



UNIVERSITÀ  
DEGLI STUDI DI MILANO-BICOCCA

## SYLLABUS DEL CORSO

### Diritto Fallimentare

2021-5-A5810199

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#### Learning objectives

Learning special and typical rules of bankruptcy procedures let the student achieve skills and a critical approach in professional management of bankruptcy proceedings both ex latere debitoris and ex latere creditoris.

#### Contents

The course concerns bankruptcy, composition before bankruptcy, extraordinary management for insolvent corporate and crisis negotiations. These procedures are regulated in the law n. 267/1942 ("Legge fallimentare") and n. 14/2019 ("Codice della crisi d'impresa e dell'insolvenza") \_\_\_\_\_

#### Detailed program

The course concerns:

- the general rules of failure procedures;
- bankruptcy (eligibility; adjudication; trustee, bankruptcy judge and bankruptcy court; effects on debtor and creditors; fraudulent and avoidable transfers; executory contracts; proof and allowance of claims; compulsory winding-up; composition before bankruptcy; bankruptcy closure);
- some elements of other failure procedures.

#### Prerequisites

Knowledge of civil law, corporate law and civil procedure.

## Teaching methods

Lectures and, in the second part of the course, casuistic case study method.

Until the end of the coronavirus outbreak (COVID-19), lessons will be recorded and uploaded in the course 2020/2021 e-learning page. Specific on-line lessons will be anyhow scheduled.

## Assessment methods

Oral exam.

Until the end of the coronavirus outbreak (COVID-19), exams will be made through **Webex** platform via the e-learning campus website, where a special link will be provided for students and any other attendees.

It is important recalling that:

- 1) enrolling via Segreteriaonline is still required, preferably within **5 days** before the exam date;
- 2) joining the e-learning page 2020/2021 of the course is mandatory to access the exam link;
- 3) any other technical infos will be published in the 2020/2021 e-learning page of the course;
- 4) students are invited to check their internet connection before the exam.

## Textbooks and Reading Materials

1. L. GUGLIELMUCCI, Diritto fallimentare, Giappichelli, ult. ed.

Or

2. G. FAUCEGLIA, Il nuovo diritto della crisi e dell'insolvenza, Giappichelli, ult. ed.

Or

3. A. NIGRO - D. VATTERMOLI, Diritto della crisi delle imprese, ult. ed.

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