

5 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>
Aims	<p>This course has several objectives: - to study the growing incidence of criminal law in business life (business law); - an in-depth study of the fundamentals of criminal law in specific laws; - the comparison of legal disciplines which use different means and methods: criminal law, commercial law, work law, social security law, financial law, criminal procedure. The comparison with non-legal subjects such as the economy, accounting and criminology; - consideration of the peremptory nature of the judicial standards applied in business. This course forms a part of a coherent specialised option. The lecturers responsible are part of an educational team: they meet on the contents and methods in each course to ensure that they are complementary. When ever possible and taking into account the numbers enrolled, the course is based on active participation. The lecturer will use illustrative examples and invite the students to apply their newly acquired knowledge to specific situations.</p> <p>-----</p> <p><i>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".</i></p>
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	Aims
Master [120] in Law	DROI2M	5		