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SUBROGATION: UNDERSTANDING THE SUBSTITUTION OF OBLIGATIONS IN FINANCIAL CONTRACTS

CONTRACTS

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TRANSFER OF RIGHTS AND OBLIGATIONS

The assignment of credits allows the transfer of credit rights from one creditor to another, while subrogation involves the substitution of one person for another within a contractual relationship.

TYPES OF SUBROGATION

There are two main types of subrogation: legal, which occurs by law, and conventional, which takes place by agreement between the parties.

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LEGAL REQUIREMENTS AND CONSENT

The assignment of credits generally requires the debtor's consent and compliance with certain legal requirements, whereas subrogation can, in some cases, be carried out without the debtor's consent.

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PRACTICAL APPLICATIONS

Both concepts are essential in the management of financial and contractual obligations, commonly used in contexts such as the purchase of credits, loans, insurance, and debt restructuring.

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