



3.00 credits

30.0 h + 6.0 h

Q1

Teacher(s)	Bernard Nicolas ;
Language :	French
Place of the course	Bruxelles Saint-Louis
Learning outcomes	<p>At the end of this learning unit, the student is able to :</p> <p>At the end of the course students will be familiar with such theoretical concepts as right in rem, the concept of property, and possession. What is more, they will juggle easily with the various rights in rem of possession whilst being able to compare them, if necessary. Finally, they will be able to dissect the whys and wherefores of a court ruling and to connect the main lessons thereof with the appropriate provisions of the lecture material.</p>
Evaluation methods	Taking the form of a written exam (two hours), the evaluation focuses on mastery of the lectures as well as court decisions. A question, worth a quarter of the points of the overall mark, relates specifically to the material covered during the seminars (except for students on the staggered schedule).
Teaching methods	<p>Lecture course, given on Wednesdays from 5:15 p.m. to 7:15 p.m. - because it is common at staggered times ("horaire décalé").</p> <p>With the dual aim of introducing students to the new regulations and teaching them to decode legislation in a critical manner, a powerpoint is projected throughout the presentation containing the content of the articles from book 3 commented on (with highlighted passages). The course therefore consists of dissecting these different provisions and putting them into perspective.</p> <p>Interactivity with the audience is stimulated, thanks to a woodclap system.</p> <p>For the purposes of both providing empirical illustrations to the theoretical presentation and showing contemporary applications of property law concepts, around thirty court decisions (mainly Belgian but also european) will be retraced.</p> <p>Finally, three seminar sessions (without casus), given by Vincent Defraiteur, are open (without obligation) to those who want to deepen the course or simply understand it better. They are based on court decisions (several of which were seen during the course), which it is therefore important to have read beforehand.</p>
Content	<p>Given the importance of the reform of property law which came into force on September 1, 2021 and having introduced into the Civil Code a book 3 with nearly two hundred articles and entirely devoted to this subject, the course reviews the eight titles composing said book 3. Concretely, it opens with the presentation of the general principles of property law (possession, transcription, heritage, etc.), then delves into the classification of property (distinctions between things-property-animals, movables-buildings, tangible-intangible goods, fruit-products, etc.), before explaining the regime relating to the various real rights (ownership, co-ownership, easements/servitudes, usufruct, emphyteusis and surface rights), not without forgetting to address the "relations of neighborhood" (which include, in addition to easements, neighborhood disturbances and joint ownership), nor real security interests (pledge and mortgage). Contemporary illustrations will be provided on the subject of pledge (Mont de piété), emphyteusis (Louvain-la-Neuve) or even surface rights (Etterbeek). The account of numerous court rulings (including in the European sphere) will also punctuate the presentation.</p>
Bibliography	Voir les notes infrapaginales du syllabus
Other infos	<p>Course materials:</p> <ul style="list-style-type: none"> • N. BERNARD, Le droit des biens après la réforme de 2020 (with V. Defraiteur), 2d ed., Limal, Anthemis, 2022. • A compendium of court rulings. • A PowerPoint presentation giving the course outline, articles of law, and references to court rulings.
Faculty or entity in charge	DRTB

Programmes containing this learning unit (UE)				
Program title	Acronym	Credits	Prerequisite	Learning outcomes
Bachelor in Law	DROB1BA	3		
Bachelor in Law French-English (and French-English-Dutch)	DRAB1BA	3		
Bachelor in Law French-Dutch (and French-Dutch-English)	DRNB1BA	3		