

Comment distinguer les différents régimes de protection ?

□

La mesure de protection doit assurer dans les meilleures conditions affectives et matérielles possibles la protection de la personne et de son *patrimoine*.

Le souci de personnalisation des mesures impose de se repérer parmi l'éventail des protections.

Au besoin de protection provisoire qu'assure la ***sauvegarde de justice*** répond la protection durable de la ***curatelle***

et de la
tutelle,
cette dernière
constituant un
dernier
recours à
l'égard des

majeurs pour
lesquels les
effets des
autres régimes
s'avèreraient
insuffisants.

Le choix entre *curatelle* et *tutelle*

s'opère en
fonction du
besoin de
protection
révélé par

l'état du
majeur :
celui d'être
représenté
d'une

manière
continue ou
celui d'être
conseillé
ou contrôlé

pour le
majeur
présentant
un degré
d'autonomi

e
psychologi
que et
physique
suffisante

et ayant
conservé
les moyens
et le désir
d'intervenir

dans la
gestion de
ses
affaires.

En outre,
la *curatelle*
est
seule
envisagée

able

lorsque la

protection

résulte de

la

prodigalité

é,

l'intempér

ance ou
l'oisiveté
du
majeur.

Même
renforcée
, une *cur*
atelle

doit être
préférée
à une
tutelle

organisé
sous
la

forme
simplifi
ée de la

gérance,
voire
aménage

gée,
car tout
oppose

un
système
fondé

sur la
représe
ntation

où il
apparti
ent à

autrui
de
penser

et d'agir
aux lieu
et place

du
majeur,
et un

system
e fondé
sur

l'assista
nce où
les

actes

les plus

graves

sont
simple
ment

contrôl

és par

le

curate

ur



De
plus,
la *cur*

atelle

ne

prive

pas le

majeu

r

proté

gé de

ses

droits
civiques
et

favori

se

son

évolut

ion

positi

ve en

envis

agea

nt sa

partici

patio

n aux

actes

■
importants.

Tout
efois,

si les

acte

s op

é r é s

par

le

maje

ur en

tut

elle

agis

sant

seul

sero

nt

auto

mati

que

ment

ann

ulés,
ceux

acco

mpli

s

par

le

maje

ur

en

cura

telle

sans

l'ass

ist an

ce

du

cura

teur

ou

l'aut
oris

atuo

n du

judge

ne

pour

ront

faire

l'obj

et

que

d'un

e

de

ma

ndde

en

ann

ulat

ion

pen

dan

t

cin

q

ans

au

j u g

e

qui

app

**réci
era.**

Né

an

mo

ins,

les

act

es

qu

e l e

ma

j e u

r

en

cur

ate

||e

pe

ut

CO

nci

ure

se

ui

pe

u v

ent

faire

e



bje

t

d'u

ne

act

ion

en

res

cis

ion

OU

en

réed

u c t

ion

S **vi** **ii**

S

so

nt

dé

sé

qui

libr

és

ou

dér

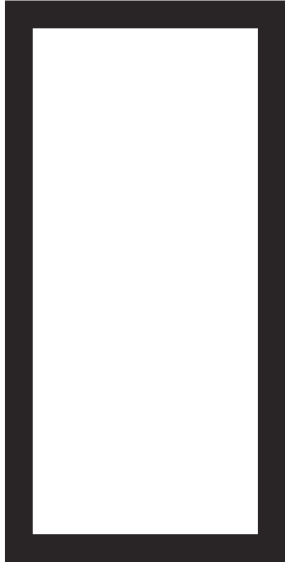
ais

on

na

bie

S.



Le

ch

oix

de

la

for

me

de

la t

ute

||e

dé

CO

uile

de

la

sit

uat

ion

fa

mili

ale

du

ma

j e u

ret

de

Wim

poor

tan

ce

de

so

n

pat

rim

oïñ

e.

En

e ff

et,

lex

ist

en

ce

du

n

en

vir

on

ne

me

nt

fa

miil

ial,

la

nat

ure

de

S

se

nti

me

nts

de

S

me

mb

ress

de

ceet

ent

our

ad

e à

1^o é

gar

d

du

ma

j e u

r
g

leu

rs

ap^ot

itu

de

S

ma

téri

eii

es

et

mo

ral

es

à

pre

ndr

e

soi

n

de

sa

per

SO

nn

e

et

de

se

S **b**

ien

S

infi

uer

ont

sur

le

typo

e

de

pr

ote

cti

on

à

me

tttr

e

en

oe

u v r

e .



m p

ort

an

ce

et

la

nat

ur

e

du

pat

rim

oïñ

e

CO

nst

itu

en

t

un

au

tre

crit

ère

e

de

de

ter

mi

na

tio

n

du

typ

e

de

ré

gi

m m

e

de

pr

ot

ect

■
ion



Ai

nsi

J

Hor

ga

nis

ati

on

d' u

ne

tuut

e //

e

CO

m

pi

ét

e

ess



re

nd

ue

né

ce

ss

air

e

pa

r

1'a

b s

en

Ce e



un

pa

re

nt

su

SCC

ep

tibi

e

de

re

m m

plii

r

av

ec

de

VO

we

m m

en

t

et

CO

m

pe

te

nc

e

la

ch

ar

ge



ad

mi

ni

s *tr*

at

eu

r

lé

ga

/,

Ne

Xiis

te

nc

e

de

CO

nfli

its

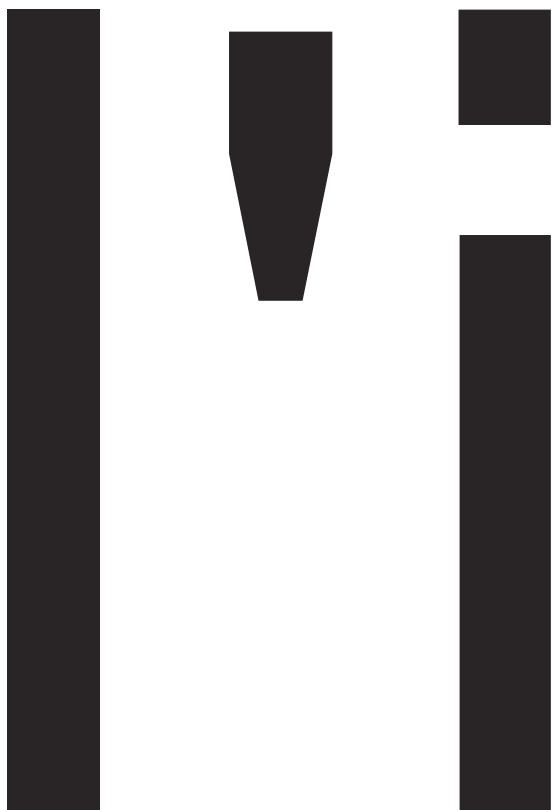
fa

mi

ii a

UX

J



m

PO

nta

nc

e

OU

la

CO

ns

ist

an

c e

du

pa

tri

m

Oi

ne

à

g é

re

r.

TO

ut

e f

Oi

S,

la

lo

ur

de

ur

de

SO

n

Or

ga

ni

sa

tiO

n

et

de

SO

n

fo

nc

tiO

nn

e

m m

en



ré

se

rw

e

SO

n

e

m m

pi

Oi

au



ca

S

de

m m

aj

eu

rs

qu

■
i
n

to

ut

en

n'

ay

an



pa

S

de

CO

nj

Oi

nt

OU

de

pa

re

nt

su

SCC

e p

tib

le



étr

e

de

Si

gn

é

CO

m m

m m

e

ad

mi

mi

s ***tr***

at

eu

r

hé

ga

/,

di

sp

OS

en





un

en

to

ur

ad

e

à

m m

®

m m

e

de

CO

ns

tit

ue

r

un

CO

ns

e *ii*

de

fa

mi

Me





a

CO

mm

pl

eX

ité

d

u

p

at

ri

m

Oi

n

e

p

e

ut

e

nt

ra

in

er

la

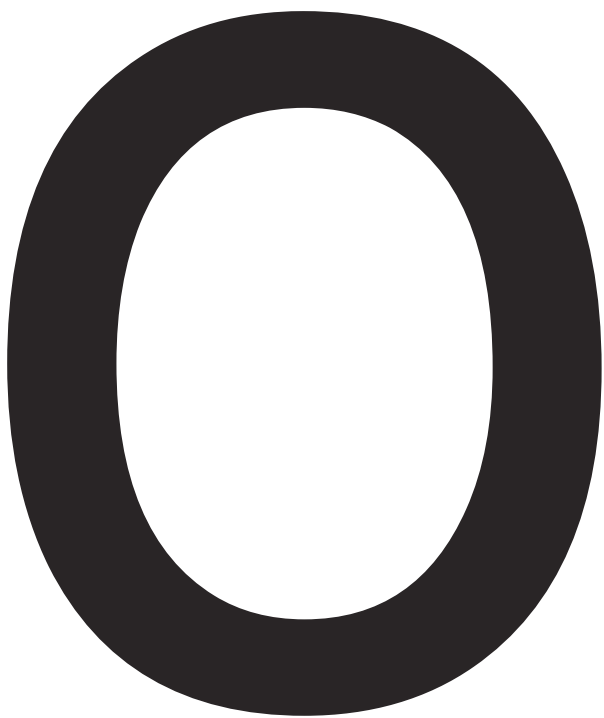
d

éss

ig

n

ati



n

d

e

pi

us

ie

ur

S

tu

te

ur

S,

e

n

di

sti

n

g

u

a

nt

se

lo

n

q

u

e

le

ur

mi

ss

io

n

S!

at

ta

ch

e

à

la

p

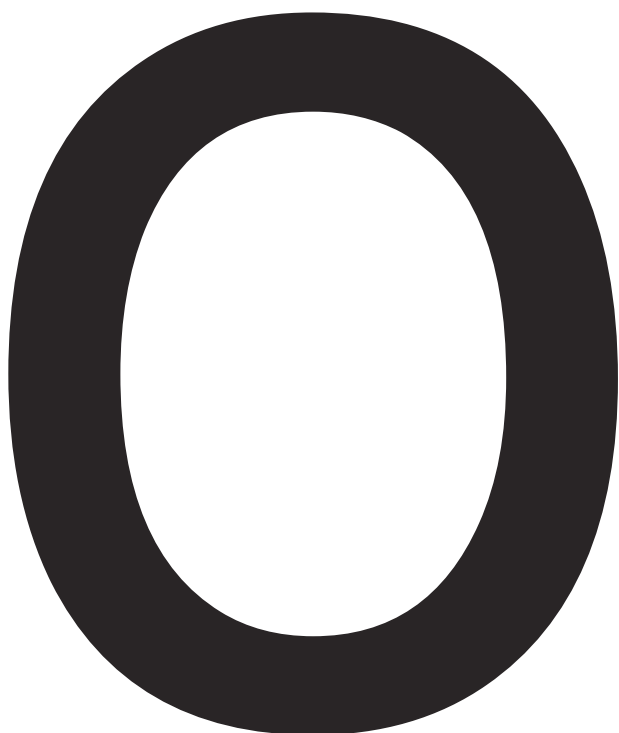
er

SO

n

n

e



u

a

UX

b ***i***

e

n

S

d

u

nm

ai

e

ur

pr

ot

é

g





a

Si

nm

Propriété

cit

é



e



er

ci

C

e

d

e

1 **!** **a**

d



in

is

tr

at

io

n

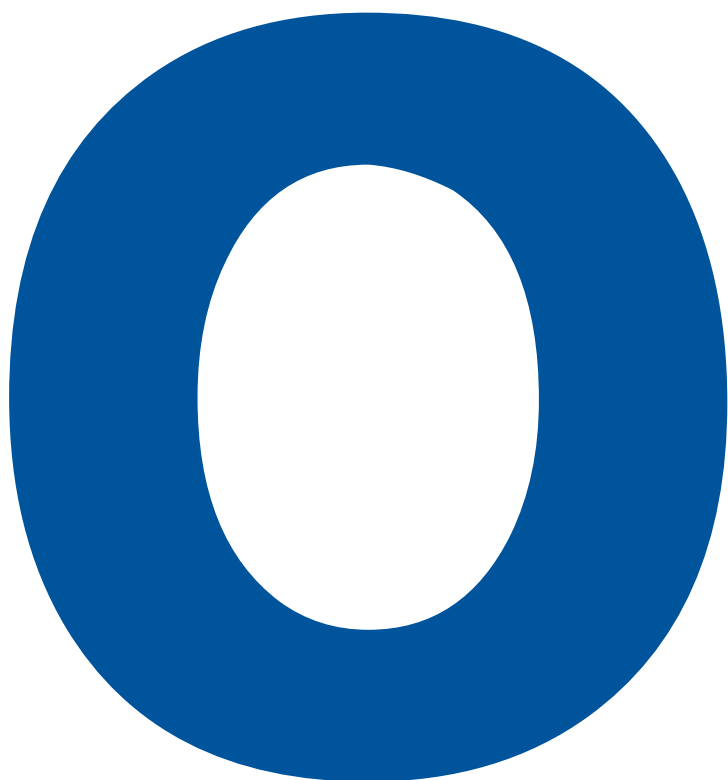
le

g

ai

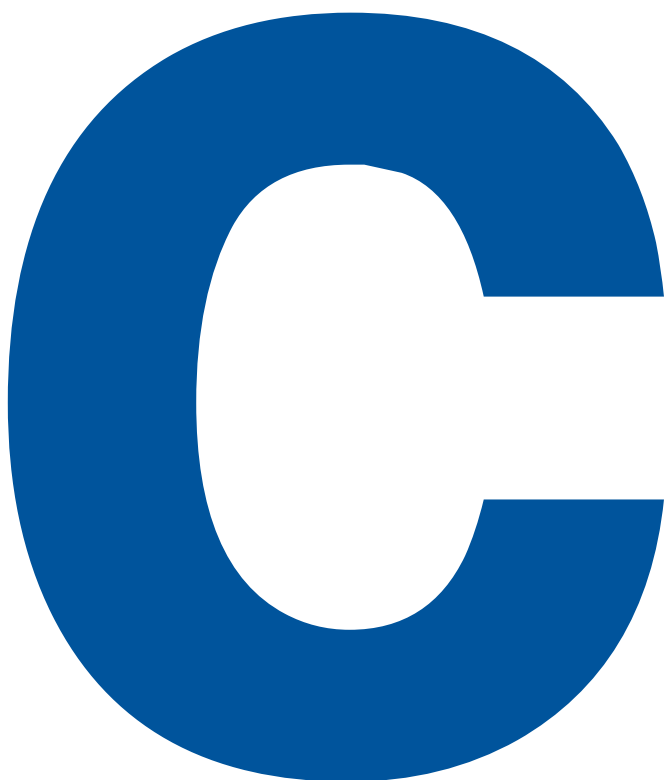
e

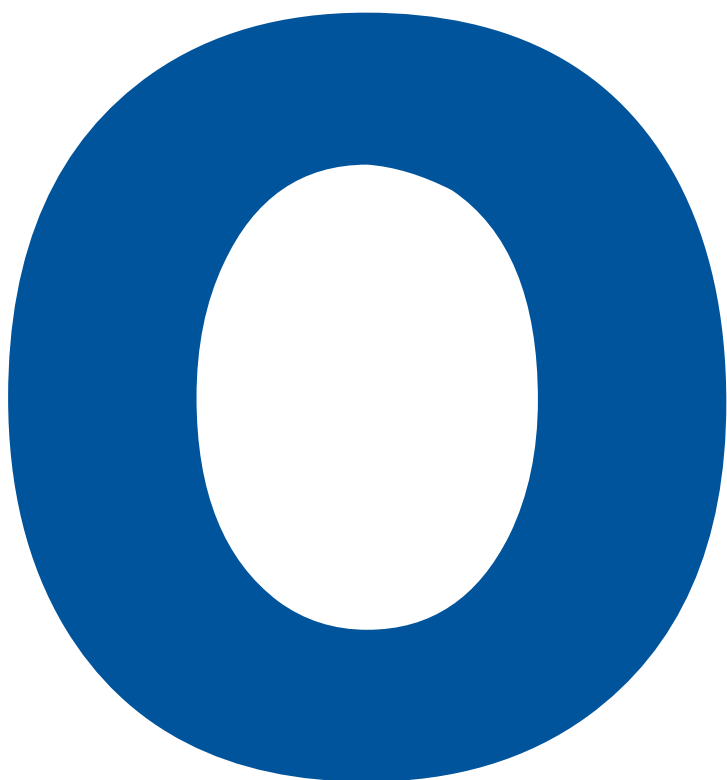
S



u

S





nt

no

le

ju

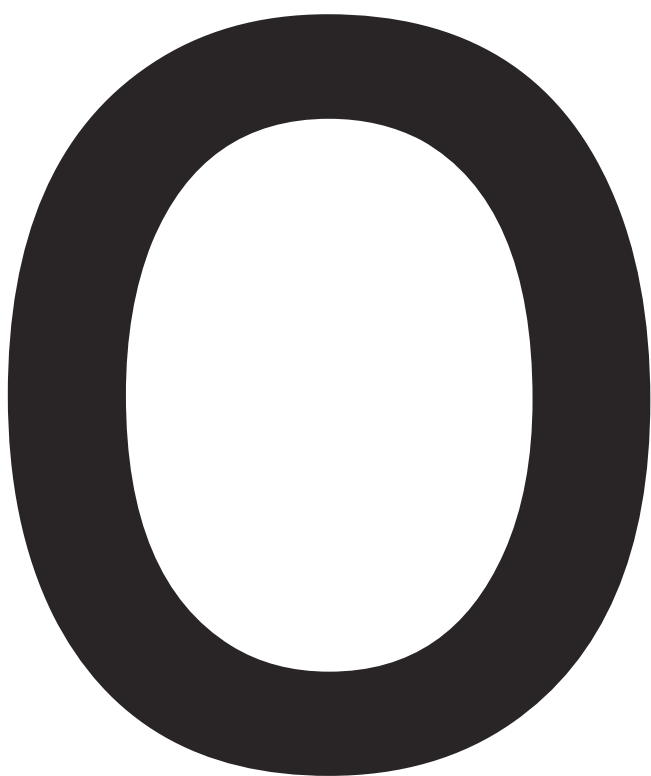
di

ci

ai

re





n



ui



à

e

n

fa



Or

is

er

la

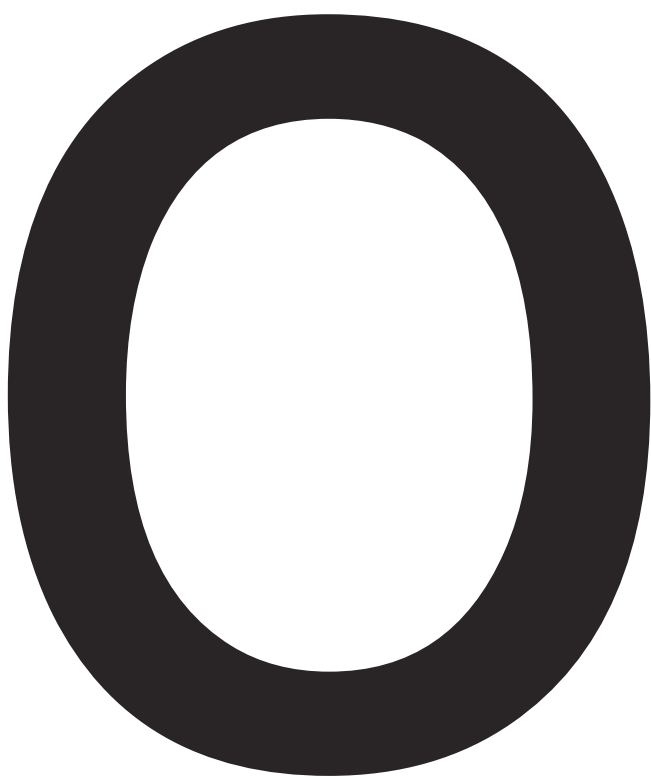
m m m

is

e

e

n



e

u

vr

e

P

ar

pr

e f

ér

e

n

C

e

a

la

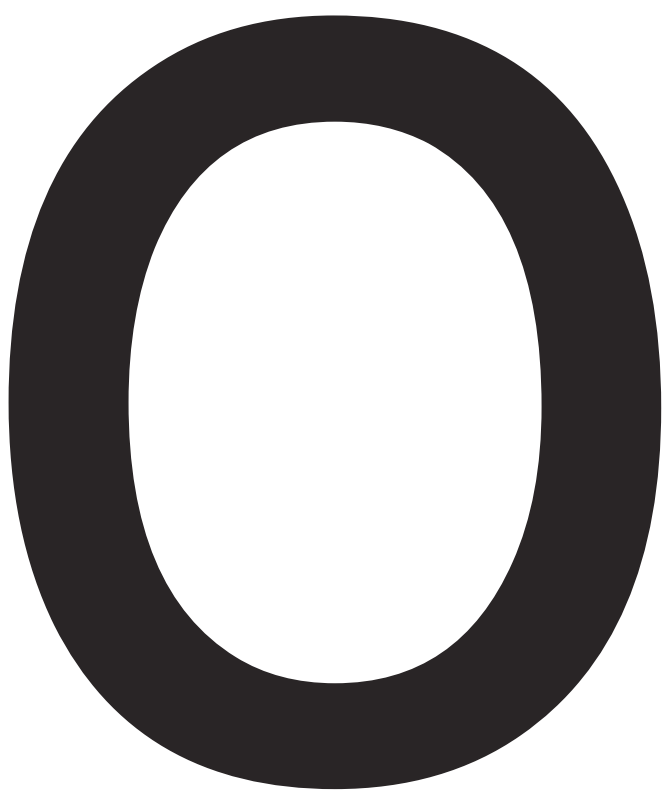


ut

e/

le

C



nm

PI

et

e,

d

e

nm



nm

e

Q

u

e

la

pr



nm

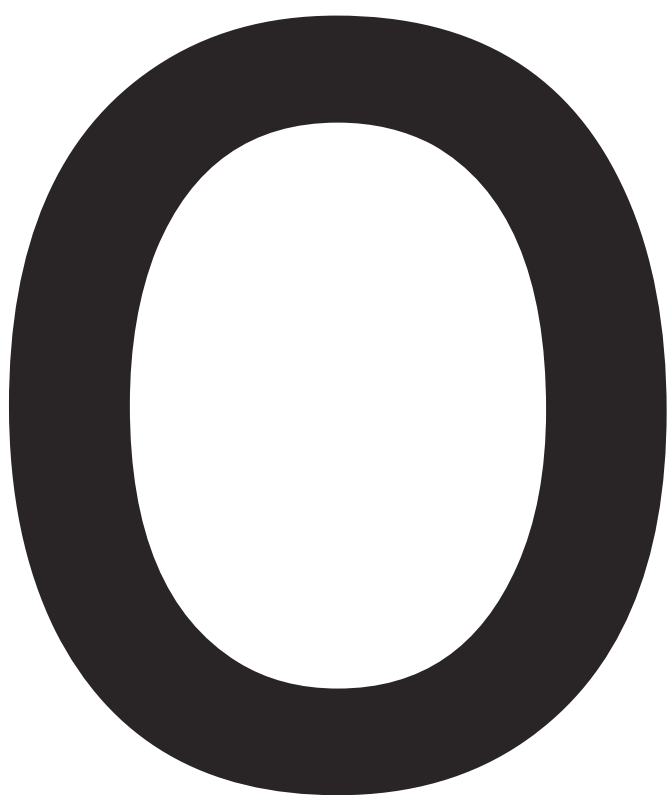
a

ut

é

re

C



n

n

u

e



A large, bold, black lowercase letter 'a' is centered on the page. Above the letter is a diagonal slash, forming a trademark symbol (a). The letter is rendered in a clean, sans-serif font.

