



## LIABILITY FOR DAMAGES CAUSED BY ANIMALS AND OBJECTS

- this institution is also encountered in the present Civil Code, and is regulated in the New Civil Code under articles 1375-1380;

- it is a **form of civil liability in tort consisting in the obligation to repair the damage caused by animals or objects.**

- Are considered to be in charge of the **custody** of the animal or of the object the owner or the one who, based on a legal provision, on a contract or just de facto, exerts independently the control and supervision on the animal or on the object and uses them in his/her interest.

**The liability for damages caused by animals** - is that form of civil liability in tort according to which the owner of an animal or the one using it is liable, regardless of any guilt, for the damage caused by the animal, even though the latter has escaped from his/her custody;

- there is no liability when the damage is caused exclusively by the act of the victim self of a third party or is the consequence of a case of force majeure.

**The liability for damages caused by objects** - is that form of civil liability in tort according to which anyone is obliged to repair, regardless of any guilt, the damage caused by the object placed under their custody;

- this liability also exists in the situation of collision of vehicles or in similar cases, however it should be mentioned that, in such cases, the task of repairing all damages will be incumbent only to the person whose guilty act fits, compared to the others, the conditions of force majeure;

- there is no liability when the damage is caused exclusively by the act of the victim self or of a third party or is the result of a case of force majeure.

**The liability for the ruin of the building** - is that form of civil liability in tort according to which the owner of a building or of a structure of any kind is obliged to repair the damage caused by their ruin or by the coming off of parts of them, if this is due to the lack of maintenance or to a building flaw.

- there is no liability when the damage is caused exclusively by the act of the victim self or of a third party or is the result of a case of force majeure.

**Other cases of liability regulated in the New Code** - a person occupying a building, even without a title, is liable for the damage caused by the fall or throwing of an object from the building.

- if in this case the conditions are fulfilled for the liabilities for damages caused by objects, the victim has a right of option between the two forms of liability.

- there is no liability when the damage is caused exclusively by the act of the victim self or of a third party or is the result of a case of force majeure.

## Project „The Codes Are Coming!”

**The contents of this material does not represent an official interpretation of the New Civil Code and does not cover all the aspects concerning this subject**