



COURSE: Business contract law			
ACADEMIC YEAR: 2019/2020			
TYPE OF EDUCATIONAL ACTIVITY: Free choice			
TEACHER: Cristina Dalia			
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phone:		mobile (optional):	
Language: Italian			
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ECTS: 6 CFU	n. of hours: 42	Campus: Potenza Dept.: DIMiE Program: Economia Aziendale	Semester: II

EDUCATIONAL GOALS AND EXPECTED LEARNING OUTCOMES. The course aims to guarantee to the student an adequate knowledge of the discipline of the main typical and atypical contracts used by the entrepreneur in the activity of the business contract. The student will know the principles laid down as the foundation of the business contracts and will be able to compare them with those of the general discipline of the contract, in view of the contrast between symmetrical contract and asymmetric contract.

Knowledge and comprehension skills. The student will learn the normative discipline of the main commercial contracts, will acquire the definition of the category of business contracts and will know the principles underlying the B2B contracts and B2C contracts.

Ability to apply knowledge and understanding. The student will be able to identify the type of contract suitable to carry out the economic operations proposed by the professor and will be able to prepare the relevant contract text. He will also be able to identify the main legal issues related to business contracts.

Autonomy of judgment. The student will be able to independently deepen the concepts acquired during the course through the consultation of legal journals and databases for the appropriate doctrinal, jurisprudential and legislative updates.

Communication skills. The student will develop a good argumentative and reasoning skills and will acquire the technical language related to business contracts, necessary for the clear and complete transmission of the acquired knowledge, in order to transfer the legal notions to any non-expert interlocutors.

Learning ability. The course will sensitize the student to the nature of the legal disciplines, subject to constant evolution, stimulating him to refine his knowledge through constant updates on legislation and jurisprudence, in order to acquire the ability to attend in-depth and specialization courses, including post-graduate courses.

PRE-REQUIREMENTS

The study of the topics covered during the course presupposes the knowledge of the general discipline of the contract acquired through the passing of the private law exam.

SYLLABUS

Course contents.

- The sources of contract law.
- Contracts relating to the transfer of goods (sale, international sale, sale of consumer goods, exchange, estimation contract, sale concession).
- Lending contracts (lease, leasing, rent to buy, rent).
- Contracts for the production of goods and provision of services (contract work, agricultural contracts, transport, shipping, storage, tour packages, timeshare, engineering).
- Financing, current account and bank contracts (mortgage, finance lease, factoring, forfeiting, project financing, consumer credit, bank contracts).
- Warranty contracts.
- Brokerage contracts (mandate, commission, trust, agency, mediation, franchising).
- Insurance contracts.
- Contracts for the prevention and settlement of disputes (transaction, assignment of assets to creditors, arbitration). Contractual autonomy of the company and regulatory balance in the contract (general conditions, unfair terms in consumer contracts, abuse of economic dependence).

TEACHING METHODS

The course includes 42 hours of frontal teaching based on the analysis of the main rules of the contracts considered,



to allow the student to distinguish the various types of contracts suitable to carry out the various economic operations. During the lessons the main jurisprudential orientations related to the topics will be analyzed. The student will be involved in in-depth studies, both group and individual, to stimulate his ability to study and draft contractual texts.

EVALUATION METHODS

The achievement of the teaching objectives is certified by passing an exam with evaluation in thirtieths, whose minimum grade is 18/30. The exam consists of an oral test lasting about 15 minutes, divided into four/five questions related to the various parts of the program. For each answer the professor will evaluate: knowledge and mastery of the studied legal institutions, properties of language and ability to articulate thought.

TEXTBOOKS AND ON-LINE EDUCATIONAL MATERIAL

Manuale di diritto privato, a cura di Pasquale Stanzone, Giappichelli, 2017, soltanto il capitolo 59 su "I principali contratti tipici" (da pag. 705 a pag. 785).

Other teaching material provided by the professor.

INTERACTION WITH STUDENTS

The supplementary teaching material will be made available to registered students in accordance indicated by the professor.

Students can contact the professor by email.

EXAMINATION SESSIONS (FORECAST)¹

7/02/2020, 16/03/2020, 11/05/2020, 1/07/2020, 15/07/2020, 21/09/2020, 16/11/2020.

SEMINARS BY EXTERNAL EXPERTS YES NO

FURTHER INFORMATION

¹ Subject to possible changes: check the web site of the Teacher or the Department/School for updates.