

Private and public law
Invalidity and termination rights
Summary of the main legal reference texts

1. Invalidity of agreements

- Nullity: art. 1418 of the Italian Civil Code
- Voidability: art. 428, 1429, 1439, 1434 and 1442 of the Italian Civil Code
- Partial nullity: art. 1419 of the Italian Civil Code
- Conditions precedent and subsequent: art. 1353 of the Italian Civil Code

2. Termination rights

- Termination (*risoluzione*): art. 1453 of the Italian Civil Code
- Right to suspend performance of contractual obligations: art. 1460 of the Italian Civil Code
- “*Clausola risolutiva espressa*”: art. 1456 of the Italian Civil Code
- “*solve et repete*” clause: art. 1462 of the Italian Civil Code

3. Penalties and restoration of damages

- Penalty clause: art. 1382 of the Italia Civil Code
- “*caparra confirmatoria*”: art. 1385 of the Italian Civil Code
- “*caparra penitenziale*”: art. 1386 of the Italian Civil Code