

8.00 credits


60.0 h + 9.0 h

Q1

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| Teacher(s) | Debroux Laurent ;Germain Jean-François ; |
| Language : | French |
| Place of the course | Bruxelles Saint-Louis |
| Main themes | The law of obligations is a fundamental discipline that will serve as the foundation for many subsequent courses, including contract law, labour law, company law, family property law, etc. |
| Learning outcomes | <p>At the end of this learning unit, the student is able to :</p> <p>Regarding the learning outcomes framework of the Bachelor's programme at the Saint-Louis campus, the teaching unit (UE) contributes to the development and acquisition of the following skills:</p> <p>I. Acquiring general cultural knowledge II. Acquiring specific legal knowledge III. Acquiring the methods and tools of the scientific approach IV. Acquire analytical, reflective, and argumentative skills based on concrete situations V. Proficiency in written and oral communication</p> <p>Develop transferable skills: develop a sense of autonomy in carrying out various tasks (organizational skills, work planning, meeting deadlines, etc.), refine personal ethics both in completing one's programme and in interactions with others (personal positioning consistent with one's own values, sense of general interest, respect for others, etc.).</p> <p><u>More specifically</u>, at the end of the course, the student:</p> <ul style="list-style-type: none"> • will have assimilated the concepts of the subject, as well as the legal regime that applies to them (scope, conditions, effects, etc.). • will be able to apply these concepts to real-world situations <p>The concepts examined in the lecture, which is based on definitions and illustrations, are also the subject of practical work in which the students are confronted with a more inductive approach based on case studies (casus).</p> |

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| <p>Evaluation methods</p> | <p>The final grade for the Teaching Unit is based on the grade awarded for the exam on the lecture (75% of the final grade) and the grade awarded for the practical work (25% of the final grade).</p> <p>I.</p> <p>The lecture exam is conducted orally in French. It covers the syllabus, as well as the developments presented in the course, including the commentary on the selected case law decisions.</p> <p>Throughout the exam, students can and must consult the legal and regulatory texts.</p> <p>In the codes, students may only:</p> <ul style="list-style-type: none"> • underline or highlight words or sentences; • surround words (not letters or groups of isolated letters). • make cross-references by article number to article, accompanied, where applicable, by the title of the corresponding provision. <p>The use of sticky notes or other removable dividers is permitted, but only the title and the date of the normative instruments referred to on the marked page may be indicated.</p> <p>Any practice not expressly permitted is prohibited.</p> <p>Please note: any annotation, even a single word, that exceeds the limits indicated here will be considered fraud. The student's grade will then be reduced to 0/20 (cf. article 107s et seq. of the General Regulations for Studies and Examinations).</p> <p>II.</p> <p>As part of the practical work, students must write a paper intended to assess the originality and quality of the intellectual approach, the rigour both in terms of content and form, the proper use and referencing of sources, as well as compliance with requirements.</p> <p>The use of artificial intelligence (AI) is not prohibited in the context of practical work but should be limited to occasional support for the student in carrying out certain tasks, such as language revision or translating a passage of text., etc. This AI support in no way exempts students from carrying out the research and writing tasks requested by themselves, which requires students to demonstrate discernment and critical thinking, and to scrupulously reference their work by referring to the use of ChatGPT or any other form of AI.</p> <p>The student is required to comply with all principles inherent to academic work, which must be personal and genuine, as specified in the TP specifications, which remain fully applicable.</p> <p>The student is asked to:</p> <ul style="list-style-type: none"> • respect the principles defended in this area by the Faculty (cf. the document "Responsible use of generative artificial intelligence"); • complete and sign the integrity commitment when submitting each assignment. If the signed commitment is not submitted, the mark for the written work is reduced by two points. <p>Attendance at the practical work sessions - as well as submission of the required work - is mandatory (cf. Art. 17, § 1, of the Regulations of the Faculty of Law).</p> <p>Article 17, § 3, of the said Regulation states that "The justification for absences or failure to submit the actual work (...) must be made no later than the day following the end of the impediment, failing which it is inadmissible. It is the subject of a notification to the faculty administration in accordance with Article 103 of the RGEE</p> <p>». According to the latter provision (para. 1), students shall submit to the faculty administration the original of any supporting documents, i.e. a medical certificate or any other document which probative value is left to the sovereign discretion of the president of the jury. However, when this day is a Saturday, a Sunday, September 27, or a public holiday, the deadline for submitting the documents is postponed to the next working day that is not one of the days mentioned".</p> <p>In terms of consequences, unjustified absence from more than one session or unjustified failure to submit any real written work (status of the issue and final work) within the allotted time is penalised with an overall mark of 0A/20. Any disputes in this regard may only be raised through a subsequent appeal lodged against the decision of the selection board adopted during the deliberation relating to the session concerned (cf. Art. 155 et seq. of the RGEE).</p> <p>Any grade obtained by the student during the January session is kept for the September session.</p> |
| <p>Teaching methods</p> | <p>The course is delivered as a lecture but may also be illustrated with document analyses and/or case law decisions.</p> <p>Practical work is organised in student groups, to allow the teacher to accompany the integration of each student with the basic concepts and their application to situations from practice.</p> <p>The practical work consists of four two-hour sessions focusing on applying theory to case studies drawn from real practice.</p> <p>Active participation of students is also expected. The practical work tends, in fact, to allow students to develop their ability to express themselves orally on a legal subject, during discussions with the assistant and between fellow students. This active participation (worth 15% of the final grade for the practical work – including the collective session of the state of the question in which each student must participate) requires adequate preparation of the announced sessions as well as statements of casus.</p> <p>Students will also take part in an oral group evaluation, during which the student will have to present/explain the arguments he or she intends to develop in his or her written work. The precise instructions are given in the specifications relating to the practical work. This oral evaluation is valid for 20% of the final grade of the practical work.</p> <p>Each student must also submit a written paper demonstrating their understanding and practical application of the material taught in the lecture. Written work is graded at 65% of the final grade of the practical work. The precise instructions are contained in the specifications relating to the practical work.</p> |

