**Business Crisis Law**

Prof. Amedeo Valzer

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

The course aims to explore the legal framework on business crisis management. In particular, it aims to introduce – from a theoretical and practical perspective – the institutions that are responsible for the identification and prevention of business crisis, and analyse the collective procedures aimed at conservation or liquidation. Furthermore, the course aims to illustrate the procedures reserved for the economic operators other than commercial firms.

At the end of the course, students will be able to:

1. identify the functions and the objectives of the procedures analysed during the course;

2. apply the competences acquired following a professional approach aimed to debate and solve collective low issues;

3. make judgments and assessments based on information – also when incomplete – and integrate their knowledge with relevant legislation, case law, and legal practices;

4. clearly express their point of view in front of specialists and non-specialists;

5. outline the critical issues that may arise from business crisis management, and take all the required actions with a high degree of autonomy.

***COURSE CONTENT***

1. The concept of crisis requiring legal action. 2. The negotiated settlement of the business crisis. 3. Out-of-court agreements and recovery plans. 4. Restructuring agreements (proposal and effects). 5. Access to collective procedures (application; judicial office; effects). 6. The company voluntary arrangement (proposal; administration; effects; creditors’ vote; homologation; execution; resolution and invalidation). 7. Judicial liquidation (the role played by the curator; effects; net worth and its reconstruction; liabilities; liquidation; closure of the procedure). 8. Settlement procedures for over-indebtedness crises (an introduction)*.*

***READING LIST***

Relevant legislation:

The Crisis and Insolvency Code (legislative decree of 12 January 2019, n. 14), and all the additional laws indicated in class or listed in the textbooks below.

Textbook of reference:

D’Attore Giacomo, *Manuale di diritto della crisi e dell'insolvenza,* Giappichelli, Torino, 2022 (or later editions).

Further information will be made available in class, on the lecturer’s webpage, and on Blackboard.

***TEACHING METHOD***

Frontal lectures.

***ASSESSMENT METHOD AND CRITERIA***

Oral exam, aimed to assess the achievement of the learning outcomes mentioned above, and consisting in three questions on the different parts of the course syllabus. Assessment criteria: knowledge of the topics explained during the course (up to 18 points); ability to use argumentation and critical thinking skills, and find connections between the different topics presented in class (up to 7 points); use of appropriate terminology (up to 5 points). There will be no interim test.

***NOTES AND PREREQUISITES***

Class attendance is strongly recommended. In addition, students are invited to attend this course only after having passed the Commercial Law exam.

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.