

# Decreto Fallimenti

**Fernando Leonini**

La nuova legge fallimentare. Dal D.Lgs. 5/2006 al Decreto correttivo 169/2007 Giorgio Cherubini, Massimo Di Terlizzi, 2007

Istituzioni di diritto fallimentare Umberto Navarrini, 1946

**Diritto Fallimentare** Fonte Wikipedia, 2013-09 Fonte: Wikipedia. Pagine: 30. Capitoli: Fallimento, Liquidazione coatta amministrativa, Concordato preventivo, Procedura concorsuale, Concordato fallimentare, Amministrazione straordinaria, Par condicio creditorum, Amministrazione straordinaria speciale, Piano di risanamento, Esdebitazione, Tribunale fallimentare, Debito non garantito, Azione revocatoria fallimentare, Insolvenza, Accordo di ristrutturazione, Amministrazione controllata, Curatore fallimentare. Estratto: Nell'ordinamento giuridico italiano, il fallimento è una procedura concorsuale liquidatoria, che coinvolge l'imprenditore commerciale con l'intero patrimonio e i suoi creditori. Tale procedura è diretta all'accertamento dello stato di insolvenza dell'imprenditore, all'accertamento dei crediti vantati nei suoi confronti e alla loro successiva liquidazione secondo il criterio della par condicio creditorum, tendendo conto delle cause legittime di prelazione. Il fallimento è regolato dal regio decreto legge 16 marzo 1942, n. 267 (legge fallimentare), e . Detta legge è stata modificata anche di recente, dal decreto legislativo 9 gennaio 2006, n. 5 e dal decreto legislativo 12 settembre 2007, n. 169. Nei piani originari delle riforme legislative messe in cantiere fra le due guerre, la disciplina del fallimento avrebbe dovuto trovare sede nel nuovo codice di commercio, come era avvenuto per il Codice di Commercio del 1882. Ma a lavori preparatori a buon punto, ci fu un brusco cambio di rotta. Nel 1940, Benito Mussolini decise di dar corso all'unificazione del diritto privato. Di conseguenza, il progetto di codice di commercio fu abbandonato, e i materiali già pronti furono in parte riversati nel codice civile allora in fase di allestimento e, per la parte relativa alle procedure concorsuali, in un provvedimento legislativo a se stante: il regio decreto legge 16 marzo 1942, n. 267, noto come legge fallimentare. Il testo originario di tale regio decreto legge fu redatto da alcuni componenti del...

**Il fallimento** Virgilio Andrioli, Pietro Guerra, Onofrio Fanelli, Gian Domenico Magrone, Italy, 1955

**Legge fallimentare** Italia, 2015-11-27 Legge fallimentare Regio Decreto 16 marzo 1942, n. 267. Disciplina del fallimento, del concordato preventivo, dell'amministrazione controllata e della liquidazione coatta amministrativa. (Gazzetta Ufficiale del 6 aprile 1942, n. 81) Italia

*La riforma del fallimento* Marcello Pollio, Marino Longoni, 2019-02-21 Ci sono voluti alcuni decenni per vedere alla luce la riforma della legge fallimentare e quasi tre anni perché dal progetto Rodorf si arrivasse al decreto legislativo che introduce il primo testo unico della crisi d'impresa e dell'insolvenza. La guida di ItaliaOggi presenta e spiega tutte le novità della riforma per imprese e professionisti. Una riforma che impatta tutte le società e gli organi di governance e che nessuno potrà esimersi di conoscere.

Codice del fallimento, 1950

*La revocatoria ordinaria e fallimentare nel decreto sulla competitività. Aggiornato alla riforma del diritto fallimentare* 2006 Nunzio Santi Di Paola, 2006

**Codice del nuovo fallimento e delle altre procedure concorsuali** Fernando Leonini, 2014-10-10T00:00:00+02:00 L'Opera è aggiornata con il D.L. 12 settembre 2014, n. 132, di riforma della giustizia civile, che ha, fra l'altro, recato modifiche alle norme sul processo esecutivo e la L. 11 agosto 2014, n. 114, di conversione, con modificazioni, del D.L. 24 giugno 2014, n. 90, che ha modificato, fra l'altro, la disciplina delle spese di giustizia per la procedura fallimentare.