la

fa

nm



e

la

fa



pr

é



ai

O **i**

r

S

ur

la

g

ér

a

n

C





Or

S

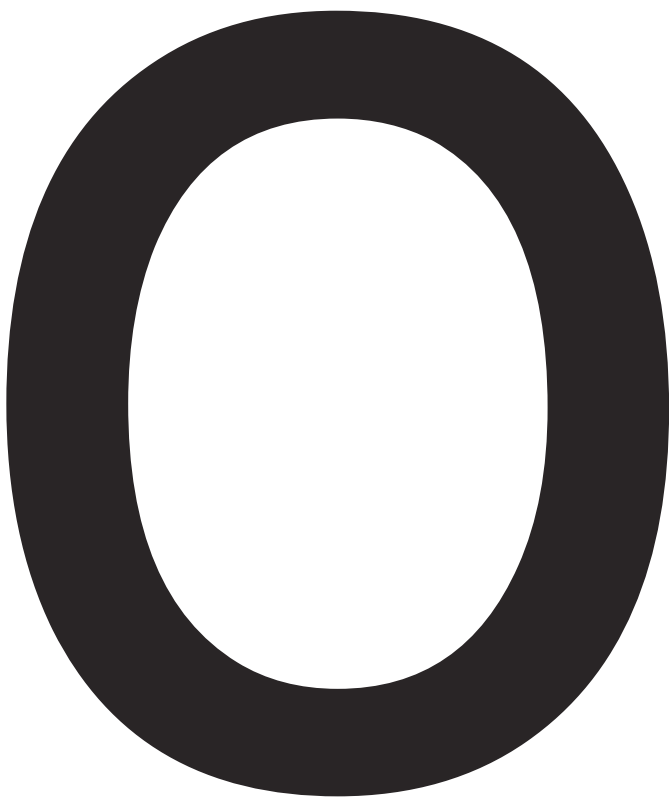
q

u

e

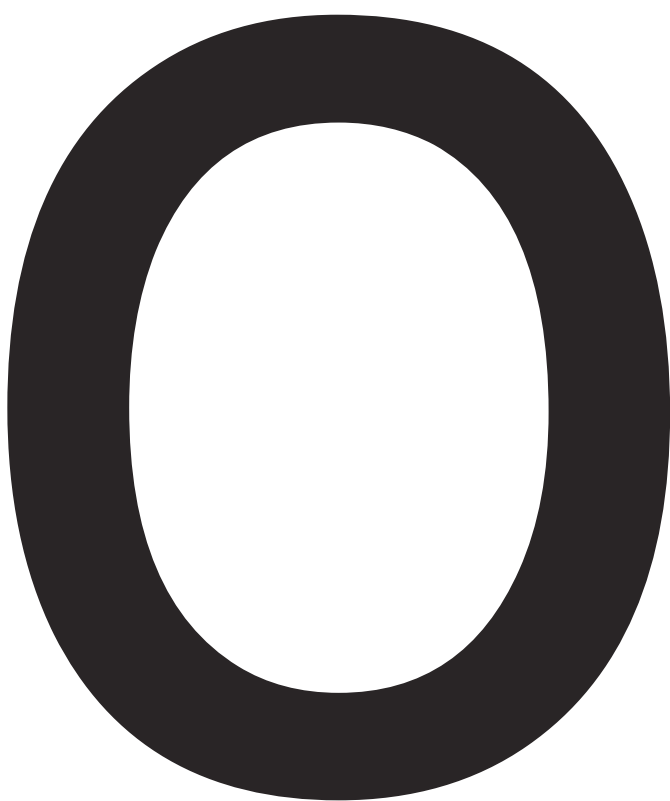
la

C



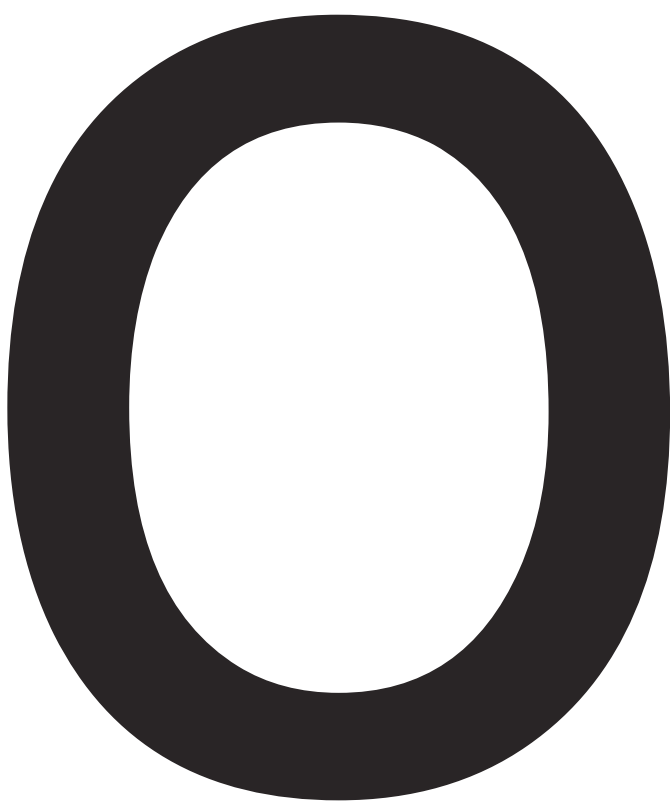
m m

P



Si

ti



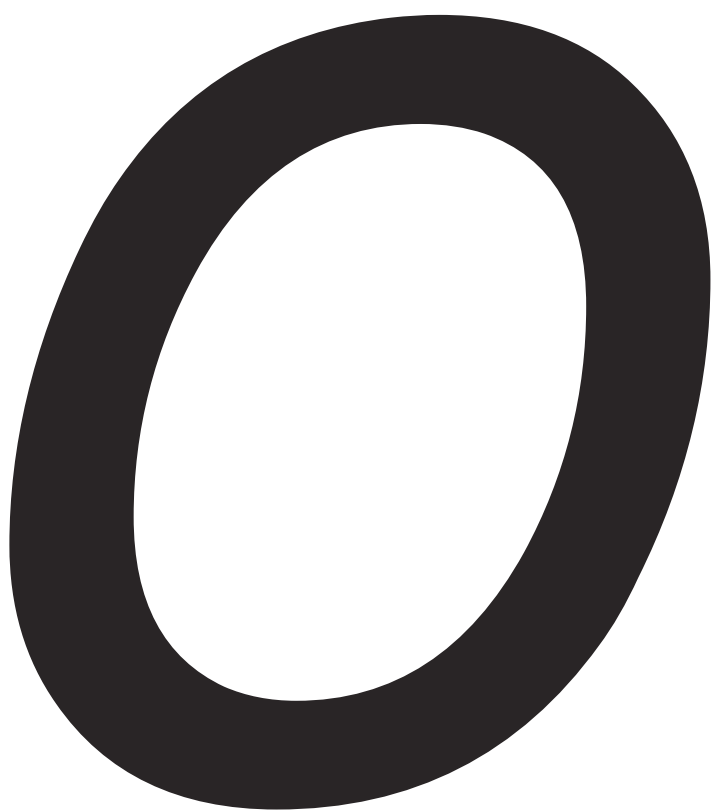
n



u

n





n

S

e ***i***



a

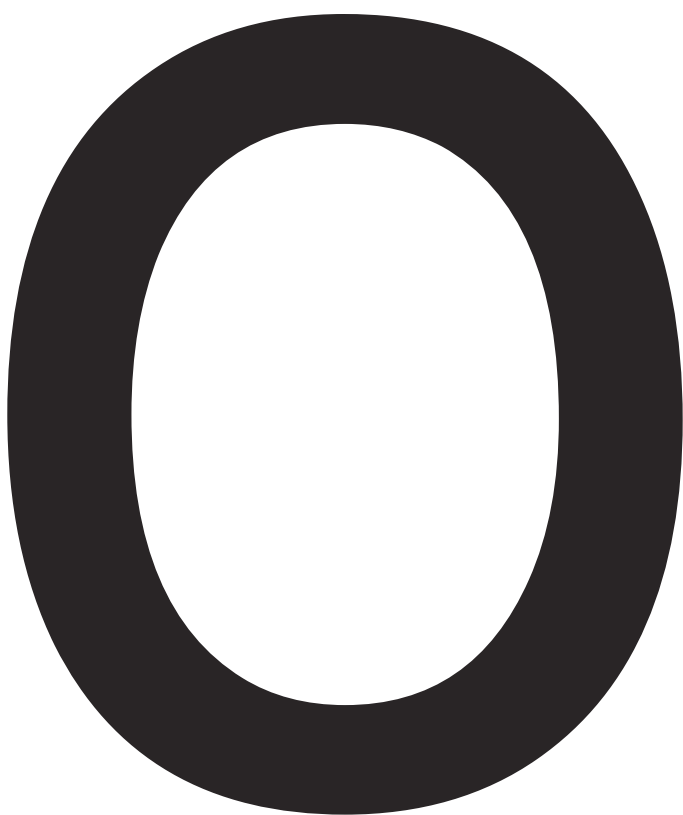
e

fa

m m m



e



u

la

d

é

Si

g

n

at



n



u

n

tu

*t*e

ur

S!

a



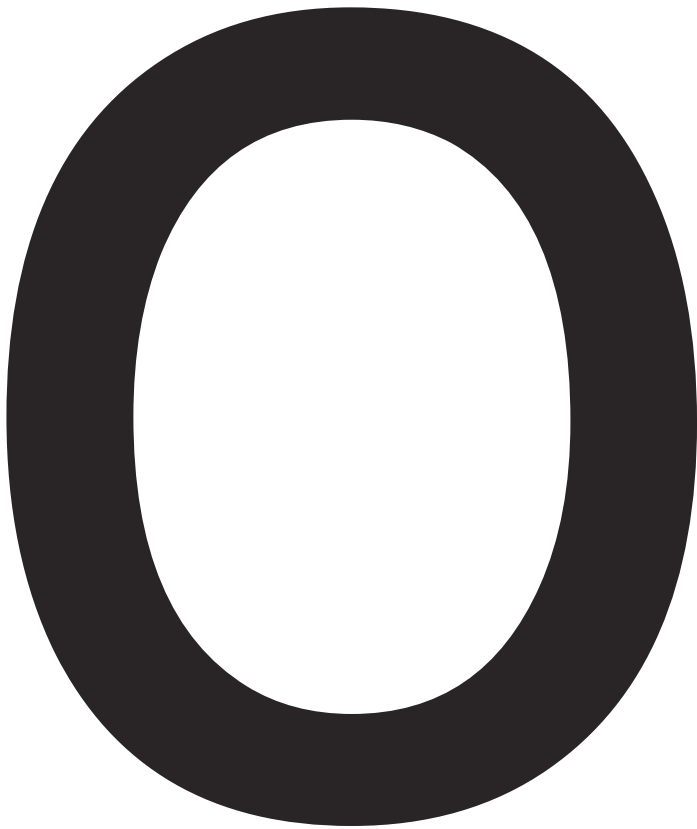
er

e



nm

P



S

S i

bi

e,

ai

Or

S

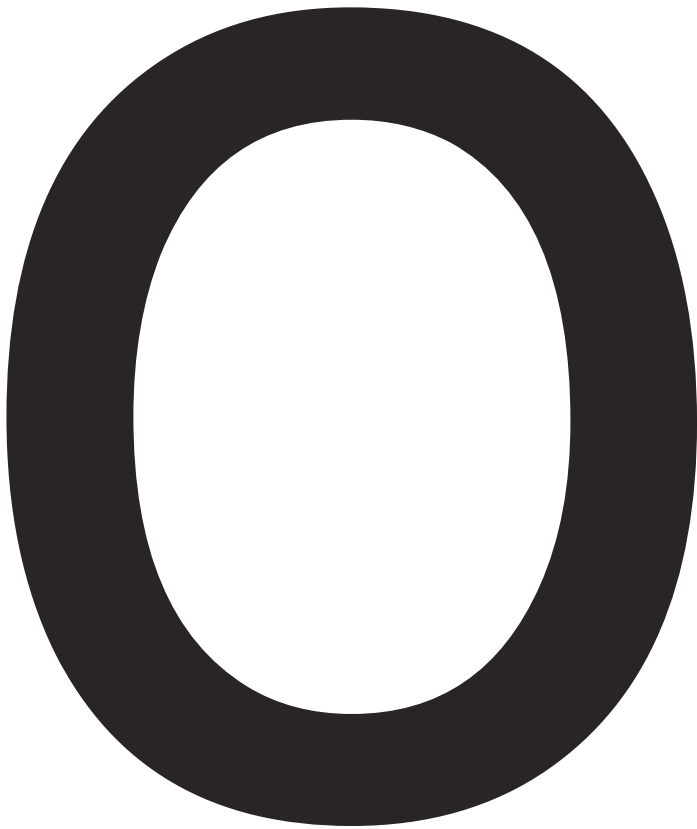
Q

u

e

la

C



n

S **i**

st

a

n

C

e



U

P

a t

ri

m m m

O!

