

Commercial Works In this discourse, we explore the criteria for distinguishing between civil works and commercial works, and then we draw conclusions to discover the outcomes of this distinction. The first topic: Criteria for differentiating between civil works and commercial works There are conflicting jurisprudential opinions, making it challenging to establish a unified standard to define the scope of commercial law and its relationship to various provisions applicable to civil actions. Section I: Craft Theory French jurist George Rial was the first to advocate this theory, asserting that commercial work is characterized by the repetition of a craft by an individual to achieve profit. Legislation has thus introduced several criteria, some subjective and others objective, each representing an aspect of jurisprudence. Let's delve into the content of each: First: Subjective theory (personality) This theory posits that commercial law is subjective, determined by subjective criteria such as the craft theory and the entrepreneurial theory (project). However, criticisms have been raised against this theory, primarily due to difficulties in defining commercial craft and the lack of a reliable control standard. These theories focus on distinguishing civil works from commercial works based on the individual undertaking the activity.