



# UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Giurisprudenza		
ACADEMIC YEAR	2022/2023		
MASTER'S DEGREE (MSC)	LAW		
SUBJECT	CIVIL LAW II		
TYPE OF EDUCATIONAL ACTIVITY	A		
AMBIT	20003-Privatistico		
CODE	02414		
SCIENTIFIC SECTOR(S)	IUS/01		
HEAD PROFESSOR(S)	PLAIA ARMANDO	Professore Ordinario	Univ. di PALERMO
	NIVARRA LUCA	Professore Ordinario	Univ. di PALERMO
OTHER PROFESSOR(S)			
CREDITS	8		
INDIVIDUAL STUDY (Hrs)	136		
COURSE ACTIVITY (Hrs)	64		
PROPAEDEUTICAL SUBJECTS	02416 - CIVIL LAW I		
MUTUALIZATION			
YEAR	5		
TERM (SEMESTER)	1° semester		
ATTENDANCE	Not mandatory		
EVALUATION	Out of 30		
TEACHER OFFICE HOURS	<p><b>NIVARRA LUCA</b></p> <p>Monday 14:15 15:30 Per tutto il periodo di durata delle lezioni, l'orario di ricevimento sarà il seguente: lunedì, martedì e mercoledì dalle 14:15 alle 15:30. Una volta esaurito il ciclo di lezioni, l'orario tornerà ad essere il seguente: lunedì, martedì e mercoledì dalle 10:00 alle 12:00</p> <p>Tuesday 14:15 15:30 Per tutto il periodo di durata delle lezioni, l'orario di ricevimento sarà il seguente: lunedì, martedì e mercoledì dalle 14:15 alle 15:30. Una volta esaurito il ciclo di lezioni, l'orario tornerà ad essere il seguente: lunedì, martedì e mercoledì dalle 10:00 alle 12:00</p> <p>Wednesday 14:15 15:30 Per tutto il periodo di durata delle lezioni, l'orario di ricevimento sarà il seguente: lunedì, martedì e mercoledì dalle 14:15 alle 15:30. Una volta esaurito il ciclo di lezioni, l'orario tornerà ad essere il seguente: lunedì, martedì e mercoledì dalle 10:00 alle 12:00</p> <p><b>PLAIA ARMANDO</b></p> <p>Thursday 12:00 13:00 piazza bologni 8, I piano</p>		

**DOCENTE:** Prof. ARMANDO PLAIA- *Lettere O-Z*

<b>PREREQUISITES</b>	Knowledge of Institutions of private law Civil law I (specially contractual remedies)
<b>LEARNING OUTCOMES</b>	Knowledge and understanding. Knowledge and understanding of contractual nullity and termination is expected in the context of contractual safeguards. Ability to apply knowledge and understanding: reasoning skills and autonomy of judgment are expected, the development of a critical awareness of the subject. Communication skills: communication skills and the demonstration of being able to express the knowledge acquired in an exhaustive and convincing way are expected, also through written documents. Learning skills: being able to reconstruct the discipline and evolution of the main institutions examined, retracing the most significant doctrinal contributions and the main jurisprudential orientations.
<b>ASSESSMENT METHODS</b>	An oral exam is foreseen. The candidate must answer questions concerning the entire program and referring to the recommended texts and topics covered during the lessons. The final evaluation is aimed at assessing the student's degree of competence and his critical ability. The student must also be able to identify and interpret relevant data in order to make logical choices and judgments. Communicative competence and clarity of presentation will be assessed. Below this level the evaluation will be considered insufficient. The grade is assessed with reference to the degree of knowledge demonstrated and is expressed with grades ranging from a minimum of 18 to a maximum of 30. The evaluation will take place in accordance with the following evaluation grid: - excellent (30 - 30 cum laude): excellent knowledge of the institutes covered by the program, excellent language skills, excellent analytical skills, full ability to apply knowledge to solve the proposed problems. - very good (26 - 29): very good command of the institutes and notions of the discipline, full ownership of language, very good ability to apply knowledge to solve the proposed problems. - good (24-25): good basic knowledge of the discipline, good language skills, with limited ability to autonomously apply the knowledge to the solution of the proposed problems. - satisfactory (21-23): more than sufficient mastery of the institutes and notions of the discipline; satisfactory language property; poor ability to independently apply the acquired knowledge. - sufficient (18 - 20): minimum basic knowledge of the institutes and of the notions of the discipline and of technical language; minimal ability to independently apply the acquired knowledge. - insufficient: does not possess a minimum basic knowledge of the institutes and of the notions of the discipline under study. During the first semester, exercises and a written test will be held. The test consists in the administration of questions on topics covered in class. Passing the test positively affects the final evaluation, but the test is purely optional.
<b>EDUCATIONAL OBJECTIVES</b>	The student must know the discipline of the termination of the contract and the nullity of the contract, knowing how to orient himself between the contributions of doctrine and jurisprudence with awareness and autonomy of judgment
<b>TEACHING METHODS</b>	The teaching will alternate lectures and / or seminars and / or practical exercises.
<b>SUGGESTED BIBLIOGRAPHY</b>	A. Plaia, <i>Le patologie del contratto</i> , Torino, 2022, in corso di pubblicazione. Si consiglia di supportare lo studio con il materiale distribuito durante il corso.

## SYLLABUS

Hrs	Frontal teaching
28	Contract termination.
20	Contract nullity.

**DOCENTE:** Prof. LUCA NIVARRA- *Lettere A-E, - Lettere F-N*

<b>PREREQUISITES</b>	Fundamental knowledge of the main institutions of civil law. Sufficient ability to set up legal reasoning, selecting the relevant issues for the purpose of solving the problem.
<b>LEARNING OUTCOMES</b>	taking into account the objectives of the course, the expected results are a more mature knowledge of the issues of today's civil law, with particular regard to the system of sources; an increased understanding of the level of complexity of the national legal order in relation to EU law; a corresponding increase in the aptitude to select the issues that arise from the coexistence of the two levels, domestic and European; greater autonomy in setting up and rendering the discourse relating to the relationship between laws and jurisdictions; acquisition of the fundamental tools to proceed in learning the way of functioning of contemporary legal systems
<b>ASSESSMENT METHODS</b>	Through an oral test preceded by an optional written test reserved for attending students
<b>EDUCATIONAL OBJECTIVES</b>	Knowledge of the transformations of national civil law. Knowledge of the system of sources of Italian private law as part of European private law. Awareness of the changed role of the Courts of Justice.
<b>TEACHING METHODS</b>	Frontal lessons of two hours each three times a week. Interlocution with the class and periodic summaries of the topics covered
<b>SUGGESTED BIBLIOGRAPHY</b>	S.MAZZAMUTO-L.NIVARRA. Vol. I Introduzione al diritto privato. Tomo II Le fonti, l'interpretazione, le dottrine generali. Trattato del diritto privato ISBN 9788892139596 Pagg. I-XVI/1-352 [23/16mj] prezzo euro 45,00

### SYLLABUS

Hrs	Frontal teaching
64	The transformations of Italian civil law. Italian civil law in the EU law system