**Master's Degree in Law**

Free choice training activity

**Criminal Law in Enterprise**

**Academic Year 2023/2024, II Semester, 6 ECTS credits**

Prof. **Vincenzo Tigano**

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| **Information about the course** | Free choice training activity - II semester – 6 ECTS credits – Hours of lessons 42.  Disciplinary-scientific area IUS/17.  Language of the course: Italian. |
| Professor  Information | Vincenzo Tigano  Department of Law, Economics and Sociology  e-mail: [*vtigano@unicz.it*](mailto:vtigano@unicz.it)  Student Reception: during the course of lessons, at the end of each lesson. In the remaining period, unless otherwise indicated on the website, every Friday, from 10 a.m. to 12 a.m., in the room of Criminal Law Professors of the Department of Law, Economic, and Sociology. |
| Course description | The course is divided into lectures of frontal teaching, for a total of 6 hours a week, spread over three days. |
| **Course aims and expected learning outcomes** | The course aims to analyze the various economic criminal phenomena, also through the examination of the relevant jurisprudence.  Students will have to acquire the skills necessary for the perception of the issues inherent in economic science, influenced by crimes aimed at punishing illicit behavior carried out within the company and the market.  The first part of the course is aimed at providing students with the tools for understanding the entire matter of criminal law in enterprise, with particular attention to the subject of corporate criminal liability. The second part of the course is aimed at analyzing the structure of the individual offences relating to corporate criminal law and bankruptcy and financial law. |
| **Program (contents, methods of execution)**  **Possible distinction between programs of attending and non-attending students** | GENERAL PART  General concepts. Individual responsibility and delegation of functions. The liability of entities pursuant to Legislative Decree n. 231/2001.  SPECIAL PART  Corporate crimes: false corporate communications; patrimonial infidelity; corruption between private individuals. Bankruptcy offenses: general notions; the criminal law provisions provided for by the Code of business crisis and insolvency; fraudulent bankruptcy; simple bankruptcy; exemptions, improper bankruptcy; punitive treatment. Market abuse: supranational sources and general provisions; abuse of privileged information.  Non-attending students are required to observe scrupulously the program indicated in this syllabus.  Attending students will have to follow the instructions that the teacher will give them during the course. It is planned to provide attending students with ad hoc teaching materials (judgments, articles, in-depth studies, etc.), provided during the lessons. |
| **Estimate of the time commitment required for individual study** | Without prejudice to the University didactic regulations and the subjectivity of the study methods of each student, an average study commitment of 150 hours is estimated. |
| **Teaching methods used** | Lessons of frontal teaching, in-depth seminars. |
| **Learning resources (suggested textbooks, any further readings recommended for further study, other teaching material)** | Recommended texts:  **N. Mazzacuva - E. Amati,** Diritto penale dell'economia**, 6th ed., Wolters Kluwer, Cedam, 2023, pp. 3-138; 155-190; 201-338; 351-390;**  **or alternatively:**  **E. Ambrosetti – E. Mezzetti – M. Ronco, *Diritto penale dell’impresa*, fifth edition, Zanichelli, Bologna, 2022, pp. 40-117; 119-157; 187-201; 210-213; 221-251; 259-329**  Further legislative updates and in-depth jurisprudence will be indicated by professor during the course. |
| **Support activities** | Further study paths can be agreed with students. |
| **Attendance modes** | Attendance of the course is optional. |
| **Evaluation methods** | Oral examination.  In order to pass the exam, the student must demonstrate to know sufficiently the program in its entirety and to be able to express it in a satisfactory language on a syntactic and technical level. The total or partial lack of these basic elements will entail the negative evaluation of the test and therefore the student's unsuitability to pass the exam.  Once the presence of these minimum requirements has been established, the evaluation of the student, aimed at identifying the final grade (from 18 to 30) will be carried out using the following parameters shown in schematic form:   |  |  |  |  | | --- | --- | --- | --- | | **Vote** | **Knowledge and understanding of the subject** | **Skills of analysis and synthesis** | **Use of references** | | Unsuitable | Important deficiencies. Significant inaccuracies | Irrelevant. Frequent generalizations. Inability to synthesize | Completely inappropriate | | 18-20 | At threshold level. Obvious imperfections | Barely sufficient capacity | As soon as appropriate | | 21-23 | Routine knowledge | The student is capable of correct analysis and synthesis and argues logically and coherently | The student uses the standard references | | 24-26 | Good knowledge | The student has good analytical and synthesis skills. Arguments are expressed consistently | The student uses the standard references | | 27-29 | More than good knowledge | The student has considerable analytical and synthesis skills | The student has deepened the arguments | | 30-30L | Excellent knowledge | The student has excellent analytical and synthesis skills | Important insights | |