. Alternative penalties. 5. Accessory penalties. Chap. II. Determination of the penalty. 1. The system of determination of the penalty. 2. The concrete penalty measure. 3. Special cases of determination of the penalty. Brief approach.

Pre-requisite: None

LAWS3014/LAWS3015 PROPERTY LAW

Introduction (evolution of the systems of real property rights). I – Notion of real property right. II. Characteristics of the real property rights. III. The real property rights. Community property. Joint ownership. Horizontal ownership. IV. Limited real property rights. The usufruct. The use and habitation rights. Timesharing right. Superficial right. Emphyteusis constituted before the new Civil Code of Macao. Real property rights resulting from concession of government land in Macao: granted dominium utile; ownership of buildings on leased land. Abstract on real property rights for acquisition and for real security. V. Possession. Definition. Possession and mere detention. Rights that can be possessed. Things that can be possessed. Capacity for possess. Characteristics of possession. Acquisition of possession. The protection of the possession: Rights resulting from the possession; Legal actions to defend the possession. Usucapio (the adverse possession).

Pre-requisite: None

LAWS3016/LAWS3017 ADMINISTRATIVE LAW III

I. Introduction. 1. Administrative justice. 2. Separation of powers. 3. Main historical models of administrative justice. 4. Subjective and objective models.

II. Evolution of the judicial review in Macao. 1. Jurisdictional competence within the judicial review in Macao. The administrative Court. Appeal Courts. Judicial organization in Macao.

III. Mechanisms of Judicial review. 1. Judicial review. 1.1 Concept and nature. 1.2 General principles. 1.3 Administrative acts that can be judicially reviewed. 1.4 Procedural requirements 1.5 Standing of the parties 1.6 Proceeding. 2. Special judicial remedies 2.1 Judicial review of norms 2.2 Electoral litigation 2.3 Administrative infractions 3. Administrative Actions 3.1 Judicial action on administrative contracts 3.2 Judicial action on torts liability 3.3 Injunction. Judicial action to compel the practice of an administrative act 3.4 Judicial action for the protection of rights and lawful interests. 4. Interim Measures. 4.1 Suspension of the effects of an administrative decision. 4.2 Provisory injunction. 4.3 Production of endangered evidence. 4.4 Other interim measures.

IV. Judicial Decisions 1. Legal effects of the judicial decisions

V. Judicial appeals 1. Right to appeal 2. Legal regime.

VI. Execution of judicial decisions. 1. Execution for the delivery of an asset or performance in kind. 2. Execution for payment of an amount 3. Guarantees against illegitimate non execution.

VII. Arbitration 1. Arbit. 2. Appeal of arbitration. 3. Arbitration centers.

Pre-requisite: None

LAWS3018/LAWS3019 CIVIL PROCEDURAL LAW I

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

frame of the action in civil jurisdiction.

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 of its norms. Application in time. Application in space.

IV. Sources of the Portuguese Civil Procedure Law and close Disciplines. Historical evolution. Special mention of Macao.

V. Theory of the Procedural Relationship. The instance as a procedural relationship. The structure of procedural relationship. The parties. Procedural requisites concerning the parties. Judiciary personality. Judiciary capacity. Legitimization. Compulsive representation by an attorney at law. The procedural interest. The court. The judicial organization. Jurisdiction and competence. The object of the procedural relation. The claim and the cause of action.

VI. The process forms. Common process and special processes. Ordinary and summary common process. Special process of small claims.

Pre-requisite: None

LAWS3022/LAWS3023 LEGAL ENGLISH I AND II

These subjects require the basic knowledge of English language, as well as of legal issues. The main objective is to learn how to express some fundamental Civil Law notions in English, as well as to understand some Common Law key concepts.

Pre-requisite: None

LAWS4000/LAWS4001 FAMILY LAW

Chapter I. Introduction. 1. Legal notion of family. 2. Constitutional principles. 3. Sources of Family Law. 4. Features of family law and of family rights.

Chapter II Family relations. 1. Relatives. Affiliation relationship. Establishment of mother-child relationship. Establishment of father-child relationship. Assisted procreation. Medical assisted procreation. Effects of the affiliation. Parental responsibility. 2. In-laws. 3. Adoption. Constitution and effects. 4. Marriage. Concept, Matrimonial regimes, features of the marriage as an act and as a status.

