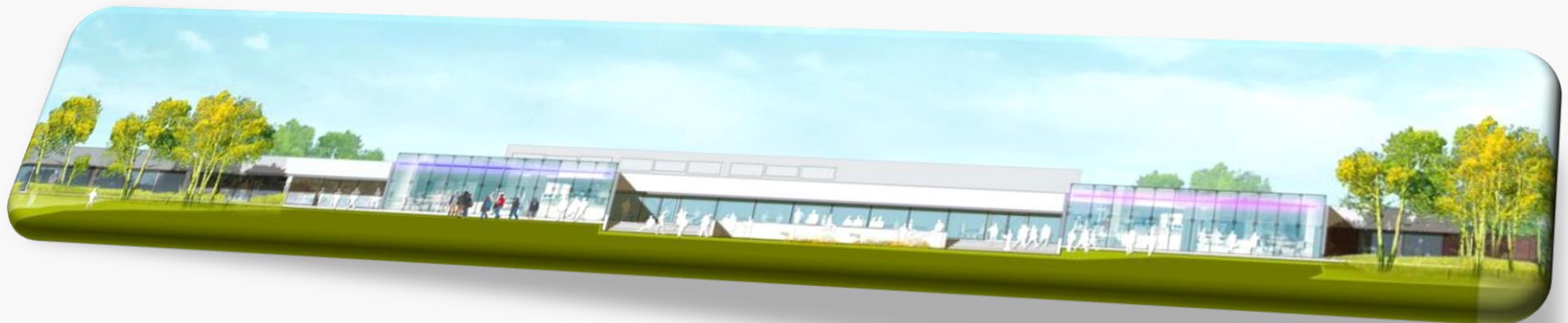


# Valuation and Compensation of Domestic Work Belgian Perspective

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## Overview

- Scope of research
- Valorisation of domestic work under the community of property regime
- Valorisation of domestic work under the pure separation of property regime

## Scope of Research

- Domestic work
  - The performance of typical housework and care of children and any resident third parties
  - Performing do-it-yourself work on a personal, common or undivided property
  - Performing unpaid work in the company of the partner
- Property relations between spouses and cohabitants
  - Marriage
  - Legal cohabitation
  - *De facto* cohabitation

## Valorisation of Domestic Work under the Community of Property Regime

- Domestic work is remunerated by the operation of the system itself
- Do-it-yourself work
  - On a personal good: Court of Cassation 5th September, 2013 and 30th January, 2014
  - On a common good

## Valorisation of Domestic Work under the Pure Separation of Property Regime

- Obligation to contribute to household expenses
  - Court of Cassation 22th April 1976
- Restitutive gift
- Theory on natural obligations
- Enrichment without cause (unjust enrichment)
  - 1. Performing unpaid work in the company of the partner
  - 2. Performing do-it-yourself work on goods that belong to the other partner
  - 3. Performing typical housework and care of children and any resident third parties

## Valorisation of Domestic Work under the Pure Separation of Property Regime

- New legislation?
  - Abolition of the pure separation of property regime and the introduction of a mandatory right of participation in any gains
  - The introduction of stricter information obligations for the notary
  - The introduction of a right to economic compensation