n

e

a

ur

ai



re

n

d

u

n

e

C

e

S

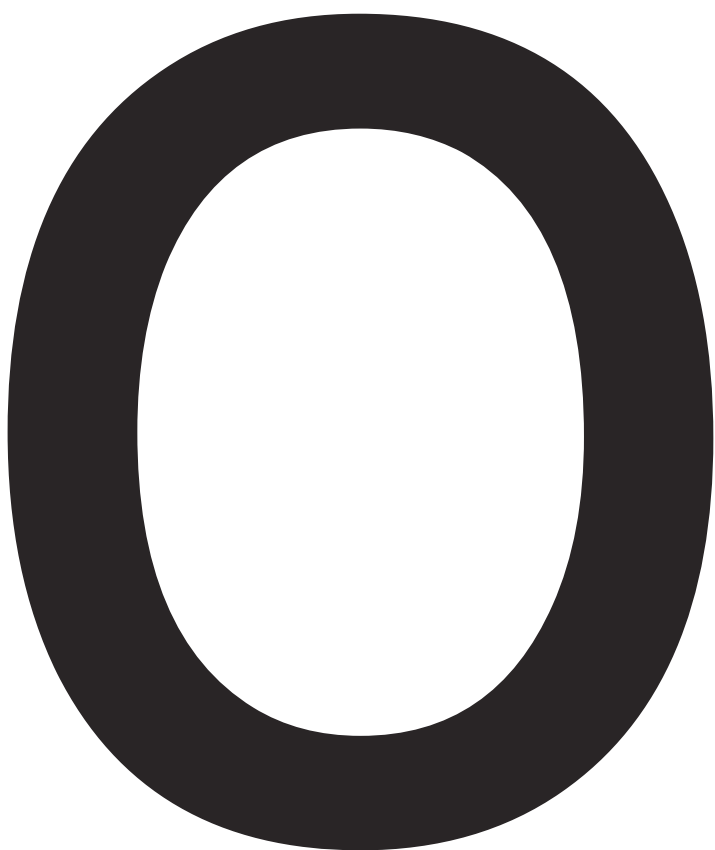
S

ai

re

1a

C



n

st



ut

io

n



u

n

e

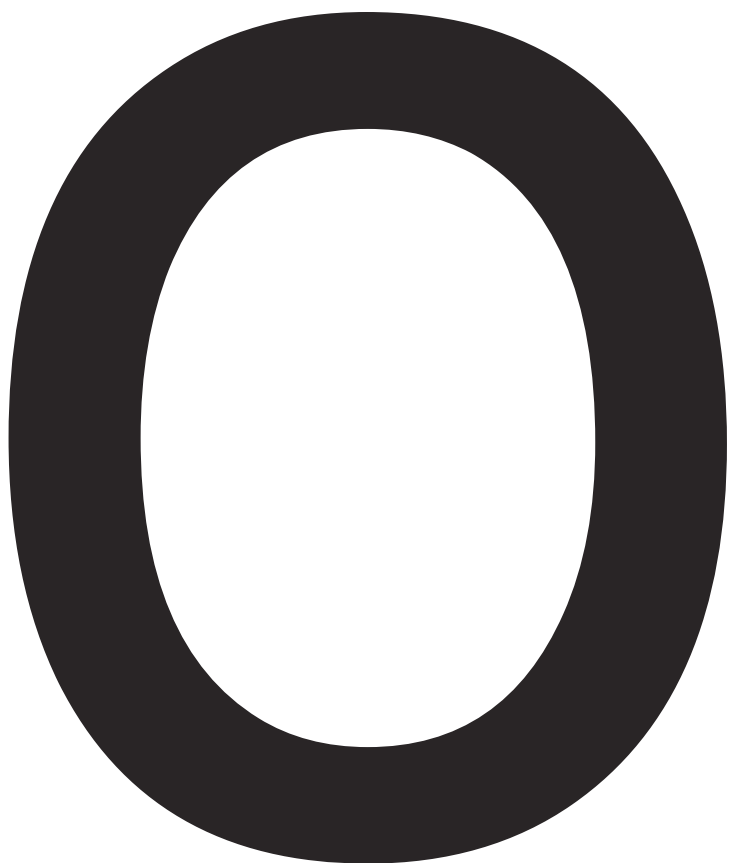
tu

*t*e



e

C



nm

PI

e **t**

e,

le

ju

g

e

P

e

ut

d

e f

er

er

la



u

*t*e

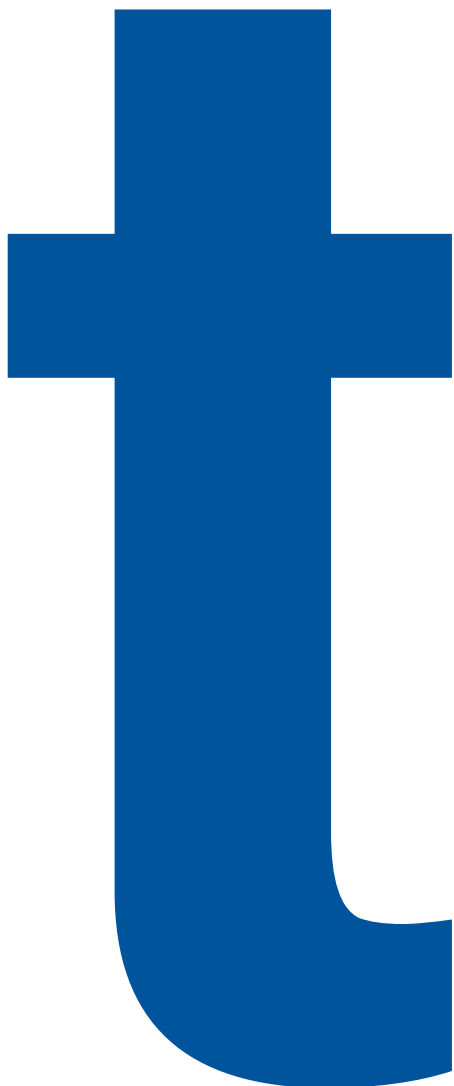


e

à



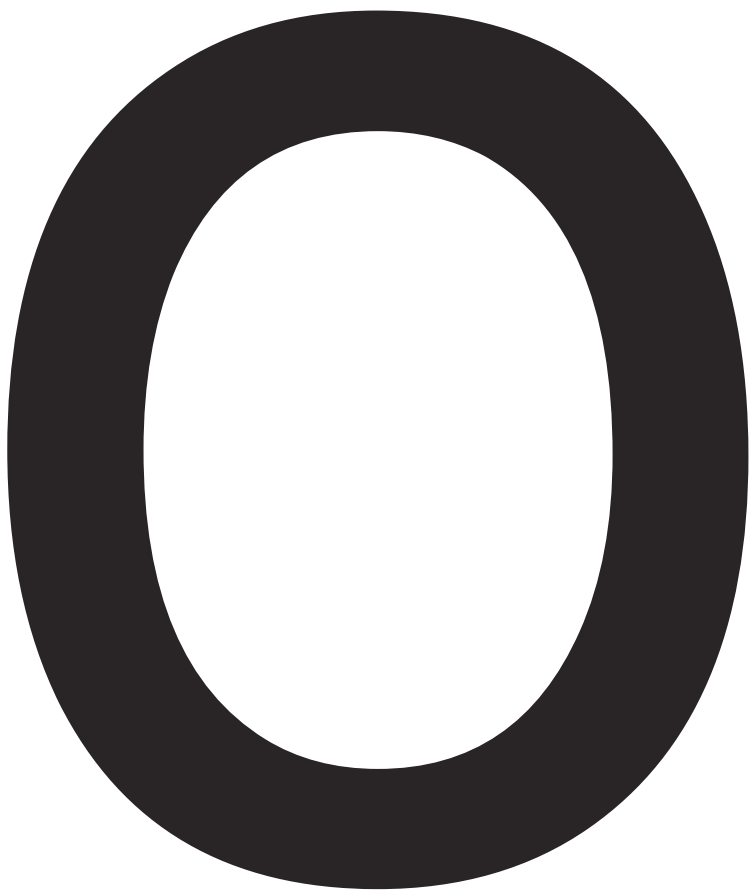




a





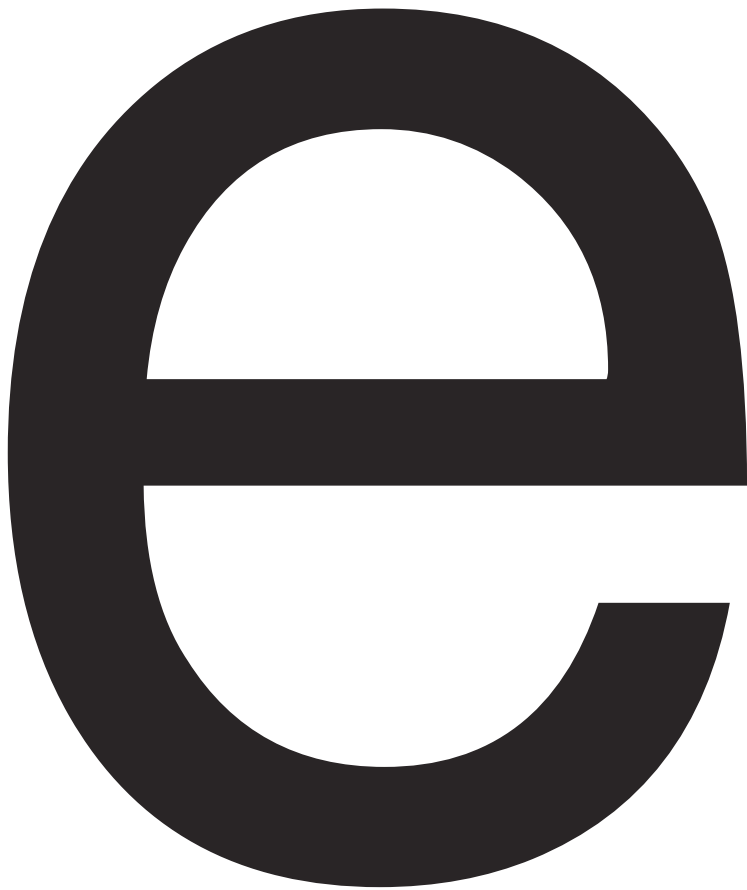


rs





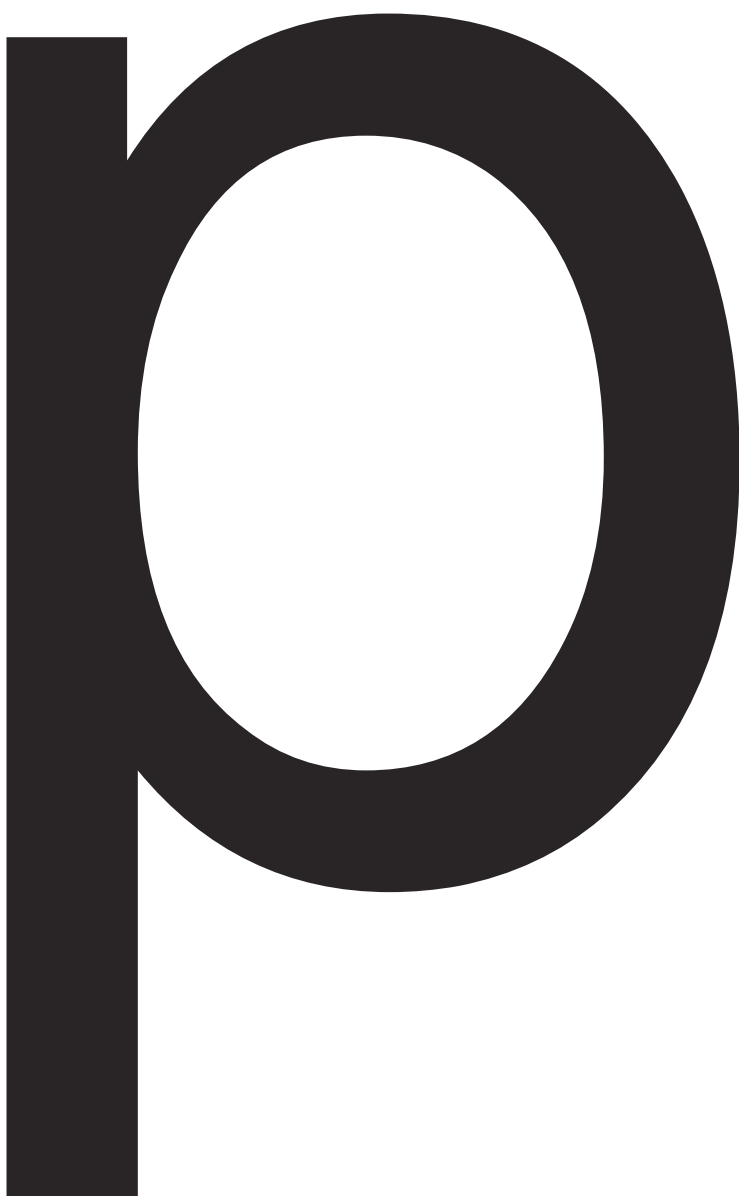


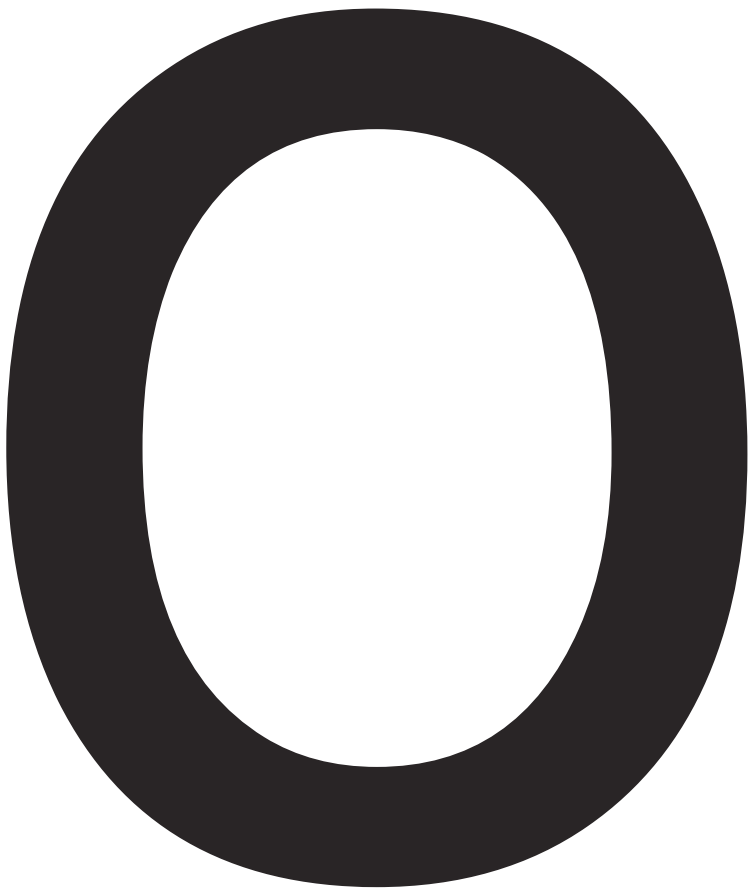


s t



nm



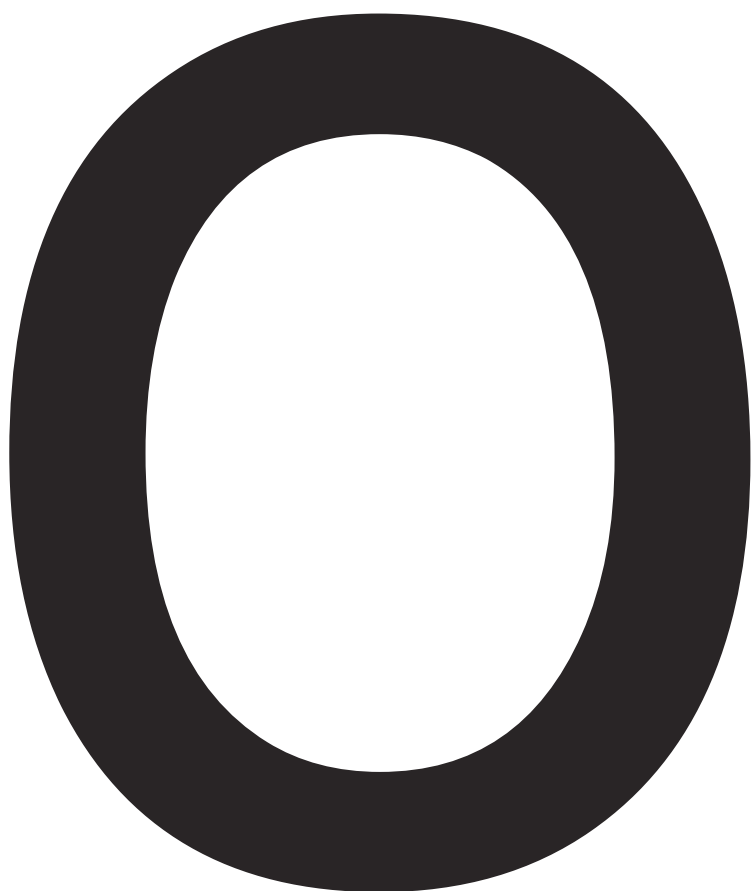


S

S **i**



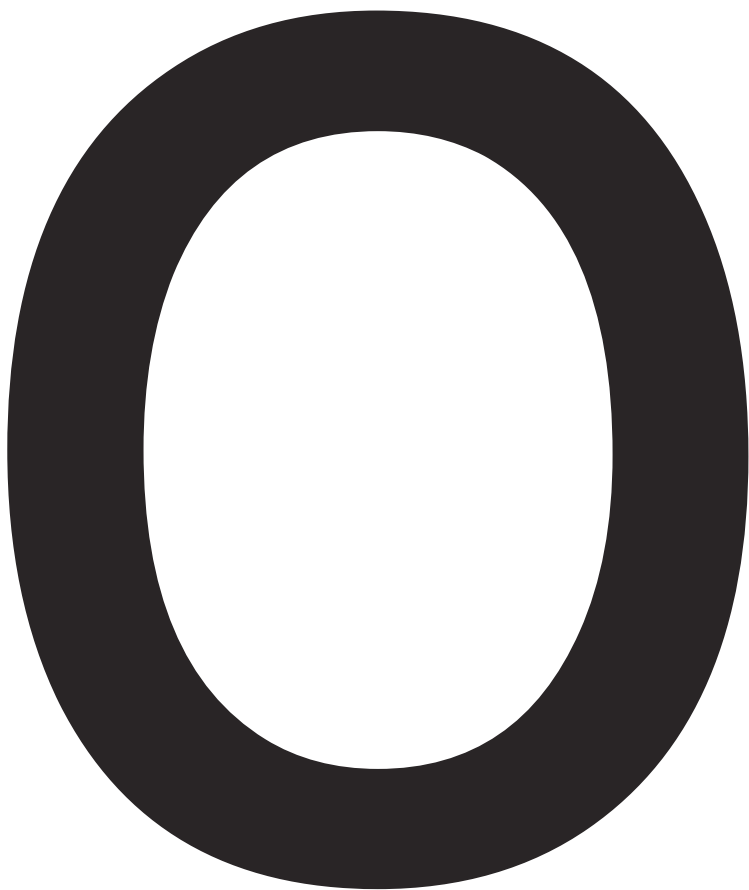
e

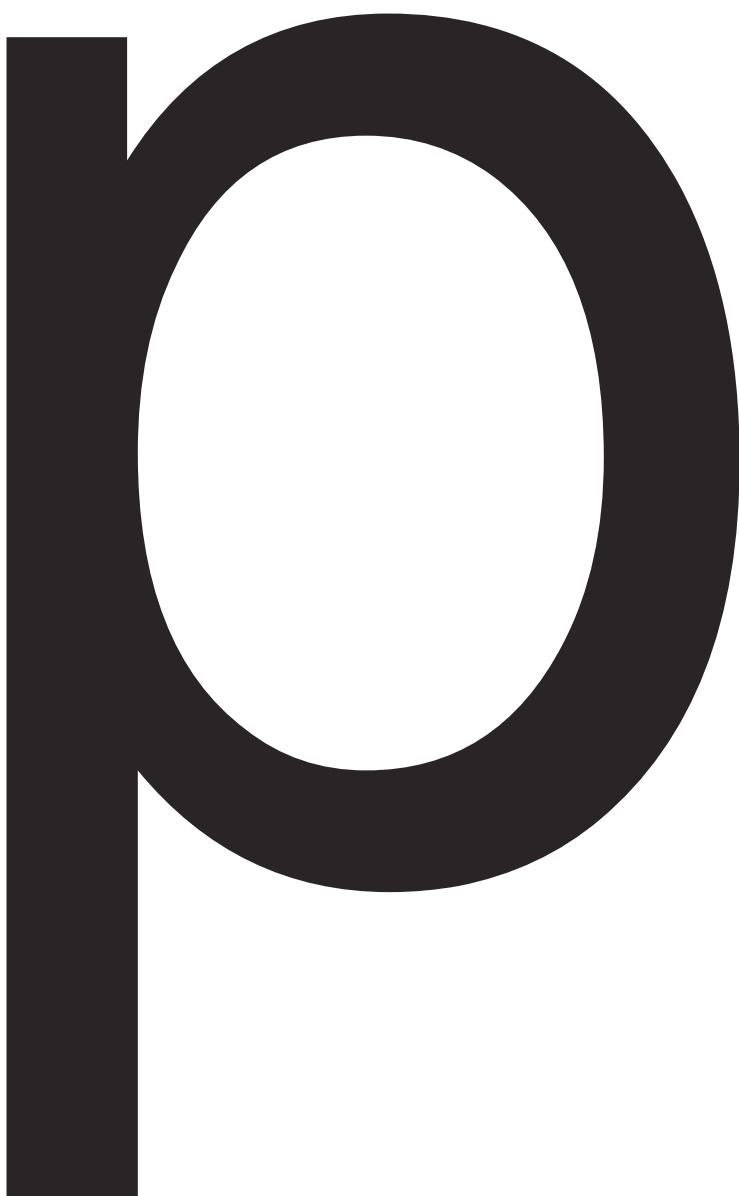


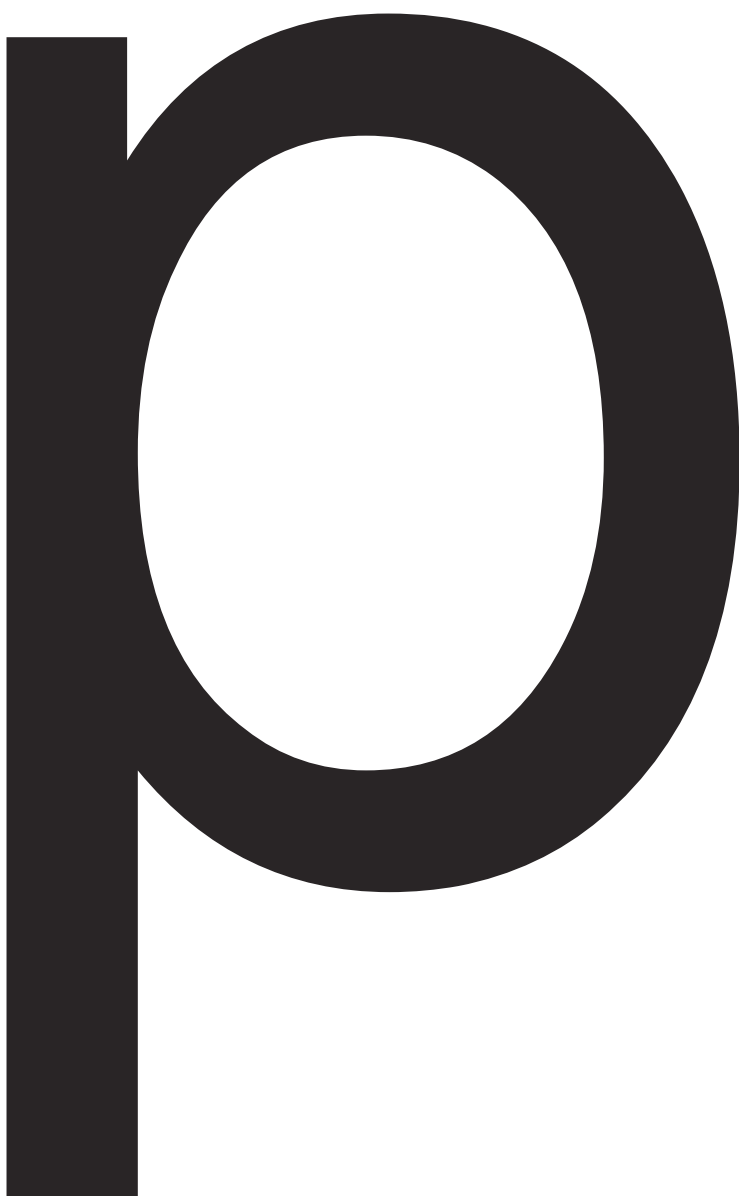
u

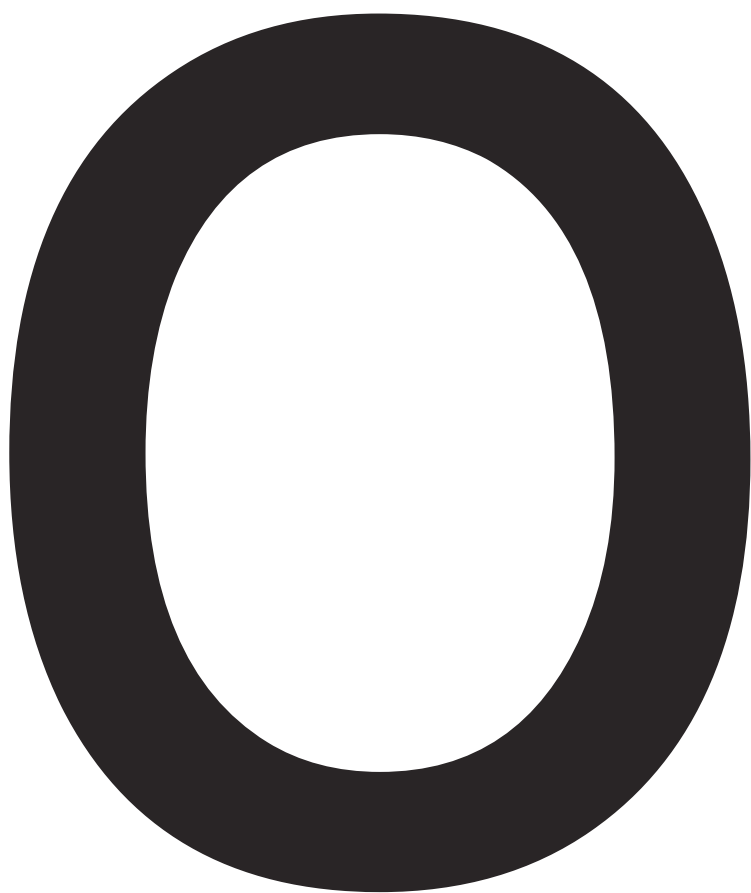


in









rt

u

n



e

f a

ir

e

a

P

P

e/



A large, stylized black letter 'a' with a diagonal slash above it, representing a trademark symbol.

1a

fa

nm



e

e t



u

e

le



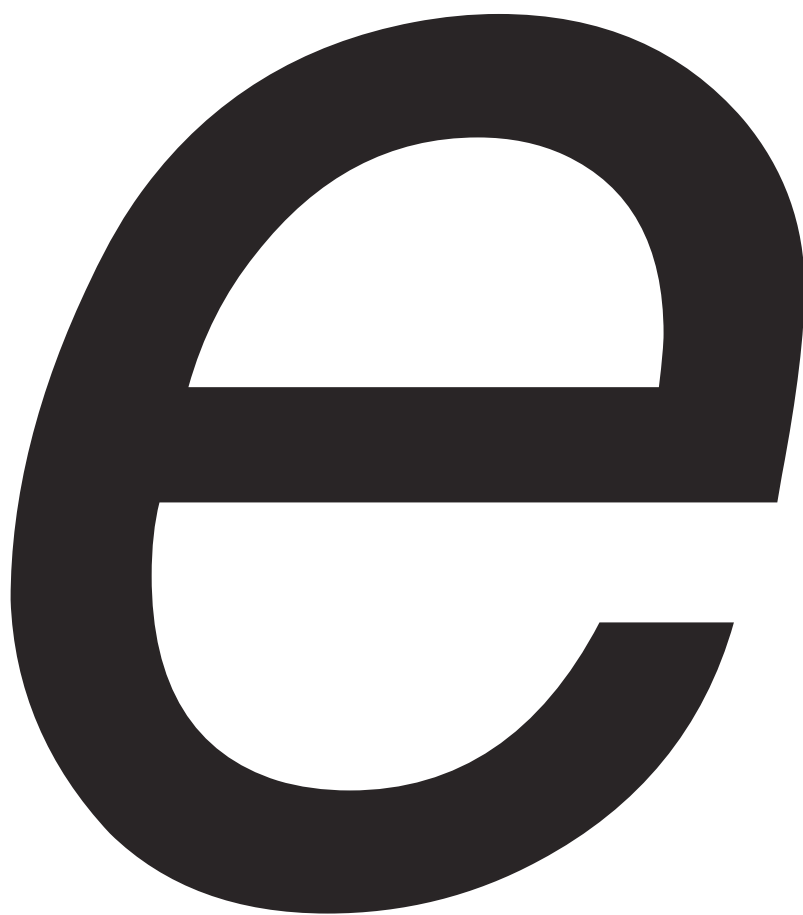
a *t*

ri

m m m

O!

n



n

e

g



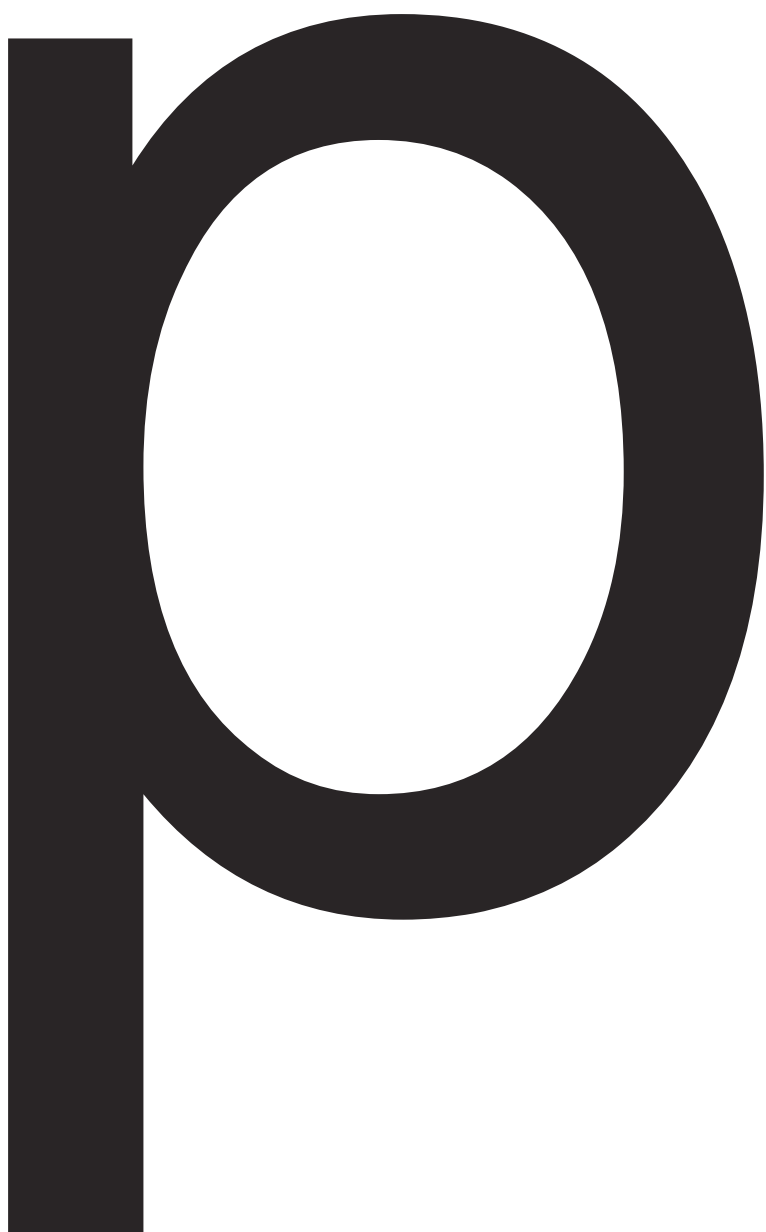
A large, bold, black lowercase letter 'e' is centered on the page. Above the letter, there is a solid black diagonal slash (/) that is slightly offset to the right, creating a visual element that resembles a trademark symbol or a specific typographic mark.

n



r

e



a

S

u

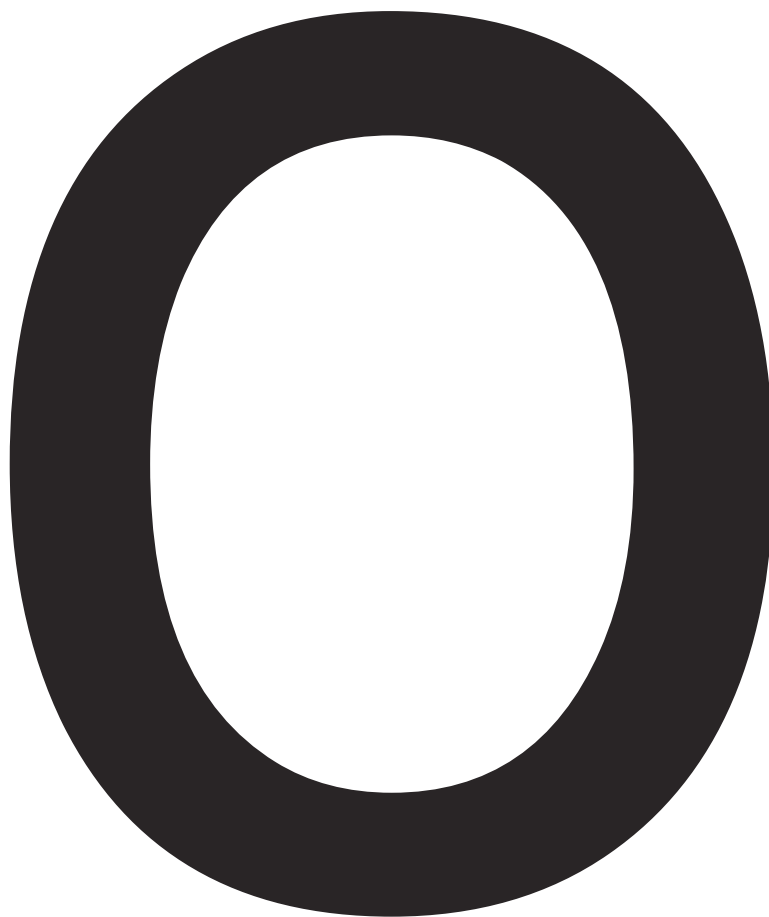
n

e

g

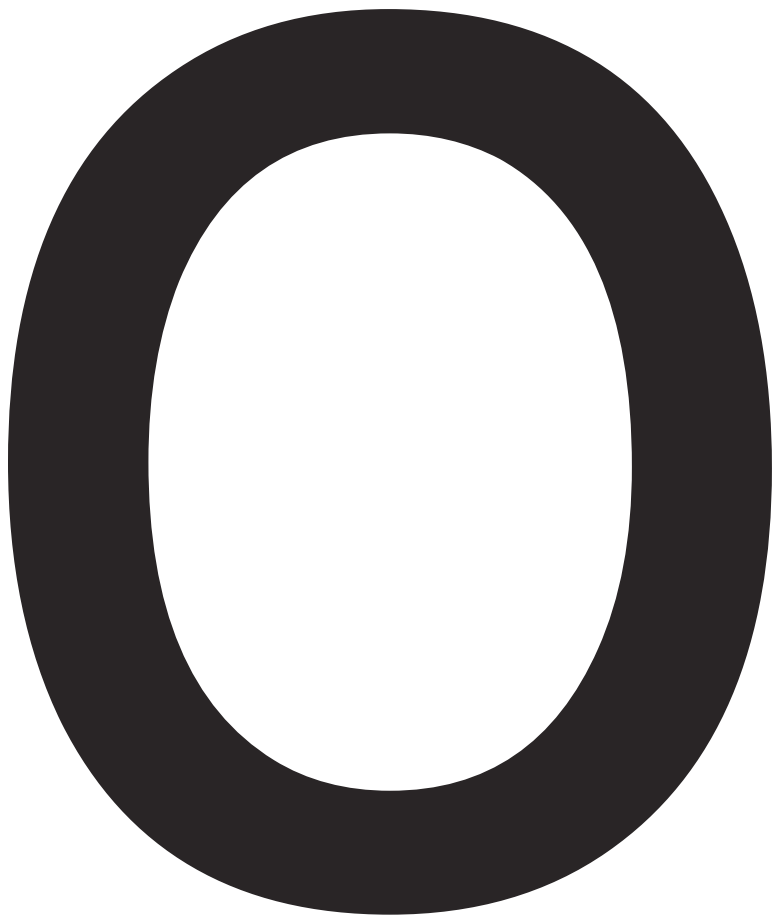
e

s t



n

C







e



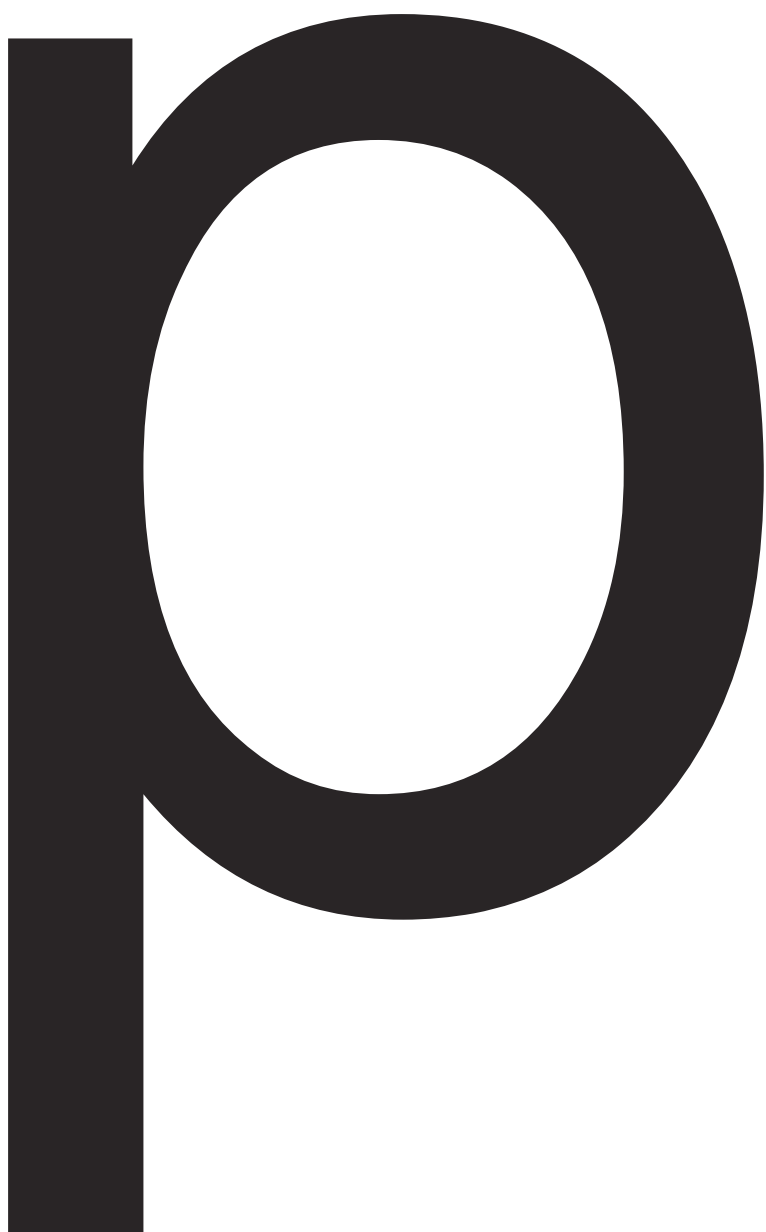
e **;**

le

j u

g

e



ri

vi


le

gi

e

1a

d

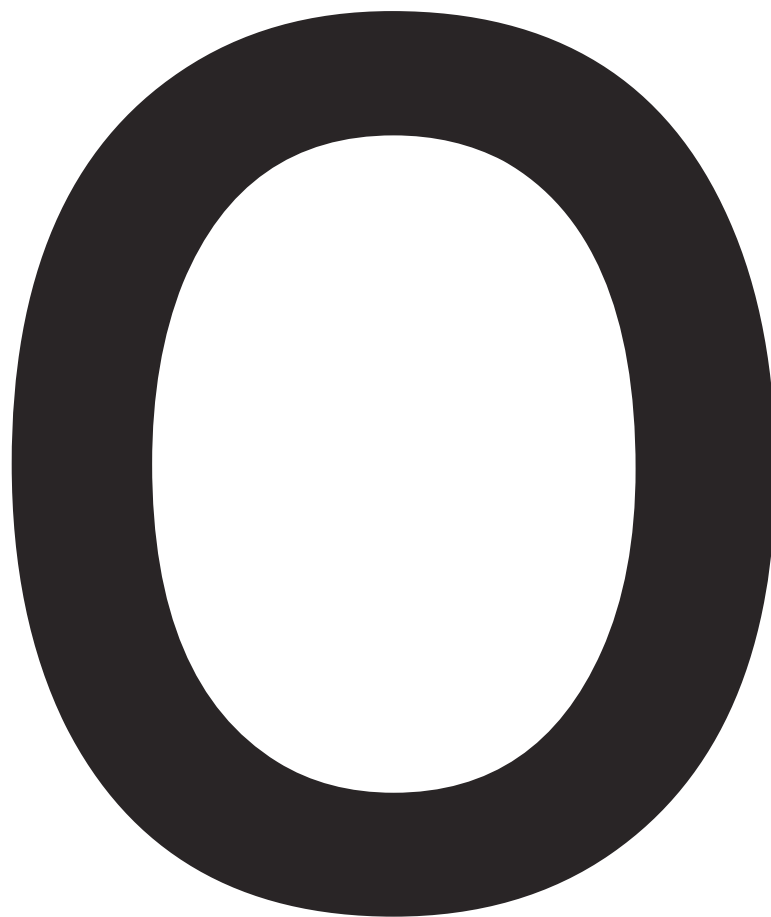
A large, bold, black lowercase letter 'e' is centered on the page. Above the letter, there is a solid black diagonal slash (/) that is slightly offset to the right, creating a visual element that resembles a trademark symbol or a specific typographic mark.

