



CC Art. 42

General Rules on Obligations

TITLE 04 — OBLIGATIONS AND CONTRACTS · CHAPTER 01 — OBLIGATIONS IN GENERAL

- 1 Obligations must be performed in good faith and in accordance with their terms.
- 2 The debtor is liable for loss caused to the creditor by non-performance, unless the debtor proves that non-performance was due to a circumstance beyond the debtor's control that could not reasonably have been foreseen or avoided.
- 3 Where an obligation admits of several modes of performance, the debtor may choose the mode unless the parties have agreed otherwise or the law provides otherwise.
- 4 An obligation to pay a sum of money is denominated in the currency specified by the parties or, in the absence of specification, in the currency of the creditor's domicile.
- 5 Obligations may be joint or several. Where two or more debtors are bound to the same prestation and the obligation is joint and several, the creditor may demand performance from any one of them. The debtor who performs has recourse against the others for their shares.

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