



Aportaciones especiales de derecho y equidad en las vicisitudes del concurso [

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text (article)

Analítica

The prevailing procedure of insolvency admits the benefits consisting in the reception of external opinions and the actions of an equitable mediation. The first concerns to the unity of the enterprises hidden under the appearance of plurality, to the notion of people specially related with the debtor, to the designation of the delegates of the administration, to the assign of specific attributions, to the level of the duty diligence and to the idea of juste cause. The second shows the importance of the task developed by the mediators to assure the future viability of the enterprise and the best level of occupation. The continuity of the industrial activities, instead of the unavoidable auction of the enterprise or its elements, shows clearly the nature of fundamental right acquired by the economic freedom

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