



UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Scienze Economiche, Aziendali e Statistiche		
ACADEMIC YEAR	2022/2023		
BACHELOR'S DEGREE (BSC)	TOURISM, TERRITORIES AND BUSINESSES		
SUBJECT	PRINCIPLES OF LAW		
TYPE OF EDUCATIONAL ACTIVITY	A		
AMBIT	50039-Discipline economiche, statistiche e giuridiche		
CODE	18861		
SCIENTIFIC SECTOR(S)	IUS/01		
HEAD PROFESSOR(S)	BRIZZOLARI VALERIO	Ricercatore a tempo determinato	Univ. di PALERMO
OTHER PROFESSOR(S)			
CREDITS	6		
INDIVIDUAL STUDY (Hrs)	102		
COURSE ACTIVITY (Hrs)	48		
PROPAEDEUTICAL SUBJECTS			
MUTUALIZATION			
YEAR	1		
TERM (SEMESTER)	1° semester		
ATTENDANCE	Not mandatory		
EVALUATION	Out of 30		
TEACHER OFFICE HOURS	BRIZZOLARI VALERIO Monday 15:00 16:00 stanza n. 13 ed. 13. Gli studenti interessati al ricevimento devono contattare il docente con congruo anticipo su Teams o per email. Si possono concordare appuntamenti in ragione delle esigenze individuali		

DOCENTE: Prof. VALERIO BRIZZOLARI

PREREQUISITES	Possess a basic culture on the organization of civil society: separation of powers; structure of the state; organization of the judicial system.
LEARNING OUTCOMES	<p>Knowledge and understanding Knowledge of both the Italian and the European Union Law about sources of law and pecuniary and non-pecuniary relationship ruled by private law, with special regard to the law of obligation and contract. Acquisition of the technical language and of the conceptual framework suitable to represent the matter.</p> <p>Applying knowledge and understanding Suitability to cope independently exegesis of the regulatory provisions, to identify concrete case, reconstructing its discipline in light of related cases. This activity should be carried out within a framework made by: systematic coherence, attention to major legal interpretations and interpretation adapted to the context of the European Union Law.</p> <p>Autonomy of judgement Ability to achieve interpretive outcomes not overcome, to submit to a critical revision both the case law guidelines and the most established theoretical positions in line to economic and regulatory changes of the society, in order to achieve solid solutions from a formal point of view and adequate to the changed social-economic context. Development of autonomy of interpretation to achieve outcomes also unrevealed.</p> <p>Communication skill Mastery of technical language and of conceptual heritage, in order to develop a speech aimed to identify technical arguments to support interpretative solutions in the field of private law relationships. Acquisition of a double kind of language: the pragmatic language and the theoretical and speculative language.</p> <p>Learning skill Ability to keep knowledge updated through the analysis of the new legislative text, of the occurred jurisprudential guidelines and of the scientific production of essayistic character of wider dissemination in the sector of private law. Ability to use the knowledge acquired during the course in the context of conferences, Master's Degree, in-depth courses, seminars in on pecuniary and non-pecuniary relationships in the field of private law, professional interviews, insolvency procedures.</p>
ASSESSMENT METHODS	<p>Midterm written test: the examinee must answer three open-ended questions concerning the topics covered during lectures.</p> <p>Final oral test (attending and non-attending students): the examinee must answer at least one question orally on each part of the program, with reference to the suggested readings, lectures held and examined jurisprudence.</p> <p>The written and oral examination verify the level of learning of the student evaluated by a minimum grade of 18/30, which corresponds to basic knowledge of all parts of the program and of the technical language, to a maximum grade of 30/30 cum laude, which corresponds to: excellent knowledge of the main topics and in-depth subject-matters; very good or excellent command of the language; very good or excellent analytical skills; ability to apply knowledge acquired to answer the questions.</p>
EDUCATIONAL OBJECTIVES	<p>The objectives of the course consist in the study of the system of sources of law and the major part of Italian private law, also in the light of the European private law.</p> <p>The course aims to investigate first of all the sources of national and European law. In particular, the knowledge sources and legal sources, written sources (statutes, regulations, and so on) and unwritten (customs), in the frame of the hierarchy system, in relation to the Republican Constitution and the EU law.</p> <p>The course then intends to offer knowledge of the main institutions of the law of obligations and contracts and subjects, also starting from the phenomenon of Italian and (never realized) European codification. In this regard, the notion and sources of the obligations, the various types, the performance and the other ways of extinction, as well as the general part of the contract (typical / atypical nature of the contracts, essential / accidental elements, ways of conclusion, interpretation and effects, termination)</p>
TEACHING METHODS	Frontal didactics and exercises
SUGGESTED BIBLIOGRAPHY	Manuale del diritto privato, a cura S. Mazzamuto, Giappichelli, ultima edizione (latest edition) e un codice civile aggiornato

SYLLABUS

Hrs	Frontal teaching
2	Source of law: the expression and its meaning

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Hrs	Frontal teaching
4	Primary and secondary sources of law
2	Sources of law and hierarchy
2	Italian constitution
2	Supranational sources of law
2	Customary law
4	Other sources of law (general principles, doctrine, etc.)
2	Codification in Italy
2	European civil code projects
2	Private law: introduction
4	Obligations (definition and sources)
4	Obligations (performance and extinction)
4	The contract in general
4	Elements of the contract
2	Defects of consent
2	Nullity of contract
4	Termination of contract
2	Contractual liability