

Classifications des obligations

Classification selon l'intensité de l'obligation

- ❖ Obligation de garantie (ex. assurance de dommage art. 2464 C.c.Q.)
 - Devoir de garantir la réalisation d'un résultat précis et déterminé
 - Même la survenance d'un cas de force majeure ne peut pas exonérer le débiteur

Critères d'identification

❖ Explicite

- Précisée dans la loi
- Stipulée au contrat

❖ Implicite : interprétation des indices

- Maîtrise de la situation par le débiteur
 - Rôle du créancier
 - Existence d'aléa
- Attente ou utilité de l'exécution pour le créancier
- Enjeu de partage de risques

Implicite : interprétation des indices

- Maîtrise de la situation par le débiteur
- Rôle du créancier
- Existence d'aléa (risque qui échappe au débiteur (ex. le médecin ne peut pas prévoir le résultat d'un traitement))
- Attente ou utilité de l'exécution pour le créancier
- Enjeu de partages de risques

Intérêt de distinction

- Preuve de l'inexécution de l'obligation

Les Sources Des Obligations

**Great Britain. Parliament. House of
Commons**



Les Sources Des Obligations:

Mémoires Et Comptes Rendus de la Société Royale Du Canada Royal Society of Canada,1917 *Manuel*
Élémentaire de Droit Romain Paul Frédéric Girard,1911 **Law, Norms and Freedoms in Cyberspace / Droit, normes et libertés dans le cybermonde** Cécile de Terwangne,Elise Degrave,Séverine Dusollier,Robert Queck,2018-05-29
Professeur chercheur directeur de centre doyen et recteur Yves Poulet s'est illustré dans toutes les tapes et fonctions d'un carrière universitaire bien remplie marquant des générations d'étudiants de chercheurs de collègues et de pairs Spécialisteminent et incontournable du droit de l'internet et des technologies de l'information et de la communication il en est aussi l'un des précurseurs en fondant dès 1979 un des premiers centres de recherche européens en la matière Par cet ouvrage collègues amis anciens doctorants rendent hommage l'une des plus belles plumes de la discipline en lui offrant leurs réflexions sur l'influence réciproque du droit et de la technologie Leurs contributions montrent l'étendue de l'expertise et des réseaux européens et internationaux d'Yves Poulet Elles s'articulent autour de trois axes qui furent autant de perspectives dans lesquelles il a inscrit sa recherche le droit les normes et les libertés La richesse de ce volume témoigne de son attention humaine des amis qu'il a noués mais aussi des sillons qu'il a tracés en droit des technologies de l'information et de la communication sillons dans lesquels a poussé une forêt luxuriante toujours fertile C'est le héritage d'un grand penseur d'un véritable universitaire Yves Poulet has not merely served but excelled in all functions of the University world Whether as professor researcher director of a research centre or as dean and rector he has left a lasting impression in the minds of generations of students researchers colleagues and peers He is a preeminent expert on the law of Internet and Information and Communications Technologies who already in 1979 pioneered one of the first European research centres in the field This volume is a tribute to Yves Poulet from colleagues friends former PhD researchers offering their reflections on the reciprocal influence of law and technology These contributions highlight both the range of expertise and the extent of the European and international networks he has nourished They address the three main research axes Yves Poulet has developed through the years law norms and freedoms The authors of this volume pay homage to a mentor a friend but above all to an exceptional researcher who has sown countless seeds in the field enabling a luxurious landscape to grow and become a source of inspiration for many scholars This is the heritage of a genuine thinker a real academic Proceedings and Transactions Royal Society of Canada,1917 *Des obligations, sources, extinctions, preuve* A. Hudelot,1894 Proceedings of the Royal Society of Canada Royal Society of Canada,1916 La Revue critique de législation et de jurisprudence du Canada ,1873
Dictionnaire D'archéologie Chrétienne Et de Liturgie, Publié Par Le R. P. Dom Fernand Cabrol ... Avec Le Concours D'un Grand Nombre de Collaborateurs Fernand Cabrol,1910 *La Revue critique de législation et de jurisprudence du Canada* ,1875 The Individualization of Punishment Raymond Saleilles,1911 **Les Obligations en Droit Romain** P. A. H. van Wetter,1884 **Manuel du droit fédéral des obligations** Jacottet,1884 **Conférences**

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Eléments de droit romain à l'usage des étudiants des facultés de droit Gaston May,1920 Les Livres de L'année ,1923
Pr'ecis de droit romain Calixte Accarias,1891 Précis de droit romain Calixte Accarias,1891 **Revue**
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