UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Corporate Regulation

2526-2-FSG01A013-FSG01A020M

Learning objectives

• Knowledge and understanding of the key elements of the regulation of State-owned companies companies from an Italian business law perspective.
• Comprehension and analysis—also through practical and case-law examples—of the interests involved and the functions served by the relevant legal rules.
• Independent judgment in interpreting legal provisions and identifying the most appropriate legal solutions.
• Communication skills in presenting and discussing legal topics, both in written and oral form.
• Ability to learn autonomously, including through the consultation of legal sources, academic literature, and case law.

Contents

The course analyzes the main elements of the regulation of companies owned by the State and/or by other public law entities from a business (and especially company) law perspective. Such regulation derives from the interaction between common company law as enshrined in the Italian Civil Code and the Testo unico in materia di società a partecipazione pubblica (legislative decree n. 175/2016).

Detailed program

- the Testo unico in materia di società a partecipazione pubblica (legislative decree n. 175/2016)
- the concepts of companies in which the State owns a shareholding/membership interest, of State-controlled companies, of in-house companies and of public-private joint ventures companies

- the organizational structure
    - management (role of the management, structure and composition of the management/board of directors,
    - audit and controls (internal auditors, internal controls, external audit, judicial control)

- in-house companies
- public-private joint ventures companies
- the insolvency of State-controlled companies.

Prerequisites

Basic knowledge of private and business law.

Teaching methods

In class lecture-based teaching, which includes lectures, class discussion of cases and materials, class exercises. It is also possible, on a voluntary basis, to carry out interactive teaching such as researches on selected topics and presentations.

Assessment methods

Oral exam (questions/conversation on the topic covered in class) aimed at verifying students' ability to present, understand, and apply legal concepts, as well as their independent judgment and competence in legal language.
Students will have the opportunity of taking a written exam at the of the classes of each of the two sections of the course. Such exam will be written and will include open-ended questions, close-ended questions, and the analysis of a case.

Textbooks and Reading Materials

Le società a partecipazione pubblica a tre anni dal testo unico, edited by C. Ibba, Giuffrè, Milano, 2019. Information on the specific parts of the book will be uploaded on the e-learning webpage at the beginning of the course.

Testo unico in materia di società a partecipazione pubblica (d.lgs. n. 175/2016), in force at the time of the exam (available on normattiva.it)

Sustainable Development Goals

INDUSTRY, INNOVATION AND INFRASTRUCTURE