

LEXIQUE DE TERMES JURIDIQUES

Absence : l'absence est la situation d'une personne qui a abandonné son domicile depuis longtemps sans donner signe de vie.

Absence de cause : défaut du motif que l'on avait de s'obliger [ne peut concerner que la cause objective].
C'est un vice du consentement => nullité relative.

Abus de droit : détournement de l'exercice d'un droit, de son but, par celui qui en use (admis en France pour les droits absolus tels que le droit de propriété, depuis affaire Clément-Bayard, Cour de cassation, 1915).

Abusus : l'abusus est le droit de disposer d'un bien.

Abus de fonctions : il y a abus de fonctions quand le préposé exploite les opportunités fournies par ses fonctions pour se livrer, à des fins personnelles, à un acte étranger à ses attributions.
Selon une conception restrictive, il n'y a pas d'abus s'il existe un rapport de lieu, de temps ou de moyen entre acte et fonction (acte commis à l'occasion des fonctions ou avec un moyen mis à sa disposition).
Selon une conception extensive, il y a abus de fonctions quand 3 critères sont cumulativement réunis : préposé hors fonction, poursuite de fins étrangères à ses attributions sans autorisation.

Accessoire d'une créance : attributs juridiques qui servent une créance, pour en donner la meilleure utilité à celui qui en bénéficie (sûreté, action paulienne, action oblique, etc.).

Accident : événement dommageable, soudain et indépendant de toute volonté, provoqué par un véhicule participant à la circulation, c'est-à-dire se déplaçant sur une voie publique ou privée, ou bien se trouvant à l'arrêt sur une voie publique.

Accipiens : mot latin désignant la] personne qui reçoit un paiement, généralement, l'accipiens est le créancier (voir "solvens").

Accord de prête-nom : accord par lequel une personne (le commissionnaire) se porte officiellement partie à un acte juridique, mais pour le compte secret d'une autre personne (le simulateur).

Accord-cadre : dans le cadre de relations d'affaires suivies, accord qui a pour objet de prédéterminer le contenu des contrats à venir qui seront des contrats d'application.

Accord partiel : accord intervenant sur des éléments distincts du contrat envisagé.

Achalandage : ensemble de la clientèle de passage attirée par la vitrine du magasin, sa situation géographique, etc.

Acte apparent (acte ostensible) : acte révélant une situation juridique différente de la situation véritable.

Acte authentique : écrit établi par un officier public (par exemple : acte notarié) dont les affirmations font foi jusqu'à inscription de faux et dont les grosses, revêtues de la formule exécutoire, sont susceptibles d'exécution forcée.

Acte constitutif : acte juridique créant des droits nouveaux ou modifiant une situation antérieure.

Acte de disposition : texte juridique qui entame ou engage un patrimoine.
Acte comportant transmission de droits pouvant avoir pour effet de diminuer la valeur du patrimoine.

Acte de commerce : un acte de commerce est un acte ou un fait juridique soumis aux règles du droit commercial en raison de sa nature, de sa forme ou de la qualité de commerçant de son auteur.

Acte juridique : manifestation de volonté destinée à produire, consciemment et délibérément / librement, un effet de droit recherché et voulu par son ou ses auteurs.

Acte juridique unilatéral : manifestation de volonté unilatérale à laquelle son auteur, agissant seul, entend faire produire un effet de droit.
Ce type d'acte a pour objet soit l'abdication/renonciation soit la déclaration (reconnaissance enfant) soit la transmission d'un droit (testament).

Lexique Des Termes Juridiques Lexiques

Karin Nielsen-Saines



Lexique Des Termes Juridiques Lexiques:

Whispering the Secrets of Language: An Emotional Journey through **Lexique Des Termes Juridiques Lexiques**

In a digitally-driven world wherever screens reign great and instant interaction drowns out the subtleties of language, the profound strategies and emotional nuances hidden within phrases frequently go unheard. Yet, nestled within the pages of **Lexique Des Termes Juridiques Lexiques** a fascinating literary treasure pulsating with natural feelings, lies an exceptional journey waiting to be undertaken. Penned by a skilled wordsmith, that enchanting opus invites viewers on an introspective journey, gently unraveling the veiled truths and profound affect resonating within the very material of each and every word. Within the psychological depths of this touching evaluation, we can embark upon a sincere exploration of the book is key styles, dissect their charming writing design, and succumb to the effective resonance it evokes deep within the recesses of readers hearts.

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