

Degree in Business Administration and Management
Bankruptcy Law
Academic year 2023/2024, 1st year, 1st semester, 6 CFU

Prof. Aldo Laudonio

Course Information	Bankruptcy Law (IUS/04) - 6 CFU - 1 st year - 1 st semester - a.y. 2023/2024
Professor Information	Prof. Aldo Laudonio website: http://www.diges.unicz.it/web/docenti/laudonio-aldo/ email: aldo.laudonio@unicz.it
Course description	<p>The course is focused on the acquisition of the knowledge of the rules and dynamics underlying the judicial or extrajudicial solution of business crises, especially following the many reforms that have recently reshaped the law and in the perspective of the future introduction of the Business Crisis and Insolvency Code.</p> <p>In particular, special attention will be paid to the liquidation procedures, carrying out, when possible, parallel exams of composition procedures, trying to decipher the purposes pursued by the legislator in the search for the balance between the goal of satisfying creditors' claims and the interest for the preservation or rehabilitation of business organizations.</p>
Course goals and learning objectives	<p>The bankruptcy law course aims to introduce the student to the system of rules that presides over the pathological phase of business activities and regulates its crisis. Through the analysis of cases that have actually presented themselves to the attention of the courts, critical reasoning and the ability to solve problems thanks to the knowledge acquired will also be stimulated. Upon completion of the course, the student must have acquired a good level of mastery of the technical language of bankruptcy law and the ability to easily recognize the institutes of which it is composed, applying the current legislation to the various problems that will actually be submitted to him.</p> <p>Knowledge and comprehension.</p> <p>With regard to the legal area, the BAM student, after having acquired a broad basic training in the three-year initial course, will acquire further specialized knowledge in tax, commercial, bankruptcy and transport law.</p> <p>Ability to apply knowledge and comprehension.</p> <p>The educational path in legal subjects is aimed at combining knowledge of the rules, procedures and legal institutions with the treatment of case studies, with particular attention to corporate ones, and with the appropriate case law and doctrinal references. Graduates must know how to apply the current legislation to the various cases that will actually be submitted to them, also in relation to highly specialized issues, using techniques and methodologies attentive to a general approach, although never separated from the observation of practice, as well as being able to search and use sources (law, best practices, databases, online available information).</p>

Program	The program will focus on the following topics: conditions and declaration of bankruptcy, bankruptcy procedure bodies, regulation of pending contracts, revocatory actions, effects of bankruptcy, with particular reference to the protection of bank credits and litigation in banking matters, main features of the verification of credits and their settlement, end of the bankruptcy proceeding and discharge, bankruptcy composition agreement, corporate bankruptcy, composition agreements, certified recovery plans, debt restructuring agreements, agreements with banking/financial intermediaries, standstill agreements.
Expected student workload	80 hours
Teaching methods	Frontal instruction, case simulations.
Learning resources	<p><u>Textbooks</u></p> <p>- G. D'Attorre, “Manuale di diritto della crisi delle imprese e dell'insolvenza” (2022) – 2nd ed. – Giappichelli (pp. 19 - 46, 53 - 381)</p> <p><u>Further readings</u></p> <p>It is recommended to <u>always</u> read the updated bankruptcy law (or the Business Crisis and Insolvency Code) and the other laws mentioned in the textbook. You can refer to the site: http://www.normattiva.it</p>
Support activities	Subject-specific seminars.
Attendance policy	The attendance policy is established by art. 8 of the University teaching regulation: http://www.unicz.it/pdf/regolamento_didattico_ateneo_dr681.pdf .
Examination	No midterm exams are scheduled.

The final exams will be written, as specified in separated guidelines.

	Knowledge and comprehension	Analysis and synthesis
Fail	Important gaps/mistakes/ lexical inaccuracies Confusion	Irrilevant Inappropriate use of digressions and generalizations
18-20	Minimal orientation skills in the subject Evident imperfections/gaps	Barely sufficient
21-23	Superficial knowledge Serious imperfections	Uncorrect method not supported by coherent presentation/reasoning
24-26	Good knowledge, albeit non supported by substantial critical/systematic ability	Correct method supported by coherent presentation/reasoning
27-29	Remarkable knowledge, supported by orientation skills in the subject and considerable critical thinking	Correct method supported by coherent presentation/reasoning with hints of originality
30-30L	Excellent knowledge supported by outstanding orientation skills in the subject and profound critical thinking	Correct method supported by coherent presentation/reasoning with noticeable originality