# Principles of Private Law

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***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, obligations, contracts and tort, entrepreneurship, partnerships and corporations, highlighting their historical, rationale and potential scope of application, as well as the evolution of all these legal entities from the point of view of academics and in terms of their application in the law.

Special emphasis will be placed on the key principles of private law in the “cultural heritage” sector.

At the end of the course, students will be able to distinguish the different legal entities and to identify the purpose pursued by legislature. In addition, students will be able to understand non-complex practical cases and to advance hypothesis of possible solutions.

***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, associations and foundations.

– Obligations in general and security for performance.

– General contract law.

– Liability in tort: what loss can be compensated.

– Other sources of obligation and credit instruments.

– The entrepreneur.

– Partnerships and corporation.

– Aspects of the movement of goods.

***READING LIST***

– Torrente-Schlesinger*, Manuale di diritto privato*, Giuffré, last edition (chap. 1-12; 17-38, 51, 54-58; 61-62, 81).

– Roppo, *Diritto privato*, Torino, last edition (chap. 1-6; 8-13; 22-37; 38, parr. 1-3; 42-47; 49-54; 56).

– P. Trimarchi, *Istituzioni di Diritto privato*, Milano, last edition (chap. 1-9; 13-40; 55-62).

– E. Gabrielli, *Manuale di Diritto Privato*, Giappichelli, Torino, last edition (chap. 1-7, 14-30, 45-51).

***TEACHING METHOD***

Lectures.

***ASSESSMENT METHOD AND CRITERIA***

Oral exam, aimed at verifying the general knowledge of legal entities (that is considered fundamental in order to pass the exam), followed by additional questions on more specific subjects.

The assessment process, in fact, is intended to evaluate the students’ ability to distinguish all the different legal entities explained during the course and regulated by the Civil Code; furthermore, the assessment aims at judging the student’s knowledge of the various dimensions of private law, as well as their ability to apply them in practical cases.

However, during the final exam, more relevance will be given to the understanding of the rational basis of the legal entities presented during the course (instead of rote learning), also through the identification of relevant 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.

To this end, it is highly recommended to add one of these codes to the study of the preferred textbook:

De Nova, *Codice civile e leggi collegate*, Zanichelli, last edition;

Di Majo, *Codice civile*, Giuffré, last edition.

There are no specific prerequisites for such teaching.

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.