

Private International Law (B001525)

Due to Covid 19, the education and evaluation methods may vary from the information displayed in the schedules and course details. Any changes will be communicated on Ufora.

Course size	<i>(nominal values; actual values may depend on programme)</i>		
Credits 5.0	Study time 150 h	Contact hrs	45.0 h

Course offerings and teaching methods in academic year 2022-2023

A (semester 1)	Dutch	Gent	online lecture	0.0 h
			lecture: plenary exercises	7.5 h
			lecture	37.5 h

Lecturers in academic year 2022-2023

Verhellen, Jinske	RE21	lecturer-in-charge
Vanleenhove, Cedric	RE21	co-lecturer

Offered in the following programmes in 2022-2023

	crdts	offering
Master of Science in Teaching in Social Sciences (main subject Laws)	5	A
Master of Laws in Laws	5	A

Teaching languages

Dutch

Keywords

Private International Law (PIL)

- International jurisdiction
- Applicable law/conflict of laws
- Recognition and enforcement of foreign legal acts and decisions/ exequatur
- Administrative cooperation between Central Authorities

Position of the course

The aim of this course is to familiarize students with the methods and techniques used for resolving cross-border private law cases. This general introduction to private international law teaches students how to work with the variety and layered international, European and national sources. Because of the practical and societal importance of this field of law, the course prepares the students to solve concrete cases.

Contents

The course private international law is composed of two major parts: a general part and a special part.

The following aspects will be covered in **the general part** of the course:

- General introduction to PIL and the components thereof
- Sources (international, European and national)
- Concepts
- International jurisdiction: general rules
- Applicable law: general rules
- Recognition and enforceability in Belgium of foreign judgments and acts: general rules
- Administrative and judicial cooperation
- Other aspects of international litigation

The following aspects will be covered in **the special part** of the course:

- Family law

- Matrimonial property and property consequences of registered partnerships
- Maintenance Obligations
- Succession
- Property Law
- Contracts
- Non-contractual obligations
- Legal entities
- Insolvency

Initial competences

The student should have a good knowledge of the structure, core concepts and techniques of substantive private law (family law, contract law, commercial law, ...) and civil procedural law. The student should be able to make legal qualifications first in order for him/her/them to fully understand the reasoning used in private international law

Final competences

- 1 Knowledge and understanding of the different sources of Belgian private international law (national laws, European regulations and international conventions)
- 2 Understanding and applying the techniques of international and European procedural law (which is the competent court to hear a case with international elements?)
- 3 Understanding and applying the techniques of conflict of laws (which law should the judge/civil servant apply in a case with international elements?)
- 4 Understanding the impact of foreign acts and judgments in Belgium
- 5 Understanding of the impact of private international law on society, characterized by diversity.

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

Access to this course unit via an exam contract is unrestricted

Teaching methods

Lecture, lecture: plenary exercises, online lecture

Learning materials and price

Manuel: T. Kruger en J. Verhellen, *Internationaal Privaatrecht. De essentie*, Brugge, die Keure (cost: approx. 35 euro).

Legislation: J. De Meyer, J. Erauw en J. Verhellen, *Basisbronnen van Internationaal Privaatrecht*, Mechelen, Kluwer (cost: approx. 30 euro).

The handbook and the legislation will be sold by the student association VRG.

The **PowerPoint presentations** used during the lectures will be available on Ufora.

References

See: Teaching and Learning Material.

Course content-related study coaching

The skills for using the different PIL sources and for solving concrete cases are taught during the lectures.

For questions, students can always contact the lecturer and her assistants. This is possible during the lectures or through the discussion forum on Ufora.

Evaluation methods

end-of-term evaluation

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

Written examination with open questions

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

Written examination with open questions

Examination methods in case of permanent evaluation

Possibilities of retake in case of permanent evaluation

not applicable

Extra information on the examination methods

Written exam, with the use of the book 'Basisbronnen IPR'.

The evaluation is done by means of case studies, testing in particular whether the student can work with the PIL sources (international treaties, European regulations and national legislation) and can apply these sources/rules to concrete issues of private international law.

Calculation of the examination mark

100% written examen

Facilities for Working Students

Feedback possible by prior arrangement during and after office hours.

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