**Fallimento e concordato fallimentare** Alberto Jorio, 2016-03-08 La nuova disciplina del fallimento si inserisce nella più ampia riforma delle procedure concorsuali prevista dal decreto legge n. 35/2005 e dai decreti successivi. Non si è trattato di una vera e propria rifondazione delle discipline concorsuali, ma di un adattamento allo spirito nuovo di regole ritenute in parte obsolete. Sull'esempio di altre legislazioni, sono state introdotte regole dirette a valorizzare maggiormente le opportunità di salvaguardia delle imprese in crisi e a disegnare una nuova configurazione dei rapporti tra gli attori delle procedure: debitore, creditori, giudici, organi di gestione e di controllo. Il volume, strutturato in due tomi, esamina criticamente dottrina e giurisprudenza; in particolare i principali temi trattati sono: la liquidazione coatta amministrativa, gli effetti del fallimento, l'apertura e la chiusura del fallimento, l'esdebitazione, l'accertamento del passivo, il tribunale fallimentare e il concordato fallimentare. Una parte è dedicata anche al diritto europeo. PIANO DELL'OPERA Cap. 1. I presupposti del fallimento Cap. 2. Liquidazione coatta amministrativa e fallimento Cap. 3. La cessazione dell'impresa. Obblighi Cap. 4. L'iniziativa per la dichiarazione di fallimento. L'iniziativa del pubblico ministero Cap. 5. La competenza per la dichiarazione di fallimento. Il conflitto positivo di competenza Cap. 6. Diritto europeo Cap. 7. Istruttoria prefallimentare e trattazione giudiziale dell'insolvenza di impresa Cap. 8. Il sistema delle impugnazioni. La revoca del fallimento Cap. 9. Il tribunale fallimentare. La competenza del tribunale fallimentare Cap. 10. Il giudice delegato Cap. 11. I reclami endofallimentari Cap. 12. Il curatore Cap. 13. Il comitato dei creditori: nomina, funzioni Cap. 14. Gli effetti del fallimento per il fallito Cap. 15. Il concorso nel fallimento Cap. 16. Gli effetti del fallimento per i creditori: creditori privilegiati e chirografari. Compensazione e obbligazioni solidali Cap. 17. Gli effetti del fallimento sugli atti pregiudizievoli ai creditori Cap. 18. Le esenzioni dalla revocatoria. Piani attestati. Accordi di ristrutturazione. Concordato preventivo Cap. 19. Art. 67: Le

esenze previste dall'art. 67, comma 3, lett. a), b), c), f) Cap. 20. Gli effetti sui rapporti giuridici preesistenti Cap. 21. Associazione in partecipazione Cap. 22. Conto corrente, mandato e commissione Cap. 23. Il contratto di lavoro Cap. 24. Il contratto di affitto d'azienda pendente Cap. 25. Locazione di immobili Cap. 26. Appalto Cap. 27. Contratto di assicurazione Cap. 28. Contratto di edizione Cap. 29. Clausola arbitrale Cap. 30. Custodia e amministrazione delle attività fallimentari Cap. 31. L'accertamento del passivo Cap. 32. Domande tardive. Insufficienza di attivo. Domande di rivendica e restituzione Cap. 33. Esercizio provvisorio e affitto d'azienda Cap. 34. La liquidazione dell'attivo. La vendita dell'azienda. Vendita dei beni mobili e immobili Cap. 35. La distribuzione dell'attivo e il rendiconto Cap. 36. La chiusura e la riapertura del fallimento Cap. 37. La proposta di concordato fallimentare Cap. 38. Il concordato fallimentare: aspetti procedurali Cap. 39. L'esdebitazione fallimentare Cap. 40. Il fallimento delle società di capitali Cap. 41. Il fallimento delle società con soci illimitatamente responsabili

*Istituzioni di diritto fallimentare (Regio decreto 16 marzo 1942, n. 267) fallimento, concordato preventivo, amministrazione controllata, liquidazione coatta amministrativa* Umberto Navarrini, 1946

*Formulario delle nuove procedure concorsuali. Con CD-ROM* Luigi Matteo Bonavolontà, 2006

**Codice del fallimento e della crisi d'impresa** Marco Gubitosi, 2017-04-07T00:00:00+02:00 L'Opera è aggiornata con: - la L. 17 febbraio 2017, n. 15 (c.d. Legge salva banche) di conversione, con modificazioni, del D.L. 23 dicembre 2016, n. 237; - il D.M. 14 febbraio 2017, n. 34, Regolamento sulle modalità di costituzione delle camere arbitrali, di conciliazione e degli organismi di risoluzione alternative delle controversie, che detta le nuove regole sulle aree di competenza professionale di tali organismi in materia di diritto delle procedure concorsuali; - la L. 11 dicembre 2016, n. 232, Legge di bilancio 2017, che sostituisce l'art. 182 ter della Legge fallimentare, in materia di trattamento dei crediti tributari e contributivi.

La riforma della legge fallimentare Maria Rosaria Grossi, 2008

**Codice del nuovo fallimento e altre procedure concorsuali** Fabio Santangeli, 2010

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**La legge fallimentare dopo il «Decreto sviluppo»** Filippo Lamanna, 2012

**Progetto, relazioni e verbali delle discussioni della Sotto-commissione per lo studio della legislazione sul fallimento nominata nell'adunanza plenaria del 12 maggio 1894 dalla Commissione istituita dal Ministro guardasigilli (V. Calenda) con decreto del 12 aprile 1894 per studiare e proporre riforme al Codice di commercio**, 1900

**La giurisprudenza sulla Legge 10 luglio 1930, no. 995 (disposizioni sul fallimento, sul concordato preventivo e sui piccoli fallimenti)** Angiolo Coen, Italia . Cortes, 1934

*Codice della crisi d'impresa e del fallimento* Marco Gubitosi, 2022-07-17T00:00:00+02:00 L'Opera è aggiornata con: il

D.L.vo 17 giugno 2022, n. 83 (“Decreto insolvency”), recante numerose e significative modifiche al Codice della crisi d’impresa e dell’insolvenza, pubblicato sulla Gazzetta Ufficiale 1 luglio 2022 n. 152.

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