



General Information	
Academic subject	Institutions of Private Law
Degree course	LMG/01; L-14
Curriculum	
ECTS credits	12 ECTS; 9 ECTS
Compulsory attendance	No, recommended frequency
Language	Italian

Subject teacher	Name Surname	Mail address	DSS
	Concetta Maria Nanna	cetty.nanna@gmail.com	IUS/01

ECTS credits details	Area	CFU/ECTS
Basic teaching activities	12th area	12 ECTS; 9 ECTS

Class schedule	
Period	2nd semester
Year	1st year
Type of class	Frontal lessons and seminar-type activities

Time management	
Hours	96 hours; 72 hours
In-class study hours	
Out-of-class study hours	

Academic calendar	
Class begins	
Class ends	

Syllabus	
Prerequisites/requirements	No prerequisite
Expected learning outcomes	<ul style="list-style-type: none"> <li>• <i>Knowledge and understanding</i> Knowledge and understanding of private law and the main private law institutions. Knowledge and understanding of the interpretative and application dynamics of the relative standards.</li> <li>• <i>Applying knowledge and understanding</i> Ability to apply knowledge and understanding to individual profiles through study and critical examination of relevant cases. Ability to bring the peculiar aspects of the discipline back to the system. Ability to propose solutions in the composition of conflicting interests. Evaluation and analysis of the reference regulatory framework.</li> <li>• <i>Making informed judgments and choices</i> Autonomous processing proven by problem solving skills. Ability to integrate knowledge and manage the complexity of information in order to make appropriate judgments.</li> </ul>

	<ul style="list-style-type: none"> <li>• <i>Communicating knowledge and understanding</i> Ability to expose the acquired knowledge clearly and comprehensively and to adequately argue, using appropriate technical language.</li> <li>• <i>Capacities to continue learning</i> Ability to reasonably and critically report the topics covered. Ability to identify the problem of law and the various solutions that can be envisaged.</li> </ul>
Contents	<p>The legal system: public law and private law. The sources of private law. The sources of european law: TEU, TFEU, regulations, directives, decisions, recommendations and opinions. The temporal effectiveness of the laws. Application and interpretation of the law. Conflicts of laws in space. Subjective legal situations: subjective rights. Legal relationship subjects: natural person and legal person. Legal and acting capacity. The interdiction, incapacitation and support administration. The rights of the personality. Legal relationship: goods. Influence of time on legal events: purchase of a right, prescription and forfeiture. The legal transaction, the legal fact and the non-negotiating act. Classifications of legal transaction. The renunciation. The elements of the legal transaction. Transaction advertising. Divergence between manifestation of will and inner will: impedimental error, physical violence, mental reserve, simulation. The vices of the will. Representation. The contract per person to be appointed. Indirect contract and fiduciary contract. Accidental elements of the transaction. Legal transaction interpretation. Legal transaction pathologies: nullity, voidability and ineffectiveness. Real rights: general characteristics. The property. Real rights of enjoyment: surface, emphyteusis, usufruct, use and housing, easements, communion and condominium, timeshare. Possession. Petitorial and possessory actions. Annunciation actions. Obligations: concept of obligation. Natural obligations. Sources and elements of obligations. Obligations with multiple subjects. Genus and species obligations. Pecuniary obligations. Simple, cumulative, alternative, optional obligations. Voluntary credit guarantees: surety, promise of the fact of a third party, penalty clause, deposit. Subjective active and passive modifications of the compulsory relationship. Ways of extinction of the compulsory relationship. Mora credendi e debendi. Failure attributable and not attributable to the debtor. Civil unlawful act: tort or Aquila liability. Contractual and tort liability: distinctive characteristics. Generic guarantee and specific guarantee: legitimate causes of pre-emption. Legal means of preserving the creditor's asset guarantee. General contract theory. The preliminary contract. Contract assignment. The contractual negotiations. Contract formation process. The offer to the public. The option. The contract in favor of a third party. Pre-emption. The contracts for membership. Termination and termination of the contract. Unilateral promises. Obligations arising from the law. The family: marriage. The family property regime. Legitimate and natural filiation. The adoption. Separation and divorce. Maintenance obligation. The successions: concept of succession. Vocation and delation. Acceptance of the inheritance. Forced acceptance: hypothesis. Pending inheritance. Renunciation of inheritance. Separatio bonorum. The collation. Hereditary communion. Conjunctive or supportive vocation. Hereditatis petitio. Legitimate succession. Actio interrogatoria. The legate. Succession necessary. The testamentary succession. The replacements. The donation. Transcription: real estate advertising.</p>

Course program	
Bibliography	<p>1) TORRENTE A. – SCHLESINGER P. (l. e.), Manuale di diritto privato. Giuffrè: Milano.</p> <p>Or</p> <p>2) NIVARRA L. – RICCIUTO V. – SCOGNAMIGLIO C. (l. e.), Istituzioni di diritto privato. Giappichelli: Torino.</p> <p>Or</p> <p>3) ROPPO V. (l. e.), Diritto privato. Giappichelli: Torino.</p> <p>Special part (only for the LMG/01): NANNA C. M. (2021), Accordi in vista del divorzio. Validità e legittimità degli atti dispositivi del patrimonio familiare. Pacini Giuridica: Pisa.</p>
Notes	
Teaching methods	
Assessment methods	Oral examination
Evaluation criteria	
Further information	