Si

g

n

at



n



U

n









n



a





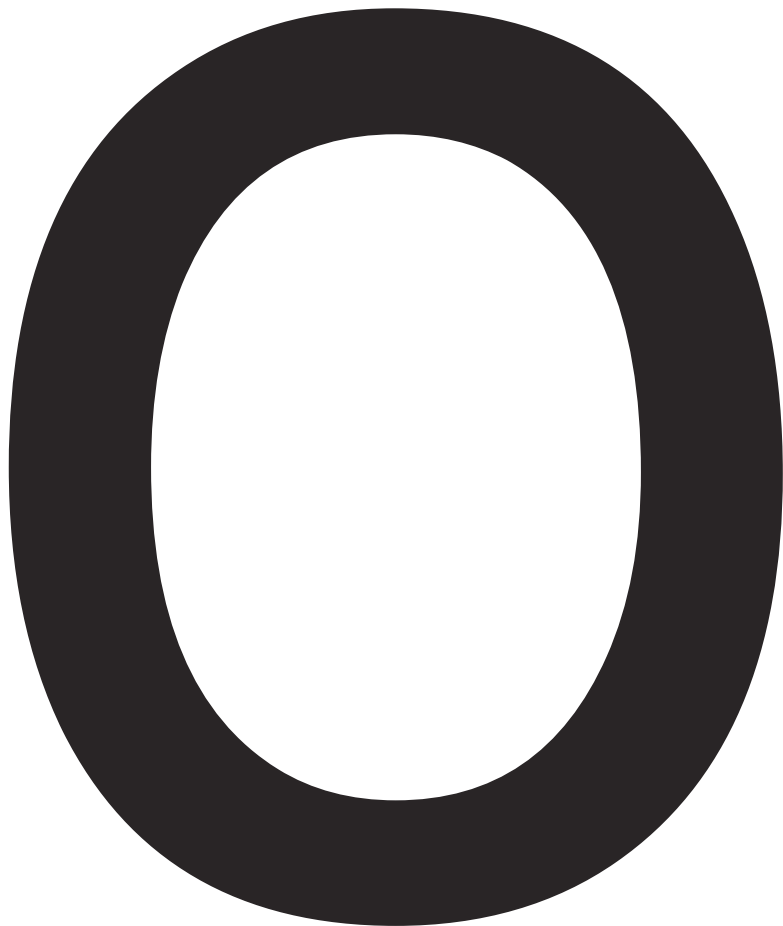
u



e/

le



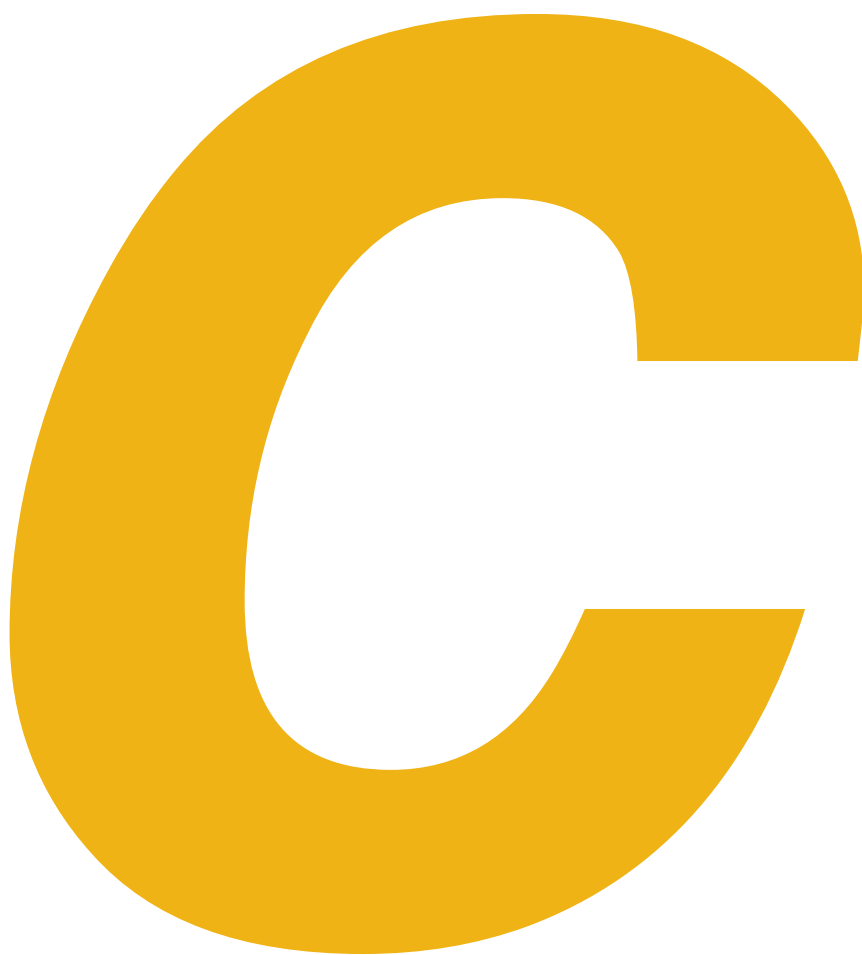


U



U

n



u









u





in

S

C

ri



S

u

r

1a



st

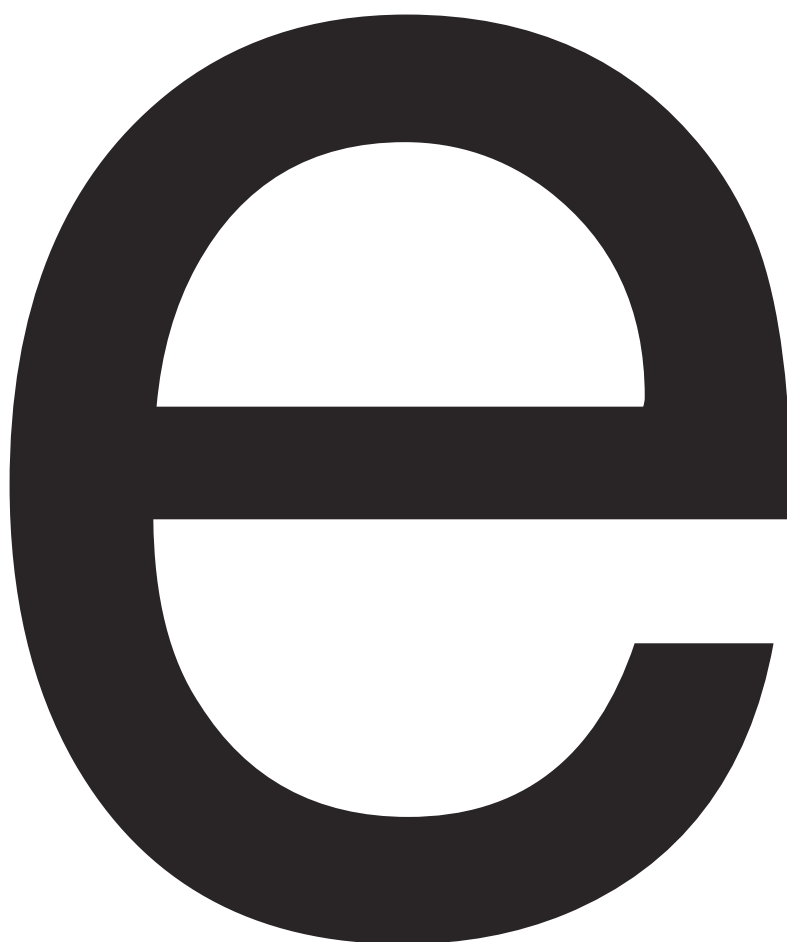
e

é



a





P

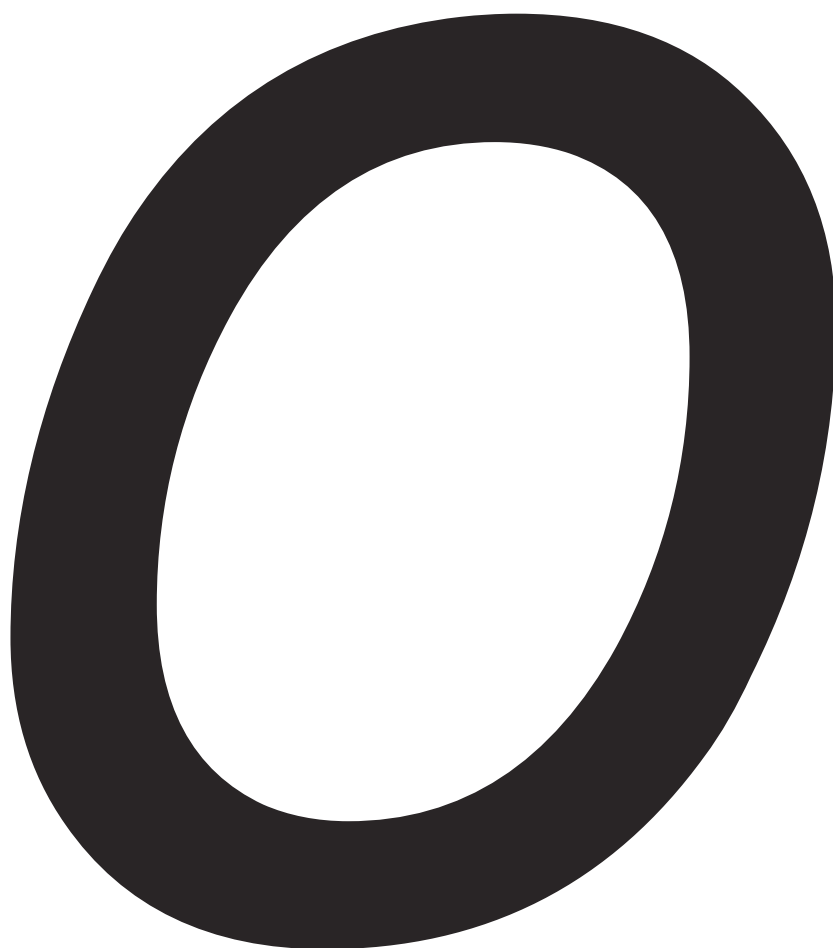
a

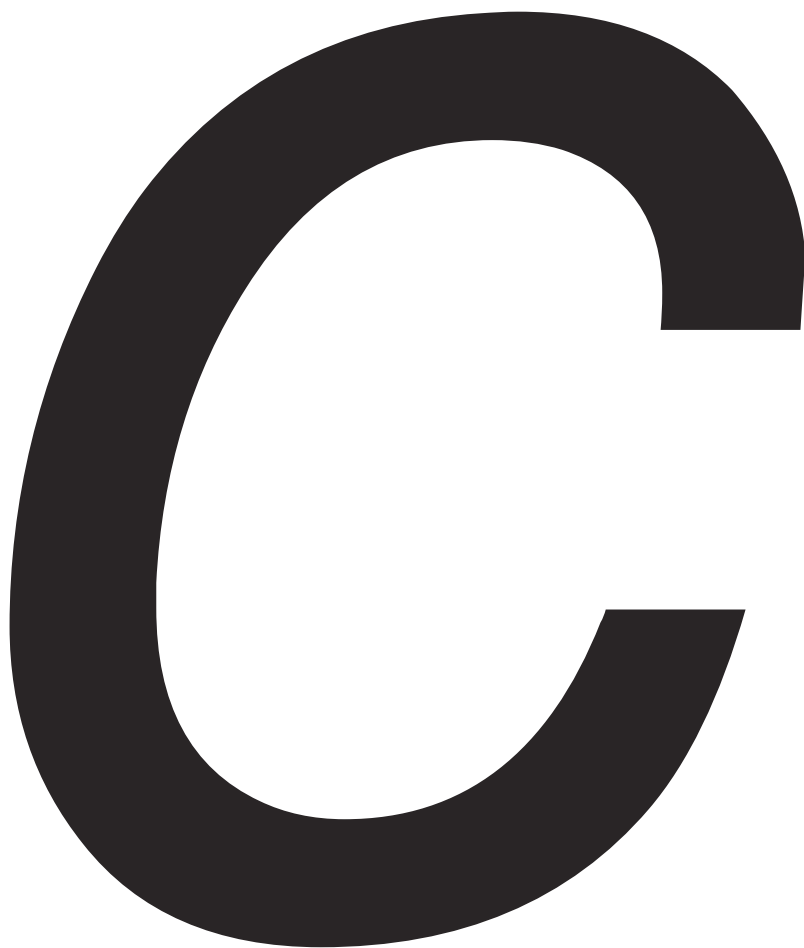
r

le

P

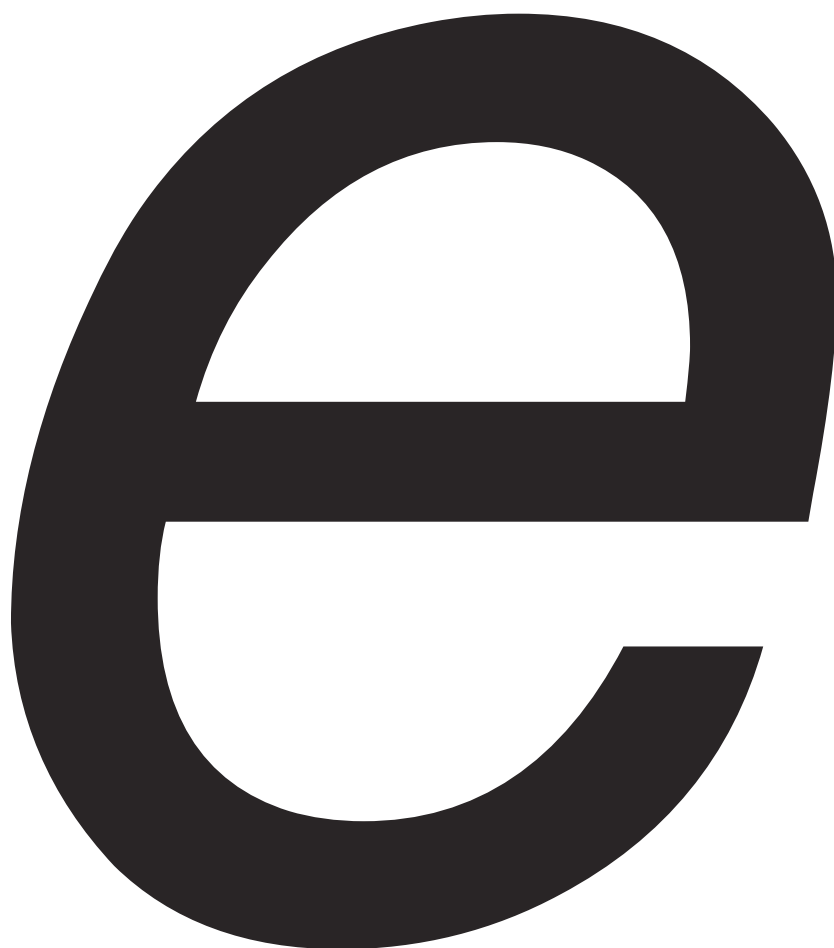






U





U

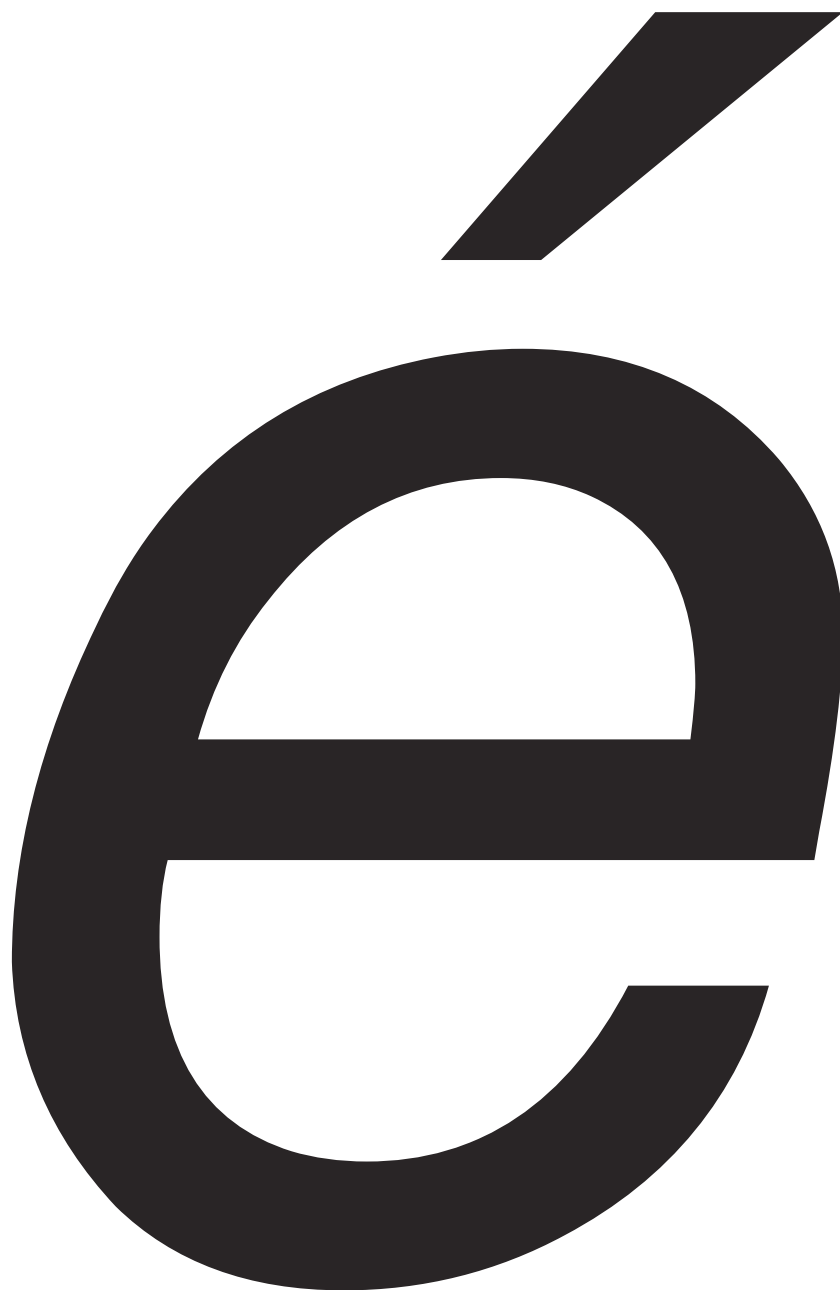


o

e

la

AR





U

BI

no

U

e





U

b

S t



U

a

n

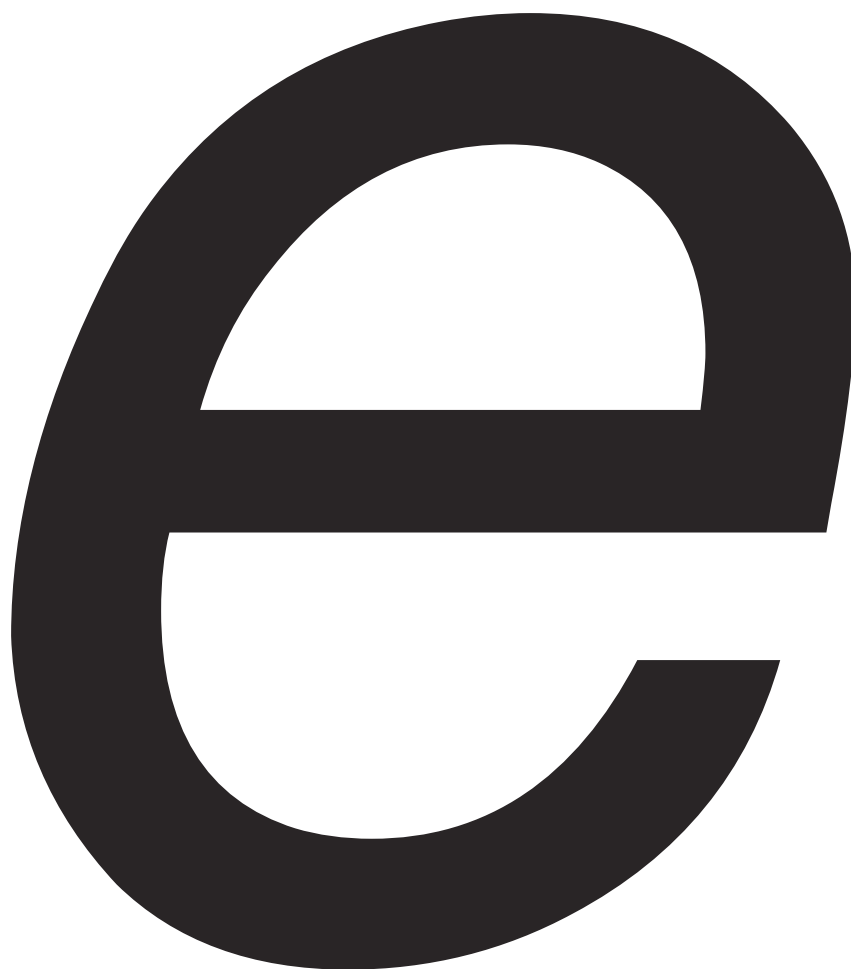


a

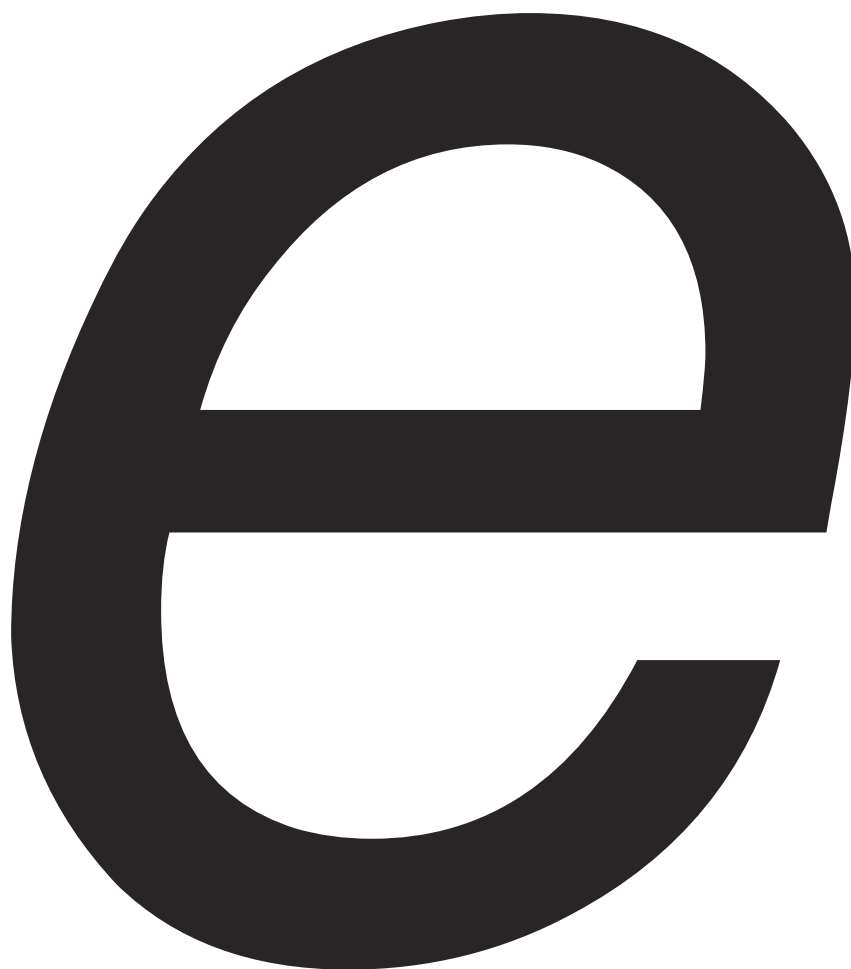
U



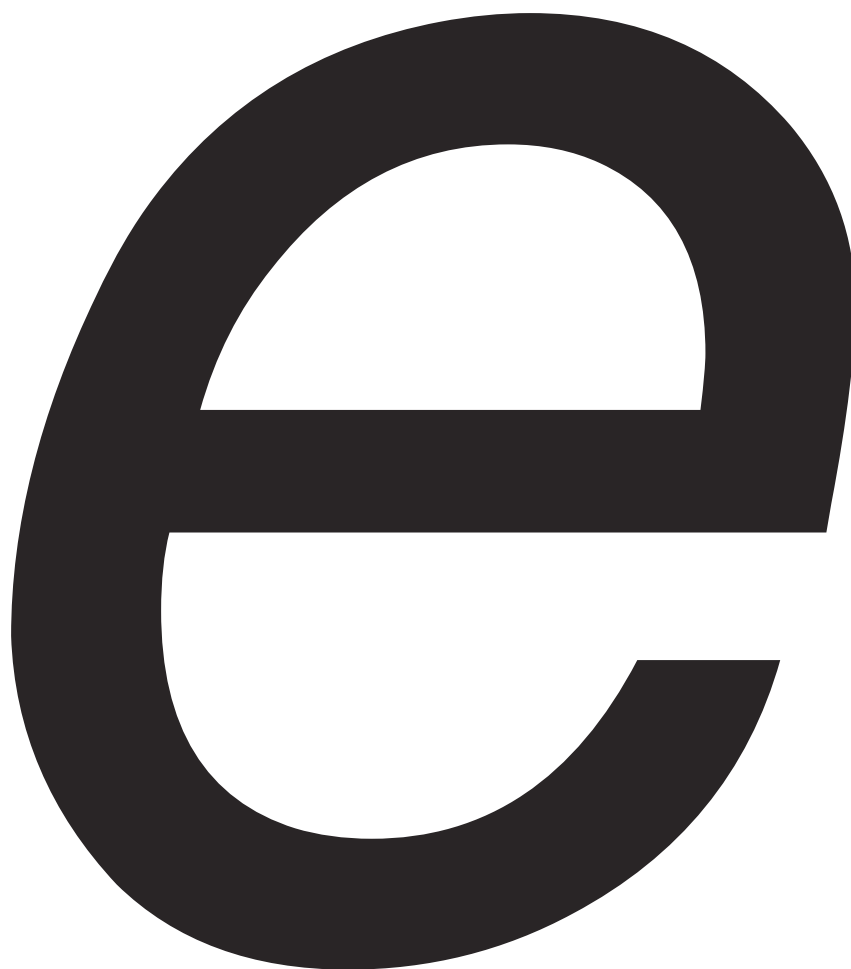




