

**Course of Law  
NAVIGATION LAW**

**a. y. 2023/2024, 3th year, 1st semester, 9 ECTS, 63 hours**

**Prof. UMBERTO LA TORRE**

<b>Course Info</b>	Course of Law NAVIGATION LAW a. y. 2023/2024, 3rd year, 1st semester, 9 ECTS, 63 hours  LANGUAGE: ITALIAN
<b>Teacher Information</b>	UMBERTO LA TORRE, full professor SSD IUS/06 ( <a href="mailto:latorre@unicz.it">latorre@unicz.it</a> ) tel. + 39 0961 3694946. The office hours are periodically published on the Department's website <a href="http://www.diges.unicz.it/web">http://www.diges.unicz.it/web</a> .  Meetings can also be arranged on the Google Meet platform. In this case, it is necessary to send a request via email to <a href="mailto:latorre@unicz.it">latorre@unicz.it</a> .
<b>Course Description</b>	The lessons are imprinted to the following criteria: a) to facilitate the understanding of the fundamental institutes, to allow b) the deepening of the matter, through calibrated references to the elaborations of the doctrine and to the applications of the jurisprudence. In such a way, c) the discussion of concrete cases should create the prerequisites for the development of an autonomous critical capacity and evaluation.
<b>Course Objectives and Expected Learning Outcomes</b>	To facilitate the understanding of the most important issues and assure the acquisition of an effective method of study, theoretical and practical elements will be considered. The aim is to stimulate analysis and individual synthesis techniques, essential for an autonomous articulation of legal thought and, in perspective, for an easier entry into the world of work.
<b>Program (contents, modalities) The possible distinction between attending and non-attending program</b>	The program deals with the main aspects of maritime navigation and the main aspects of air law and covers the following topics: The Navigation Law - The public goods intended for navigation; The administrative activity in public goods intended for navigation - (Use of goods; Ports; Airports) -The navigation services (The maritime and inland navigation services; (Maritime and inland waterway services; Air services; Public transport services of regional and local interest); Special navigations (Pleasure; Fishing); The operation of the ship and the aircraft; The auxiliaries of the shipowner and the operator - Contracts for the use of ships and aircraft - Pilotage and towing contracts - Damage caused by aircraft to third parties on the surface - Collision of ships and aircraft - Assistance and salvage.  For out-of-class students and working students, the program is reduced. See the box below on recommended texts for details.

	Specific programs will be agreed upon with the attending students.
<b>Estimated Hours Required for Self-Study</b>	The number of hours to dedicate to the profitable study of the subject varies according to personal skills, the notions already acquired during the academic career, the individual predisposition to deepen the special order, etc. Generally, and considering the above, a diligent student can spend around 126 hours (63 hours of individual study plus 63 hours of class attendance).
<b>Teaching Methods</b>	The course takes place in the first semester of the academic year and is divided into traditional lectures of a general framework of the subject and simulations of case studies, reading and commentary of the most important pronouncements of Italian and foreign jurisprudence, together with the most accredited guidelines of the doctrine. Will be used overhead projectors, PC, video projector, and power point. There will be at least one intermediate test and self-assessment tests.
<b>Learning Resources (recommended textbooks, any additional recommended reading for further study, other learning materials)</b>	<p>Recommended texts:</p> <p style="text-align: center;">A)</p> <ul style="list-style-type: none"> <li>• A. LEFEBVRE D'OVIDIO, G PESCATORE, L. TULLIO, <i>Manuale di diritto della navigazione</i>, XVI ed., Giuffrè, Milano, 2022, only the following paragraphs: 1-5; 11-13; 18-28; 47-64; 65-102; 118-127; 137-143; 195-208; 209-231; 267- 372; 381-386; 387-392; 393-407.</li> </ul> <p>It is recommended study the latest edition of the Handbook.</p> <p>For out-of-course students and working students, the program is reduced and does not include the following parts: - Organized tourism contracts (par. 316- 320) - Pilotage and towing contracts (par. 366-372), - Damages caused by aircraft to third parties on the surface (par. 381-386) – collision of ships and aircraft (par. 387-392) – salvage (par. 393-407).</p> <ul style="list-style-type: none"> <li>• U. LA TORRE, A. ARIU, <i>Tra tutela della sicurezza e violazione delle regole. Il volo Ryanair 4978 del 23 maggio 2021</i>, in <i>Rivista del diritto della navigazione</i>, II/2021, pag. 561-623 (*).</li> <li>• A. L. M. SIA, <i>Il caso del volo Ryanair FR 4978. Alcune riflessioni sulla risoluzione delle controversie in seno all'ICAO</i>, in <i>Diritto marittimo</i>, I/2022, pp. 23-41 (*).</li> </ul> <p>(*) This course material will be made available to those registered on the E-learning platform.</p> <p style="text-align: center;">B)</p> <p>As an alternative to the program sub A), it is possible to opt for</p>

