



# UNIVERSITÀ DEGLI STUDI DI PALERMO

<b>DEPARTMENT</b>	Scienze Politiche e delle Relazioni Internazionali
<b>ACADEMIC YEAR</b>	2020/2021
<b>BACHELOR'S DEGREE (BSC)</b>	POLITICAL SCIENCES AND INTERNATIONAL RELATIONS
<b>SUBJECT</b>	ELEMENTS OF PRIVATE LAW
<b>TYPE OF EDUCATIONAL ACTIVITY</b>	B
<b>AMBIT</b>	50200-discipline giuridiche
<b>CODE</b>	04035
<b>SCIENTIFIC SECTOR(S)</b>	IUS/01
<b>HEAD PROFESSOR(S)</b>	SANTORO LAURA      Professore Ordinario      Univ. di PALERMO
<b>OTHER PROFESSOR(S)</b>	
<b>CREDITS</b>	9
<b>INDIVIDUAL STUDY (Hrs)</b>	162
<b>COURSE ACTIVITY (Hrs)</b>	63
<b>PROPAEDEUTICAL SUBJECTS</b>	
<b>MUTUALIZATION</b>	
<b>YEAR</b>	3
<b>TERM (SEMESTER)</b>	1° semester
<b>ATTENDANCE</b>	Not mandatory
<b>EVALUATION</b>	Out of 30
<b>TEACHER OFFICE HOURS</b>	<b>SANTORO LAURA</b> Wednesday 10:00 - 11:00    Plesso di Via Pascoli n. 6

DOCENTE: Prof.ssa LAURA SANTORO

<b>PREREQUISITES</b>	No prerequisites.
<b>LEARNING OUTCOMES</b>	<p><b>Knowledge</b> To provide knowledge of the principles of private law for data collection and analysis.</p> <p><b>Understanding</b> To enable the student to understand and make appropriate use of the main law methods used in science, functional to the disciplines which characterize the degree course.</p> <p><b>Applying knowledge and understanding</b> To be able to record events in the Italian law system, as well as understand their effect on principles.</p> <p><b>Making judgements</b> To understand a leading case's solution through principles of Italian private law analysis.</p> <p><b>Communication skills</b> To illustrate the interpretation of the law to the unskilled audience. To be able to expound the relationships between institutes in private law in the legal system.</p> <p><b>Learning skills</b> To be aware on how to improve knowledge in private law. In this way it will enable them to acquire the skills necessary to study the various disciplines of laws, during the course and after graduation.</p>
<b>ASSESSMENT METHODS</b>	<p>Oral examination consisting of specific analysis about the most relevant issues of Italian private law and the discussion of case law.</p> <p>For attending and non attending students, the exam consists of an oral interview aimed at ascertaining the students' knowledge of the topics of the course, their understanding, the acquisition of appropriate language, the ability to synthesize and rework general principles and rules. In particular:</p> <p>a) knowledge of the fundamental institutions of private law and understanding of their general principles;</p> <p>b) ability to rework principles and rules of private law and to apply such knowledge to specific cases;</p> <p>c) ability to communicate effectively and to discuss topics of Italian private law with appropriate language.</p> <p>The evaluation of the oral examination with 18/30 is achieved if the student has a knowledge of the fundamental institutions of private law and he has ability to discuss topics of Italian private law with appropriate language.</p> <p>The evaluation of the oral examination with full marks is achieved if the student has an excellent knowledge of the institutions of private law and if he has ability to discuss them with an excellent appropriate language, to analyse and to solve a legal problem.</p>
<b>EDUCATIONAL OBJECTIVES</b>	<p>The central objective of the course of study is to enable students to obtain a deep knowledge and understanding of legal forms and interpretation of the legal systems in Italy, as well as of European law generally.</p> <p>The course focuses on the fundamental concepts of Italian private law in a comparative European law perspective. In particular, the course will consider issues such as basic concepts and general principles of Italian and European law of obligations and contracts in general.</p>
<b>TEACHING METHODS</b>	Lessons and seminars that emphasize interactive learning.
<b>SUGGESTED BIBLIOGRAPHY</b>	<p>Torrente A. - Schlesinger P., Manuale di diritto privato, Giuffrè editore Mazzamuto S. (a cura di), Manuale di diritto privato, Giappichelli editore</p> <p>Lo studio va accompagnato dalla consultazione costante del Codice civile in edizione aggiornata</p>

## SYLLABUS

Hrs	Frontal teaching
4	Sources of law
2	The subjective legal situations: active and passive
2	Individuals and entities rights: rights of personality
4	Legal capacity. The situation of legal incapacity and incapacity in fact
2	Recognized and non recognized entities: associations and foundations; lucrative and non lucrative entities
2	The goods. Principal distinctions of goods.
2	Prescription. Decadence
6	Property right. The content and the discipline. Instruments of legal protection of property right. Possession and detention Instruments for acquiring property. The minor real rights

## SYLLABUS

Hrs	Frontal teaching
4	The legal obligation. The content of legal obligation. Non binding obligation. Special kinds of obligations
2	Pecuniary obligations
4	Subjects modifications in legal obligation with regard to creditor and debtor
2	Fulfillment of the obligation, con special regard to subjects, space and time. Other procedures for extinguishing obligation. Non fulfillment of obligation: contractual liability
4	Contract law. The elements of contract. Error, fraud and violence. Representation; simulation
5	The stipulation of contract and its effectiveness. Option, first refusal, preliminary contract. The transfer of contract. The contract for person to be named. The contract in favour of third parties
2	The interpretation of contract
2	Causes of non validity of contract
2	Resolution and rescission of contract
4	civil liability
2	Real estate registration
4	Consumerism. Abusives clauses Consumerism sale
2	Distance contracting. Electronic commerce.