



## LITIGATION IN ITALY

### **LIMITATION OF LAWSUITS IN ITALY** by **Francesco Misuraca, Attorney at law** [www.smaf-legal.com](http://www.smaf-legal.com)

In order to start a debt collection recovery claim in Italy is necessary to consider the following rules.

As per general rule, lawsuit must be brought within ten years, but, pursuant to articles from 2946 to 2962 of Civil Code there are the following principal exceptions:

- 1 year for: actions to recover broker's commission; actions to recover damages by reason of collision of ships, insurance on shipping or breach of chartering contract; actions against carriers if the shipment was made in Europe, actions against forwarders;
- 18 months for: actions against carriers if shipment was made elsewhere than in Europe;
- 2 years for: actions to recover damages arising from the driving of vehicles;
- 3 years of presumptive prescriptions for: actions of professionals, notaries, employees and teachers for period salary exceeding one month;
- 5 years for: actions to recover damages, rent or interest due, incomes for life, annuities; actions on partnership agreements, allowances due by reason of termination of employment.