# Principles of Private Law

## Gr. A-Ca: Prof. Alessandro D’Adda; Gr. Ce-Fr: Prof. Daniela M. Frenda; Gr. Fu-Ma: Prof. Vittorio Bachelet; Gr. Mc-Ri: Prof. Giovanni Schiavone; Gr. Ro-Z: Prof. Umberto Stefini

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

After outlining the most relevant general theory required to understand the principles of private law, the course will explore the rules (mainly stemming from the Civil Code) governing natural persons, non-profit bodies, property rights and possession, obligations, contracts and tort, underlining their historical, rationale and potential scope of application, as well as the evolution of these institutions in scholarly interpretations and jurisprudential applications.

At the end of the course, students will adequately know the institutions studied and be able to reconstruct the intended aims of the legislator. Furthermore, students will be able to understand non-complex practical cases and formulate hypothetical solutions in their regard.

***COURSE CONTENT***

– Outline of general theory: sources of private law, legal acts and facts, individual positions.

– Natural persons and their legal capacity; non-profit bodies.

– Property rights: ownership and rights over other things; possession.

– Obligations in general and security for performance.

– General contract law.

– Liability in tort: what loss can be compensated.

– Other sources of obligation.

– Aspects of the movement of goods.

***READING LIST***

Any one of the following textbooks, limited to the parts thereof indicated:

A. Torrente-P. Schlesinger, *Manuale di diritto privato,* Giuffré, Milan, last edition (chapters 1-38; 51-55; 81).

V. Roppo, *Diritto privato,* Giappicchelli, Turin, last edition (chaps. 1-37, 38 paras. 1-3, 42-48).

P. Trimarchi, *Istituzioni di Diritto privato,* Giuffré, Milan, last edition (chaps. 1-41, 51-57).

E. Gabrielli, *Manuale di Diritto Privato*, Giappichelli, Torino, last edition (chaps. 1-7, 10-30, 45-47, 50-51).

***TEACHING METHOD***

Lectures.

***ASSESSMENT METHOD AND CRITERIA***

Oral exam. The assessment aims to verify the student's basic knowledge of the institutes being studied, and essentially regulated by the civil code, but above all to verify their mastery of the categories of private law and their ability to apply these in practical cases.

For this purpose, the exam begins by verifying the student's mastery of the more general institutions (knowledge of which is essential to pass the exam), followed by an assessment of their more detailed knowledge, which determines the final mark. Rather than mere mnemonic knowledge, the assessment places more weight on the student's ability to understand the rational foundations of the institutions analysed, and to draw appropriate links between them.

***NOTES AND PREREQUISITES***

A good knowledge of the Constitution, the Civil Code and complementary laws in relation to the course topics is essential. In this regard, alternatively, one of the following texts is recommended: De Nova, Codice civile e leggi collegate, Zanichelli, ult.ed.; Di Majo, Codice civile, Giuffré, ult. ed.

There are no specific prerequisites for such teaching.

In case the current Covid-19 health emergency does not allow frontal teaching, remote teaching will be carried out following procedures that will be promptly notified to students.

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.