

**Università degli Studi di Salerno**  
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**- DIRPE -**

**DOTTORATO DI RICERCA**  
**“COMPARAZIONE E DIRITTI DELLA PERSONA”**  
**Coordinatore Ch.mo Prof. Pasquale Stanzone**

**XI CICLO Nuova serie**

**Abstract**

**“Complessità delle operazioni contrattuali e  
interesse delle parti”**

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*Anno accademico: 2011-2012*

## **Abstract**

The so-called complex contractual operations represent a phenomenon of expression of private autonomy, who is functional to the satisfaction of concrete interests that reflect or that occur because of contingents aspects of the socio-economic reality. Among all the dogmatic categories, there is also the nexus of contract (collegamento negoziale) which is the consequence of the need to give an exhaustive response to the business that cannot be channeled in a contractual typing at times unsatisfactory. The examination of the figure of the nexus of contract (collegamento negoziale) moves through the examination of single contractual hypothesis, consumer credit, leasing, handling, sales concession, according to a methodology that from the normative data comes only to the jurisprudential data examination, enhancing the role of the interpreter of the evaluation of the concrete interests. But, in front of indiscriminate use of the juridical category above mentioned, particularly in the context of enterprise's contracts, the question was, on the one hand, if it is still current and useful, in our jurisdiction and in the German and French as well, and on the other hand, albeit through a vision diametrically opposite but supported by the action of the European legislator, compared to him either the French and German models are anticipatory, if the nexus of contract (collegamento negoziale) can be validated, no longer as an empirical and conceptual category drafted by the doctrine and applied to the jurisprudence but as fundamental principle of the European contract law, expression of that additional and now established principle, even within the European Union, represented by the contractual freedom.