**PRIVATE LAW INSTITUTIONS**

*(Prof.ssa Alessandra Cordiano)*

***Objectives***

This course, studying the basics, attends to analyze the traditional area of private law, including the most relevant methodological issues. Considering the influence of European Law, the course deepens the knowledge of private law concept under a global prospective of the system.

The teaching will focus on the general part of private law, and on the laws of persons and legal persons, subjective rights, obligations and corresponding sources, specific contracts, consumer contracts, lawfulsources of obligation, different from contracts; unlawful acts as sources of obligations.

This course, in other words, will give students instruments to understand the main emerging and practical issues; to find out and analyze legislative sources; to acquire skills to understand the main questions and their critical issues.

***Teaching Methods***

Lectures, with active participation by the students including through the analysis of case studies. Students are strongly advised to come to lectures with Civil Code and the relevant legislation analysed during the lectures, so that they can develop an adequate ability to read and interpret the law.

Anyway, students have the possibility to resolve uncertainties during the weekly student meeting according the timetable published in the professor’s webpage.

***Program***

General concept: legal system, legal sources, law enforcement, subjective positions, contractual and non-contractual relationships.

The influence of time in legal relationships: prescription and peremptory time limits.

Facts and legal acts (classification of contracts). Primary elements of legal acts. Register and publication of legal facts.

Rules of evidence and jurisdictional context.

Law of persons. Natural persons. The existential situations. Legal persons and unrecognized institutions.

Law of obligations. Breach of contracts and obligations. Guaranties.Forced execution of credit.

Sources of obligation. Analyse of contract: formation, replacement in contractual activities, invalidity of the contract, effectivenessand execution.

Types of contracts.

Lawfulsources of obligation, different from contracts (only definitions regarding the bills of exchange). Unlawful acts as sources of obligations.

***Text***

Francesco Ruscello, *Compendio di Istituzioni di diritto privato*, Amon, Padova, latest edition, 2018, from chapter I to XXI, XXIII, XXIV.

Students can use the follow text to verify their level of knowledge:

Francesco Ruscello, Esercizi di Istituzioni di diritto privato, Padova, Amon, 2015

Suggest use of the last edition of civil Code and legal framework, Italian Constitution and EU Treaties. Further indications as to reading material on specific topics will be given at lectures and posted on e-learning.

***Exam***

For attending students, self-assessment tests will be provided during the course.

The exam final exam is on the programme as a whole.

It consists of two parts: pre-selection tests (multiply choice), to verify the knowledge of basic, followed by an oral exam to ensure the comprehension of theory and practical questions in program.

The result of the examination will be expressed in thirtieths.