# Economic Law

## Prof. Francesco Pantaleo

***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

**Aims**

The course aims to analyse the key private and corporate law institutions, and the most relevant aspects related to labour law, especially from the point of view of the different types of contracts stipulated in companies. There will be a particular focus on natural persons, legal persons, contracts and corporate activity.

The aim of the course is to provide learners with the fundamental and regulatory principles referring to physical and legal people, so that students will be able to work as managers and/or consultants in different business environments.

**Intended outcomes**

By the end of the course, students will be able to understand in a linear way:

- the basics of civil, commercial, and labour law;

- the basic principles governing the rights and obligations of persons and enterprises, and, in particular, the rights and obligations at the basis of labour relations;

- the world of corporate law, the different types of companies, and the regulations at the basis of the relationship between members;

- the function and regulation of contracts between natural and legal persons.

- rights, powers, authority, and obligations;

- the different types of companies;

- the elements defining the different types of labour relations, with a focus on the distribution of power between the two actors involved in the individual contract

- the rights and obligations in the field of occupational safety;

- the different possibilities to analyse and apply contracts between physical or legal people.

***COURSE CONTENT***

PART 1 - OBLIGATIONS AND CONTRACTS

1. Property rights

2. Modifications to the contractual relationship

3. Termination of the contractual relationship

4. The contract in general

5. Forming the contract

6. The effects of the contract

7. Interpreting and integrating the contract

8. Termination and invalidity of the contract

PART II - LABOUR LAW

1. Self-employment and wage labour

2. Prohibition of intermediation and interposition in work performance

3. The recruitment of workers

4. The protection of working mothers and the equality of men and women in the employment contract

5. Probation

6. The duration of the provision of work

7. The fixed-term employment contract

8. The classification of workers

9. The employer's managerial and disciplinary powers

10. The obligations of the worker: diligence and loyalty

11. Remuneration

12. Health and safety in the workplace

13. Individual dismissals

14. Collective redundancies

15. Employee severance pay

16. Special employment relationships

17. Renunciations and transactions of the worker

18. The call for employment claims

19. Changes of ownership

B) - Freedom and trade union organization

20. Trade unions

21. Trade union activity in the workplace

22. The repression of trade union conduct

23. Collective contracts.

PART III – EXAMPLES OF CONTRACTS

1. Contracts for the movement of goods

2. Contracts for the enjoyment of goods

PART IV – ENTERPRISE

1. The entrepreneur

2. The company

3. The entrepreneur and the market

4. The duty of the entrepreneur to establish an organisational structure

PART V

A) COMPANIES

1. Companies in general

2. Types of company

3. Partnerships

4. Limited companies

B) COMPANY CRISES

1. Definition of crisis

2. Legislative Decree no. 14 of 12.01.2019

3. Warning indicators

4. Focus on: innovative start-ups

***READING LIST***

*Diritto Commerciale vol. 2 – Diritto delle società* di G.F. Campobasso – UTET Giuridica

*Ipercompendio Diritto Civile* – Edizioni Giuridiche Simone

The material provided by the lecturer and published on the Blackboard platform.

***TEACHING METHOD***

Interactive frontal lectures with slideshow presentations.

Discussions of case studies, contracts and articles of association.

Students who are unable to attend will find the material presented in lectures and relative references on the Blackboard platform.

***ASSESSMENT METHOD AND CRITERIA***

Oral exam on the contents of the whole year-long course. The exam will be composed of between three and six open questions. The answer to each question will be marked according to the following criteria: completeness and accuracy; ability to identify sources; ability to frame topics and make connections between them; ability to make concrete examples to illustrate specific concepts (also thanks to the use of analogies); accuracy and appropriateness of the form of presentation of legal terminology used. The final mark is out of 30.

At the end of Semester 1, attending students will sit a partial written exam composed of five open questions. The interim test will be on the first three parts of the syllabus. The interim test will be marked according to the same assessment criteria as the exam (outlined above).

Each question will be worth 6/30, except the first one, which carries a maximum mark of 7/30. The maximum mark for the interim test is 31/30.

For attending students who have passed the interim test, the oral exam will focus on the remaining parts of the syllabus.

For attending students who have not passed the interim test, the oral exam will focus on the entire syllabus.

Students are categorised as attending or non-attending depending entirely on their presence or absence in lectures, rather than on the basis of attendance registers.

***NOTES AND PREREQUISITES***

As this is an introductory course, there are no prerequisites in terms of content.

Attendance is strongly encouraged.

Further information can be found on the lecturer's webpage at http://docenti.unicatt.it/web/searchByName.do?language=ENG or on the Faculty notice board.