o





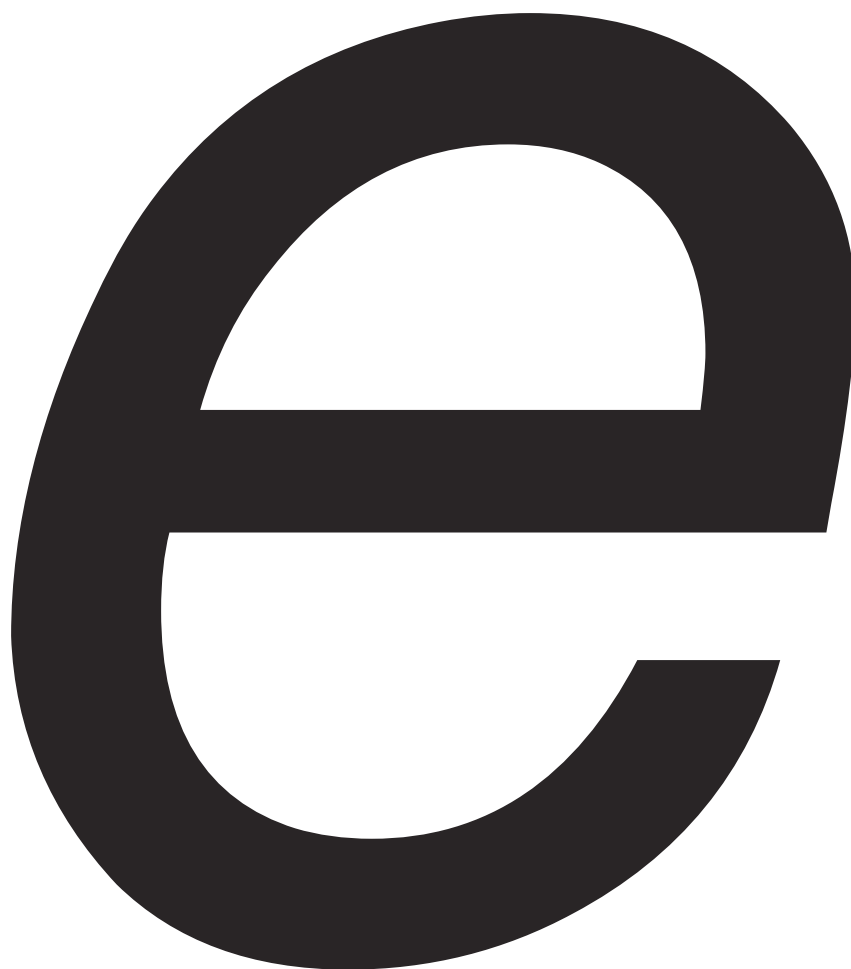


P



e

S

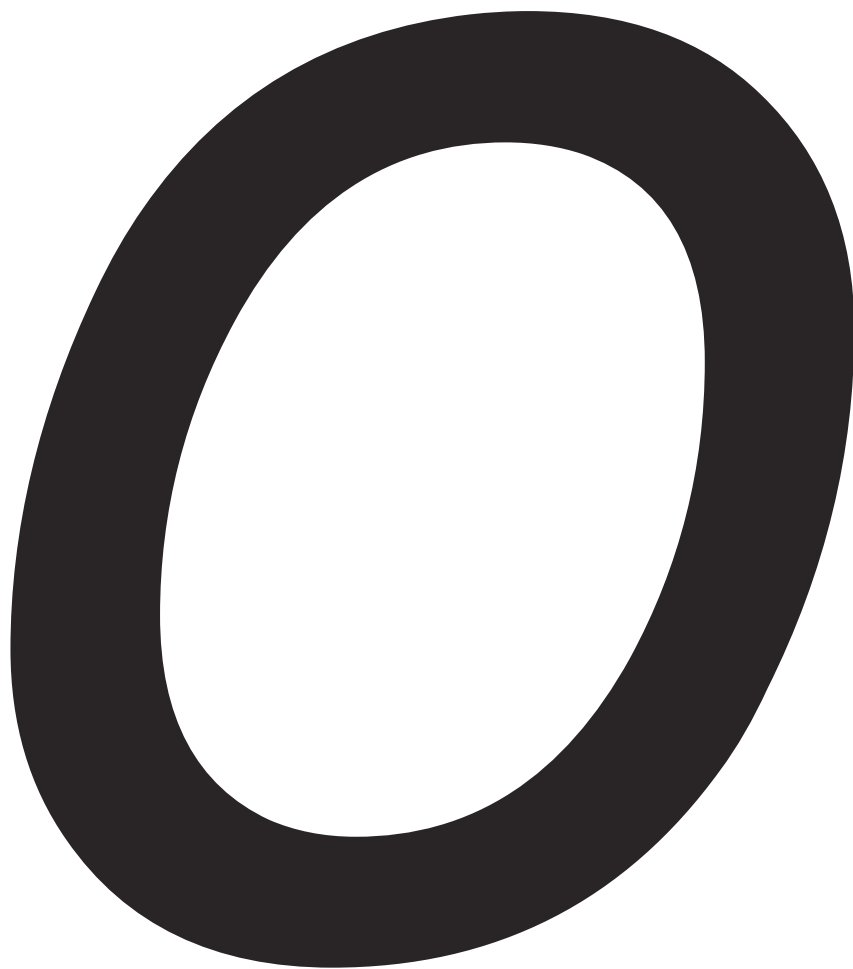


n



a





n

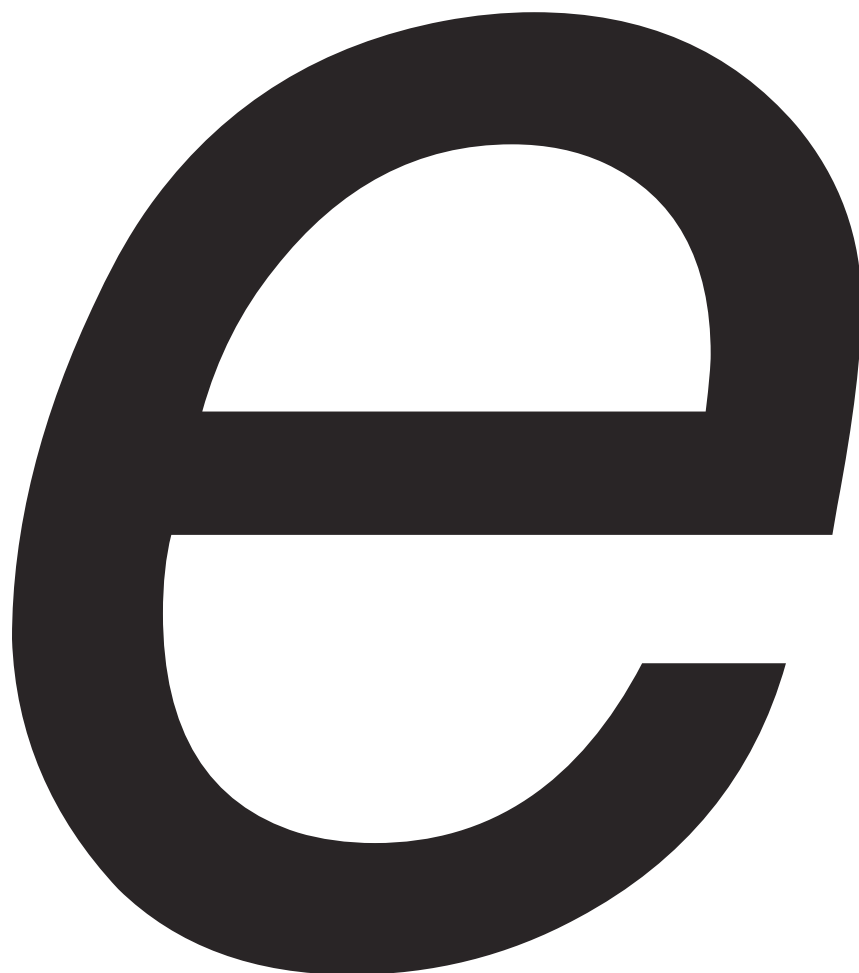
o

U



U



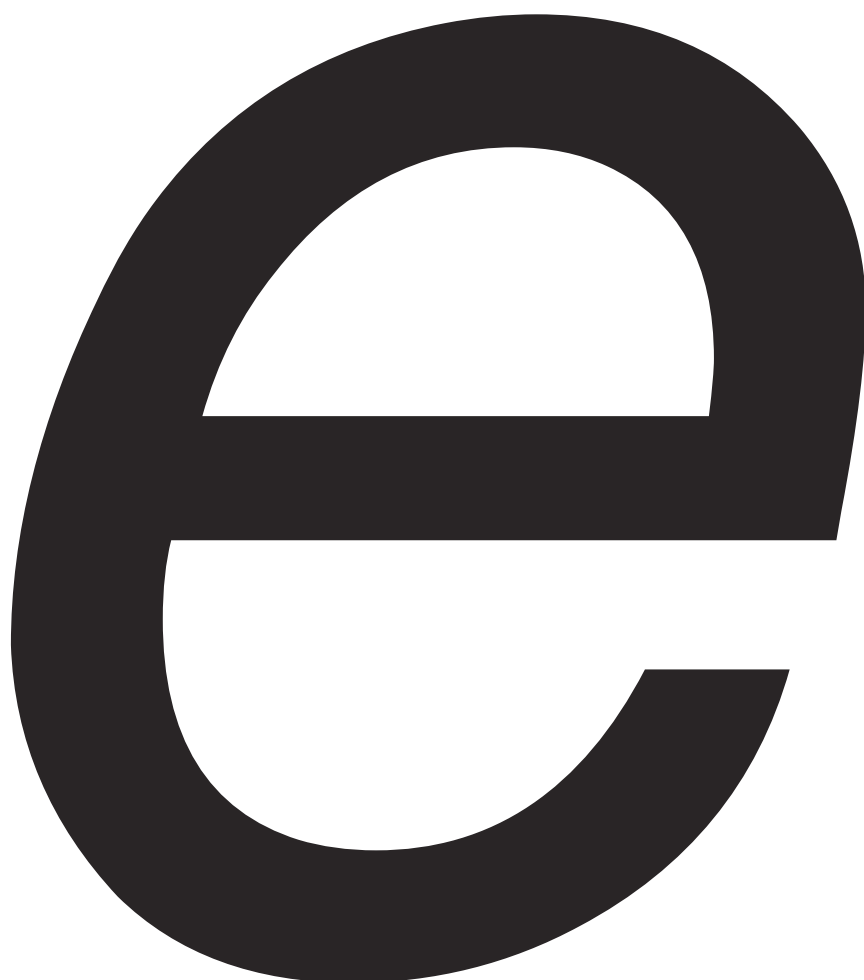


U



U

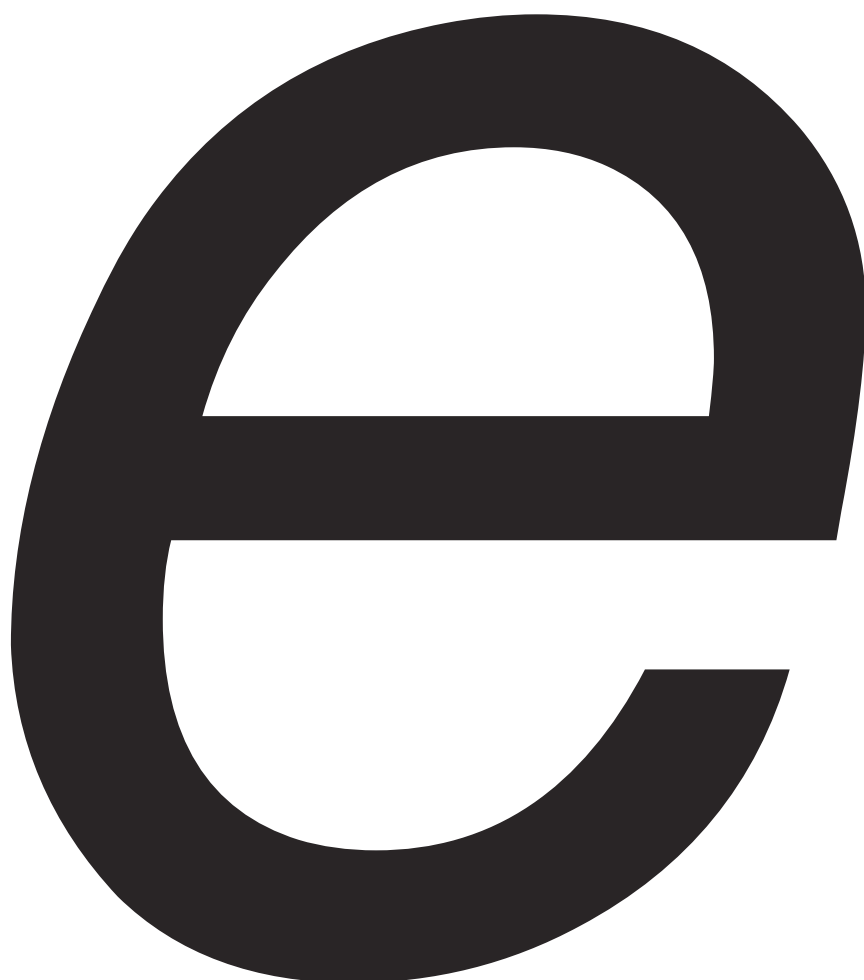
n



S/

nm

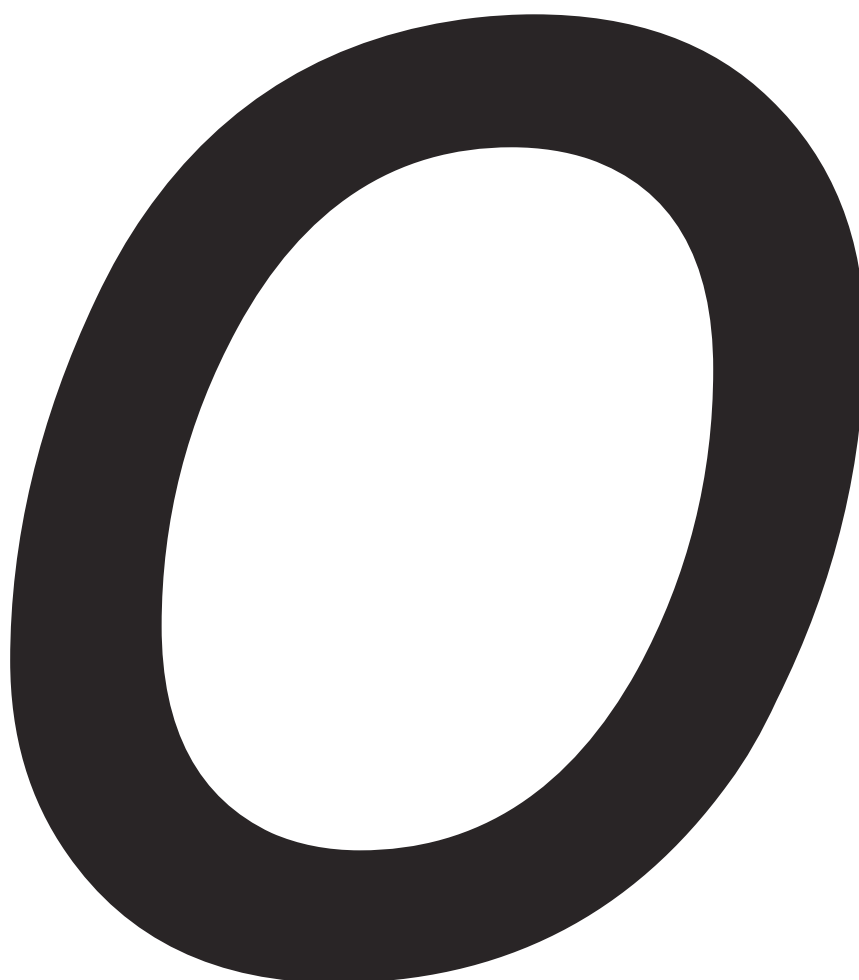
RI



nm

/S

S/



n

o/

a

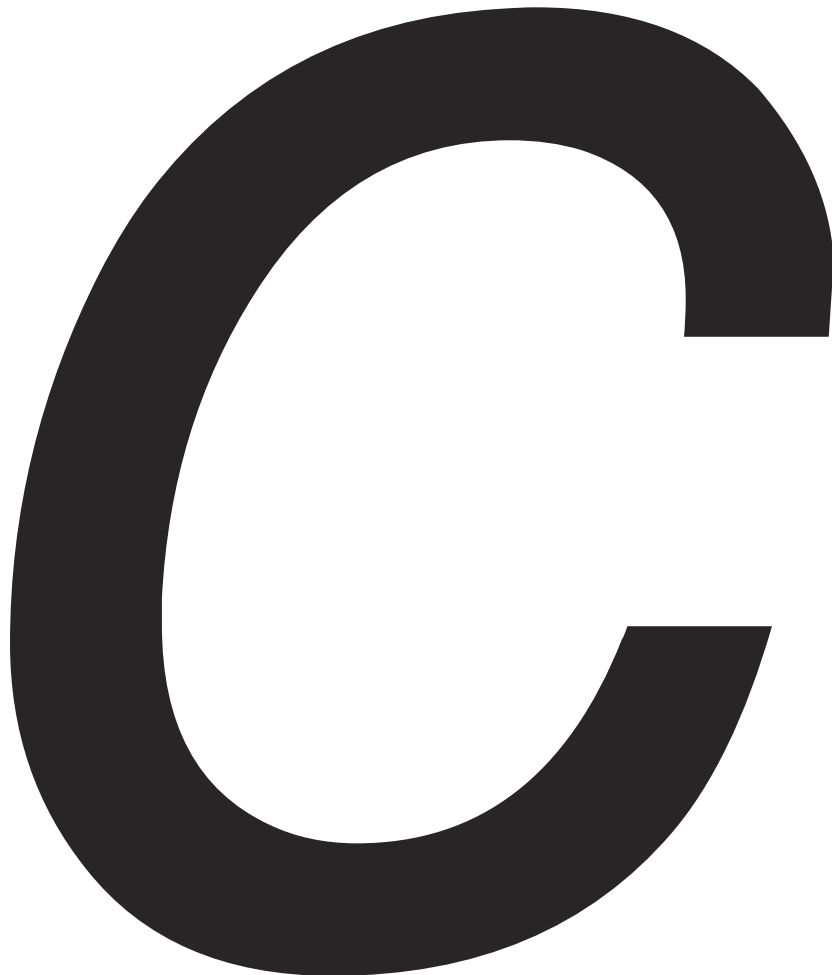
S

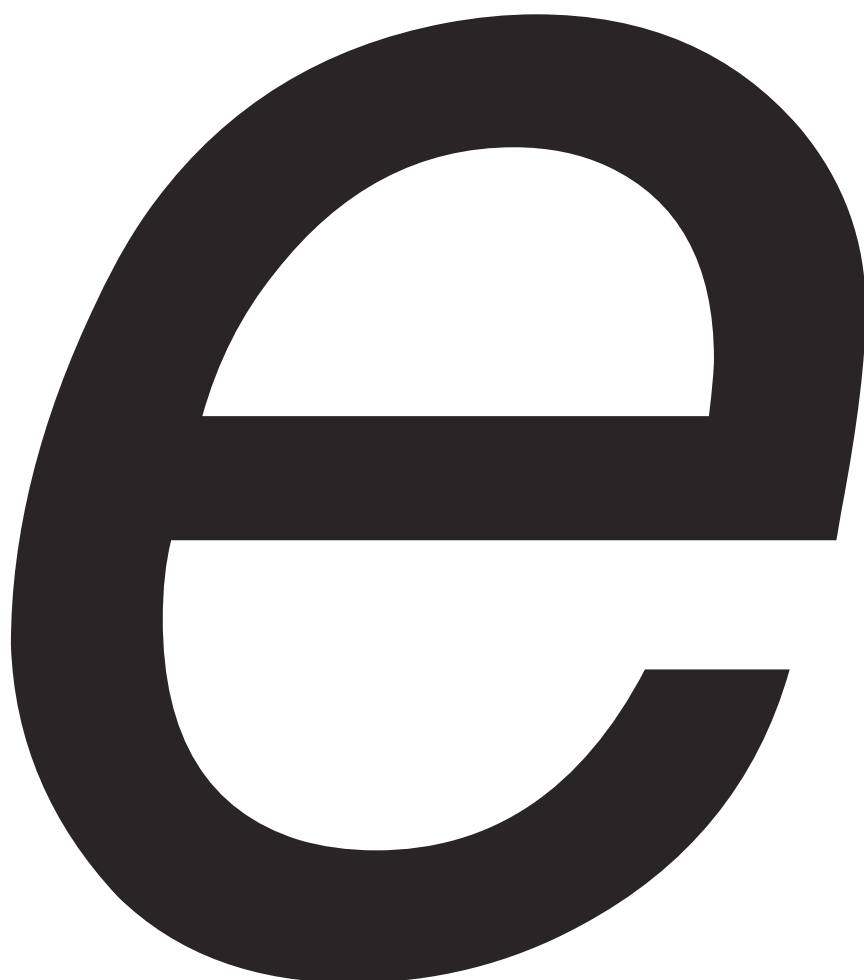
S/

S t

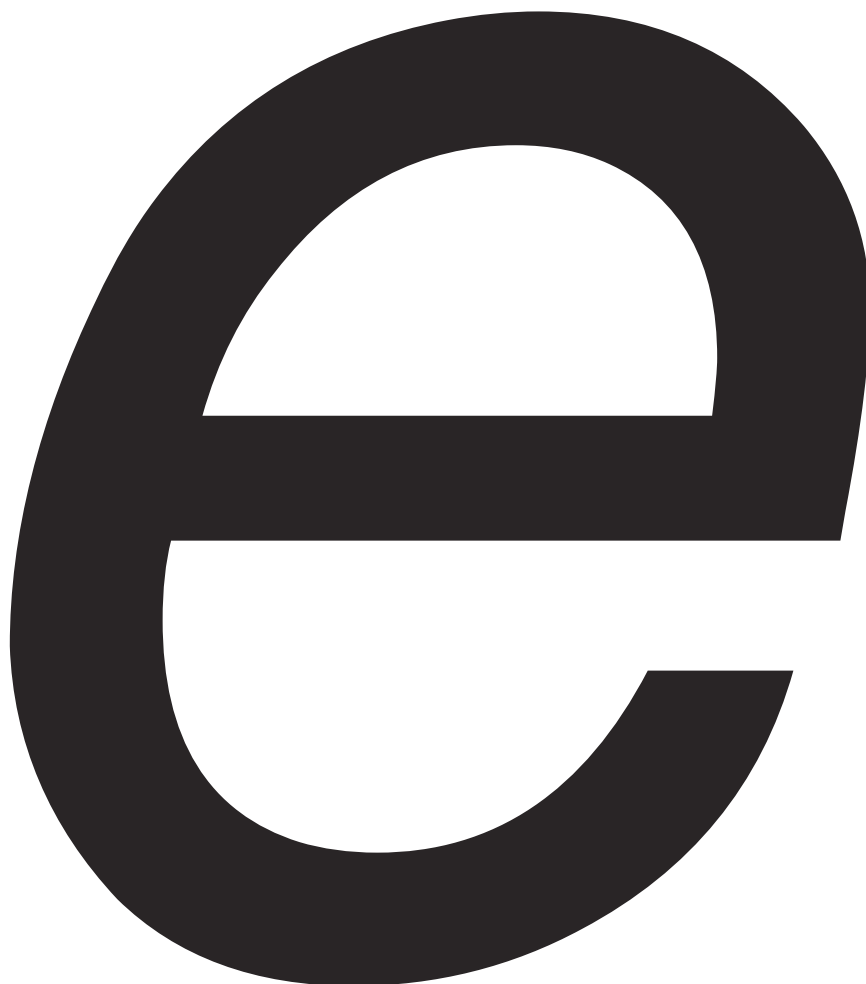
a

n





S

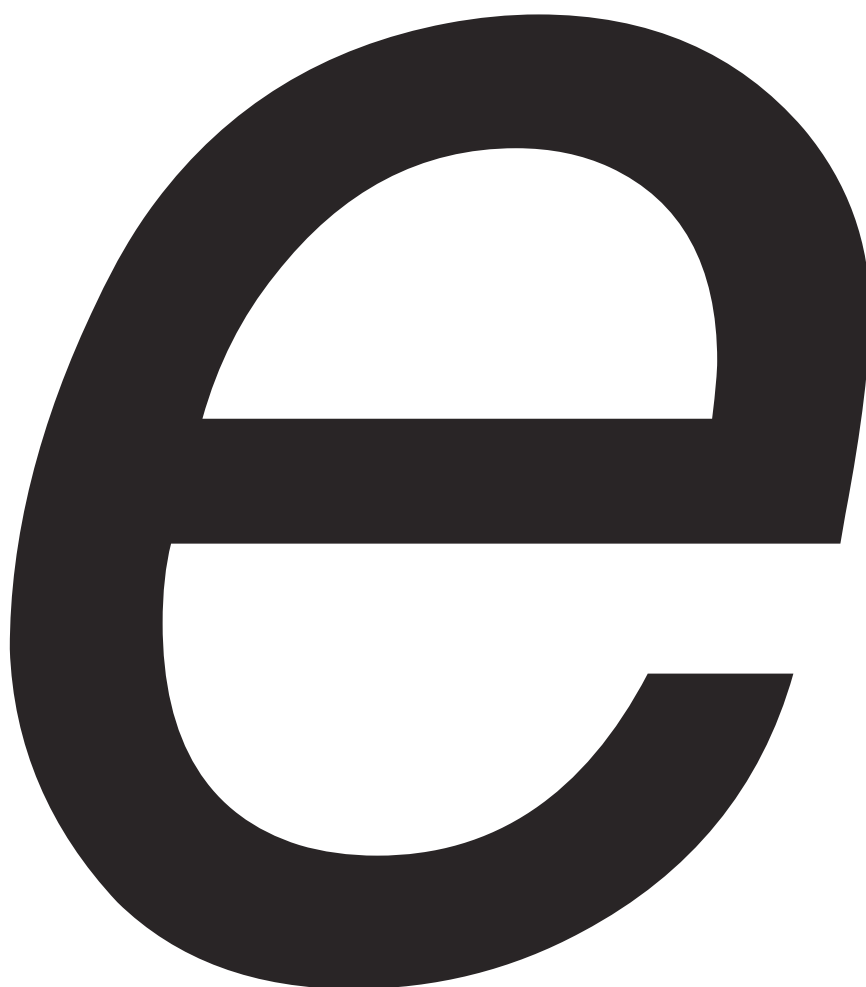


m m m

BN

a

BN





A large, stylized black letter 'a' with a diagonal slash above it, representing a trademark symbol.



