TEST DI ISTITUZIONI DI DIRITTO PRIVATO II - SCIENZE DEI SERVIZI GIURIDICI (Docente: E.Panzarini) Lunedì 11 dicembre 2017 - ore 17:00

1. La gestione di affari altrui:
   a) **Fa sorgere obbligazioni a carico del gestore e dell'interessato**
   b) Fa sorgere obbligazioni a carico del solo interessato
   c) Fa sorgere l'obbligazione naturale dell'interessato a rifondere delle spese il gestore

2. Il possesso è illegittimo:
   a) **Quando il possessore non è anche proprietario della cosa**
   b) Solo quando il possessore è di mala fede
   c) Quando il possessore ha anche la detenzione del bene

3. La sentenza che accoglie l'azione revocatoria promossa dal creditore per revocare un atto di disposizione del debitore
   a) Rende nullo l'atto di disposizione
   b) **Rende inefficace l'atto di disposizione nei confronti del creditore che ha agito**
   c) Consente a tutti i creditori del debitore di opporre il proprio credito nei confronti del terzo che ha acquistato a titolo gratuito il bene oggetto del negozio revocato

4. Se nel testamento il testatore non rispetta le quote riservate ai suoi legittimari:
   a) Il testamento è nullo
   b) Il testamento può essere annullato
   c) **Il testamento è valido, ma i legittimari possono agire per la riduzione delle disposizioni testamentarie o delle donazioni lesive della loro quota riservata**

5. Quale delle seguenti affermazioni è errata:
   a) Un terzo può adempiere l'obbligazione del debitore anche se il creditore si oppone, purché non si tratti di prestazione caratterizzata dall'intuitus personae
   b) Il debitore può eseguire una prestazione diversa da quella originaria, se il creditore vi consente
   c) **Se il debito viene ceduto ad un terzo, il debito tra debitore e cedente si estingue e viene sostituito da un nuovo debito tra debitore e cessionario**

6. Quale delle seguenti affermazioni è esatta:
   a) **Se le parti non prevedono diversamente la novazione oggettiva comporta l'estinzione delle garanzie accessorie del credito**
   b) Il creditore non può rimettere il debito se si tratta di un debito non liquido ed esigibile;
   c) La delegazione di debito è sempre liberatoria

7. E' imputabile dell'illecito e risponde del danno:
   a) l'incapace di intendere e di volere al momento in cui il fatto dannoso si verifica, quando lo stato di incapacità non deriva da sua colpa
   b) **il minorenne che abbia la capacità naturale di intendere e di volere**
   c) l'interdetto, mentalmente infermo, sfuggito ai soggetti tenuti alla sua sorveglianza

8. Quale dei seguenti istituti consente all'erede di non rispondere con il suo patrimonio dei debiti ereditari?:
   a) **L'accettazione dell'eredità con beneficio di inventario**
   b) La separazione dei beni del defunto
   c) L'azione di riduzione

9. La notificazione al debitore della cessione del credito:
   a) Limita la responsabilità del cedente al solo caso in cui il credito non esista
   b) Consente al debitore di opporre tutte le eccezioni opponibili al cedente anche al cessionario
   c) **Rende la cessione opponibile al debitore e ai terzi**

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