# Principles of Law

## Proff. Francesco Zecchin -Paolo Sabbioni

# Module I – Principles of Private Law

## Prof. Francesco Zecchin

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

Teaching to students the methodological tools and basic notions to understand the subject, focusing on business activity also from a practical point of view.

At the end of the course the student:

* will have learnt the essential private patrimonial law and will be able to grasp their importance in the life of a business;
* will be able to conceive solutions for non-complex issues in the life of a business involving private patrimonial law;
* will have the ability to formulate independent basic judgments, discuss and evaluate solutions provided by legal advisors.

***COURSE CONTENT***

Legal Order - Law Sources - Application and Interpretation of Law - Temporal Effects of Law - Legal Analogy and Reasoning - Individual Legal Rights - Exercise and Protection of Rights - Statute of Limitations and Lapse - Natural persons and Personal rights - Legal persons and Non-profit Organizations - Brief References to Property and Possession - Obligations in General - Obligations Sources - Duty to Performance - Non-performance and Liability - Damages - Ways of Extinguishing Obligation other than by Performance - Succession in credit and debt - Pledge and Mortgage - Avoidance and Subrogation Actions - Contract - Essential Elements of Contract - Conclusion of Contract - Invalidities of Contract – Simulation of Contract and Brief References to Trust - Rescission and Resolution of Contract - Typical (Nominate) and Atypical (Innominate) Contracts - Contracts of Marketing and Management - Brief References to Tort Law.

***READING LIST***

A. Torrente-P. Schlesinger, *Manuale di diritto privato,* Giuffrè Editore, last edition. The chapters to be studied will be listed at the beginning of the course and on the Professor’s web page.

The lessons’ slides will be available on Blackboard.

***TEACHING METHOD***

Lectures on theory with the support of slides, discussions on specific topics and possible participation of experts.

***ASSESSMENT METHOD AND CRITERIA***

#### The exam consists of a written test lasting 90 minute (10 open-ended questions). For each response will attribute a score from 0 to 3. The overall rating is given by the sum of each score.

#### The aim of examination is to assess the level of knowledge and understanding of candidate. Students are expected to prove that they know and control key concepts of private patrimonial law. The relevance of the answers, the adequate use of specific vocabulary, the reasoned and coherent structuring of the speech, the ability to identify conceptual links and open questions will contribute to the assessment.

***NOTES AND PREREQUISITES***

Attendance at the course, although not compulsory, is strongly recommended. The teaching material provided during the course and any material useful for exam preparation will be made available online.

The course is introductory; therefore, it does not require prerequisites related to the contents. However, interest and curiosity about the relevance of private law in the life of a business is assumed.

***OFFICE HOURS FOR STUDENTS***

Updated timetables on office hours are permanently available on the professor’s personal page at <http://docenti.unicatt.it/>.

**Module II** – **Principles of Public Law**

Prof. Paolo Sabbioni

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

The aim of the course is to provide students with the basic overall framework and institutional notions governing public law, mainly focusing on the most important principles for economic students.

At the end of the course the student:

* Will understand the system of public law and its relevance in economic relations.
* Acquire the ability to link public law institutions and terminology to express legal concepts.
* Will have the ability to formulate independent basic judgments.

***COURSE CONTENT***

I. Essential elements of public law: I.1 State, Constitution and European Union. I.2 Law and public law. I.3. The constitutions and the Italian Constitution. I.4 The forms of state and the regional state. I.5 The forms of government and the parliamentary form of government. I.6 State bodies. II. The sources of law. II.1 Constitution and constitutional laws. II.2 Ordinary laws, acts having the force of law and abrogative referendum. II.3 Statutes and regional laws. II.4 EU sources (Treaties, regulations and directives). II.5 Secondary sources. III. Economic Constitution. III.1 Economic relations in the Constitution. III.2 Freedom of economic initiative and its limits. III.3 Protection of competition. III.4 Equality III. 5 Social rights. IV. Law and economic policy. IV.1 Economic and monetary policy of the EU. IV.2 DEF and budget law. IV.3 Tax revenues. IV.4 Financial autonomy of Regions and Local Authorities. IV.5 Implementation interventions of the economic policy. V. Guarantees. V.1 Judiciary and special judges. V.2 Constitutional Court.

***READING LIST***

For students attending lectures

P. Sabbioni,  *Istituzioni di diritto pubblico*, Giappichelli, 2023, to those parts shown in class.

For students unable to attend lectures

P. Sabbioni,  *Istituzioni di diritto pubblico*, Giappichelli, 2023, the entire text.

The slides used during the course and in-depth materials will be made available on

Blackboard

***TEACHING METHOD***

Classroom and examples of practical cases with the involvement of students.

***ASSESSMENT METHOD AND CRITERIA***

The exam consists of a written test lasting 75 minute structured as follows: a) 30 closed-answer questions on the essential elements of public law which will be assigned a score from 0 to 6 based on the correctness of the answers; b) 3 open-ended questions on the contents of the other parts of the course, with each answer being assigned a score from 0 to 8 based on the correctness and completeness of the content. The sum of the scores obtained for each answer will represent the final grade. The exam aims to evaluate the level of knowledge and understanding gained by the candidate.

***NOTES AND PREREQUISITES***

The course requires knowledge of the essential elements of public and private law. Attendance to lessons is recommended.

***OFFICE HOURS FOR STUDENTS***

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