



# UNIVERSITÀ DEGLI STUDI DI PALERMO

<b>DEPARTMENT</b>	Scienze Economiche, Aziendali e Statistiche
<b>ACADEMIC YEAR</b>	2019/2020
<b>FIRST CYCLE COURSE</b>	ECONOMICS AND BUSINESS ADMINISTRATION
<b>SUBJECT</b>	PRIVATE LAW
<b>TYPE OF EDUCATIONAL ACTIVITY</b>	A
<b>AMBIT</b>	50068-Giuridico
<b>CODE</b>	02526
<b>SCIENTIFIC SECTOR(S)</b>	IUS/01
<b>HEAD PROFESSOR(S)</b>	MAZZAMUTO PIERLUIGI Professore Associato Univ. di PALERMO
<b>OTHER PROFESSOR(S)</b>	
<b>CREDITS</b>	8
<b>INDIVIDUAL STUDY (Hrs)</b>	120
<b>COURSE ACTIVITY (Hrs)</b>	80
<b>PROPAEDEUTICAL SUBJECTS</b>	
<b>MUTUALIZATION</b>	
<b>YEAR</b>	1
<b>TERM (SEMESTER)</b>	1° semester
<b>ATTENDANCE</b>	Not mandatory
<b>EVALUATION</b>	Out of 30
<b>TEACHER OFFICE HOURS</b>	<b>MAZZAMUTO PIERLUIGI</b> Wednesday 11:00 13:00 Dipartimento SEAS

<b>PREREQUISITES</b>	Possession of a basic culture related to the organization of civil society: division of powers; state structure; organization of the judicial system.
<b>LEARNING OUTCOMES</b>	<p>Knowledge and understanding: knowledge of Italian and European legislation on the property and non-property relations of private law, with special regard to individuals and legal persons, family and inheritance law, goods and real rights, obligations and contract in general, the main typical and atypical contracts, contracts between professionals and consumers and contracts between companies, extra-contractual liability, protection of the rights and remedies. Acquisition of technical language and conceptual framework suitable for representing and ordering the material treated.</p> <p>Ability to apply knowledge and understanding: suitability to face in full autonomy the exegesis of the normative dispositions, to frame the concrete cases, reconstructing the discipline also in the light of the related institutions, in a framework of systematic consistency, attention to the main jurisprudential orientations and of interpretative adequacy with respect to the wider European context.</p> <p>Making judgments: ability to reach original interpretative results, of to review critically the jurisprudential orientations and the more consolidated theories in the light of social and economic changes and regulations, in an attempt to arrive at valid solutions from the formal point of view but also adapted to the changed socio-economic context. Development of an autonomy of interpretation such as to reach even unpublished application results.</p> <p>Communication skills: mastery of technical language and heritage conceptual so as to be able to develop a suitable discourse to indicate the technical arguments that support interpretative solutions on the subject of private relations. Acquisition of a dual register of language: the practical-casuistic register and the theoretical-speculative register.</p> <p>Learning skills: ability to adapt knowledge by analyzing new texts regulations, of the new case law and of the scientific production of greater diffusion proper to the privatistic subject. Eligible to exploit the knowledge acquired during the course in conventions, masters, in-depth courses, seminars in matters of patrimonial and non-patrimonial relations under private law, professional interviews, bankruptcy proceedings.</p>
<b>ASSESSMENT METHODS</b>	<p>Oral exam: the student will have to respond to a minimum of one question orally on each part of the program, with reference to the recommended texts and the lectures conducted. The oral test verifies the student's learning level assessed by minimum grade of 18/30 to the maximum mark of 30/30 with honors, according to the following criteria:</p> <ul style="list-style-type: none"> <li>- 18-20 / 30: basic knowledge of each part of the program and language technical-legal;</li> <li>- 21-23 / 30: sure knowledge of the fundamental subjects of teaching but not full mastery, satisfactory language ability, poor ability to autonomously apply the acquired knowledge;</li> <li>- 24-25 / 30: in-depth knowledge of the main institutions, fair language properties, limited ability to autonomously apply le knowledge acquired in solving the proposed questions;</li> <li>- 26-29 / 30: good or more than good command of the topics and skills in-depth analysis, full ownership of language, ability to apply knowledge acquired to solve the proposed questions;</li> <li>- 30-30 and praise / 30: great mastery of the topics and in-depth studies, great or excellent language properties, great or excellent analytical capacity and ability to apply knowledge to solve the proposed questions.</li> </ul>
<b>EDUCATIONAL OBJECTIVES</b>	<p>The objectives of the course are to study a large part of the Italian private law, also in light of the emerging European private law. In Particular, the course aims to deepen the fields of juridical subjectivity and of the patrimonial and non-patrimonial juridical situations, of family relationships and inheritance successions, of goods and real rights, obligations and contract in general, main typical and atypical contracts, contracts between consumers and professionals and business contracts, remedies, with specific regard to contractual and extra-contractual liability, and judicial protection of rights. Will be addressed the following themes: the characteristics of the juridical phenomenon in the relationships between private individuals; the individuals and legal persons; the legal subjective situations; the family relationships and the hereditary</p>

	successions; goods, property and real rights; the instruments of legal circulation and the effects of these instruments, with specific regard to obligations and real effects; the contract and the typical and atypical figures of contract; remedies; the generic asset guarantee and related means of protection; of the burden of proof and the means of proof; legal advertising and transcription; the prescription and the decadence.
<b>TEACHING METHODS</b>	Frontal lessons
<b>SUGGESTED BIBLIOGRAPHY</b>	<p>S. MAZZAMUTO (a cura di), Manuale di diritto privato, Giappichelli - Torino, ultima edizione.  Il manuale va integrato con i materiali (schemi di contratti e sentenze) forniti durante il corso delle lezioni.  N.B.: e' imprescindibile la consultazione di un'edizione aggiornata del Codice civile con annessa legislazione speciale.</p> <p>S. MAZZAMUTO (edited by), Manual of private law, Giappichelli - Turin, latest edition.  The manual must be integrated with the materials (schemes of contracts and case law) provided during the course of the lessons.  NB: it is essential to consult an updated edition of the Italian Civil Code with attached special legislation.</p>

### SYLLABUS

Hrs	Frontal teaching
3	Notion of law and system of private law sources
3	Individuals and legal persons
6	Family law and inheritance law
6	Goods, property and real rights
12	Obligations
12	Contract in general
9	Typical and atypical contracts
6	Civil liability
7	Jurisdictional protection of rights