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Crisis, how the Salvasuicidi law works which offers a solution to those who have too many debts. And it blocks the executive actions of creditors

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There banking **crisis of 2008** led to an increase in **suicide** for economic-financial reasons. Also in Italy. A study by the research institute **EURES** revealed that in 2009 alone a thousand people took their lives with an increase of almost **40% among workers and entrepreneurs** who had lost everything. From there was born the law 3 of 2012, renamed "**Save suicides**" which today offers a lifeline to **overindebted**, i.e. people who have taken on debts that they will no longer be able to repay.

The suicide saver is the reference for private citizens and small businesses not subject to **failure**. It is intended for debtors who are able to somehow satisfy creditors with three different procedures: the plan of the **consumer**, the agreement

of **crisis composition** or the **liquidation**. Furthermore, the use of Law 3 of 2012 triggers the **prohibition of new individual enforcement actions** plus the suspension of actions already in progress.

Any over-indebted natural person can define a consumer plan. That is, anyone who has entered into debt beyond his repayment ability, perhaps to pay **medical expenses** or to buy **furnishings**. It's about a **concordat procedure** which does not foresee the need for the vote of creditors who can only present findings. The debtor defines a **proposal** to satisfy creditors at least in part based on your possibilities. The proposal is presented directly to the judge through the **Body of composition of the crisis**. At that point, the magistrate enters into the merits of the offer and which, if deemed worthy and feasible, is approved. It will then be up to the debtor to repay the contents of the plan according to the due dates.

The mechanism of the **settlement agreement**. It is a procedure that can be accessed by natural persons as in the consumer's plan, but also by all other subjects that cannot fail as entrepreneurs or freelancers. Also in this case the debtor assumes a realistic repayment plan based on his assets and income. But this time the judge will have to take into account the judgment of the creditors who will be called to approve the project by a majority of 60% of the credits admitted to vote.

The third and final working hypothesis foreseen by law 3 of 2012 is the **liquidation**. In this case, the debtor simply makes all of his assets available to creditors. The assets are put up for sale and the proceeds are used to repay debts. Again, liquidation is the way that allows the debtor to turn the page. However, as the OCC points out, so far both the debtors' plans and the agreements have worked at **slow**: in 2018, the debtors abandoned the procedure in 60% of cases giving up the bailout donation offered by the law. Hence the choice of the legislator to systematize and simplify the procedure in the new corporate crisis code which will enter into force in 2021 and which will introduce **the esdebitazione**, that is, the possibility of getting rid of debts once in a lifetime even for those who do not have assets or income to make available to the proceeding. Except there **Payment obligation within the following four years** in case of any revenue. However, despite the operational difficulties of the current law, in 2018 they still managed to benefit from it **4,391 debtors**, according to the data of the Organisms of composition of the crisis (Occ),

But the current scenario is nothing short of bleak. For this, "it is necessary to anticipate the times to widen the audience of potential beneficiaries of the law" as suggested second **Gianmario Bertollo, founder of Legge3.it**, an association that helps citizens and entrepreneurs to get out of debt via Save suicides. According to a study by the **Well Being Trust** and researchers from **American Academy of Family Physicians** in the next decade there will be 75,000 victims linked to the coronavirus crisis. In research potential future suicides are classified as "dead

for **despair**“Serving the double effect of **lockdown isolation** and of **loss of economic security**.

In Italy, the Suicide Observatory for economic reasons of the **Link Campus** report this year **42 deaths**, of which more than half are **entrepreneurs**. Twenty-five deaths occurred in the lockdown weeks and 16 in April alone. To these must be added then **36 attempted suicides**, 21 of which in isolation weeks. More than half of the victims are entrepreneurs. A sign that the negative impact of the economic crisis will be much higher than that measured only with the number of companies closing and the amount of **unemployed**.