Chapter III. Marriage. 1. Constitution of the matrimonial relation: marriage as an act. Civil marriage. Requirements. Consent. Capacity. Formalities. Invalid marriage. Putative marriage. 2. Effects of marriage: marriage as a status. 2.1. Personal effects. 2.2. Patrimonial effects. General principles and suppletive regime of the matrimonial goods. 3. Modification of the matrimonial relations. Judicial separation of goods. Judicial separation of persons and goods. 4. Termination of the matrimonial relation. 4.1. Death and presumed death. 4.2. Divorce. Divorce by mutual consent. Process. Nature. Litigious divorce. Causes of litigious divorce.

Chapter IV *De facto* union. Notion of legally relevant *de facto* union.

Pre-requisite: None

LAWS4002/LAWS4003 PATRIMONIAL FAMILY LAW AND SUCCESSION LAW

Title I. Patrimonial Family Law. Chapter I Introduction. Patrimonial effects of relatives, in-laws and adoption. Chapter II Patrimonial effects of marriage. 1. Regime of the matrimonial goods. Nuptial agreements. Description of the legal regimes of goods. Separation. General community of property. Community of acquired property. Participation in acquired property. Administration of the goods of the couple. Matrimonial illegitimacies. Liability for the debts of the spouse. 2. Termination of the patrimonial relations. Chapter III Alimony.

Title II. Succession Law. Chapter I Introduction. Legal notion of succession. Constitutional principles and sources. Succession systems. Features of the succession law and of the succession rights. Chapter II Succession in general. 1. Death as a prerequisite to succession. 2. Several types of succession by death. 3. Heir and legatee. 4. Opening of succession. 5. Succession "calling", succession "appointment", content and object of the succession "calling". Prerequisites of succession "calling". Prevalence of the succession "appointment". Existence of the "called" person. Succession capacity, indignity and disinheritance. Modes of "calling". Indirect "calling". Right to representation. Direct substitution. Right of accretion. 6. Vacant succession. 7. Succession acquisition. Acceptance and refusal of the inheritance. 8. Request of the inheritance.

9. Transfer of the inheritance. 10. Administration of the inheritance. 11. Charges for the inheritance and its liquidation. 12 Partition of the inheritance. Chapter III Successions in special. 1. Legal succession. 2. Legal mandatory succession. 3. Testate succession. 4. Contractual succession. Partition in life.
Pre-requisite: None

LAWS4004/LAWS4005 COMMERCIAL LAW III

Title I. Commercial contracts in general. Chapter I. Introduction. Chapter II. General theory of Commercial contracts. 1. Physiognomy of the modern commercial contract: the problem of standard contractual clauses. 2. Special legal regime of commercial obligations. 3. Prescription of commercial obligations. 4. Classification of commercial contracts.
Title II. Study of some Commercial contracts in particular. Chapter I. Contract of sale. Chapter II. Contract for sale or return. Chapter III. Supply contract. Chapter IV. Commission contract and forwarding contract. Chapter V. Distribution contracts. 1. Agency contract. 2. Commercial concession contract. 3. Franchising. 4. Brokerage contract. Chapter VI. Advertising contracts. 1. Contract Advertising. 2. Advertising diffusion contract. 3. Advertising creation contract. 4. Advertising sponsorship contract. Chapter VII. Carriage contract. Chapter VIII. Deposit in general warehouses. Chapter IX. Lodging contract. Chapter X. Current account contract. Chapter XI. Securities lending contract (reporte). Chapter XII. Banking contracts. 1. Bank deposit. 2. Rental of safe deposit boxes 3. Opening credit. 4. Bank advance. 5. Current Bank account. 6. Bank discount. 7. Factoring contract. 8. Leasing. Chapter XIII. Guarantee contracts. 1. Commercial pledge. 2. Fiduciary transfer guarantee. 3. Floating charge. 4. Independent guarantee. Chapter XIV. Insurance contract.
Pre-requisite: None

LAWS4006/LAWS4007 PRIVATE INTERNATIONAL LAW

Title I. 1. Introduction. 2. Method. 3. General principles and regulation values. 4. Function of the conflict rule. 5. Structure of the conflict rule. 6. Classification 7. Renvoi (remission/transmission). 8. Vested rights. 9. General clause of public policy ("ordre public"). 10. The "fraus legis".
Title II. 1. Personal law. 2. Natural persons. 3. Juridical persons. 4. Law on foreigners. 5. Legal business. 6. Obligations. 7. Real property rights. 8. Family. 9. Succession.
Pre-requisite: None

