

COURSE OF STUDY: LMG/01
ACADEMIC YEAR: 2023/2024
ACADEMIC SUBJECT: Institutions of Private Law

General information	
Year of the course	1 st year
Academic calendar (starting and ending date)	2 nd semester
Credits (CFU/ETCS):	12
SSD	IUS/01
Language	Italian
Mode of attendance	Recommended frequency

Professor/ Lecturer	
Name and Surname	Concetta Maria Nanna
E-mail	cetty.nanna@gmail.com
Telephone	
Department and address	Dipartimento Jonico in "Sistemi Giuridici ed Economici del Mediterraneo: società, ambiente, culture"
Virtual room	Microsoft Teams: 3mmx2ue
Office Hours (and modalities: e.g., by appointment, on line, etc.)	

Work schedule			
Hours			
Total	Lectures	Hands-on (laboratory, workshops, working groups, seminars, field trips)	Out-of-class study hours/ Self-study hours
300	96		204
CFU/ETCS			
12			

Learning Objectives	
Course prerequisites	No prerequisite

Teaching strategy	The course is divided into lectures that provide for the analysis of the individual sub-branches of institutions of private law.
Expected learning outcomes in terms of	
Knowledge and understanding on:	Knowledge and understanding of private law and its main institutes. Knowledge and understanding of the interpretative and application dynamics of the relative standards.
Applying knowledge and understanding on:	Ability to apply knowledge and understanding to individual profiles through study and critical examination of relevant cases. Ability to bring the peculiar aspects of the discipline back to the system. Ability to propose solutions in the composition of conflicting interests. Evaluation and analysis of the reference regulatory framework.
Soft skills	<ul style="list-style-type: none"> Making informed judgments and choices Autonomous processing proven by problem solving skills. Ability to integrate

	<p>knowledge and manage the complexity of information in order to make appropriate judgments.</p> <ul style="list-style-type: none"> • Communicating knowledge and understanding <p>Ability to expose the acquired knowledge clearly and comprehensively and to adequately argue, using appropriate technical language.</p> <ul style="list-style-type: none"> • Capacities to continue learning <p>Ability to reasonably and critically report the topics covered. Ability to identify the problem of law and the various solutions that can be envisaged.</p>
Syllabus	
Content knowledge	<p>The legal system: public law and private law. The sources of private law. The sources of european law: TEU, TFEU, regulations, directives, decisions, recommendations and opinions. The temporal effectiveness of the laws. Application and interpretation of the law. Conflicts of laws in space. Subjective legal situations: subjective rights. Legal relationship subjects: natural person and legal person. Legal and acting capacity. The interdiction, incapacitation and support administration. The rights of the personality. Legal relationship: goods. Influence of time on legal events: purchase of a right, prescription and forfeiture. The legal transaction, the legal fact and the non-negotiating act. Classifications of legal transaction. The renunciation. The elements of the legal transaction. Transaction advertising. Divergence between manifestation of will and inner will: impedimental error, physical violence, mental reserve, simulation. The vices of the will. Representation. The contract per person to be appointed. Indirect contract and fiduciary contract. Accidental elements of the transaction. Legal transaction interpretation. Legal transaction pathologies: nullity, voidability and ineffectiveness. Real rights: general characteristics. The property. Real rights of enjoyment: surface, emphyteusis, usufruct, use and housing, easements, communion and condominium, timeshare. Possession. Petitorial and possessory actions. Annunciation actions. Obligations: concept of obligation. Natural obligations. Sources and elements of obligations. Obligations with multiple subjects. Genus and species obligations. Pecuniary obligations. Simple, cumulative, alternative, optional obligations. Voluntary credit guarantees: surety, promise of the fact of a third party, penalty clause, deposit. Subjective active and passive modifications of the compulsory relationship. Ways of extinction of the compulsory relationship. Mora credendi e debendi. Failure attributable and not attributable to the debtor. Civil unlawful act: tort or Aquila liability. Contractual and tort liability: distinctive characteristics. Generic guarantee and specific guarantee: legitimate causes of pre-emption. Legal means of preserving the creditor's asset guarantee. General contract theory. The preliminary contract. Contract assignment. The contractual negotiations. Contract formation process. The offer to the public. The option. The contract in favor of a third party. Pre-emption. The contracts for membership. Termination and termination of the contract. Unilateral promises. Obligations arising from the law. The family: marriage. The family property regime. Legitimate and natural filiation. The adoption. Separation and divorce. Maintenance obligation. The successions: concept of succession. Vocation and delation. Acceptance of the inheritance. Forced acceptance: hypothesis. Pending inheritance. Renunciation of inheritance. Separatio bonorum. The collation. Hereditary communion. Conjunctive or supportive vocation. Hereditatis petitio. Legitimate succession. Actio interrogatoria. The legatee. Succession necessary. The testamentary succession. The replacements. The donation. Transcription: real estate advertising.</p>
Texts and readings	<p>1) NIVARRA L. – RICCIUTO V. – SCOGNAMIGLIO C. (l. e.), Diritto privato. Giappichelli: Torino;</p> <p>Or</p>

	<p>2) TORRENTE A. – SCHLESINGER P. (l. e.), Manuale di diritto privato. Giuffrè: Milano.</p> <p>Or</p> <p>3) ROPPO V. (l. e.), Diritto privato. Giappichelli: Torino.</p> <p>Special part: NANNA C. M. (2021), Accordi in vista del divorzio. Validità e legittimità degli atti dispositivi del patrimonio familiare. Pacini giuridica: Pisa.</p>
Notes, additional materials	
Repository	

Assessment	
Assessment methods	Oral examination
Assessment criteria	<ul style="list-style-type: none"> • Knowledge and understanding Knowledge of private law institutes within the European landscape, considering the most recent case law at national and EU level and consequent ability to learn relevant and current cases. • Applying knowledge and understanding Detailed analysis of institutions of private law, combined with the problems highlighted by doctrine and jurisprudence. • Autonomy of judgment Autonomous processing proven by problem solving skills. Ability to integrate knowledge and manage the complexity of information in order to make appropriate judgments. • Communicating knowledge and understanding Ability to expose the acquired knowledge clearly and comprehensively and to adequately argue, using appropriate technical language. • Communication skills Ability to be able to compare with other students and to face subsequent exams. • Capacities to continue learning Ability to reasonably and critically report the topics covered. Ability to identify the problem of law and the various solutions that can be envisaged.
Final exam and grading criteria	The exam is oral, the evaluation is out of thirty and is passed with the achievement of the minimum mark of 18/30.
Further information	