Seminar: Religious Bodies and the Third Sector

Prof. Alessandro Perego

COURSE AIMS AND INTENDED LEARNING OUTCOMES

The Seminar aims to provide students with the notions and necessary skills to frame, address and solve legal problems concerning religious bodies and their performance of activities of general interest, such as equal education, the provision of social and health services, and the protection and enhancement of cultural heritage.

COURSE CONTENT

In the first part of the Seminar the following topics are addressed:

* subjectivity and legal nature of religious bodies in the Italian legal system;
* legal regime governing the activities of religious bodies, between common law and special rules: activities of religion or worship; various activities; business activities; activities of the Third Sector;
* companies in the Third Sector: qualification and legal regime.
* requirements and conditions for the establishment of branches of the Third Sector and social enterprises by religious bodies;
* tax regime of religious bodies: tax subjectivity and special rules with reference to individual taxes.

The second part of the Seminar is, instead, dedicated to illustrating and analysing, in both their common and unique features, the legal regime of three "activities of general interest" that traditionally see a significant involvement of religious bodies:

* equal education (equal schools);
* social and health benefits (residences and facilities for the elderly, the disabled, etc.);
* protection and enhancement of cultural heritage (buildings of worship and other cultural heritage of religious interest).

READING LIST

For attending students: handouts and materials provided by the lecturer during the lectures

For students not attending lectures:

A. Bettetini – A. Perego, *Diritto ecclesiastico*, Padua, 2023, limited to chapter 5: *Enti ecclesiastici ed enti religiosi*;

A. Perego, *Il "ramo" degli enti religiosi civilmente riconosciuti*, in *Dal non profit al terzo settore. Una riforma in cammino*. Terzjus Report 2022, Naples, 2022, pp. 253-270 (the volume can be downloaded free of charge at the following address: <https://terzjus.it/rapporto/>).

TEACHING METHOD AND ASSESSMENT CRITERIA

Traditional lectures, necessary for teaching students the fundamental notions of the programme, are accompanied by a workshop approach (drafting of acts, reading of documents, etc.) and a teaching methodology based on direct discussions with administrators, consultants and legal experts who work with religious bodies.

The assessment of attending students is carried out during the lectures, taking into account the method of participation, any interventions and the results of the proposed exercises.

The assessment of non-attending students is by way of an oral interview with the lecturer, covering the indicated reading list.

NOTES AND PREREQUISITES

It is advisable to attend the Seminar together with the Course of Ecclesiastical Law taught by Prof. Andrea Bettetini or to have already taken the Ecclesiastical Law exam in previous academic years.

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.