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| <p>Content</p> | <p>Most of the material is contained in Books 1, 5 and 8 of the (new) Civil Code, adopted during the 2019-2024 legislature.</p> <p>After a definition of the notion of obligation in the legal sense of the term (introduction), the course addresses the sources of obligations, as well as the general regime of obligations: the modalities of obligations, obligations with multiple objects or subjects, the transmission of obligations, the performance and non-performance of the obligation, the measures to safeguard the creditor's rights and the causes of extinguishment of obligations. It ends with the examination of the proof of the obligation. Certain limited aspects of the new Book 6 of the Civil Code, which came into force on January 1, 2025, will also be covered, in particular those relating to enforcement-agent immunity and the combination of liabilities.</p> |
| <p>Bibliography</p> | <p>Le syllabus renvoie à différents ouvrages, articles ou notes « pour en savoir plus ». Ces références peuvent être complétées par :</p> <ul style="list-style-type: none"> • I. CLAEYS et T. TANGHE, <i>Nieuw algemeen contractenrecht</i>, 2e éd., Antwerpen, Intersentia, 2025. • T. DERVAL, R. JAFFERALI et B. KOHL, <i>La réforme du droit des obligations – Présentation générale des livres 1er et 5 du nouveau Code civil</i>, Coll. Conférence du Jeune Barreau de Bruxelles, Bruxelles, Larcier, 2023. • F. GEORGE, P. COLSON, A. CATALDO, B. FOSSEPREZ et X. THUNIS, <i>Manuel de droit des obligations. Théorie du contrat et régime général de l'obligation</i>, Bruxelles, Larcier-Intersentia, 2024 • P. VAN OMMESLAGHE, <i>Traité de droit civil belge</i>, Tome II : Les obligations, Volumes 1 à 3, Bruylant, 2013. • T. VANSWEEVELT et B. WEYTS (dir.), <i>Handboek verbintenissenrecht</i>, Anvers, Intersentia, 2019, et 2e éd., 2023 • P. WÉRY, <i>Droit des obligations</i>, Vol. 1 : Théorie générale du contrat, 3ème éd., Larcier, 2021 & Vol. 2 : Les sources des obligations extracontractuelles – Le régime général des obligations, Bruxelles, Larcier, 2016. • P. WÉRY, <i>Livre 5 du Code civil : les obligations</i>, Bruxelles, Larcier-Intersentia, 2024 |
| <p>Other infos</p> | <p><i>Moodle</i> is preferred for sharing information (general guidelines, provision of course materials, announcements, etc.). In addition to the mandatory course materials referred to in the previous section, PowerPoint materials will be uploaded to Moodle to illustrate certain points of the course.</p> <p>Students are invited to consult <i>Moodle regularly</i>.</p> |
| <p>Faculty or entity in charge</p> | <p>DRTB</p> |

| Programmes containing this learning unit (UE) | | | | |
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| Program title | Acronym | Credits | Prerequisite | Learning outcomes |
| Bachelor in Law (shift schedule) | DRDB1BA | 8 | |  |