UNIVERSITÀ DEGLI STUDI DI BARI ALDO MORO

Dipartimento di Giurisprudenza

Main information on teaching	**2024/2025**
Name of the course	***Diritto della Crisi di Impresa e dell'Insolvenza*** ***Bankruptcy Law***
Course of studies	*LMG; LMGI; SSG; ConsLav (Caratterizzante 6 cfu)*
Year of the Course	---
(CFU) / European Credit Transfer and Accumulation System (ECTS)	**9**
SSD	GIUR-02/A – *Business Law [IUS/04 Commercial Law] - 12/GIUR-02*
Language	*Italian*
Period	*2° semester from 17/02/2025 to 23/05/2025*
Attendance requirement	*Optional*

Professor	***Vincenzo Vito CHIONNA***
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Office	*Dipartimento di Giurisprudenza-Palazzo F. Cassano-Corso Italia, 23-piano 2°*
Reception (days, times and arrangements)	*On Friday from 10:30 to 12:00* *N.B. During the months of the lessons the timetable may change. Students are invited to consult the institutional pages of the professor*

Syllabus	
Learning objectives	*Due to the entry into force of D. lgs. 14/2019 ("Code of Business Crisis and Insolvency"), a decree that radically reorganised the regulatory framework for the regulation of crisis and insolvency of companies, it is essential to focus the study of the subject on the relevant innovations intended to characterize the system of business crisis and insolvency.*
Prerequisites	*Private Law*
Teaching content (Programme)	***Module from 3 credits*** *The law of crisis and insolvency. The timely emergence of the business crisis. The negotiated settlement of the crisis. The provisions common to the regulatory instruments. The certified recovery plan, the agreements restructuring and the moratorium agreement. The prior arrangement. The restructuring plan subject to approval. The simplified arrangement for the liquidation of assets* ***Module of 6 credits*** *- In addition to everything already proper to the form from 3 CFU, The judicial liquidation and The crisis and insolvency in the groups of companies.* ***Module of 9 credits*** *- In addition to everything already own the 6 CFU module, . Procedures for over-indebtedness, compulsory administrative winding-up and the extraordinary administration of insolvent large companies.*
Reference texts	***Module from 3 credits***

	✓ *G. D'ATTORRE, Manuale di diritto della crisi e dell'insolvenza, Giappichelli, Torino, ultimaedizione, (Capitoli 1, 2 , 3, 4, 5, 6, 7 e 8).* *o, in alternativa:* ✓ *G. FAUCEGLIA, Il nuovo diritto della crisi e dell'insolvenza, Giappichelli, Torino, ultimaedizione (Capitoli corrispondenti ai temi del modulo);* ***Module from 6 credits*** ✓ *G. D'ATTORRE, Manuale di diritto della crisi e dell'insolvenza, Giappichelli, Torino, ultimaedizione, (Capitoli 1, 2 , 3, 4, 5, 6, 7, 8, 9 e 10).* *o, in alternativa:* ✓ *G. FAUCEGLIA, Il nuovo diritto della crisi e dell'insolvenza, Giappichelli, Torino, ultimaedizione (Capitoli corrispondenti ai temi del modulo);* ***Module from 9 credits*** ✓ *G. D'ATTORRE, Manuale di diritto della crisi e dell'insolvenza, Giappichelli, Torino, ultimaedizione (per intero).* *o, in alternativa:* ✓ *G. FAUCEGLIA, Il nuovo diritto della crisi e dell'insolvenza, Giappichelli, Torino, ultimaedizione (Capitoli corrispondenti ai temi del modulo);*

Organization of didactic			
Hours			
Total	**Total Frontal Teaching**	**Practice (laboratory, field, exercise, other)**	**Individual study**
225	**72**		**153**
CFU/ETCS			
9			

teaching methods	
	Conventional teaching methodology. *Where possible, seminars will be led by experts in the field (judges and lawyers), with whom direct experience will be agreed.*

Learning outcomes planned	
Knowledge and understanding	*The course provides students with the cognitive tools necessary to:* *o Place the different cases in the legal system;* *o Understand the ratio of the institutes, the interests protected, the exception or imperative of the rules;* *o To identify the problems of interpretation of the definitions and the rules applicable to them;* ○ *o Know the rules of the company law of the crisis*

Applied knowledge and understanding	*The course allows students, thanks to the skills and technical knowledge, to:* *o Describe the specific circumstances* *o Solving practical cases* ○ *o Use hermeneutical techniques to arrive at practical solutions.*

Transversal skills	*Autonomy of judgment* *The course allows students to acquire:* *The critical and analytical capacity of the interpretative questions underlying the* *positive discipline, aimed at the resolution of practical cases and the autonomy of judgment* *or* *Communication skills* *The course allows you to acquire the typical skills of the positive jurist, namely: amely:* *o The ability to express oneself through the specialized technical language of business economics and law* *o The ability to clearly and comprehensively report the knowledge acquired* *Ability to learn independently; At the end of the course the student must be able to develop processes of autonomous learning, based on a reconstruction of the system 'enterprise', having regard both to the specific discipline and to the principles and thus also taking into account the problems relating to their balancing.*
Assessment	
Methods of monitoring learning	*Final oral exam* *No exemptions, written tests or other means of verification.*
Assessment criteria	*1) The method of assessment of the knowledge and skills acquired is that of the oral examination, with specific questions from which to verify the degree of deepening of the regulatory knowledge, and then go on to investigate the ability to understand the legal institutions in their systematic placement and to identify the exegetical problems posed by the laws;* *1) 2) The exam ends with the assignment of a grade*
Criteria for measuring learning and attribution of the final vote	*The examination of Commercial Law I takes place in oral form, with a variable number of questions and such as to allow the preparation in each main part of the program.* *During the oral interview, the following will be verified: (a) the learning of the notions and rules of the institutions subject to examination; (b) the ability to present notions and rules according to correct technical terminology; (c) the effective exegetical understanding of the institutions, the rationale of the rules and the interests protected, including through "case-related" applications; (d) the ability to place institutions in the context of the legal system and to liaise with other civil and commercial law institutions.* *The final vote represents, in principle, an average of the judgments obtained in each specific knowledge and/or competence. In any case, a sufficient assessment for each objective is required to pass the examination, based on the answers given to the questions formulated for the different subject areas of teaching.* *The grade is expressed in thirtieths. The assessment will take into account the level of preparation achieved according to the above-mentioned criteria and, in line with the expected learning outcomes, the different levels of preparation will lead to different judgements: excellent (30/30 cum laude), very good (28/29), good (25/27), fair (21/24), sufficient (18/20).*

Awarding thesis	*Students can request the assignment of the thesis only after passing the exams of Commercial Law I and II on the day of receipt indicated by the teacher with the subscription of the form downloadable from the website of Department.*