UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Private Law Mod A - A-L

2627-1-LMG01A004-LMG01A00401-AL

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

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 Private Law Institutions course, being placed in the first year, does not require any particular prerequisites.

Teaching methods

The course will be delivered in 60 lectures of 2 hours each conducted in face-to-face delivery mode (DE). 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.

Assessment methods

Oral examination on the topics covered in class and the examination text. The oral exam is designed to assess the student's understanding of the subject matter and their ability to interpret the principles and rules of the private law system. Final assessment method: Exam grade out of 30.

Assessment criteria:

Knowledge and understanding: Knowledge of the sources and legal framework relating to private law;
Applied knowledge and understanding: Application of acquired knowledge to concrete cases and the ability to propose coherent solutions to concrete legal issues;
Independent judgment: Ability to re-elaborate the principles and rules under study, analyze their application, and formulate critical conclusions;
Communication skills: Clear and coherent presentation;
Learning ability: Mastery of the method for analyzing legal rules in private law.

There will be not intermediate test.

Textbooks and Reading Materials

G. Iorio, Corso di diritto privato, updated edition or L. Nivarra, V. Ricciuto, C. Scognamiglio, Diritto privato, updated edition.

Please note that—notwithstanding the recommendations regarding the texts listed above—any textbook may serve as a valuable study aid for private law, provided it is complete and up-to-date. Students who possess an outdated textbook and are unable to purchase a new one are advised to make the necessary updates using the databases and services provided by the library.

Sustainable Development Goals

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