LDROP2051

2015-2016

Comparative European Contract Law

5.0 credits	30.0 h	2q

Teacher(s) :	Wéry Patrick ; Philippe Denis ;
Language :	Français
Place of the course	Louvain-la-Neuve
Main themes :	The course is divided into two parts: (a) The course will deal with the characteristic of the other legal systems and more specifically common law. Common law is very present in our legal world and it is very important to have some acquaintance with the most important concepts of English contract law. After a description of the evolution of common law, the most important concepts will be analyzed and more specifically the consideration and the trust. Common law will be analyzed from a practical point of view. The various English concepts frequently used in continental Europe will be analyzed and more specifically the representations and warranties clause. Finally, other burning issues of comparative Law of Obligations will be debated on a broader comparative basis for instance the problem of change in circumstances and the unforeseeable damages. (b) The second part of the course will be devoted to the solutions issued from the attempts of international restatement in Contract Law. A particular attention will be paid to the Unidroit Principles, the Principles of European Contract Law and the attempts of restatement of the different civil codes in a single European Civil Code. The United Nations Convention on Contracts for the International Sale of Goods (CISG) will be studied as well as a source of inspiration for the other attempts of international restatement. The major questions in Contract Law will be dealt with in a comparative perspective (formation, authority of agents, interpretation, remedies ').
Aims :	The course aims to make the students aware of the relativity of the solutions given by the different legal systems to various questions in the Law of Obligations. It will also point out the evolving nature of Contract Law and the possible influence of foreign legal systems and international restatement instruments on Belgian Law. In this way, this course aims to develop the students' critical thinking and to bring into question the relevancy of the solutions given by substantive law to some major questions (the different types of dissolution of contracts, the effect of passing time on contracts '). The course is based on participatory teaching methods (learning through projects or problems, review of the relevant case-law and doctrine, debates with guest speakers, field studies ...) which allow the students to develop independently a critical, forward-looking and inventive look on public international law. Students are encouraged to participate and to get involved in learning, which has both an individual and a collective dimension. *The contribution of this Teaching Unit to the development and command of the skills and learning outcomes of the programme(s) can be accessed at the end of this sheet, in the section entitled "Programmes/courses offering this Teaching Unit".*
Other infos :	Students are supposed to have attended a course of Law of Obligations A collection of texts will be supplied.
Faculty or entity in charge:	BUDR

Programmes / formations proposant cette unité d'enseignement (UE)

Intitulé du programme	Sigle	Credits	Prerequis	Acquis d'apprentissage
Advanced Master in International Law	DRIN2MC	5	-	
Master [120] in Law	DROI2M	5	-	
Master [120] in Law (shift schedule)	DRHD2M	5	-	
Advanced Master in European Law	DREU2MC	5	-	