**Banks’ Lending Contracts**

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

The course aims to illustrate the legal profiles of banking operations, with particular regard to the various forms of exercising credit for businesses.

*Knowledge and understanding*

At the end of the course, students will be able to distinguish and define the main bank financing contracts, including those aimed at acquiring bank guarantees; they will possess a basic knowledge of primary and regulatory sources, as well as the main jurisprudential interpretations. Students will also master the subject's legal terminology.

*Ability to apply knowledge and understanding*

At the end of the course, students will be able to:

* identify the individual contracts and apply the related regulations;
* understand a legal text and, specifically, the jurisprudential rulings on the matter, knowing how to contextualise the main motivational passages in the regulatory landscape;
* express simple justified legal opinions on theoretical and practical cases that deal with the subject matter.

***COURSE CONTENT***

Typical banking activity: scope and general discipline (outline).

The common discipline of banking contracts.

The customer-bank relationship: transparency legislation and the principle of good faith and fairness. Other general regulatory contents.

The remuneration of banking contracts. Usury, commissions, compound interest.

Creditworthiness. The regulation of central risks.

Individual cases.

Basic contracts. Current accounts and deposits (outlines).

The mortgage. Special mortgage forms.

The opening of credit.

The bank advance. The bank discount. Factoring.

Leasing.

Syndicated loans.

Bank guarantees: general principles. Surety, pledge, mortgage. Financial guarantees. The autonomous warranty contract.

The notion of distressed debt and Non Performing Exposures.

Agreements for negotiation distressed receivables.

***READING LIST***

The reference manual is Cavalli - Callegari, Lezioni sui contratti bancari, 3rd ed., Zanichelli, 2019.

During lectures, the lecturer will indicate the parts of the reading list that will be covered in the exam.

Classroom study and discussion materials will be promptly published on the Blackboard platform.

It is necessary to consult a civil code with complementary laws updated to the current year.

***TEACHING METHOD***

The course is divided into classroom lectures in which active student participation and the ongoing linking between theory and practical application is encouraged. In the first part of the lecture, students will be invited to present the available reading materials in class (especially case law and decisions by the Authorities) in order to delve further into the contents of the previous lecture.

During the course, a number of testimonials from professionals will be organised on individual in-depth topics.

***ASSESSMENT METHOD AND CRITERIA***

Assessment method is an oral exam. Students should also be aware of any legislative or regulatory changes that may have occurred during the year.

The exam is aimed at assessing students' knowledge, their logical and argumentative ability, the clarity, completeness and effectiveness of their presentation, as well as their adequate command of the language.

***NOTES AND PREREQUISITES***

Students must possess a good knowledge of private law and commercial law.

As the course aims are to learn an analysis method and develop logical-argumentative skills, active course attendance is strongly recommended.

Information on office hours available on the teacher's personal page at http://docenti.unicatt.it/.