

Inleiding tot het privaatrecht

Prof: Renate Barbaix

Deel 1: situering van het privaatrecht

Hoofdstuk 0 : Wat is recht

Recht= geheel van gedragsregels die het samenleven van mensen ordenen en die desnoods door de overheid kunnen worden afgedwongen.

⇒ Overheid kan u verplichten die regels te volgen

Summa divisio = groot onderscheid tussen publiek en privaat recht

Hoofdstuk 1: Publiekrecht vs privaatrecht

Publiek recht	privaatrecht
Regelt het staatsgezag Beoogt het algemeen belang vd staat Regelt: a. verhouding tussen overheden b. verhouding tussen burger & overheid = welke instantie bevoegd is voor welke materie	Regelt onderlinge verhoudingen tussen burgers onderling. Regelt bv: a. Kan u in het huwelijk treden b. Mag u een bepaald contract sluiten?
Gemengde rechtsdomeinen Zowel publiekrechtelijke als privaatrechtelijke component Vb: fiscaal recht , sociaalzekerheidsrecht, economisch recht	

Verschil: OH is geen betrokken partij in het privaatrecht ≠ publiekrecht

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