

<b>Academic subject:</b> <i>European private law</i>			
<b>Degree Class:</b> LM-52		<b>Degree Course:</b> <i>International relations and European studies</i>	
		<b>Academic Year:</b> 2021/2022	
		<b>Kind of class:</b> mandatory	<b>Year:</b> 1
			<b>Period:</b> I semester
		<b>ECTS: 8</b> <b>ECTS lessons: 8</b>	
<b>Time management, hours, in-class study hours, out-of-class study hours</b> lesson: 64 out-of-class study: 136			
<b>Language:</b> Italian		<b>Compulsory Attendance:</b> Not compulsory, but strongly recommended	
<b>Subject Teacher:</b> Francesco Di Giovanni		<b>Tel:</b> <b>e-mail:</b> francesco.digiovanni@uniba.it	<b>Office:</b> Department of Political Sciences Room n. 16 Floor I Adress, Corso Italia, n. 23
<b>Office days and hours:</b> Tuesday, h. 10:00			
<b>Prerequisites:</b> The student must possess the fundamental notions of Private law (in particular, in the matter of obligations, contracts and civil liability). It is also necessary a deep knowledge of Italian Constitution of the Republic (in particular, in the matter of principles and fundamental rights and of rights and obligations of citizens).			
<b>Educational objectives:</b> The candidate is required to show, in the oral exam, the systematic and analytical learning of the principles, rules and institutions of European private law. The final grade is attributed by evaluating, in addition to the complete preparation on content of the matter, even the actual capacity understanding of them, critical reasoning skills and systematic around the topics covered, as well as mastery expository of concepts.			
<b>Expected learning outcomes (according to Dublin Descriptors)</b>		<p><b>Knowledge and understanding:</b> the student acquires the fundamental notions by attending teaching activities, organized in lectures, supplementary seminars, including interdisciplinary and exercises on “case studies”.</p> <p><b>Applying knowledge and understanding:</b> the student is able to apply the knowledge acquired, in the awareness of the need to redefine the notions and the classical categories of contract law in the current economic and social context, as indicates the European private law, to which we owe the progressive identification of a sector - that of contracts with consumers - with their own rules aimed at protecting the weak contractor; knows how to make the right connections systematic between the different institutions; properly uses theregulatory texts and jurisprudential experience.</p> <p><b>Making judgements:</b> the student is able to apply the knowledge acquired, in the awareness of the need to redefine the notions and the classic categories of persons and family law in its historical evolution and in its connections with European law and international treaties; knows how to make the appropriate systematic connections between the various institutes; he uses law texts appropriately, critically reads the works of scientific literature and is also able to deepen case-law.</p> <p><b>Communication:</b> the student is able to apply the knowledge acquired to solve even complex practical cases; to communicate effectively, that is to convey information and ideas in a clear and formally correct way, expressing them in adequate terms with respect to specialist or non-specialist interlocutors in the sector. Attending students, in the course of seminars and exercises, will be invited to speak with the teacher on the solutions adopted.</p> <p><b>Lifelong learning skills:</b> the student is able to apply the notions acquired to solve even complex practical cases; acquires in depth knowledge useful for entering to the labour market, as well as post-graduate study experiences (PhD, Master, Specialization).</p>	

**Course program**

1. Articles 1341, 1342 and 1370 c.c.
2. Directive n. 93/13/CEE and its implementation in Italy.
3. The subjective scope of application: the professional and the consumer.
4. The objective scope of application: the clauses not subject of negotiation; clauses that do not reproduce legal provisions.
5. The unfair clauses; the principle of transparency.
6. The nullity of protection; the lists.
7. The injunction.
8. Administrative protection.
9. The class action.

Consultation of a civil code is highly recommended updated and accompanied by the main regulatory sources, as well as the consumer code (legislative decree 206/2005 and subsequent changes). The study of the program in-depth study and the continuous updating of some topical issues in European private law, through the study of sentences, comments to jurisprudence and essays, downloadable from the MATERIAL DIDACTIC present on the teacher's web page.

**Teaching methods:**

Lectures, supplementary seminars, including interdisciplinary ones, and exercises on "case studies".

In particular, these teaching methods will facilitate the acquisition by the students the following transversal skills:

a. *Ability to solving problems, i.e. to apply what has been learned to a concrete case, selecting the knowledge that allows it to be solved in the most appropriate way:* attending students will apply, in the analysis of legal problems and concrete cases agreed with the teacher, the method and argumentative techniques studied.

b. *Analyzing and synthesizing information, that is, acquiring, organizing and reformulating data and knowledge from different sources:* attending students will be invited, during the seminar and exercise, to grasp and summarize the meaning of some judgments of jurisprudence, in turn an expression of synthesis between the description of the case in point of the judicial order and the reasons for the decision.

c. *Making judgments independently, that is, interpreting the information with a critical sense and making consequent decisions:* attending students will have to take a stand on the adequacy and reasonableness of the judicial orders examined.

d. *Communicate effectively, i.e. transmit information and ideas in a clear and formally correct way, expressing them in adequate terms with respect to specialist or non-specialist interlocutors in the sector:* attending students, during seminars and exercises, will be invited to speak with the teacher on the solutions adopted.

e. *Continuous learning, that is, knowing how to recognize one's gaps and identify effective strategies aimed at acquiring new knowledge and skills:* attending students will be asked, during seminars and exercises, to intervene and correct their mistakes in research activities.

f. *Working in a group, i.e. coordinating with other people, including those of different cultures and professional specializations, integrating skills:* students who attend seminars and exercises will be asked to form a working group for the analysis and comment of cases and jurisprudential sources.

**Auxiliary teaching:** President: Prof. Francesco Di Giovanni; Components: Proff. Mauro Pennasilico, Ferdinando Parente, Salvatore Giuseppe Simone, Valeria Corriero; dott.ri Adriano Buzzanca, Rocco Lombardi e Serena Persia.

**Assessment methods:** final mark out of thirty (from 18/30 to 30/30 with honors). Oral exam only.

**Bibliography:** E. Minervini, Dei contratti del consumatore in generale, 3<sup>a</sup> ed., Giappichelli Editore, Torino, latest edition.