



# UNIVERSITÀ DEGLI STUDI DI PALERMO

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| DEPARTMENT                   | Giurisprudenza   |             |                  |
| ACADEMIC YEAR                | 2020/2021  |             |                  |
| MASTER'S DEGREE (MSC)        | LAW  |             |                  |
| SUBJECT                      | CIVIL LAW I  |             |                  |
| TYPE OF EDUCATIONAL ACTIVITY | A  |             |                  |
| AMBIT                        | 20003-Privatistico   |             |                  |
| CODE                         | 02416  |             |                  |
| SCIENTIFIC SECTOR(S)         | IUS/01   |             |                  |
| HEAD PROFESSOR(S)            | GALASSO GIOVANNI   | Ricercatore | Univ. di PALERMO |
| OTHER PROFESSOR(S)           |  |             |                  |
| CREDITS                      | 8  |             |                  |
| INDIVIDUAL STUDY (Hrs)       | 136  |             |                  |
| COURSE ACTIVITY (Hrs)        | 64   |             |                  |
| PROPAEDEUTICAL SUBJECTS      | 04035 - ELEMENTS OF PRIVATE LAW  |             |                  |
| MUTUALIZATION                |  |             |                  |
| YEAR                         | 3  |             |                  |
| TERM (SEMESTER)              | 1° semester  |             |                  |
| ATTENDANCE                   | Not mandatory  |             |                  |
| EVALUATION                   | Out of 30  |             |                  |
| TEACHER OFFICE HOURS         | <b>GALASSO GIOVANNI</b><br>Tuesday 12:30 13:00 Polo Universitario di Trapani<br>Friday 13:30 14:30 Polo Universitario di Trapani |             |                  |

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| <b>PREREQUISITES</b>          | Basic knowledge of the Italian private law system and of the contract in general.<br>Basic knowledge in the field of the discipline of the sources of law with particular reference to the relationship between European Union law and domestic law   |
| <b>LEARNING OUTCOMES</b>      | <p>Knowledge and understanding skills.<br/>Have a vision of contract formation in the light of Community interventions, enriched by extensive doctrinal and jurisprudential.<br/>technical language.<br/>Ability to apply knowledge and understanding.<br/>Understanding the problems faced and the student's ability to organize in a rational and coherent manner the issues related to the formation of the contract and its protection within the general system of the European private law.<br/>Judgment autonomy.<br/>Demonstrate to know how to evaluate the new dimension of contract law in the light of European normative and jurisprudential action.<br/>Communication skills.<br/>Communicate acquired knowledge in a clear, coherent, exhaustive, non-repetitive manner and with the appropriate technical language.<br/>Learning ability.<br/>Identify regulatory and linking data between the different components of the domestic and European system in building a common European contract law. It is expected that the student will be able to reconstruct the evolution of the system of private equity relationships<br/>Looking back on the most meaningful doctrinal contributions and the main jurisprudential guidelines; Has become aware of the evolution of contemporary ordinances, with particular reference to the process of Community interaction, and the contribution of the Courts and the European Court of Justice to be able to continue their second-level master's degree, doctorate in research and In specialization courses.</p>  |
| <b>ASSESSMENT METHODS</b>     | <p>Oral Test, Verification Test with open questions.<br/>Oral Final Grade with Thirty votes.<br/>The final grade consists of an interview aimed at ensuring the level of knowledge of the Subject areas, level of mastery of specialized language and the ability of the candidate to develop an application-oriented reasoning of the theoretical knowledge to concrete cases of which we propose the analysis as well as<br/>prospecting possible solutions.<br/>The interview consists of a minimum of four questions.<br/>The evaluation will be in accordance with the following evaluation grid<br/>-Excellent Excellence 30 -30 and praise: excellent knowledge of the topics, great language skills.<br/>Excellent analytical capacity; The student is able to apply the knowledge Theoretical to concrete cases that the solution proposes, hypothesizing also Alternative alternatives<br/>- Very good outcome 26 - 29: good knowledge of the arguments, good Language property, good analytical capacity; The student is able to Appropriately apply the theoretical knowledge to concrete cases of which you are Proposes the solution<br/>-Exit good 24-25: basic knowledge of the main arguments, discreet Language, the student shows a limited ability to apply<br/>The theoretical knowledge of concrete cases that the solution proposes<br/>-Even satisfactory 21-23: the student does not show full mastery of the The main topics of the teaching, while possessing the knowledge fundamental; However, shows a satisfactory language property though With a poor ability to adequately apply knowledge<br/>Theoretical to concrete cases where the solution is proposed<br/>- Sufficient outcome 18-20: the sufficient outcome will be achieved when the student shows the knowledge and understanding of the topics at least in the general guidelines and has minimum application competencies for the resolution of concrete cases; They must also have exhibits and arguments that will enable them to pass on their knowledge to the examiner. Below this threshold, the examination will be insufficient.<br/>- insufficient outcome: the student does not have an acceptable knowledge of the Contents of the different topics in the program<br/>n. 1 written test to be held during the 2nd lesson cycle. Proof,<br/>Which consists of administering two open and case-response questions<br/>Practical on which to formulate a brief opinion, the test is intended to verify the degree of<br/>Understanding the topics and testing the ability to apply<br/>Theoretical notions acquired in the solution of concrete cases. Submission to the In-process testing is merely optional for the student.<br/>Judgment on the test does not mean for the final exam and consists<br/>Alternatively: Positive /negative judgment</p> |
| <b>EDUCATIONAL OBJECTIVES</b> | The course, aimed at students of the last years of the Master's Degree, aims to provide the students with a level of knowledge and mastery of the method,   |

