UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Business Crisis and Insolvency Law

2627-2-F7703M021

Learning objectives

Students will have the opportunity to gain a sound understanding of the tools for the negotiated resolution of corporate crises, the institution of compulsory liquidation, over-indebtedness and administrative procedures (compulsory administrative liquidation and special administration of large insolvent companies), from both a theoretical and practical perspective, in relation to potential future professional roles for those who, in practising as chartered accountants, will take on various responsibilities.
By the end of the course, students will have acquired the ability to assess the early warning signs of insolvency in commercial enterprises, the possible remedies available and, in the event of failure, the consequences of judicial liquidation (bankruptcy). The development of communication skills will be fostered by encouraging students to take an active part in lessons and to participate in discussions relating to practical cases and legal precedents.

Contents

The course on corporate crisis and insolvency law focuses on the study of the instruments for the negotiated resolution of corporate crises, the institution of compulsory liquidation, over-indebtedness and the administrative procedures involved in compulsory liquidation, with particular attention to the relationship between the universal nature of the Corporate Crisis and Insolvency Code and the variety of procedures available. In this context, adequate organisational, administrative and accounting structures are of fundamental importance for the timely detection of a crisis and its resolution.

Detailed program

Pre-judicial composition, composition in judicial liquidation, certified recovery plans, out-of-court agreements (debt restructuring agreements and moratorium agreements, restructuring plans subject to court approval), the grounds

for judicial liquidation, the commencement of proceedings, the administration of assets subject to compulsory liquidation, the restoration of financial security, the enforcement of creditors' claims and the settlement of claims in insolvency proceedings, the liquidation process, the termination of liquidation proceedings, over-indebtedness, administrative procedures (compulsory administrative liquidation and extraordinary administration of large companies in crisis).

Prerequisites

Knowledge of the principles relating to contracts and obligations.

Teaching methods

Traditional lectures.

Assessment methods

Oral examination. There are no mid-term assessments.
Assessment criteria: thorough preparation, appropriate language.

Textbooks and Reading Materials

A textbook of your choice:
AAVV, Diritto Commerciale - Volume II - Diritto della crisi di impresa, edizione 2025, Giappichelli.
SIDO BONFATTI, PAOLO FELICE CENSONI, Manuale del diritto della crisi e dell'insolvenza, edizione 2025, Wolters Kluwer - CEDAM Scienze Giuridiche.

An up-to-date Civil Code of your choice:
Codice civile e leggi collegate, a cura di GIORGIO DE NOVA, edizione 2026, Zanichelli.
Codice civile e leggi complementari, a cura di FRANCESCO BARTOLINI, edizione 2026, La Tribuna.

Semester

First semester.

Teaching language

Italian

Sustainable Development Goals