

Francisco Junyent Bas
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SISTEMA DE INEFICACIA CONCURSAL

**La retroacción
en la quiebra**

**Prólogo de
Osvaldo J. Maffia**



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Ineficacia concursal Horacio Pablo Garaguso,1981 La ineficacia en el negocio jurídico Edgar Ramírez Baquero,2008

Proceso concursal: Crisis de las empresas promotoras y constructoras (e-book) Blas Alberto González Navarro,José M.a Fernández Seijo,Alberto García Pombo,Luis Garrido Espa,Rafael Gimeno-Bayón Cobos,Emilio González Bilbao,Francisco Javier Menéndez Estébanez,Edmundo Rodríguez Achútegui,Luis Shaw Morcillo,2009-06 No hay duda de que la crisis del ladrillo ha sido el motivo de las últimas reformas en materia de legislación concursal como el Real Decreto Ley 3 2009 de 27 de marzo demostrando la rigidez de la Ley Concursal de 2003 en la gestión de la crisis en que se han visto envueltas las empresas promotoras y constructoras Esta crisis se ha convertido en una gran prueba de resistencia fiabilidad y eficacia para nuestro nuevo instrumento de gestión concursal llegando a límites que hasta hace poco tiempo parecían inimaginables La necesidad de los profesionales de formarse en este campo específico es bien clara Es preciso abordar problemas propios de este sector como son entre otros el carácter de bienes afectos o no a la actividad empresarial de los inmuebles en construcción la operatividad concursal del grupo de sociedades inmobiliarias dentro y fuera de España a la reintegración concursal y su relación con las extraordinarias dificultades detectadas para la reflujo de las empresas por parte de las entidades financieras o la eficacia de la acción directa del artículo 1597 del Código Civil ante el concurso de la constructora Esta obra colectiva realizada por abogados y jueces de lo mercantil analiza la realidad práctica que están planteando los concursos de promotoras y constructoras tomando partida por alguna de las diferentes opciones que el Derecho como siempre ofrece a quien interpreta las normas Como resultado nos ofrecen un libro de plena actualidad La acción rescisoria concursal Huelmo Regueiro, Josefina,2016-07-18 Este libro tiene por objeto el examen de la acción rescisoria concursal desde la práctica del derecho procesal poniendo especial atención en el análisis de los problemas prácticos que se han ido planteando y de la doctrina y las soluciones que han ido dando los tribunales desde la entrada en vigor de la Ley concursal hasta ahora La rescisoria concursal ha sido muy estudiada desde el punto de vista mercantil y atendiendo principalmente a los requisitos de fondo para su ejercicio analizando los aspectos procesales sólo de forma complementaria o accesoria Este libro pretende subsanar esta laguna centrándose en el estudio de la tramitación procesal de la acción *Aspectos civiles de derecho concursal. XIV Jornadas de la Asociación de Profesores de Derecho Civil* ,2010-04 **Crisis de empresas y sistema concursal** Alvaro Espina,1999 Recoge La crisis del sistema concursal español La experiencia comparada Lecciones de reforma del sistema concursal español Reforma concursal y globalización económica **Jurisprudencia Rosarina** , Sistema de ineficacia concursal Francisco Junyent Bas,Carlos A. Molina Sandoval,2002-01-01 **Parejas de hecho: situación actual de su regulación en la legislación mercantil y perspectivas de futuro** Carlos Argudo Gutiérrez,2018-04-09 La pareja de hecho durante siglos condenada durante décadas tolerada y elevada en nuestros días a institución del Derecho de familia continúa a pesar de su creciente número siendo una figura de contornos poco definidos y fuente permanente de problemas sin

solucionar derivados de la dificultad inicial de conjugar libertad y seguridad jurídica La legislación mercantil las recoge puntualmente en la normativa de sociedades de capital y cooperativas y con más amplitud en la Ley Concursal La libertad que debe presidir la esencia de estas uniones no es motivo para excluir su regulación legal pero su reconocimiento dado el singular tratamiento dado en nuestro país producto de la abstención del legislativo estatal la proliferación de normas autonómicas la contradictoria jurisprudencia que la rodea y la inexistencia de unidad de criterio en los procedimientos judiciales que les afectan debe ser tratado con mucha cautela sin dejar cabos sueltos que nos lleven a situaciones no deseadas

Dación en pago e insolvencia empresarial María del Carmen Pastor Sempere, 2016-03-01 La dación en pago a cuyo estudio se dedica esta monografía necesitaba de una adecuada contextualización tratamiento y reinterpretación en las actuales insolvencias empresariales Principalmente porque todas ellas se encuentran inmersas en el que parece ser el nuevo paradigma de la insolvencia y su reflejo en medidas concretas de conservación de la empresa en nuestro Derecho concursal como es la paulatina aceptación de la dación en pago en su seno sustituyendo hasta la que escasas veces fue exclusivamente la solutoria con pago en efectivo como única y satisfactoria de los acreedores Si bien la dación en pago nunca dejó de ser utilizada su carácter excepcional y las circunstancias de bonanza económica que vivió nuestra sociedad propiciaron el olvido de la institución A ello tampoco fue ajena la dificultad de aplicar una institución que se desterró por la codificación francesa y por ende del Código Civil español Se hace necesario su estudio abordando al mismo tiempo los puntos más destacables que este cuadro normativo ha experimentado como consecuencia del vertiginoso proceso de reforma de la legislación concursal en el que la dación en pago ha ganado terreno poco a poco pues su función va unida irresolublemente a la conservación de la empresa viable En definitiva el diseño de las operaciones de refinanciación y acuerdos extrajudiciales de pagos a los que se extendió completada con su protección frente a las acciones de reintegración La hace ineludible por coherencia de nuestro sistema concursal en el convenio y la liquidación concursales

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