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|                               | which provides them with the baggage of knowledge and reconstructive skills appropriate to the exercise of the traditional legal professions And in general to the formation of a "European jurist" (obviously leaving behind the post-graduate formation)  |
| <b>TEACHING METHODS</b>       | Face-to-face lectures   |
| <b>SUGGESTED BIBLIOGRAPHY</b> | Rosalba Alessi, La disciplina generale del contratto, terza edizione, Giappicchelli, 2019<br>Codice Civile, a cura di Adolfo Di Majo, Giuffrè, ultima edizione<br>Nel corso delle lezioni sarà indicata una bibliografia essenziale di approfondimento dei temi trattati e verrà esaminata la più significativa giurisprudenza dell'Unione europea e nazionale.<br>E' obbligatorio lo studio del materiale didattico (anche giurisprudenziale) messo a disposizione degli studenti, tramite sito internet ed in forma cartacea. |

## SYLLABUS

| Hrs | Frontal teaching  |
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| 34  | <p>The Civil Law Enforcement Plan provides for a closer look at the contract in general, with a particular focus on the novelty of European Union law:<br/>Frontal Lectures<br/>Nineteen three hours from three each one</p> <p><b>PROGRAM OF THE COURSE</b><br/>The Civil Law Enforcement Plan provides for a closer look at the contract in general, with a particular focus on the novelty of European Union law:<br/>The course will focus on the formative moment of the contract and the appearance c.d. Remedies, in particular the following topics will be addressed.<br/>The formation of the contract (from 20 to 30 h)<br/>Consent<br/>Proposal and acceptance<br/>The ways of concluding the contract other than the proposal / acceptance scheme<br/>Good faith in the contract formation phase<br/>Rules of behavior and rules of validity<br/>The duty of information (from 15 to 20 h)<br/>Constitutional significance.<br/>Information and Transparency.<br/>Duties of transparency<br/>Content of the information<br/>Information on withdrawal<br/>Information and discipline of the contract</p> |
| 16  | <p>The duty of information (from 15 to 20 h)<br/>Constitutional significance.<br/>Information and Transparency.<br/>Duties of transparency<br/>Content of the information<br/>Information on withdrawal<br/>Information and discipline of the contract.</p>   |
| 5   | <p>Invalidity and ineffectiveness of the contract (3 to 5 h)<br/>Civile Code disabilities<br/>Invalidity forms: sources and comparison<br/>Structural and functional nullity</p>  |
| 5   | <p>The remedial system (from 3 to 5 h)<br/>Rights and remedies.<br/>Protection Techniques</p>   |
| 4   | <p>The issues of the contractual relationship</p>   |