LAWS4008/LAWS4009 CRIMINAL PROCEDURAL LAW

I. General Notions. 1. Function and meaning of the 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.
II. General Principles of Criminal Procedure Law. 1. Principles relating to the initial stage of the procedure. 2. Principles relating to the continuation of the procedure. 3. Principles relating to evidence. 4. Principles relating to the form of the procedure.
III. The Agents of the Criminal Procedure. 1. Court. 2. Public prosecutor and criminal police bodies. 3. The defendant and the defendant's lawyer. 4. The victim and injured party.
IV. Procedural measures 1. Means to obtain evidence. 2. Safeguard and Police measures. 3. Coercive Measures 4. Measures of patrimonial guarantee.
V. Stages of the Criminal Procedure. 1. The forms of criminal procedure and their respective procedure. 2. Appeals.
Pre-requisite: None

LAWS4011/LAWS4012 CIVIL PROCEDURAL LAW II

I. Procedural acts theory. Concept of procedural act. Form. Time. Place. Parties. Goal. Pathology of procedural acts.
II. Dynamics of the procedural relation. The bringing of a suit. Development of the instance. Modifications. Suspension and interruption. Conclusion. Incidents of the instance.
III. Formalities of the Ordinary Declaratory Procedure. Phases. Articulated pleading. Declaration. "In limine" order. Service of summons. The answer: defensive-answer; counterclaim-answer. The replication. The rejoinder. Supervening articulated pleadings. Healing and abridgement. Curative

decision. Facts specification and questionnaire. The instruction. The evidences in general. Material probative law. Formal probative law. The burden of proof. Fundamental principles. Means of proof. Trial. Final hearing. 5. Final decision. "Res judicata" and its limits.
IV. Formalities of the Summary Declaratory Procedure.
V. Special procedure of small claims.
Pre-requisite: None

LAWS4013/LAWS4014 CIVIL PROCEDURAL LAW III

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 of the writ of enforcement. Consequences of the lack of writ of enforcement or of its non-enforcementness. Certainty and exigibility of the debt: The liquidated debt. 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 executive proceedings.
IV. The phases of the enforcement process. 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. Voidance and renovation of the enforcement procedure. Summary enforcement procedure for the payment of a certain amount of money. Common enforcement procedure for delivery of a determinate thing. Ordinary and summary proceedings. Common enforcement process for rendering a certain fact positive or negative. Ordinary and summary procedures.
Pre-requisite: None

LAWS5000 GENERAL THEORY OF CHINESE LAW

Title 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.
Title II. Constitutional Law. 1. The basic political system. 2. The State Organs of China. 3. Rights and duties of Chinese citizens.
Title III. Sources of Law and Legislative System. 1. Hierarchy of sources of law. 2. Legislative procedures prescribed in the Law on Law-Making.
Title IV. Judicial System and Judicial Reform. 1. Judicial Organs. 2. People's Courts, Organizations, Jurisdictions and trial systems. 3. People's Procuratorates, Organizations and Competences.
Title V. Criminal Law. 1. Scope of application of criminal law. 2. Conception and constitution of crime 3. Penalties.
Title VI. Civil Law. 1. General principles of civil law, 2. The parties of the civil juridical relationship, 3. Civil juridical acts, 4. The right of property, 5. Contracts, 6. Civil liability.
Title VII. Marriage and successions law. 1. marriage regimes, divorce regimes and procedures, 2. blood relations and affinity, 3. inheritance, 4. legal succession, 5. testate succession.
Title VIII. Company Law. 1. General regime and types of companies, 2. Limited companies. 3. Joint stock limited liability companies 4. Partnership associations.
Title IX. Arbitration and mediation
Pre-requisite: None

LAWS5001 GENERAL THEORY OF LAW

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.
Pre-requisite: None

LAWS5002 COMPARATIVE LAW

Title I. Introduction. 1. The concept of comparative law and its neighbouring 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.

Title 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. Far East Law. 3.1. Chinese Law. 3.2. Japanese Law. 4. Religious Law. 4.1. Islamic law. 4.2. Hindu Law. 5. African law.

Title III. Introduction to European Union Law.

Pre-requisite: None

LAWS5003 RESEARCH PAPER

The research may fall on any issue within the subjects taught in the Programme. The research shall be conducted under the concerned teacher's supervision. The research paper should count between 6.600 and 11.000 words (between 30 and 50 pages), double spaced lines.

Pre-requisite: None

LAWS5004 RESEARCH AND COMMUNICATION SKILLS

The course has two main goals: on one hand, the students shall learn the basics on how to do research and write a paper (Research Skills); on the other hand, the course shall provide to the students the essential skills in speaking and debating in public, also including the presentation and discussion of a research paper (Communication Skills). The learnings acquired in Research and Communication Skills shall be later on applied to the Research Paper, to be prepared, written, presented and discussed in the 2nd semester.

Pre-requisite: None