# Restructuring and Insolvency Law

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***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

The course aims to illustrate Restructuring and Insolvency Law, as contained in the related Code, as well as the extraordinary administration regulations of large firms in crisis, relating it to corporate law, obligations law and civil procedure law.

At the end of the course, students must be able to identify the sources and distinguish the contents of primary legislation of the subject, understand its logics and create appropriate links.

***COURSE CONTENT***

Restructuring and insolvency principles; the subjects; prerequisites; early warning; negotiated arrangement; procedures for regulating crisis and insolvency; restructuring plan; simplified composition agreement with creditors; judicial liquidation; procedures for the settlement of over-indebtedness crisis; discharge of debt; compulsory administrative liquidation; extraordinary administration of large insolvent companies and special extraordinary administration.

***READING LIST***

The recommended textbook is:

G. D’Attorre, *Manuale di diritto della crisi e dell’insolvenza*, Giappichelli, ult. ed..

***TEACHING METHOD***

The course will consist of regular frontal lectures.

***ASSESSMENT METHOD AND CRITERIA***

The final exam aims to assess students’ achievement of the teaching objectives. The learning assessment will be based on a final oral exam consisting of questions related to significant parts of the course and designed to verify the level of overall knowledge achieved by students, their ability to express themselves adequately, to critically address the subjects studied and to connect the various parts of the syllabus.

The final mark will equally depend on students’ mastery of argumentation and legal language, their critical view of the topics covered during the course, and their ability to connect the various parts of the course.

More specifically, the oral test consists of a series of questions on the course textbooks and the final mark will result from the average of the scores obtained in the answers. Students who achieve a comprehensive view of the topics addressed during lectures combined with their critical use, good presentation skills and command of specific language will be assigned excellent marks. Students demonstrating unstructured synthetical and analytical skills and/or a correct but not always appropriate use of language will be assigned satisfactory marks; knowledge gaps and/or inappropriate language - in a context characterised by a minimal knowledge of the exam material - will be assigned pass marks. Students with knowledge gaps (such as, for example, ignoring a part of the textbooks scheduled for the course), inappropriate language, and lack of familiarity with the reading list materials provided during the course, can only be assigned fail marks.

***NOTES AND PREREQUISITES***

We remind students that the exam cannot be taken before passing the Commercial Law and Civil Law exam; an adequate knowledge of "Patrimonial" Civil Law (obligations and contracts) is also recommended.

In the event that the current Covid-19 health emergency does not allow frontal teaching, remote teaching will be provided through procedures that will be promptly notified to students.

Further information can be found on the lecturer's webpage at http://docenti.unicatt.it/web/searchByName.do?language=ENG or on the Faculty notice board.