

3.00 credits

30.0 h + 10.0 h

Q1

**This learning unit is not open to incoming exchange students!**

Teacher(s)	Durant Isabelle ;
Language :	French
Place of the course	Louvain-la-Neuve
Main themes	The course revolves around three main components: 1. The guiding principles of property law (possession, registration, heritage, etc.) and the study of various types of property (including the distinction between movable and immovable property, for example). 2. Property rights and co-ownership (including joint ownership). 3. Examination of other real rights, known as encumbered rights (or real rights of use): usufruct, servitudes, emphyteusis, and superficies.
Learning outcomes	At the end of this learning unit, the student is able to : 1. Know and understand 1.1. Master the language of law, including legal vocabulary, concepts, and institutions of law, as well as the principles and methods governing its development, hierarchy, interpretation, application, control, and repeal. 1.2. Understand the essential stages of the evolution of law and its institutions, as well as the currents of legal thought. 2. Apply 2.1. In one or another branch of law, autonomously diagnose a legal problem, discern its difficulties, trim peripheral elements, provide reasoned solutions based on exhaustive and relevant research, presented in a clear synthesis supported by a coherent and credible legal reasoning. 2.2. Effectively use all types of legislative collections, regardless of the format, to find the applicable norm to a given situation, even if the content of that norm has not (yet) been the subject of specific teaching. 4. Question and engage 4.1. Understand the relative nature, in time and space, of a legal solution and thus question the relevance of the choices it conveys. 4.2. Identify and promote the ethical and social values foundational to law and justice, while avoiding any form of instrumentalization. 6. Open up 6.2. Know and understand concepts and theories from other humanities (including political economy, philosophy, psychology, sociology, history, and ethics) to grasp the role, scope, and limits of law and justice, and to open up to other humanities, their relationships with law, and, if applicable, to other legal cultures or the professional world.

Evaluation methods	Assessment takes the form of a traditional closed-book written examination (with the exception of a non-bilingual, non-annotated Civil Code, which students may bring with them). In the Code taken to the examination, in accordance with the guidelines suggested by the Bachelor of Laws Commission, the student is authorised to : - underline or highlight words or phrases; - circle words (not single letters); - indicate references by number from article to article accompanied, where appropriate, by the initials of the corresponding standard (e.g. C. civ. for Code civil). Please note that these numerical references must be limited to what is strictly necessary. Post-it notes' may be used, but they must not include any annotations. The examination covers the entire course, i.e. both the lecture and the practical exercises. The mark awarded for the practical exercises is integrated into the overall mark at a rate of 25%. The examination may include restitution, comprehension and analysis questions, case studies and case commentaries. It includes a question on Dutch legal terminology (from Dutch into French). Main assessment criteria: a) Emphasis is placed on the rigour of the reasoning and its legal justification (in particular, precise reference to legal texts), as well as on the accuracy of the answers. b) The quality of the wording and the structure of the answer are taken into account. c) The ability to refer to the Code and key case law to substantiate and argue one's answer is essential. The final mark is not purely arithmetic and depends on an overall assessment. The assessment language is French. If the situation, particularly in terms of health, so require, the review may take a different form.
Teaching methods	Teaching takes the classic form of a lecture in an auditorium (face-to-face without recording), supported by a PowerPoint presentation (the presentation used is broadcast after each class session, via the Moodle platform). Students will also be required to complete five (compulsory) practical exercise sessions, each lasting two hours. These will enable them to develop a practical and 'hands-on' approach to the subject (with case resolutions); in practical terms, video clips will be pre-recorded for the theoretical reminders and made available to the students beforehand, while the actual practical exercises will be given in class. The sessions must therefore be prepared by the student. The teacher must ensure that the practical exercises and the lecture are consistent and well coordinated, including with regard to assessment. Both the lecture and the practical exercises may be taught remotely if the situation, particularly in terms of health, so requires.
Content	The primary objective of the course is to enable students to understand and assimilate the fundamental rules of this branch of private law, property law. In addition, by the end of the course, students will have developed a certain skill in the practical application of legal rules and will be able to analyse the norms enacted by the legislator and their application by the courts and tribunals.. As for the knowledge taught, the course is entirely based on the reform of property law that took place in 2020 and came into force in 2021. It will review the various titles of the new Book 3 of the Civil Code and study the following real rights: ownership, (an introduction to) co-ownership, easements, usufruct, emphyteusis and the right to build. At the same time, a series of cross-cutting concepts will be addressed, such as possession, transcription, joint ownership, property and neighbourhood disturbances.
Inline resources	The PowerPoint presentation that supports the course is distributed progressively, after each class session, via the Moodle platform. Useful resources for the practical exercise sessions are also distributed via this platform. These resources include the Dutch-French glossary (see above on Dutch legal terminology).
Bibliography	Bibliographie générale Législation Code civil, Livre 3. Les biens Travaux préparatoires Proposition de loi du 16 juillet 2019 portant insertion du livre 3 « Les biens » dans le nouveau Code civil, <i>Doc. parl.</i>, Ch. repr., sess. extraordin., 2019, no 55 0173/001 à 010 Monographies et ouvrages collectifs 1. N. Bernard (avec la collab. de V. Defraiteur), <i>Le droit des biens après la réforme de 2020</i>, 2e éd., Limal, Anthemis 2022, 749 pp. 2. N. Carette et R. Jansen, <i>Handboek Goederenrecht</i>, Anvers, Intersentia, 2022, 906 pp. 3. P. Lecocq, I. Durant, N. Bernard e.a. (sous la dir. de), <i>Le nouveau droit des biens</i>, Bruxelles, Larcier, 2020, 446 pp. 4. V. Sagaert, <i>Goederenrecht</i>, Malines, Wolters Kluwer, 2021, 1256 pp.
Faculty or entity in charge	DRT

Programmes containing this learning unit (UE)				
Program title	Acronym	Credits	Prerequisite	Learning outcomes
Bachelor in Law	DROI1BA	3		
Master [120] in Management [Double degree Management- Law : for management graduates]	GEST2M	5		