



UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Giurisprudenza
ACADEMIC YEAR	2019/2020
MASTER'S DEGREE (MSC)	LAW
SUBJECT	BANKING LAW
TYPE OF EDUCATIONAL ACTIVITY	X
AMBIT	20015-Attività formative in ambiti disciplinari affini o integrativi a quelli di base e caratterizzanti, anche con riguardo alle culture di contesto e alla formazione interdisciplinare
CODE	02408
SCIENTIFIC SECTOR(S)	IUS/04
HEAD PROFESSOR(S)	MAUCERI MARCELLO Professore a contratto Univ. di PALERMO
OTHER PROFESSOR(S)	
CREDITS	6
INDIVIDUAL STUDY (Hrs)	102
COURSE ACTIVITY (Hrs)	48
PROPAEDEUTICAL SUBJECTS	02424 - COMMERCIAL LAW I
MUTUALIZATION	
YEAR	5
TERM (SEMESTER)	2° semester
ATTENDANCE	Not mandatory
EVALUATION	Out of 30
TEACHER OFFICE HOURS	

DOCENTE: Prof. MARCELLO MAUCERI

PREREQUISITES	Knowledge of Private Law
LEARNING OUTCOMES	Knowledge and comprehension of the main topics of Banking Law. Ability to: - identify issues of Banking Law, select relative rules, define the dominant interpretive framework and give solutions to theoretical and practical problems; - formulate original solutions to the problems identified, with a capacity of orientation among doctrine and courts solutions, showing ability to select and most appropriate solution processing, with an adequate case by case approach; - Express orally and in writing about topics of Banking Law, with ability for orderly processing; - Increase the learning capacity necessary to preparing written thesis and exercise legal professions.
ASSESSMENT METHODS	Oral Final exam - Grades on a scale between 18 and 30 cum laude. The student's assessment is based on an oral exam, which consists of an interview on questions related to topics object of the programme of the course. Questions are aimed to ascertain the achievement by students of learning outcomes. In particular, are aimed to ascertain: 1) level and quality of knowledge; 2) ability to explain legal concepts and to connect them; 3) possession of an adequate capacity of communication and of technical-juridical language. The assessment will take place in conformity to the following grid - Excellent 30- 30 cum laude: excellent knowledge of topics object of the programme, excellent property language, excellent capacity of analysis, full ability to apply theoretical knowledge to real cases - Very good 26-29: good knowledge of topics and of general legal concept of the matter; fully property of language, very good ability to apply theoretical knowledge to solve questions proposed. - Good 24-25: good knowledge of main topics, good property of language, with limited ability to apply autonomously theoretical knowledge to the solution of questions proposed. - Satisfactory 21-23: more than sufficient mastery of main topics and property language; poor ability to apply autonomously knowledge. - Sufficient 18-20: minimum basic knowledge of general concepts and technical language; minimum ability to autonomously apply knowledge. - Insufficient: does not have minimum basic knowledge of the notions of the matter.
EDUCATIONAL OBJECTIVES	The course aims at providing to students knowledge, expertise and skills which are ne - continue to study Banking Law, in order to apply for a PhD course or a Master degree course, even abroad, in the same field; - to pass any examination and selection (e.g. held by Banca d'Italia or BCE) where knowledge and expertise in Banking Law is required and which aims at allowing the candidate to carry out professional activities in Banking Law. For such a purpose, any student attending the course should be able to: - interpret, systematize and allocate in the correct rank of the sources of law any legal text, even very recent, concerning the law regulation on Banks; - read and systematize any court decision, of any court and level, in order to extract its statement and to compare this with that of previous case law; - present and discuss by a critical and reflective thinking most important issues of Banking Law; - update his knowledge, also by means of IT facilities; - produce legal textes in the field of Banking Law, at basic level, such as contracts, companies memoranda and articles, procedural documents.
TEACHING METHODS	Lectures, trainings, seminars
SUGGESTED BIBLIOGRAPHY	In tema di ordinamento bancario - R.COSTI, L'ordinamento bancario, Bologna, Il Mulino, ult. ed. (con esclusione dei capitoli I, III, VII, VIII, XI) oppure - C.BRESCIA MORRA, Il diritto delle banche, Il Mulino, ult. ed. (con esclusioni da concordare) oppure - A.ANTONUCCI, Diritto delle banche, Milano, Giuffre, ult. ed. (con esclusioni da concordare) piu, in tema di operazioni bancarie, in alternativa: - G.F.CAMPOBASSO, Diritto commerciale, 3° volume, Torino, Utet, ultima edizione in commercio, cap. XIII; oppure G.FERRI, Manuale di diritto commerciale, Torino, Utet, ultima edizione (a cura di C.Angelici e G.B.Ferri) in commercio, parte IV cap. VII; oppure - AA.VV. (ABRIANI E AL.), Diritto delle imprese. Manuale breve, Milano, Giuffre,

SYLLABUS

Hrs	Frontal teaching
4	Features of Banking Law
4	Banking: the activity
4	Models of Banks
4	Organization of Banking Market
6	Supervision and Controls on Banking
8	Bank Insolvency
6	Bank Contracts
4	Bank Guarantees and Warranties
4	Extended Banking Services
4	Other Contracts and Financing Operations