

Sous la direction de
Marc DALLOZ et Christine COURTIN

Fonctionnaires et droit pénal

Des justiciables comme les autres ?



Fonctionnaires Droit P Nal Dalloz Courtin

Laetitia Antonini-Cochin



Fonctionnaires Droit P Nal Dalloz Courtin:

Fonctionnaires et droit pénal Marc Dalloz, Christine Courtin, 2015-10-01 Tant t victimes tant t auteurs pour des infractions intentionnelles ou pour se voir reprocher des fautes les fonctionnaires semblent exposés à un risque pénal particulier. Ralité ou impression fautive due à une surexposition médiatique. Mise en œuvre cohérente d'une loi pénale qui s'applique à tous les citoyens mais qui attend plus et mieux des serviteurs de l'Etat. Confrontés à la justice pénale les fonctionnaires sont-ils soumis au même régime que les autres ?

Criminal Liability of Political Decision-Makers Frank Zimmermann, 2017-08-28 This book is dedicated to a fundamental conflict in modern states: those persons holding public office are no more than ordinary citizens. Therefore their activities must, as a matter of principle, be subject to full judicial control. But at the same time democratically legitimated politicians need some discretion in their decision making. Allegations of politicians committing criminal offences in office quickly attract a great deal of media attention. Even politicians themselves frequently use such allegations to discredit their political opponents. However to date this topic has not been fully addressed on an academic level. This book is a first step in this direction. The individual contributions cover topics such as: bad political decisions that result in a waste of taxpayers' money; corruption and conflicts of interest in political decision making; immunities and procedural obstacles to the effective prosecution of politicians; abuse of criminal law and criminal proceedings in the political arena; criminal liability for decisions taken in situations of state emergency; the role of criminal law in public opinion. Leading experts examine these and other issues from a comparative perspective.

La responsabilité pénale du chef d'entreprise Victoria Ligny, 2021-10-21 Cette thèse a pour objectif de démontrer qu'il existe un traitement pénal spécifique réservé au chef d'entreprise. C'est au travers des conditions d'imputation que la responsabilité pénale du dirigeant peut être qualifiée d'extraordinaire dans le sens d'une responsabilité pénale dérogeant au droit commun. La répression qui en découle connaît toutefois une mutation d'autres moyens de nature répressive permettent de garantir l'éthique dans l'entreprise et d'affirmer que le droit pénal est en train de perdre le monopole de la sanction. L'auteur distingue les mesures de régulation et les mesures d'autorégulation. Ce transfert de l'effectivité des règles éthiques des mécanismes extrajudiciaires conduit à faire de la voie pénale un outil au service d'alternatives à la répression pénale et à diminuer le champ de la responsabilité pénale du dirigeant.

Réforme de la prescription pénale Christine Courtin, Jean-Raphaël Demarchi, 2018-06-01 La prescription est au cœur du fonctionnement de la justice pénale de l'action publique jusqu'à l'exécution de la peine. Elle a fait l'objet des plus vives critiques en doctrine et c'est son gard que la jurisprudence a pu manifester une réelle hostilité. La confusion rendait nécessaire une réforme d'ensemble. Ce livre propose une lecture critique des nouveaux textes destinée à faciliter leur mise en œuvre pratique.

La procédure Joanna Genovese, Giovanna Debernardi, 2018-10-11 La procédure est souvent perçue par les parties comme une source de difficultés supplémentaires dans la résolution d'un conflit. Elle est en réalité protectrice des droits des individus. Il n'existe pas qu'une procédure mais une pluralité. Il est question de procédure civile, de procédure collective, de procédure pénale. La procédure s'

