

TITLE III. MANAGEMENT OF AFFAIRS WITHOUT MANDATE.

395. – A person who takes charge of an affair for another without having received mandate from him or being otherwise entitled to do so in respect of him, shall manage the affair in such manner as the interest of the principal requires, having regard to his actual or presumptive wishes.

(c/p Old text 154, 156; c/p J. 697; G. 677).

396. – If the undertaking of the management of the affair is opposed to the actual or presumptive wishes of the principal, and if the manager must have recognized this, he is bound to compensate the principal for any damage arising from his management of the affair, even if no fault otherwise imputable to him.

(c/p Old text 158; c/p J. 702 par.3; G. 678).

397. – The fact that the management of the affair is opposed to the wishes of the principal is not taken into consideration if, without the management of the affair, a duty of the principal the fulfilment of which is of public interest or a legal duty to furnish maintenance to others by the principal would not be fulfilled in due time.

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