	<p>another textbook, namely:</p> <p>S. ZUNARELLI, M. M. COMENALE PINTO, <i>Manuale di diritto della navigazione e dei trasporti</i>, III ed., Cedam, Padova, 2020, excluding the following parts: Chapter XI (sec. III); Chapter XII; Chapter XIII; Chapter XVII; Chapter XVIII (sec. V, sec. VI); Chapter XXI (sec. I, sec. III), Chapter XXII.</p> <p>For out-of-course students and for working students the program is reduced and does not include (in addition to the chapters already excluded, see above) the parts related to the contract of carriage in general (Chapter XI), the rescue (Chapter XXIII) and the general average (Chapter XXIV).</p> <p><b>Erasmus students</b> may choose to submit five chapters of their choice from those indicated in the syllabuses under A or B). They will have to write an in-depth thesis on a topic of their choice (other than those covered by the examination syllabus) that carries out a comparative analysis between the regulations in force in Italy and those in their country of origin.</p>
<p><b>Supporting Activities</b></p>	<p>The support activity, by the teacher, is carried out during office hours, scheduled, and published well in advance.</p>
<p><b>Frequency Mode</b></p>	<p>Attendance is not compulsory, but given the complexity of some of the institutes, it is recommended.</p>
<p><b>Methods of Assessment</b></p>	<p>The general modalities are indicated in the didactic regulation of the University at art.22 available at the link <a href="http://www.unicz.it/pdf/regolamento_didattico_ateneo_dr681.pdf">http://www.unicz.it/pdf/regolamento_didattico_ateneo_dr681.pdf</a></p> <p><b>Intermediate test and final exam.</b> It is foreseen, for the students who have attended the course, an intermediate exam of a part of the program that will be oral.</p> <p>The students who have passed the intermediate test will take the exam on the remaining part of the program. The final examination will be conducted in oral form.</p> <p>The student must be able to carry out correct analyses, supported by logical arguments such as to demonstrate the knowledge of the fundamental institutes of the discipline.</p> <p>The evaluation, more or less high, is graded according to the combination of a series of elements not considered in isolation but integrated with each other. It alludes to the property of language, to the knowledge of the various institutions of special law, to the orientations of doctrine and jurisprudence, and, more generally, to the ability to connect, in a vision of synthesis, the skills acquired.</p> <p>The exam is passed if the candidate reaches a minimum grade of at least 18/30. The criteria listed in the following table will be used:</p>

<b>Vote</b>	<b>Knowledge and understanding of the topic</b>	<b>Analysis and synthesis skills</b>	<b>Use of references</b>
Ineligible	Significant deficiencies. Significant inaccuracies	Irrelevant. Frequent generalizations. Inability to synthesize	Completely inappropriate
18-20	Level Threshold. Obvious imperfections	Just sufficient ability	Just appropriate
21-23	Routine knowledge	Can analyze and synthesize correctly. Argues logically and coherently	Uses standard references
24-26	Good knowledge	Has good analytical and synthesis skills. Topics are expressed coherently	Uses standard references
27-29	More than good knowledge	Has remarkable analytical and synthesis skills	Has deepened the topics
30-30L	Excellent knowledge	Has excellent analytical and synthesis skills	In-depth study