

Sale and purchase

- *General definitions*
- *Obligations of the seller*
- *Obligations of the buyer*
- *Acquisition of the title*
- *Liability for defects*

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- **General definitions**
- **legal relationship vs. acquisition of the title**
 - sale and purchase vs. contract of sale
- **subject matter of the sale**
 - movables
 - immovables
 - tangible assets
- **purchase price**
 - advanced payment
 - payment with the delivery
 - payment after the acquisition of the property

○ **Civil Code**

- **non commercial contracts**
- **Art. 588 and subsequent provisions**
- **sale among private persons**

○ **Commercial Code**

- **commercial contracts**
- **Art. 409 and subsequent provisions**
- **sale between bussiness companies or private entrepreneurs**

○ **Obligations of the seller**

- **transfer of the property**
- **specific time**
- **without undue delays**
- **immovables – application to the Cadastre Office**

○ **Obligations of the buyer**

- **pay the purchase price**
 - **full amount**
 - **installments**
 - **cash/bank transfer**
- **taking delivery of the subject matter**

○ **Other Applicable Provisions**

- **retention of the title**
- **preemption right**
- **repurchase right**

○ **Liability for Defects (1)**

- **quality**
- **quantity**

- **warranty period**
- **notification**

- **legal defects**
- **factual defects**

○ **Liability for Defects (2)**

- **factual defect**
 - **remediable**
 - **irremediable**

- **discount from the purchase price**
- **repair**
- **withdraw from the contract**

- **legal defects**
 - **remedy of legal defect**
 - **withdraw from the contract**

