UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Private Law Mod A - M-Z

2526-1-LMG01A004-LMG01A00401-MZ

Learning objectives

The course aims to provide the student with knowledge and understanding of the main institutes of private law through the study of the textbook, the Civil Code and the main laws in the field. In particular, the objectives of the training consist of the acquisition of knowledge and skills of the private law system as well as the ability to concretely understand the legal institutions related to the subject of private law. In addition, the course aims to stimulate the student's ability to reason and autonomy of judgment, who, through the study of a practical case, should be able to reason independently and mature communication skills and language property. Finally, during the course, direct reading of the most important judgments dealing with the private matter will be suggested.

Contents

The course covers the identification of essential features of the system Gius-privatization, and learning of key concepts relating to its institutions.

Detailed program

Language and tools of private law. The sources of law. The temporal and spatial effectiveness of legal norms. The interpretation of the law. The legal relationship and active and passive legal situations. Legal fact and legal act. The statute of limitations and forfeiture. The judicial protection of rights. Evidence. Natural persons. Legal persons. Obligations: preliminary notions; subjectively or objectively complex obligations; performance; pecuniary obligations; non-performance of obligations and compensation for damages; debtor's default; extinction of the obligation for causes other than performance; subjective modifications of the obligatory relationship; patrimonial liability and means of preservation of patrimonial security; legitimate causes of pre-emption. The contract: defining and classifying profiles of the contract; negotiations and pre-contractual liability; agreement of the parties; defects

of the will; cause; subject matter; form; accidental elements of the contract; representation; effects of the contract; simulation; void contract; voidable contract; termination of the contract; rescission of the contract; good faith in the performance of the contract; interpretation of the contract; consumer contracts. Individual contracts.

Prerequisites

The course of Principles of Private Law, placed in the first grade, doesn't require any particular prerequisite. It's necessary, however, that since the beginning the student shows his ability of reasoning, of reflection and of systematic coordination among the differents private law's principles.

Teaching methods

The course will be delivered in 60 lectures of 2 hours each conducted in face-to-face delivery mode. Module A will have a total duration of 72 hours. If necessary, 4 lectures of 2 hours each may be delivered in asynchronous remote delivery mode (recorded lectures), at the discretion of the lecturer, to cope with exceptional situations and in order to ensure the continuity of teaching activities.
Students are provided with teaching materials (normative texts, rulings, slides), which can be used for exam preparation

Assessment methods

Oral examination on the topics covered in class and the examination text. The purpose of the oral examination is to test learning of the subject content and acquisition of the ability to interpret the principles and rules of the private law system. Method of formulating the final evaluation: examination grade in thirtieths.

Evaluation criteria:

1. knowledge and ability to understand: knowledge of the sources and legal discipline related to the rules of private law;
2. applied knowledge and understanding: application of acquired notions to concrete cases and ability to propose coherent solutions to concrete legal issues;
3. autonomy of judgment: ability to rework the principles and rules under study, analyze the scope of application, and formulate critical conclusions;
4. communication skills: clear and coherent exposition;
5. learning skills: mastery of the method of analysis of legal rules in the private law subject matter.

In January and February, there will be an intermediate (optional) written test on the first part of the program. The written test will consist of a closed-ended test and the solution of a case

Textbooks and Reading Materials

G. IORIO, Corso di diritto privato, ediz. Giappichelli, Torino, VI edition, 2024

Sustainable Development Goals

GOOD HEALTH AND WELL-BEING | GENDER EQUALITY | REDUCED INEQUALITIES | RESPONSIBLE CONSUMPTION AND PRODUCTION