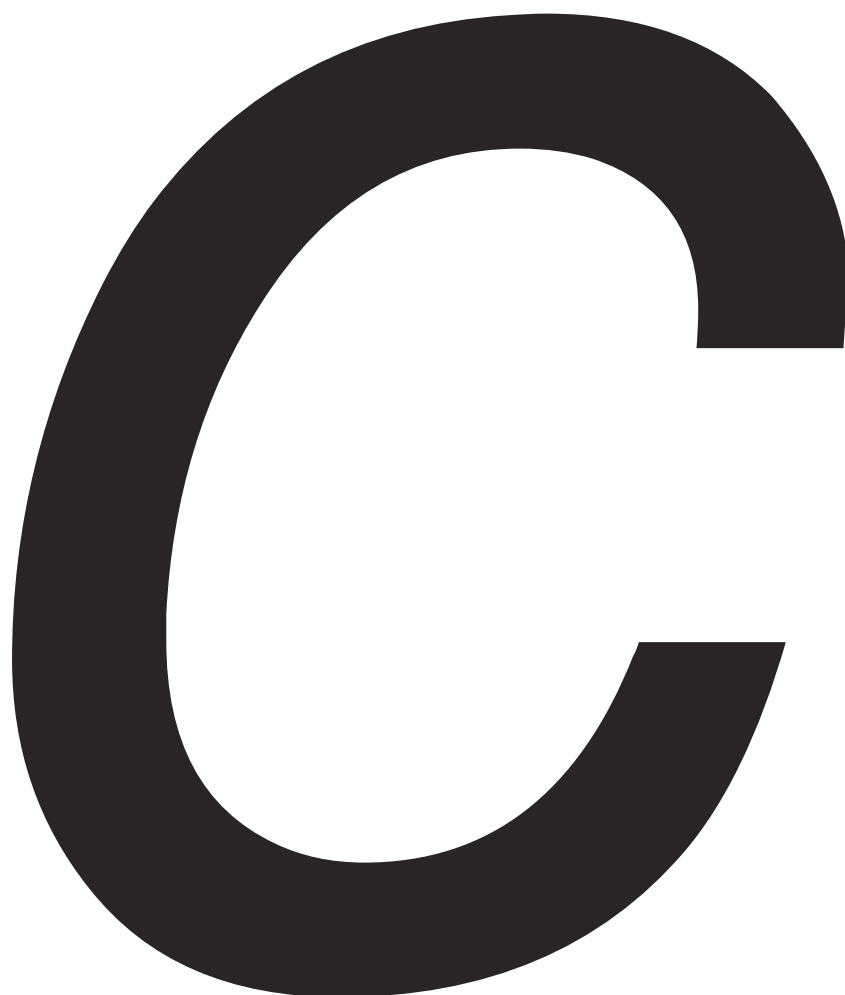
e/

le

o/

U

n

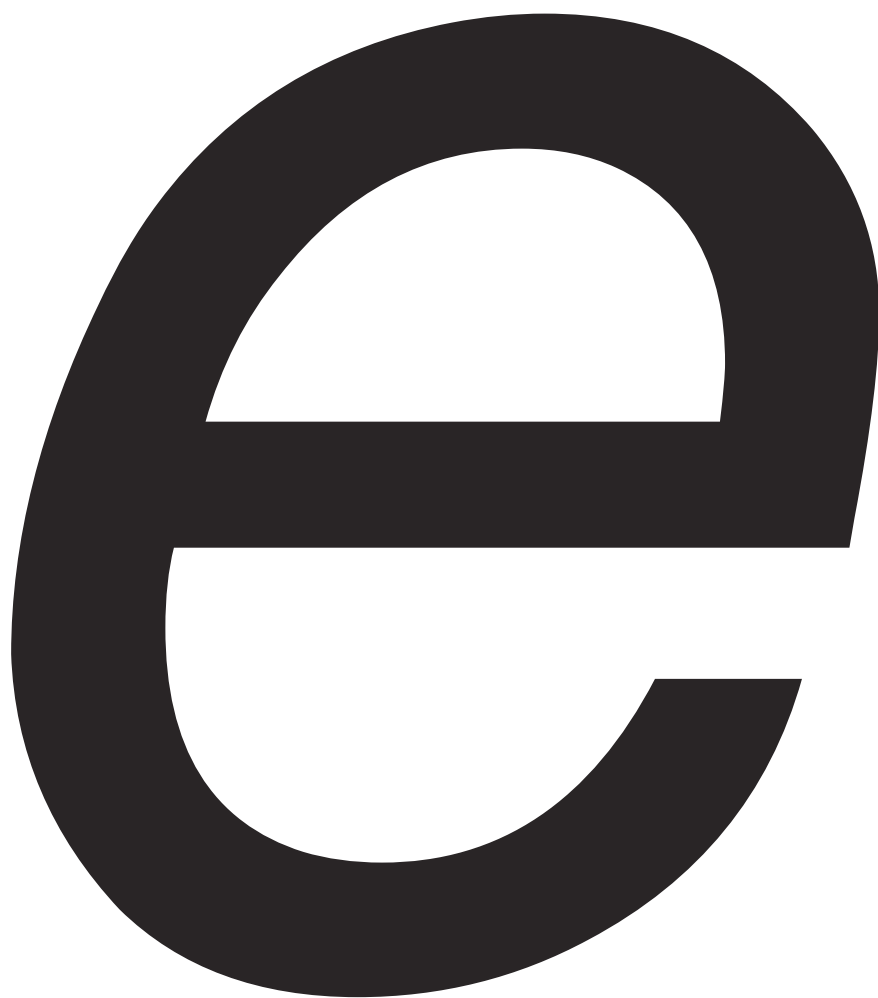


U



a





U

r,



a



u













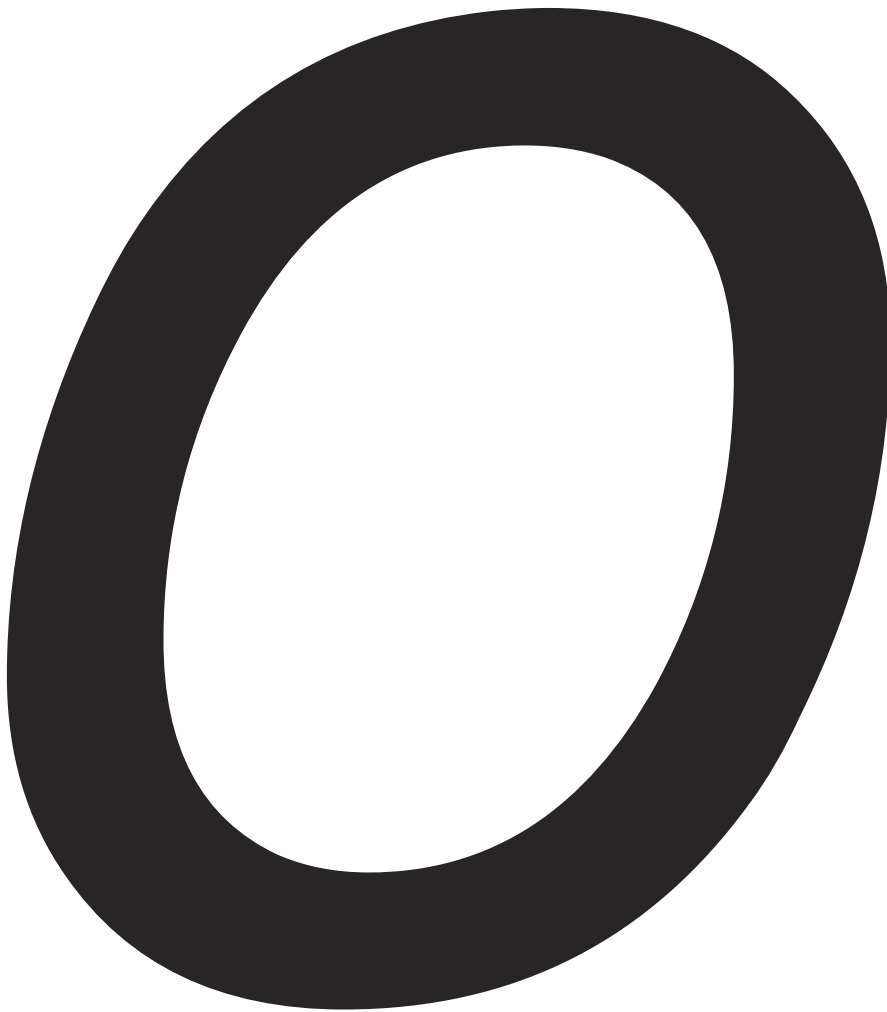






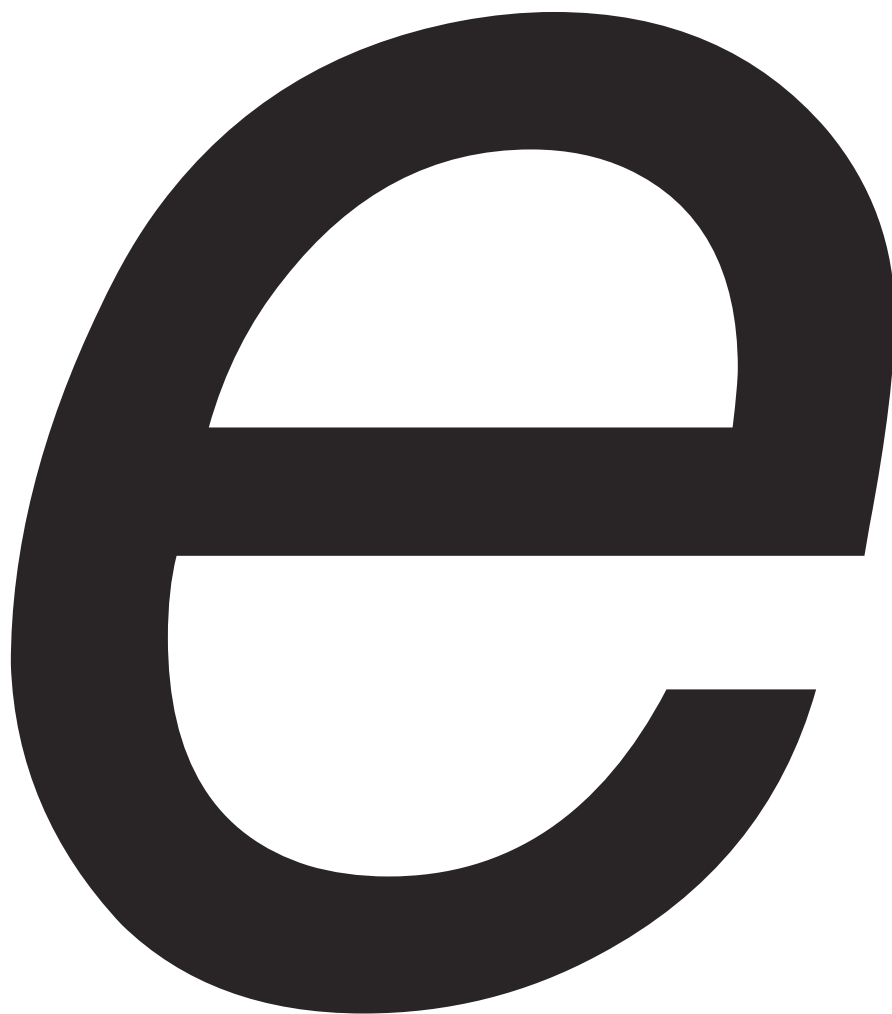






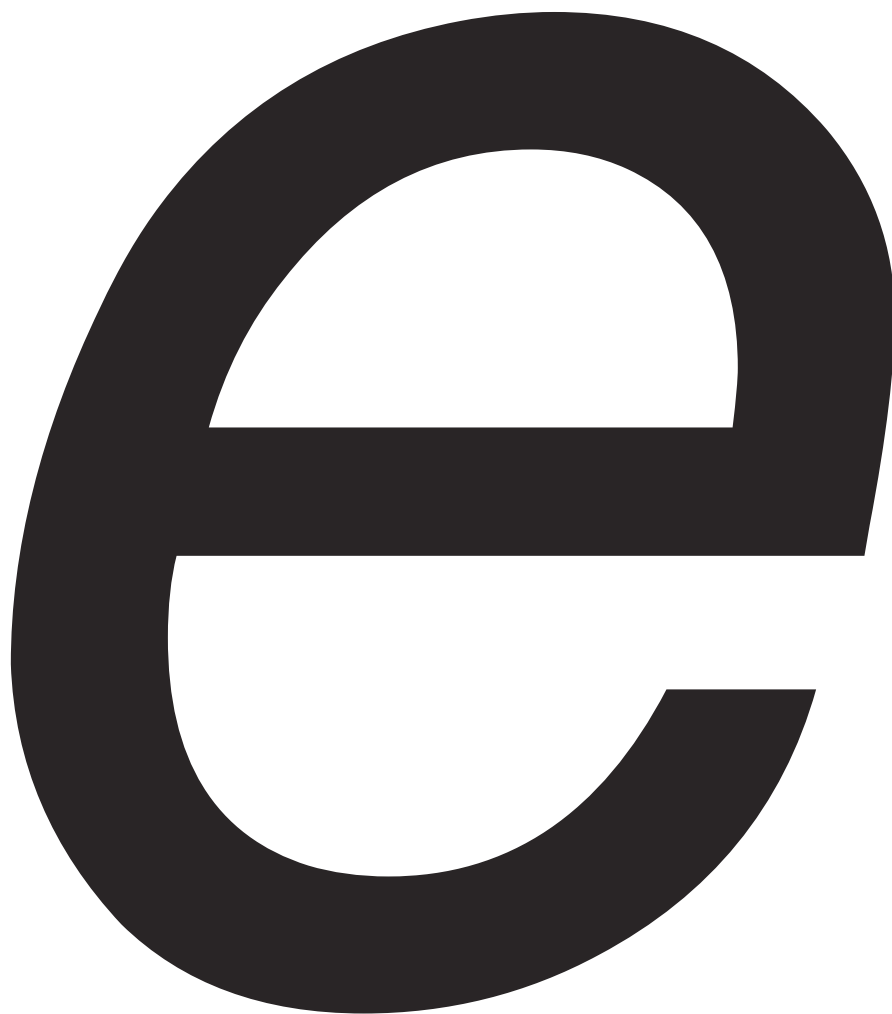
n

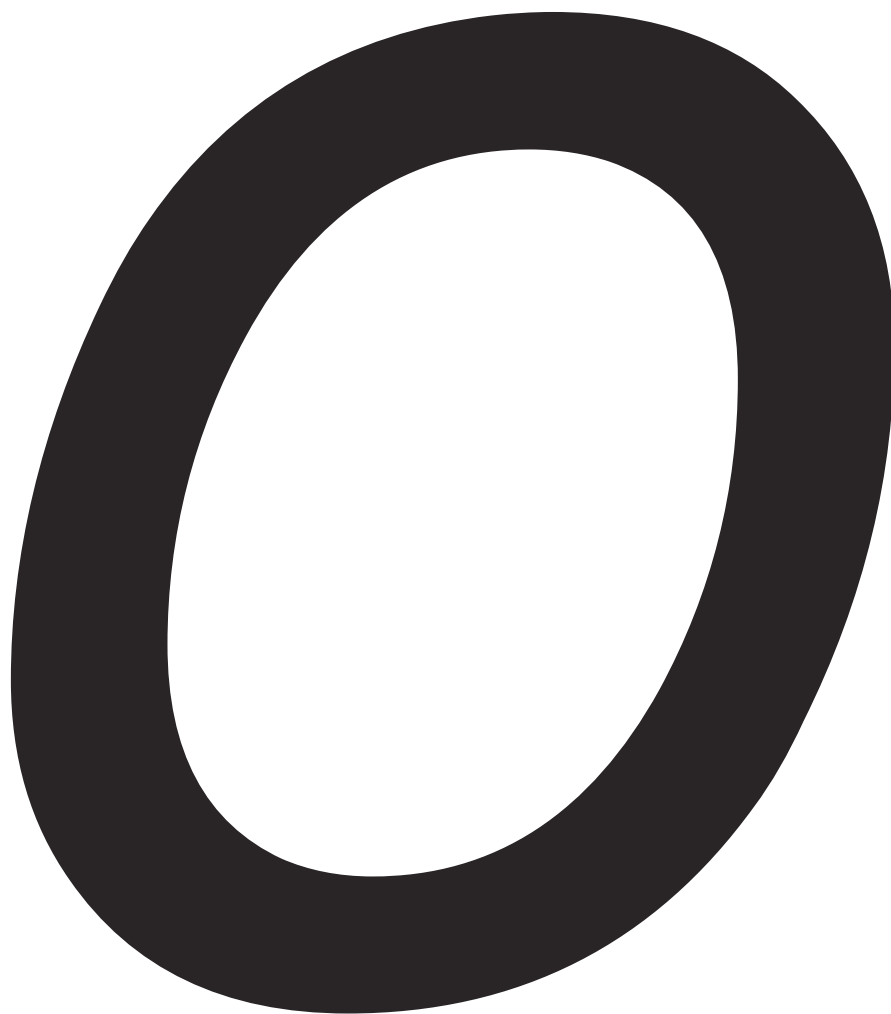
S





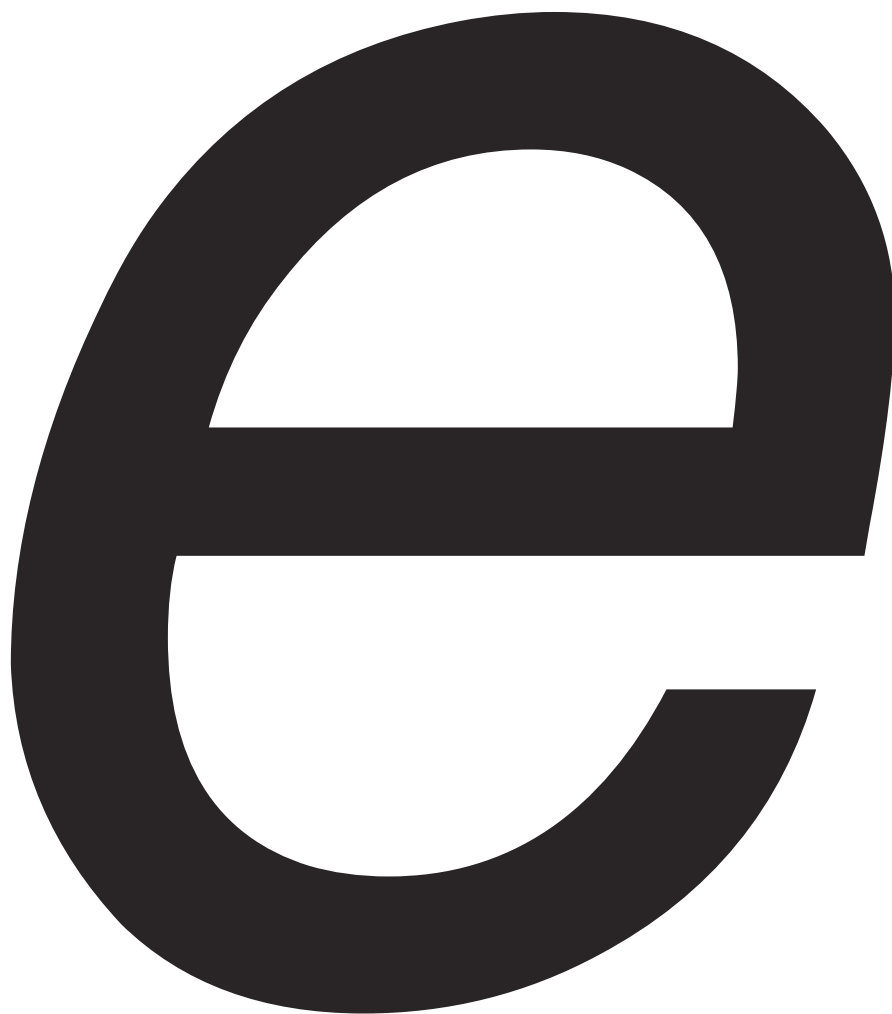




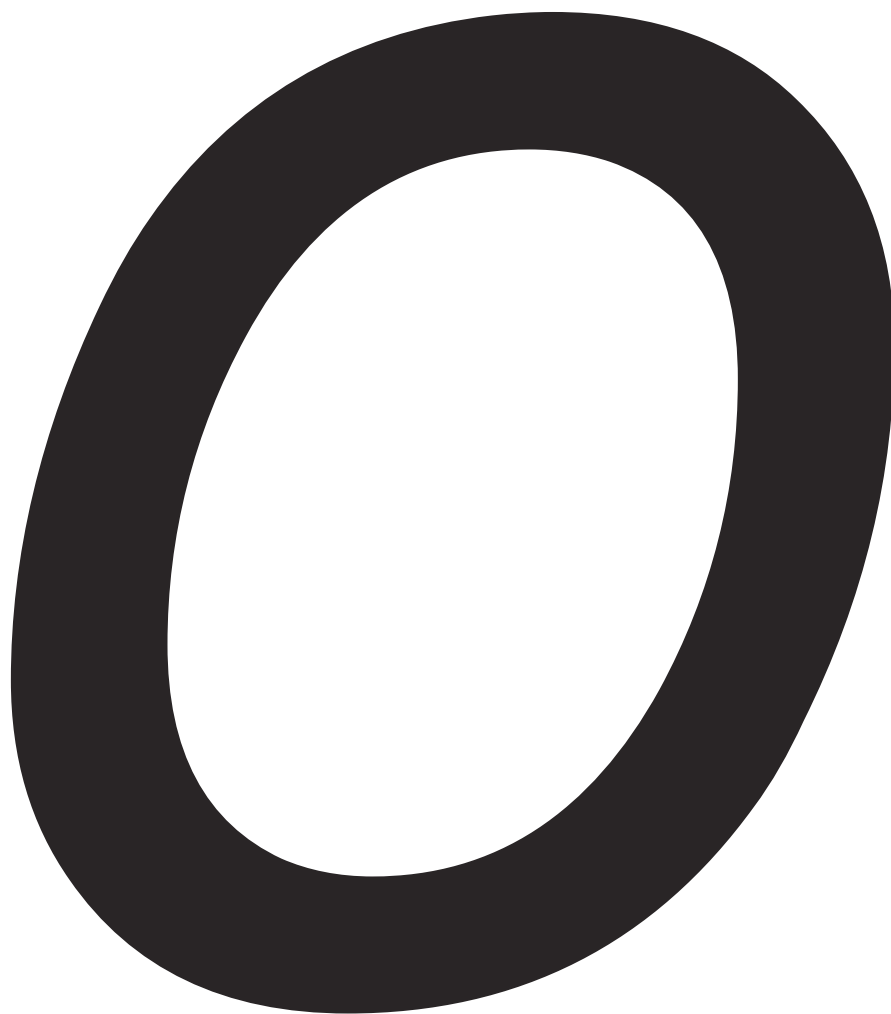


U



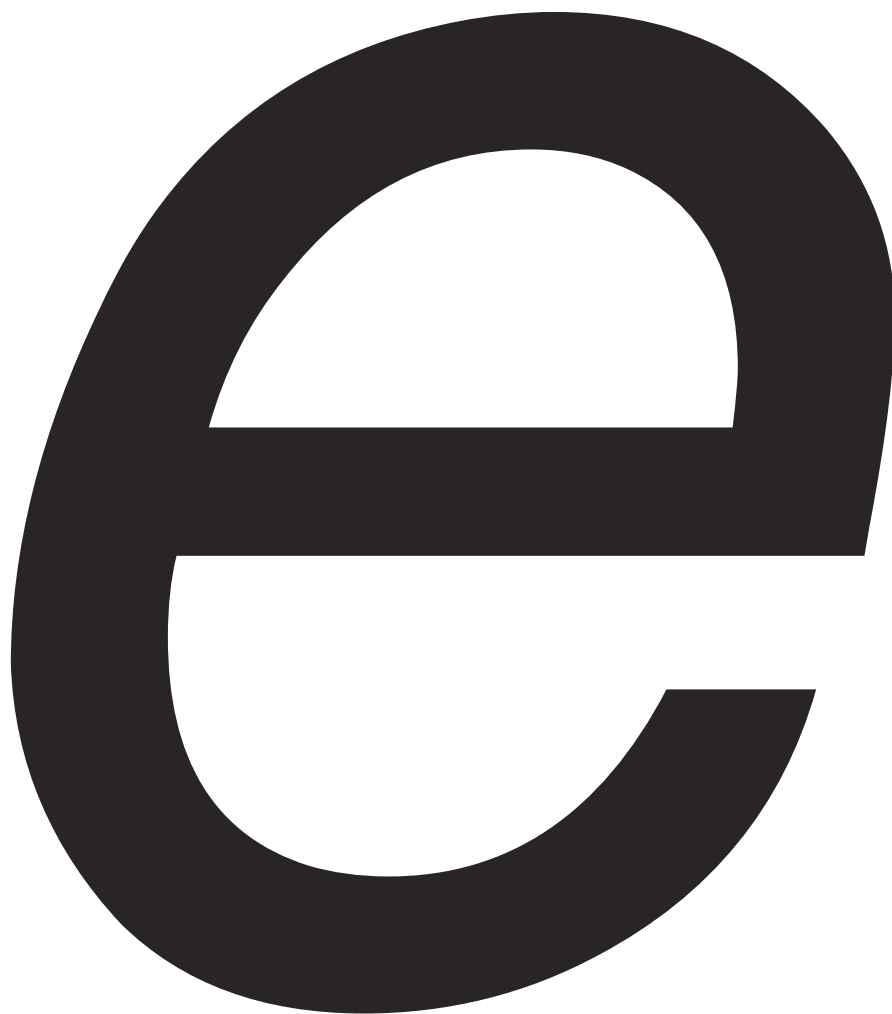


