

5.00 credits

30.0 h

Q1

Teacher(s)	De Valkeneer Christian-Paul ;Moreau Thierry ;
Language :	French
Place of the course	Louvain-la-Neuve
Main themes	<p>a) The criminal responsibility of the individual; b) Responsibility in criminal law in business; c) Penal aspects of the laws relative to liability of businesses; d) Straight forward bankruptcy and fraudulent bankruptcy (independence of criminal law - detection of businesses in difficulty - causes of bankruptcy - liability - criminal involvement - straight forward bankruptcy and fraudulent bankruptcy - publication of convictions - filing of civil actions); e) Legal arrangements relative to the start-up and running of companies and false accounting (formation of companies - forgery - fraud - advertising of companies - management of companies - right to vote - accounts and statements of results - foreign companies - falsifying accounts - fictional dividends -public industrial initiatives); f) Financial criminal law (abuse of confidence, abuse of social benefits, insider trading, laundering money,...) h) The application in social criminal law of the general principals of criminal law (article 100 of the penal code - the person criminally punishable - moderating circumstances - extenuating circumstances - non retroactivity - legal conflicts in space); i) The application in social criminal law of the general principals of criminal procedure (control of the application of social laws - the exercise or suppression of public action); j) Sanctions (penal sanctions - civic responsibility in paying fines - administrative fines); k) The civic repercussions of social criminal law (civil action - civic responsibility - options of the injured party - communication with the Director of Public Prosecutions - automatic imposition of fines - prescription of civil action); l) Study of the effectiveness and opportunity of legal repression in social law. m) Computer crimes. Given the considerable number and variety of laws relative to criminal law in business, it will not be possible to attempt an exhaustive study. Specific examples will be used to show the application, sometimes unique, of the general principles of criminal law or the criminal law procedure. Thus the offences linked to insolvency, the abuse of social benefits, insider trading, fraud or damages to the financial interests of the European Community and criminal law relative to the environment will be used as examples of incriminations in this sector. The list may evolve with current legal developments.</p>
Learning outcomes	
Bibliography	<ul style="list-style-type: none"> • Code de droit pénal des affaires publié chez Larcier, collection codes essentiels
Faculty or entity in charge	BUDR

Programmes containing this learning unit (UE)				
Program title	Acronym	Credits	Prerequisite	Learning outcomes
Master [120] in Law	DROI2M	5		