

Abstract

This study treats the workout agreements according to art 182-bis of the Italian bankruptcy law.

In the first chapter, after a brief analysis of the historical context from which the workout agreements originate, are examined the elements that characterize the regulatory scheme: the nature and possible content of the agreements. It afterward treats the main clauses of the agreements, those which are most applicated in the Italian practice. It also considers the specific role of banks, which are the real agreements protagonists, along with a few other institutional creditors. The second chapter considers the legal discipline, addressing the necessary elements to implement the regulatory scheme, the qualification procedure, and finally the court official acceptance.

The third chapter examines the issue of the full effectiveness of the new regulatory scheme, through the survey of the workout agreements approved by the Court of Turin, Rome and Milan since 2005, as of today.