o



n

n



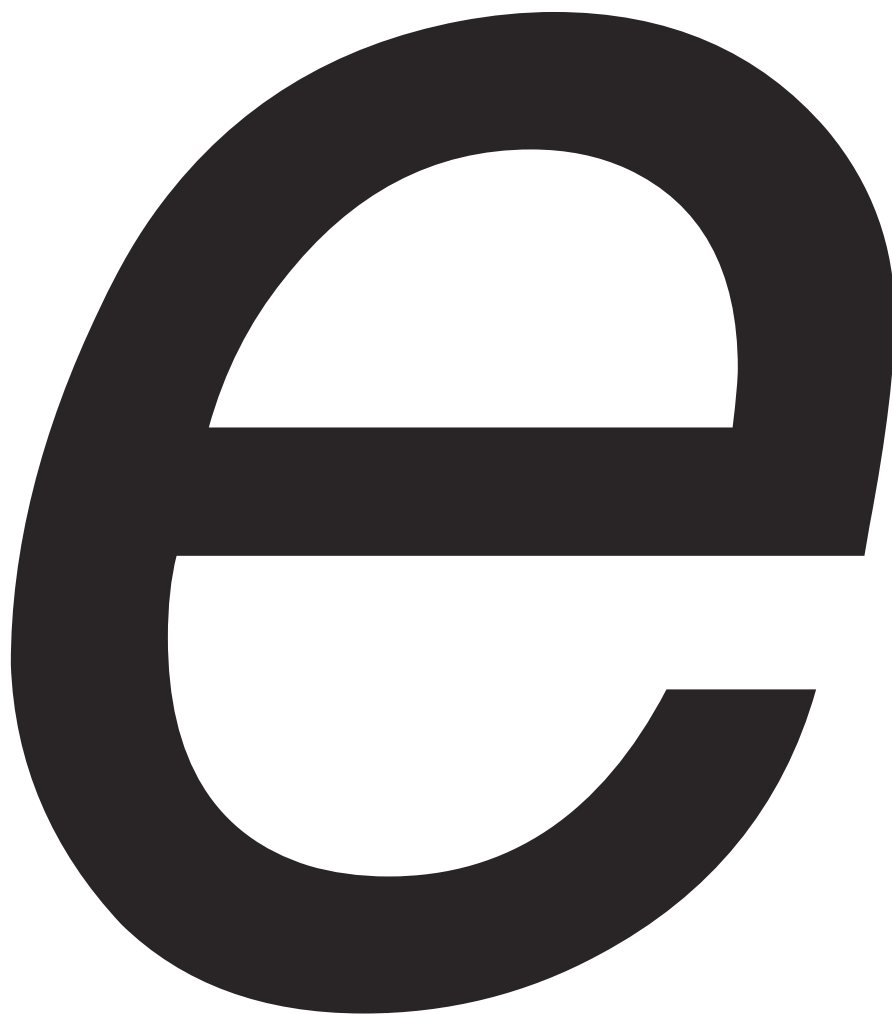
a

U

n m n

a



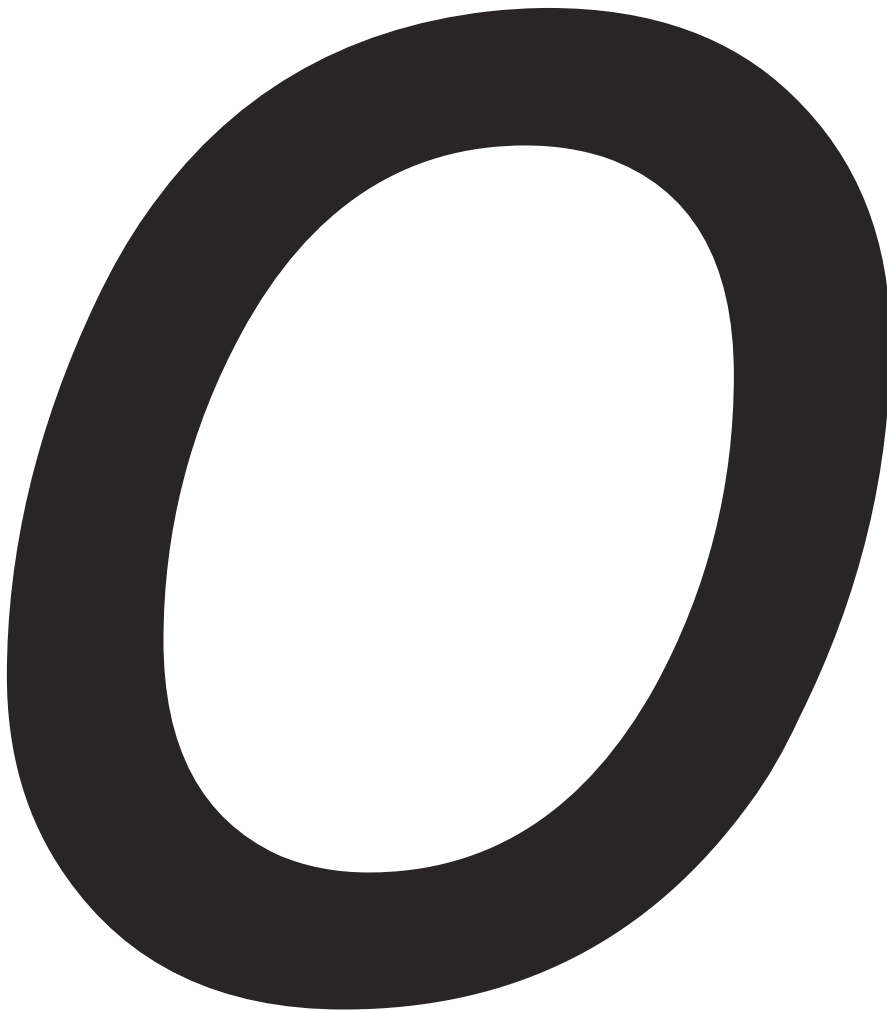


U

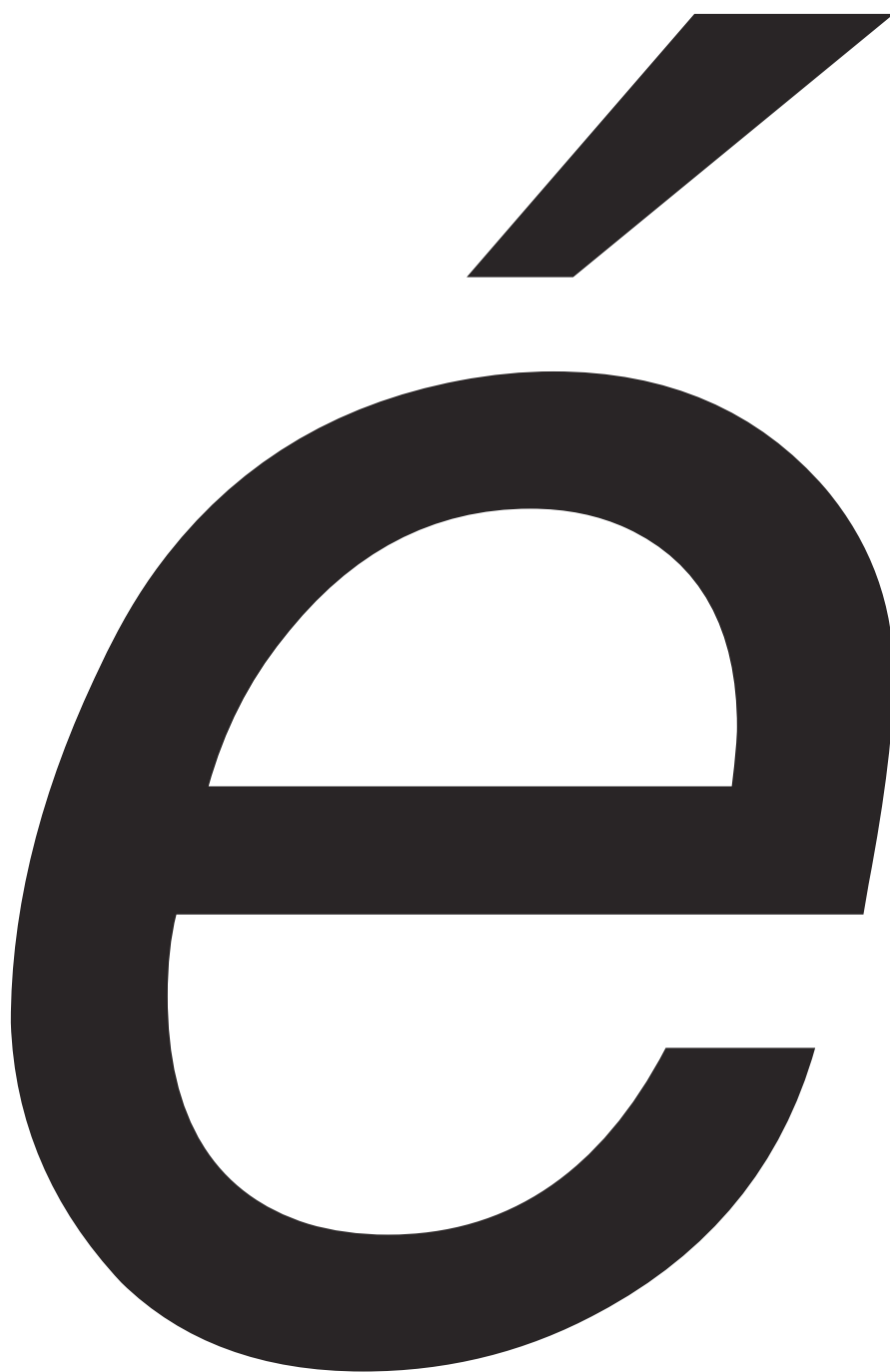




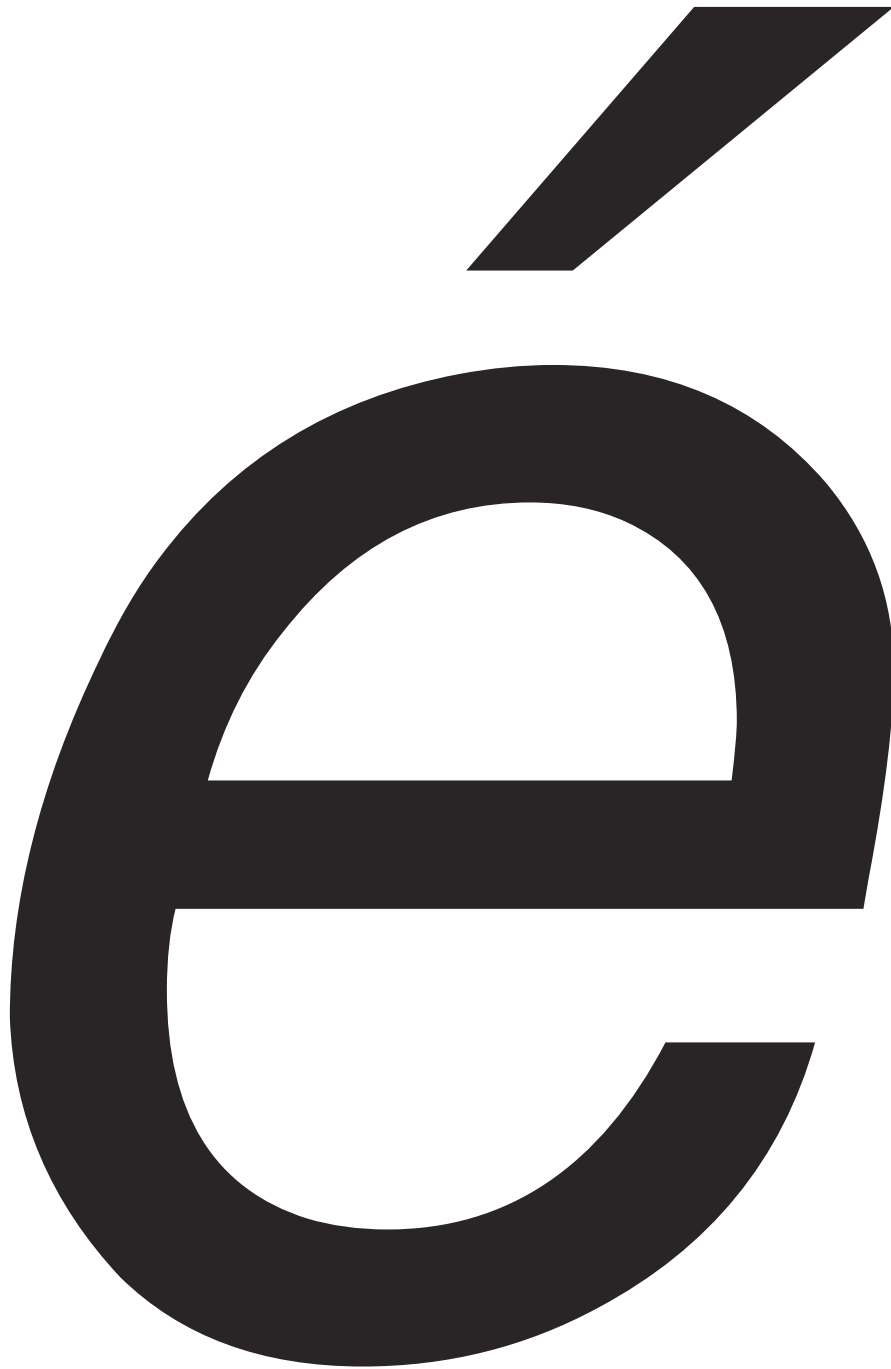














a



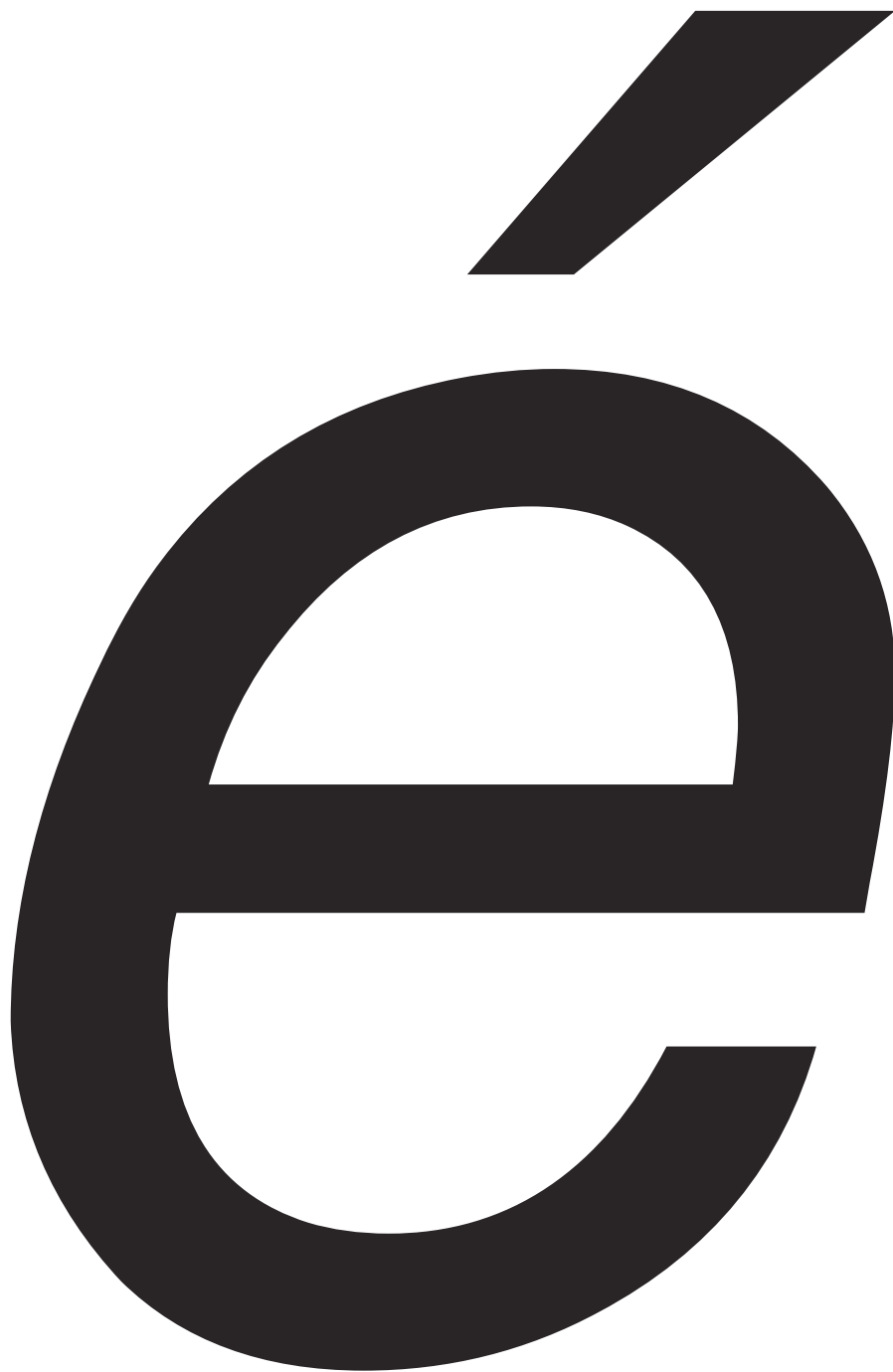
a



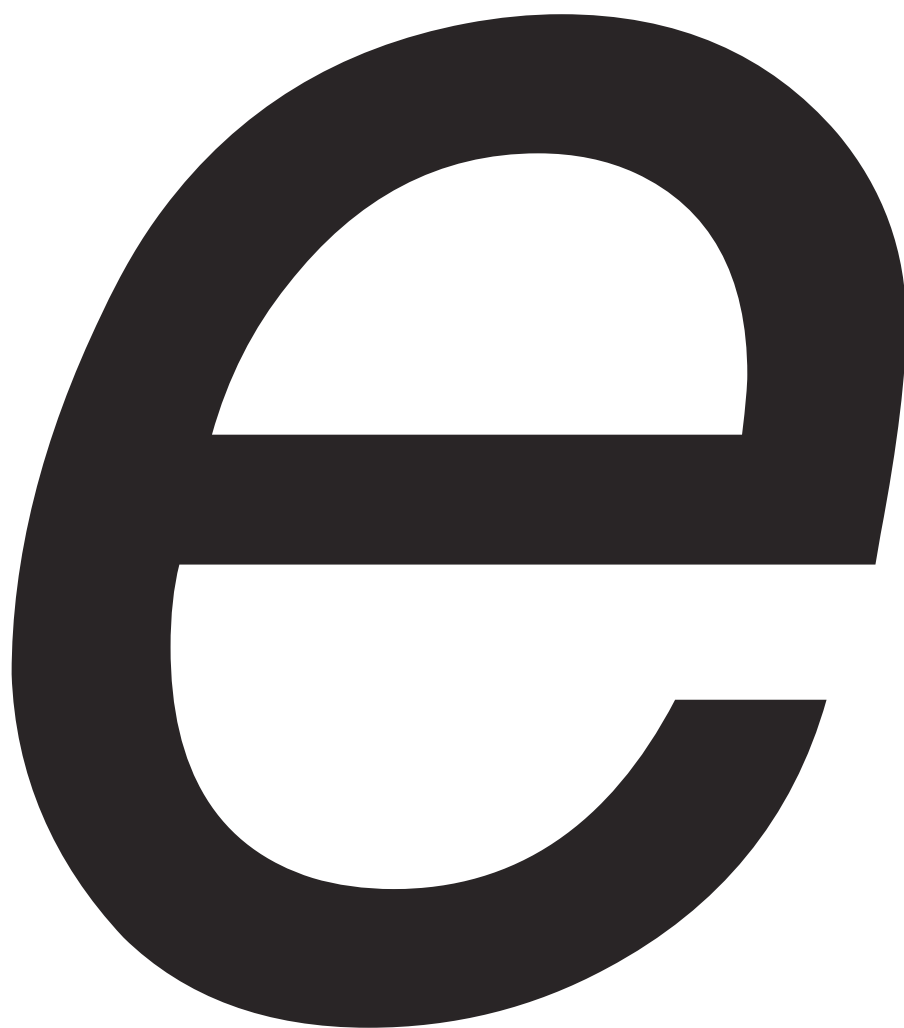
a

Ci

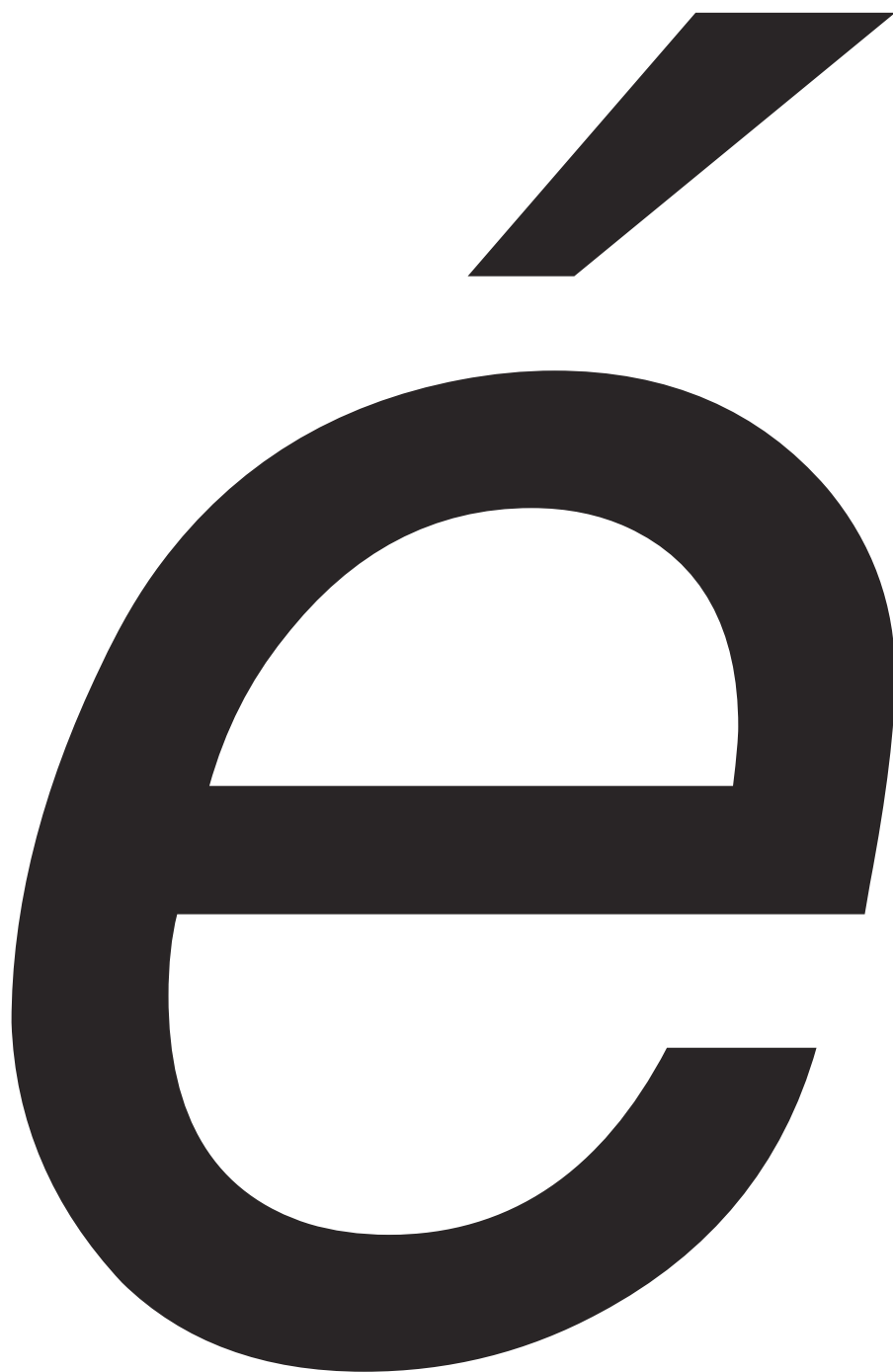




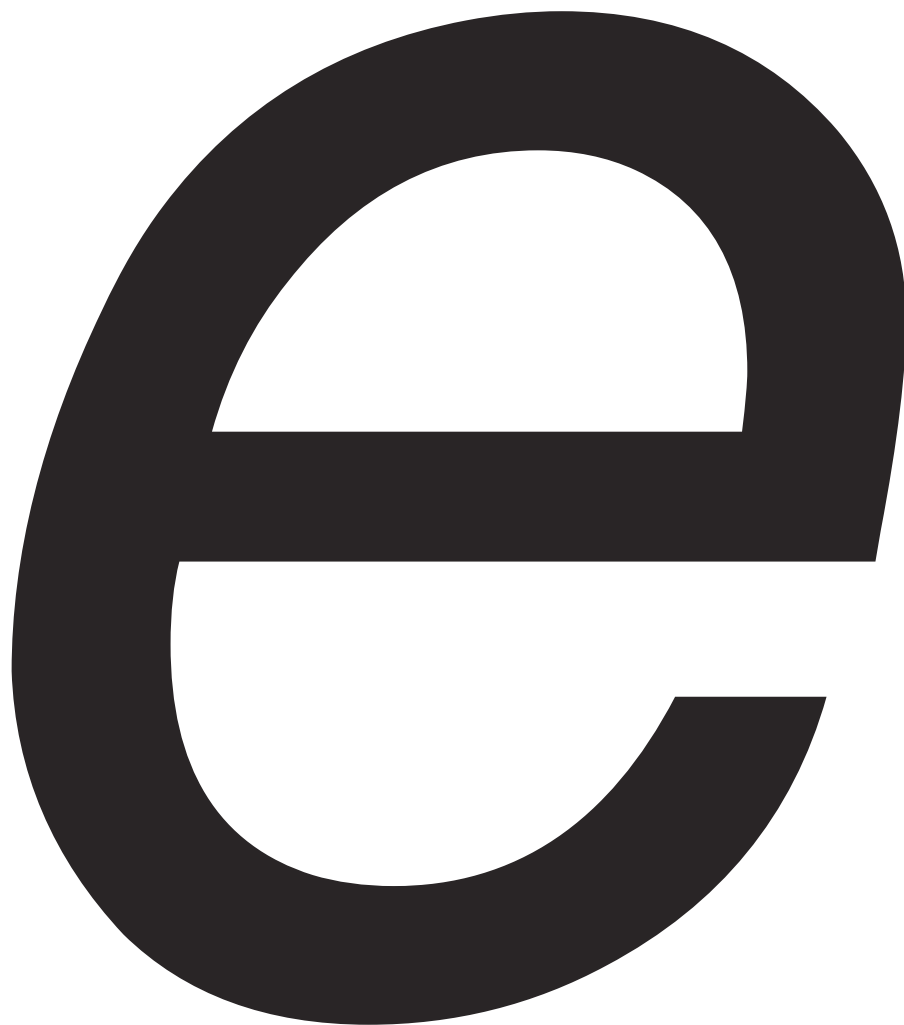
o



g

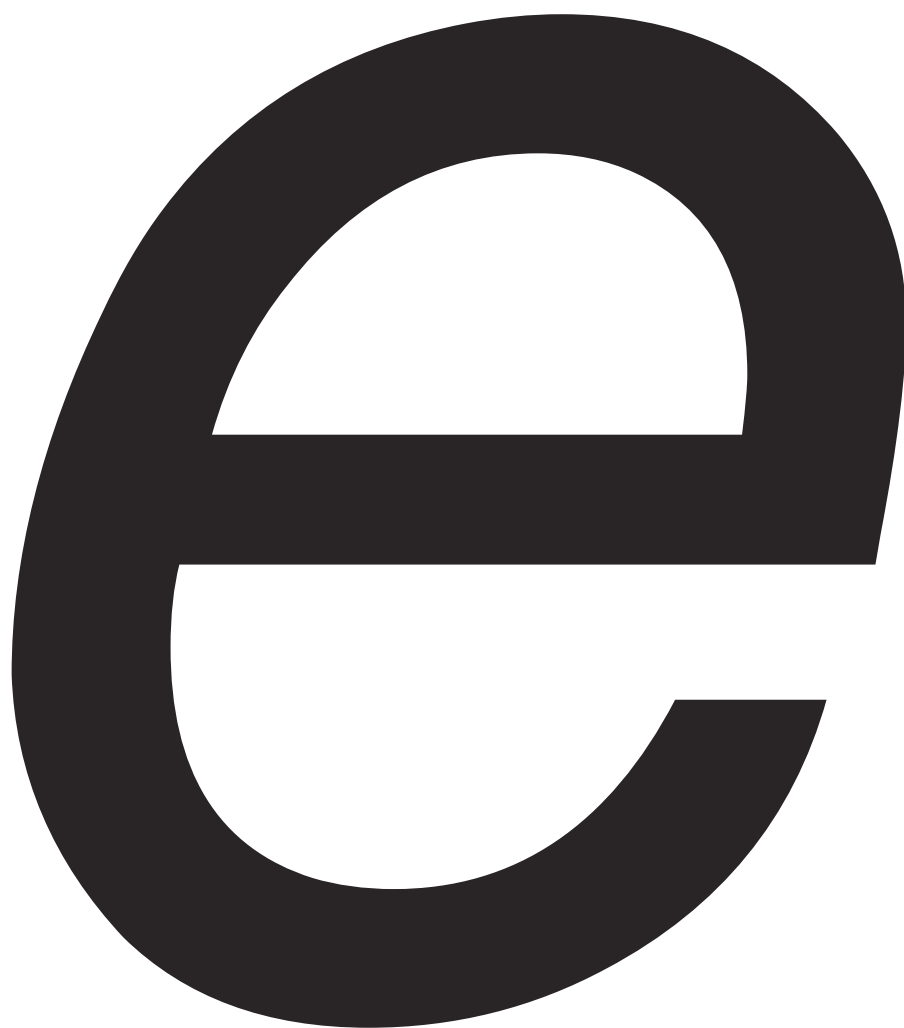