adapte en fonction des contraintes et besoins tant par la matérialisation que la judiciarisation *La notion de promoteur immobilier* Delphine Pelet, 2022-01-04 Longtemps demeure l'ombre de la figure captivante de l'accédant le promoteur immobilier acteur central de l'opération de construction méritait une étude notionnelle d'ensemble La notion de promoteur est la fois fonctionnelle en ce qu'elle sert l'application d'un régime spécifique et plurivoque en ce qu'elle désigne la fois le mandataire visé par l'article 1831-1 du Code civil et celui qui selon la jurisprudence a l'initiative et le soin principal de l'affaire Plusieurs définitions coexistent ainsi celle d'un promoteur initiateur qui est l'origine de l'opération qu'il commercialise et celle d'un promoteur exécutant qui représente le maître d'ouvrage dans l'exercice de ses attributions Indépendamment de cette approche contractuelle de nombreuses incertitudes entourent la notion de promoteur immobilier Selon un prisme ratione materiae le présent ouvrage définit le champ d'intervention du promoteur en délimitant l'objet de son activité de construction et de rénovation et en définissant ses missions de montage et de suivi travers un prisme ratione personae il s'intéresse à la qualité de professionnel du promoteur et définit les formes statutaires empruntées par ce dernier Le travail de redéfinition de la notion conduit à valuer le statut juridique du promoteur en s'interrogeant sur le bien-fondé de son régime de responsabilité et sur l'instauration d'un contrôle des conditions d'accès et d'exercice de la profession **Le droit et les sentiments** Fabienne Ghelfi, 2016-01-01 S'interroger sur l'articulation des rapports entre le droit et les sentiments semble être un véritable défi tant ils appartiennent a priori deux mondes différents le rationnel et l'irrationnel Pourtant ces deux mondes ne sont pas étrangers l'un à l'autre le droit est forcément en prise avec les sentiments de ceux qui le font et de ceux qui il s'adresse leurs sentiments d'amour d'appartenance d'amour d'amitié de passion d'excitation d'indifférence de honte de compassion Leur rencontre est donc inévitable **L'erreur judiciaire** Xavier Pin, 2015-12-01 L'erreur judiciaire hante autant qu'elle jalonne l'histoire de notre justice pénale Nous avons tous en mémoire de retentissants procès ayant vu des individus accusés ou condamnés avant d'être disculpés grâces ou réhabilités Le législateur y est sensible au point de réformer régulièrement la procédure pénale pour tenter d'éviter de corriger ou de réparer autant que possible de telles erreurs Une loi du 20 juin 2014 réforme les procédures de révision et de réexamen des condamnations pénales définitives elle est l'occasion d'essayer de comprendre ces fiascos judiciaires Déclaration des droits de l'homme et du citoyen Jimmy Meersman, Rémi Puigventos, 2019-02-01 Le 26 août 1789 l'Assemblée constituante adopte les derniers articles du texte de la Déclaration des droits de l'homme et du citoyen qui traversant les siècles deviendra l'un des textes fondamentaux de la Cinquième République Si la Déclaration de 1789 est l'une des pierres angulaires de la garantie des droits de l'homme l'étude de sa postérité et de son actualité interroge Le présent ouvrage contribue en dévoilant les éléments les plus essentiels au travers d'une douzaine de contributions *Procédure civile et nouvelles technologies* Delphine de Lorgèril, 2017-09-01 la source de profondes mutations qui ont atteint le droit et en particulier la procédure civile le développement des nouvelles technologies est loin d'être un phénomène anecdotique La justice civile se modernise et avec les formes récentes se matérialise Les technologies avancées concernent désormais

toutes les phases du procès l'origine simple outil destin moderniser le service public de la justice elles portent en elles le bouleversement du procès civil *Les enjeux patrimoniaux de la séparation* Laetitia Antonini-Cochin, 2016-08-15 Confondus pendant la vie commune les intérêts patrimoniaux des conjoints doivent être démolis et liquidés lors de la séparation Ces questions d'ordre liquidatif relèvent souvent de la compétence du juge aux affaires familiales La séparation revêt souvent d'importantes disparités de situation et des préjudices qu'il convient de compenser et de réparer Se posent alors plusieurs questions telles que l'évaluation de la prestation compensatoire de l'allocation de dommages et intérêts ou encore de l'attribution du logement de la famille **Fonctionnaires Et Droit Penal** Courtin|Marc Dalloz Christine Courtin (Dalloz), 2015 **Dalloz, jurisprudence générale** ,1867 Jurisprudence générale du royaume recueil périodique et critique de jurisprudence de législation et de doctrine **Recueil Dalloz** ,1948 Recueil Le Dalloz ,2002 **Jurisprudence générale** Victor Alexis Désiré Dalloz, Armand Dalloz, 1848 Répertoire méthodique et alphabétique de législation, de doctrine et de jurisprudence en matière de droit civil, commercial, criminel, administratif, de droit des gens et de droit public Désiré Dalloz, Bureau de la jurisprudence générale (Paris), Armand Dalloz, 1848 **Revue bibliographique des ouvrages de droit, de jurisprudence, d'économie politique, de science financière et de sociologie** ,1961 Revue du droit public et de la science politique en France et à l'étranger ,1962 *Les Livres de L'année* ,1930

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