GHENT UNIVERSITY

Course Specifications

Valid as from the academic year 2026-2027

Notarial Civil Procedural Law (B000889)

Course size *(nominal values; actual values may depend on programme)*

Credits 5.0 **Study time 150 h**

Course offerings in academic year 2027-2028

A (semester 2)	Dutch	Gent

Lecturers in academic year 2027-2028

Vandenbussche, Wannes	RE21	lecturer-in-charge
Baeck, Joke	RE21	co-lecturer
Broeckx, Karen	RE21	co-lecturer

Offered in the following programmes in 2027-2028	**crdts**	**offering**
Master of Laws in Notarial Law	6	A

Teaching languages

Dutch

Keywords

Part I:
Special procedures: the laying and release of the seals, the notarial inventory, the liquidation and partition, the delivery of a second executable notarial deed
Part II:
Seizure on immovable property- garnishment- enforcement on immovable property- collectieve arrangement with creditors- judicial settlement of companies- seizure in criminal matters- distribution.
PART III:
Order of precedence among creditors in the event of concurrence

Position of the course

The course wants the students to acquire a profound scientific knowledge of the notarial civil procedure.

Contents

Part I
- The laying and release of the seals
- The notarial inventory
- The liquidation and partition
- The delivery of a second executable notarial deed

Part 2
- Conservative seizure on immovable property
- Conservative garnishment
- Procedure for change from conservative seizure to enforcement proceedings
- Enforcement measures on immovable property
- Garnishment
- Collective arrangement with creditors
- Bankruptcy
- Seizure in criminal matters
- Distribution

Part 3:
- Concurrence
- Order of precedence among creditors
- Mortgage

- Lien
- General priority rules
- Special priority rules
- Retention rights

Initial competences

Students must have passed the course “Procesrecht” (Procedure)

Final competences

1 To have and apply a profound scientific knowledge of the notarial civil procedure and related areas of law.

2 To understand and apply current debates and issues relating to the notarial civil procedure and related areas of law, through a thorough command of the scientific research methods in the studied legal disciplines, and by being able to analyse legal texts and sources of law (also in other languages than Dutch), which leads to the ability to apply theoretical knowledge to realistic cases and problems.

3 To be able to prepare and draft notarial deeds in notarial procedure and other affiliated areas of law. This requires on the one hand the ability to identify problems and to summarize them, and on the other hand the ability to solve independently difficult problems and to formulate advises bij aassessing and evaluation independently the statutes, the case law and the comments on the law by legal authors. To be able to demonstrate creativity in solving a notarial problem, a legal-scientific attitude (a discerning mind) and self-reliance (sense of responsibility)

4 The ability to intelligible written and oral communication

5 To participate in academic activities. The willingness to self-teaching and lifelong learning. To assess the legal implications of new social and technological developments for the notarial practice

6 To be aware of the social role of the notarial lawyer; respect for diversity, pluralism and tolerance.

7 To understand the high demands concerning the deontology of the notary in this context and acting accordingly to the deontological rules applicable to notarial lawyers and notary’s. To understand the importance of the impartiality and independence of the notary in procedures, as for instance the procedure of liquidation and division.

Conditions for credit contract

Access to this course unit via a credit contract is unrestricted: the student takes into consideration the conditions mentioned in 'Starting Competences'

Conditions for exam contract

This course unit cannot be taken via an exam contract

Teaching methods

Lecture, Independent work

Extra information on the teaching methods

The lectures aim to give the students an insight in and an understanding of the procedures, whereby attention is given to the context in which these procedures are performed. The aim is to have interaction with the students.
Recordings of each lecture will be made available shortly after class and will remain accessible until the end of the academic year.

Study material

Type: Syllabus

Name: Syllabus for part about particular procedures
Indicative price: Free or paid by faculty
Optional: no
Available on Ufora : Yes

Type: Slides

Name: Slides of classes
Indicative price: Free or paid by faculty
Optional: no

Type: Reader

Name: Reader with i.a. relevant joural articles and book chapters
Indicative price: Free or paid by faculty
Optional: no

References

Will be communicated during the course

Course content-related study coaching

Explanation of the method of study and the method of examination during the lectures and on Ufora. More insight is given during the plenary exercises. Exemples of questions are discussed during the plenary exercises.

Assessment moments

end-of-term assessment

Examination methods in case of periodic assessment during the first examination period

Written assessment

Examination methods in case of periodic assessment during the second examination period

Written assessment with multiple-choice questions, Written assessment with open-ended questions

Examination methods in case of permanent assessment

Possibilities of retake in case of permanent assessment

not applicable

Calculation of the examination mark

- 40% written examination (part lectured by professor Vandenbussche)
- 40% written examination (part lectured by professor Broeckx)
- 20% written examination (part lectures by professor Baeck)