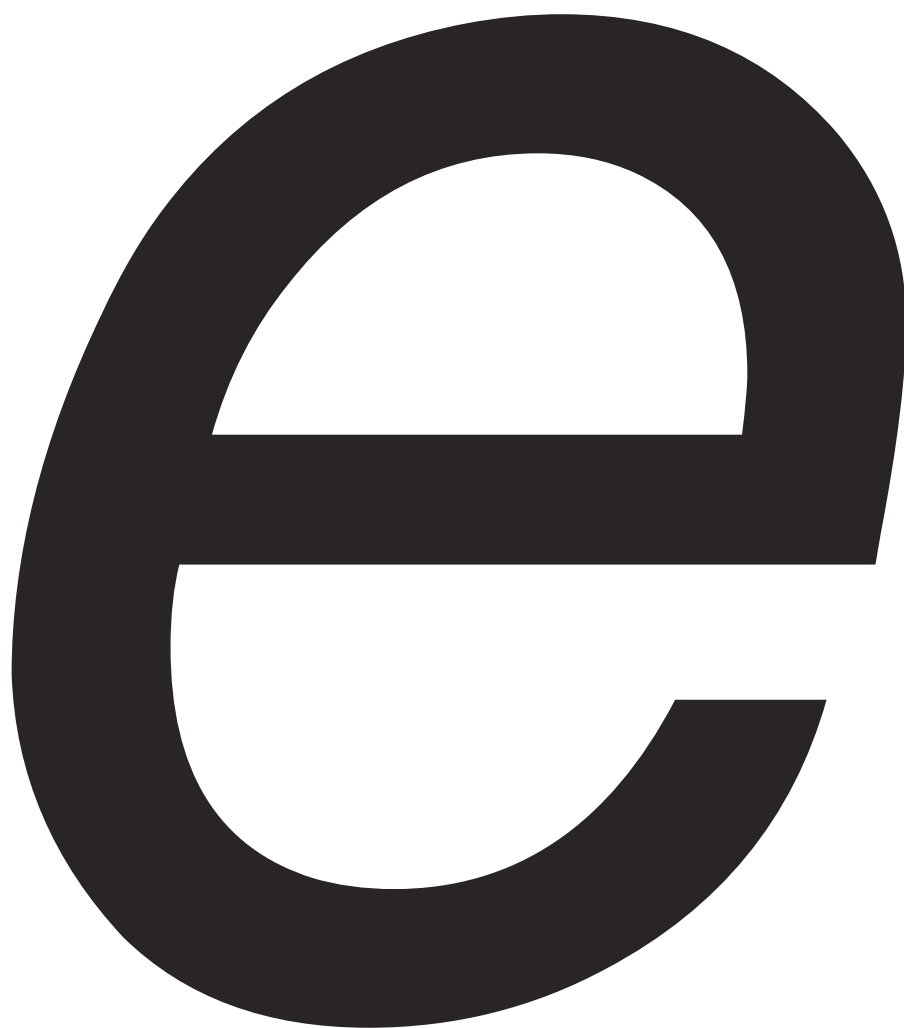
S

a



a

ir



S

o

a

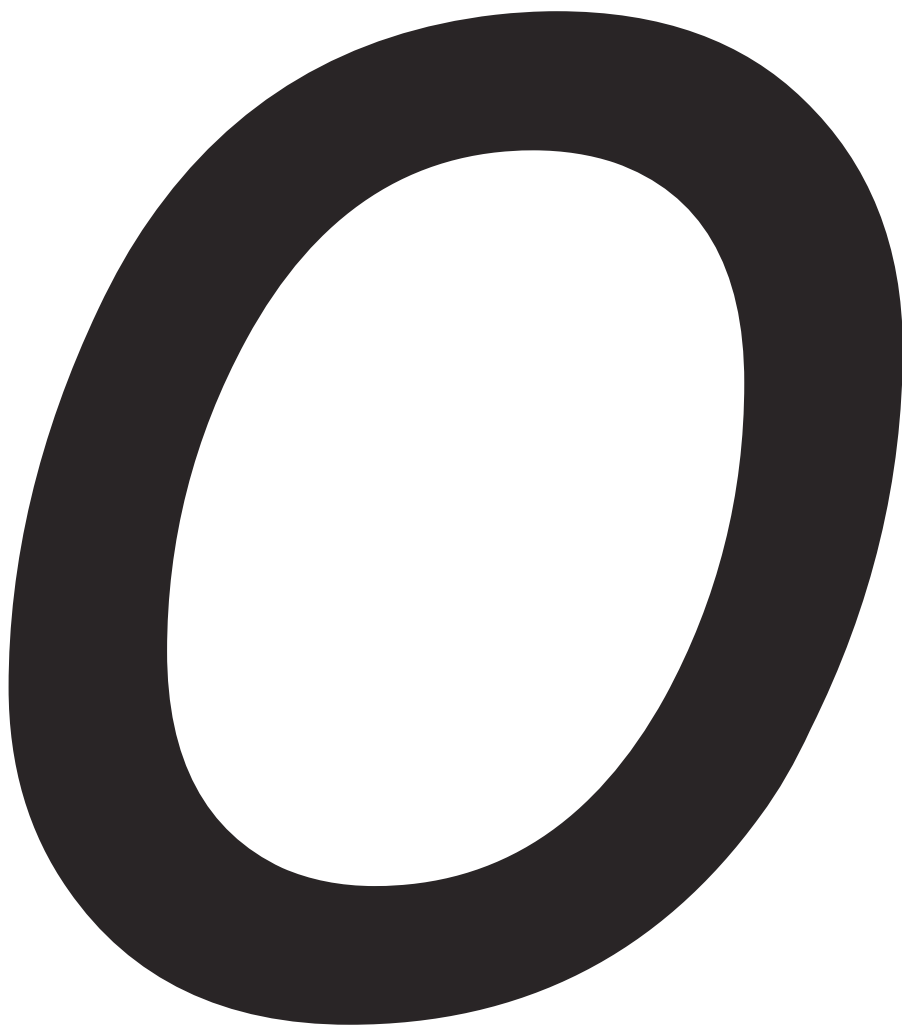
n

S

U

n

o

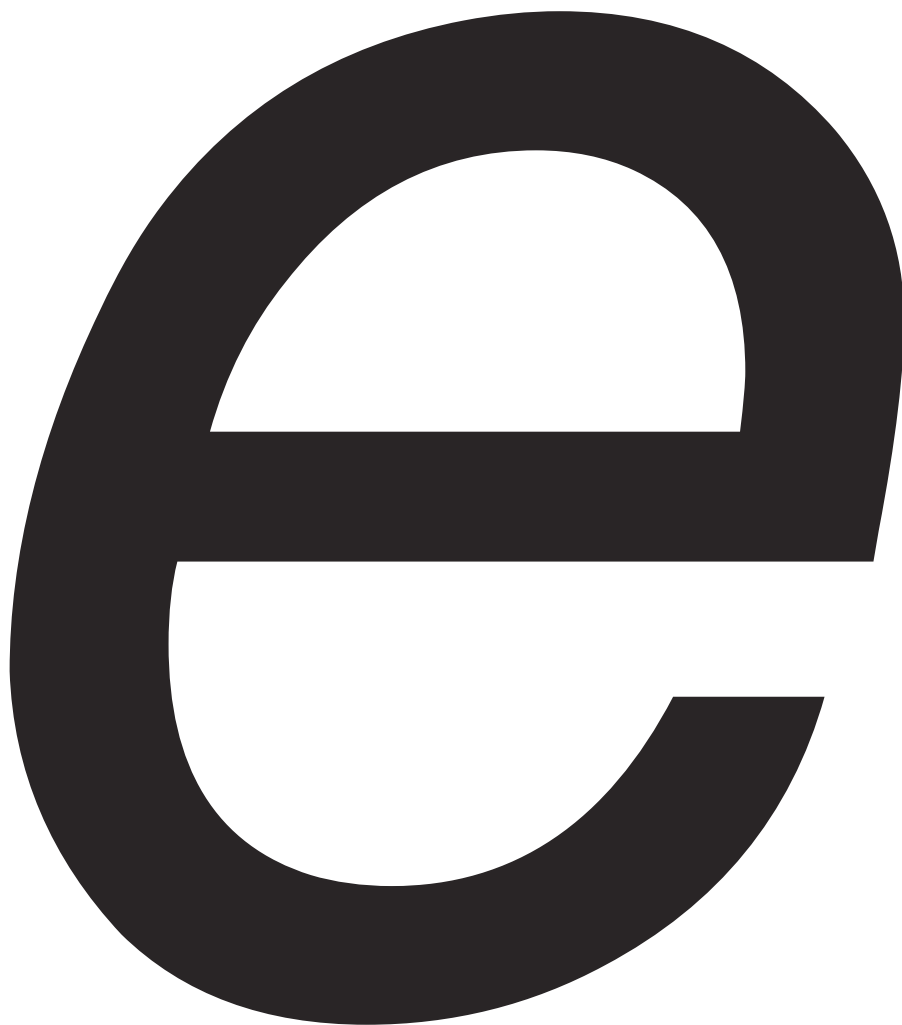


nm

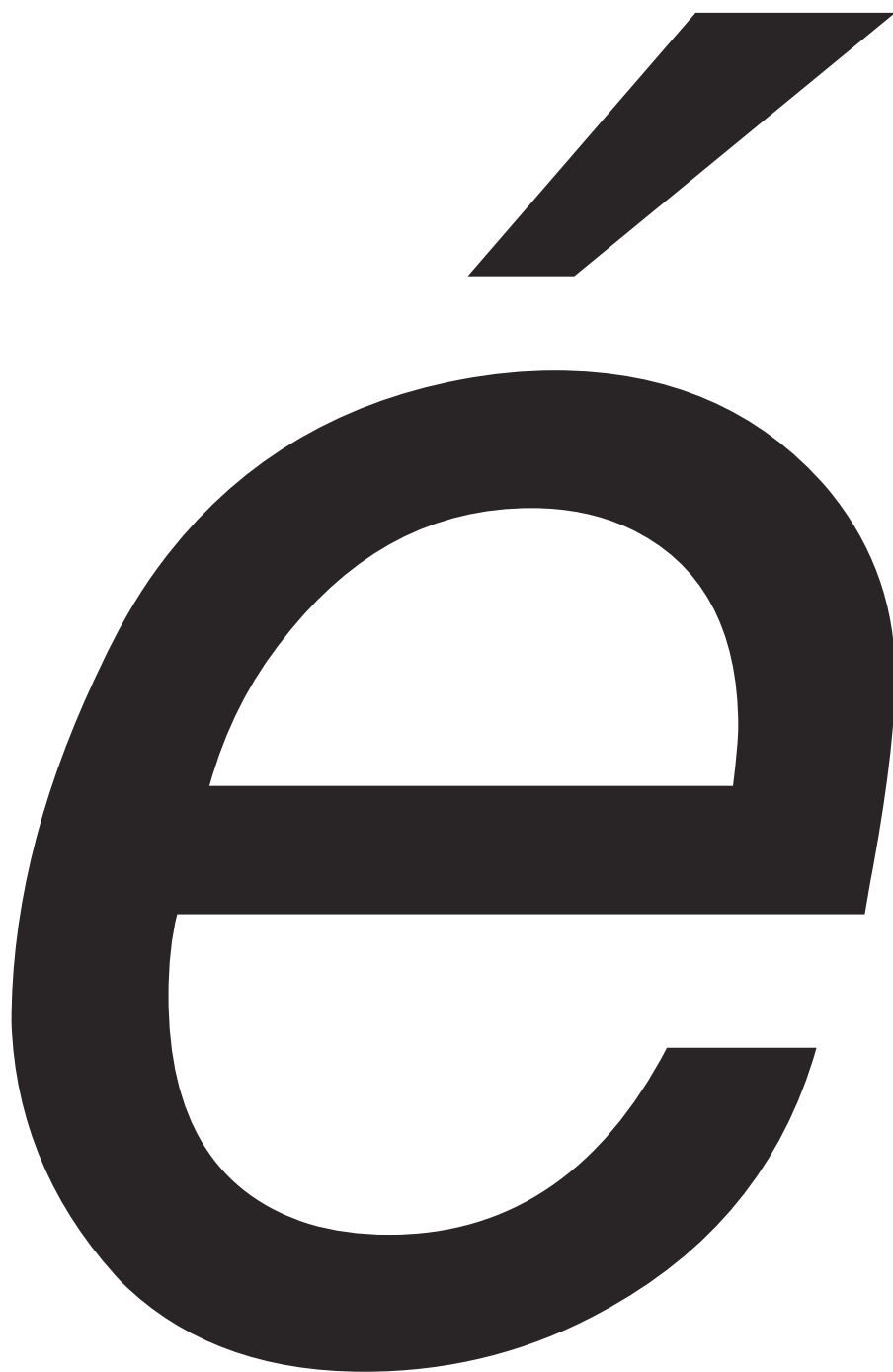
a



n



o





n

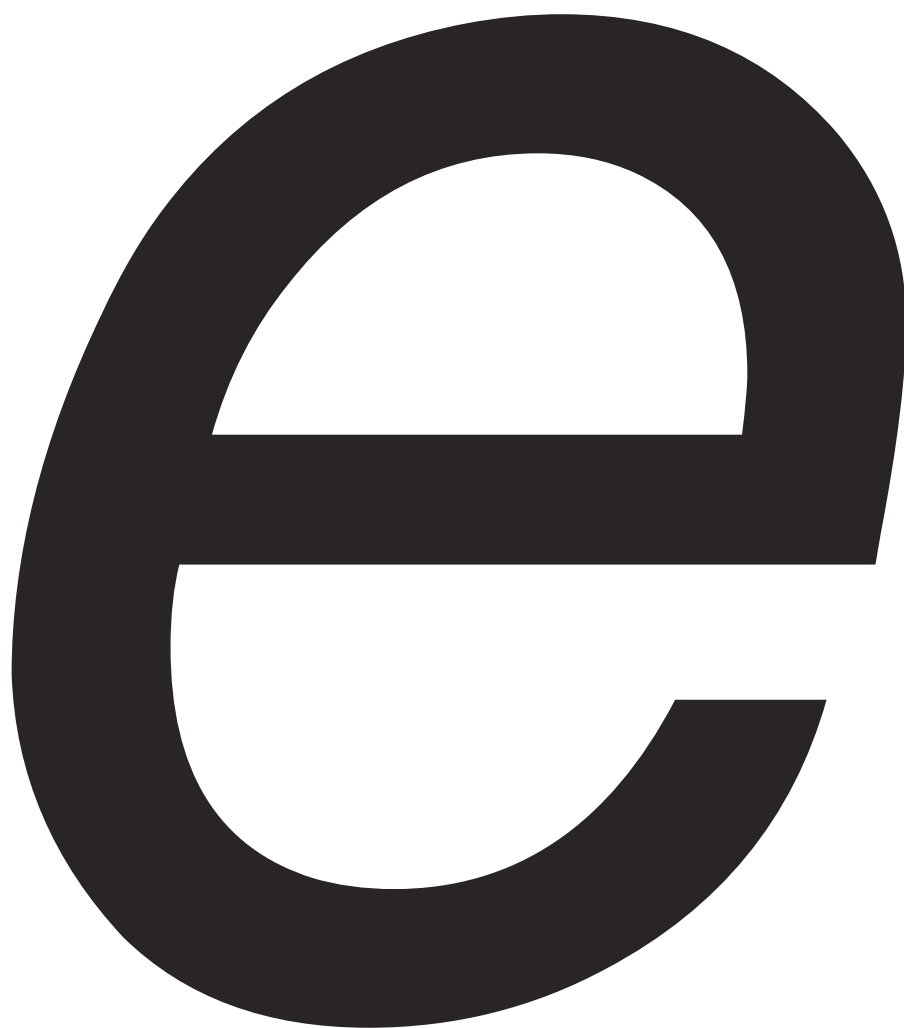




a



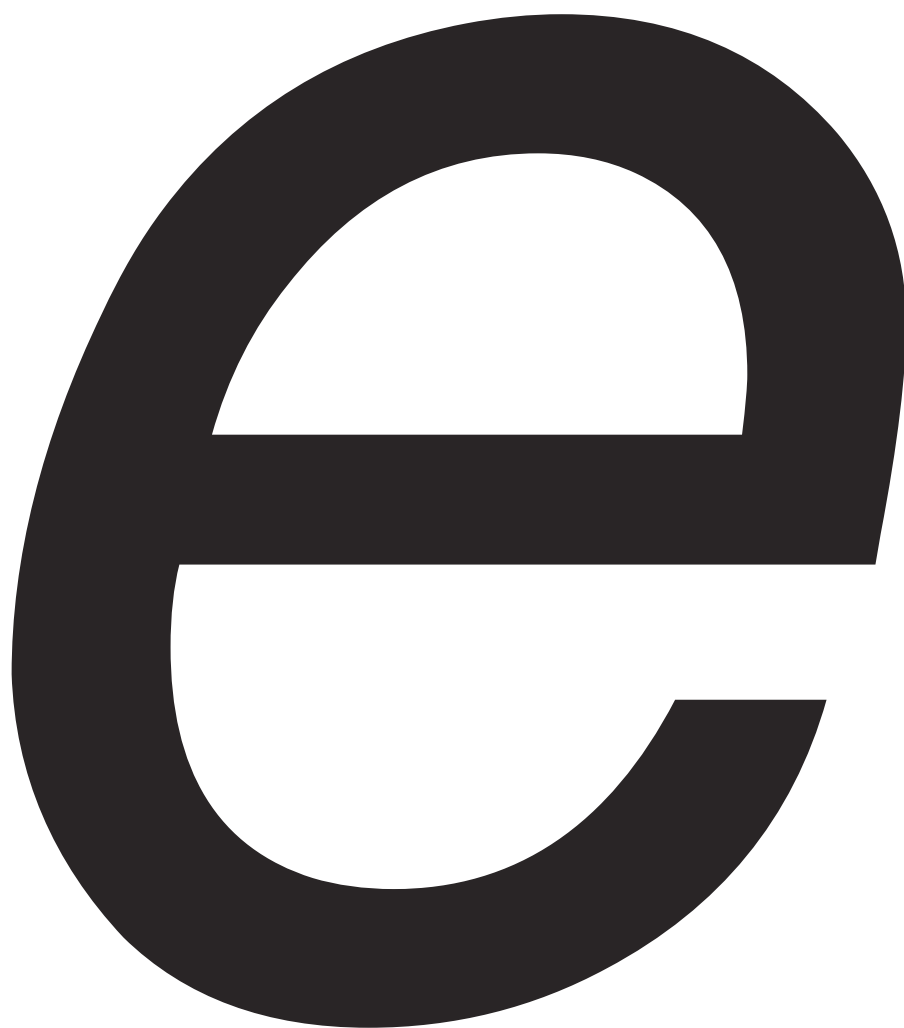




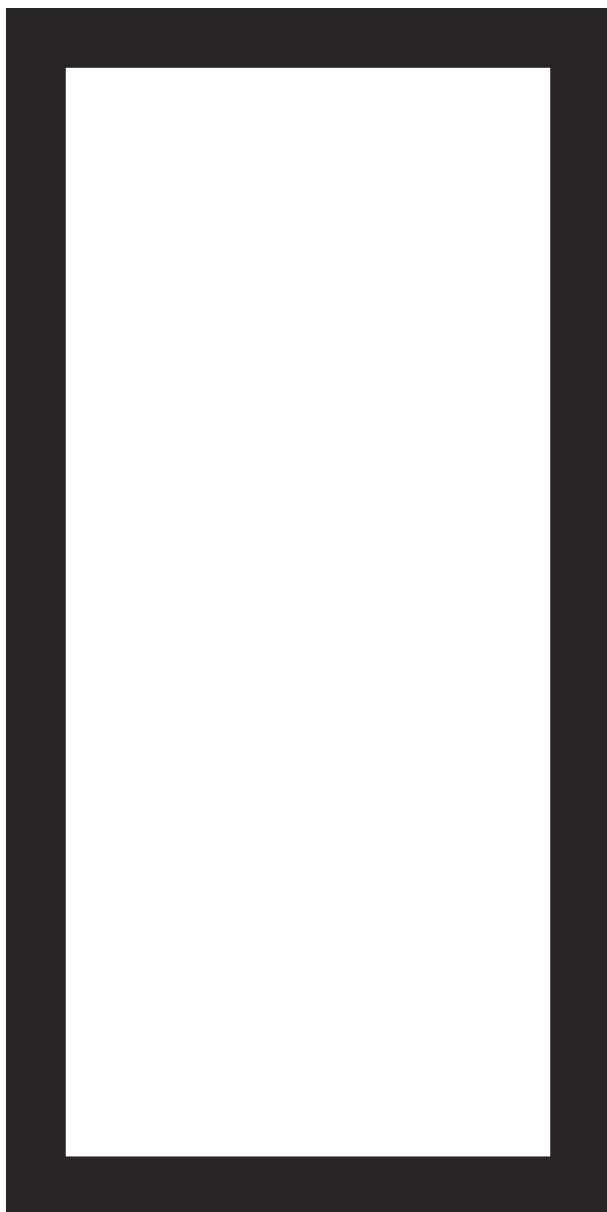


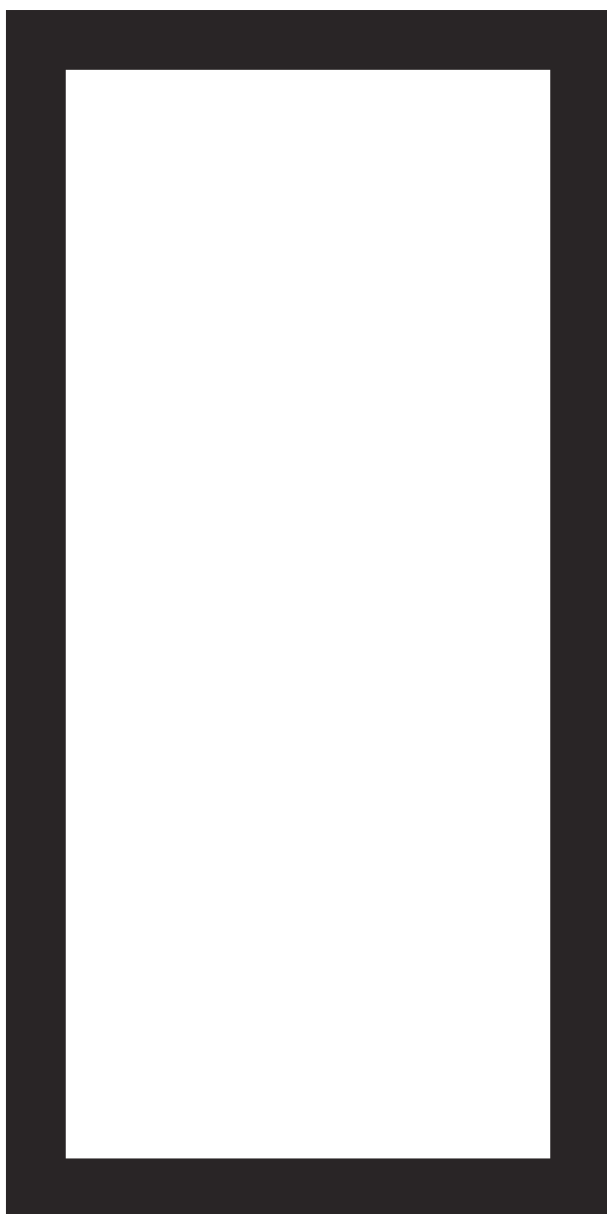
U

g







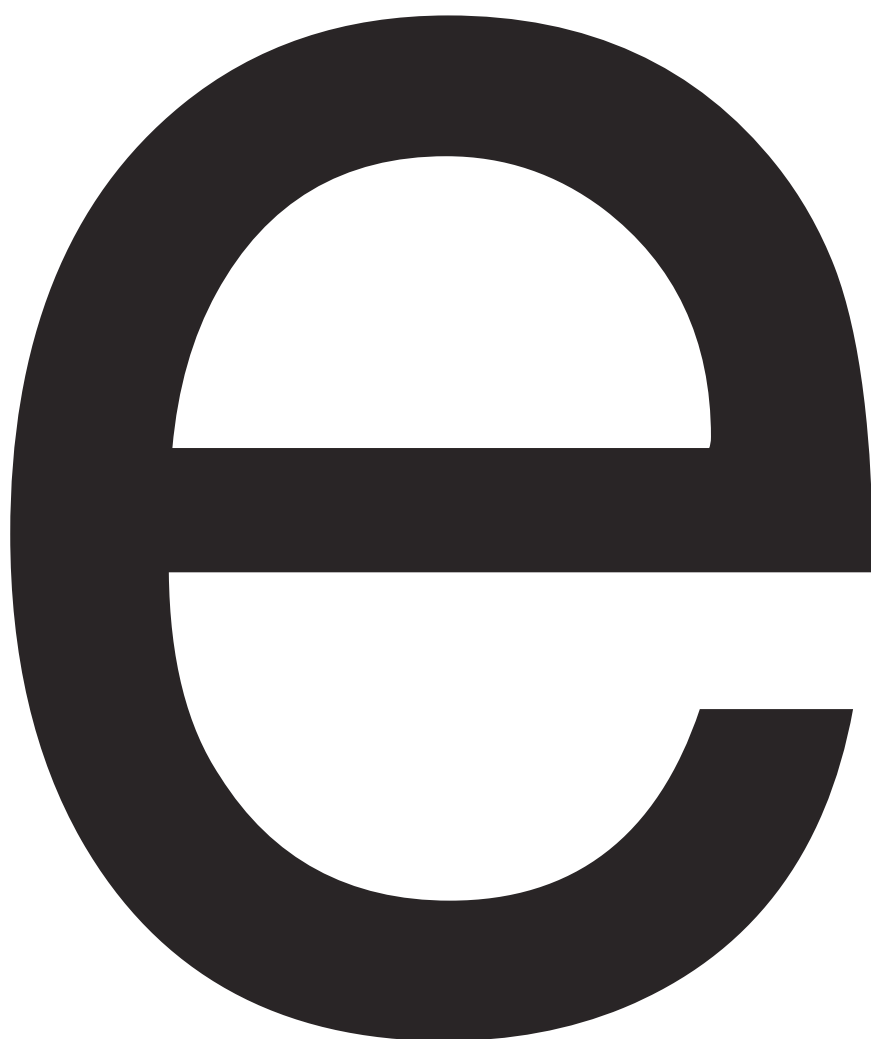


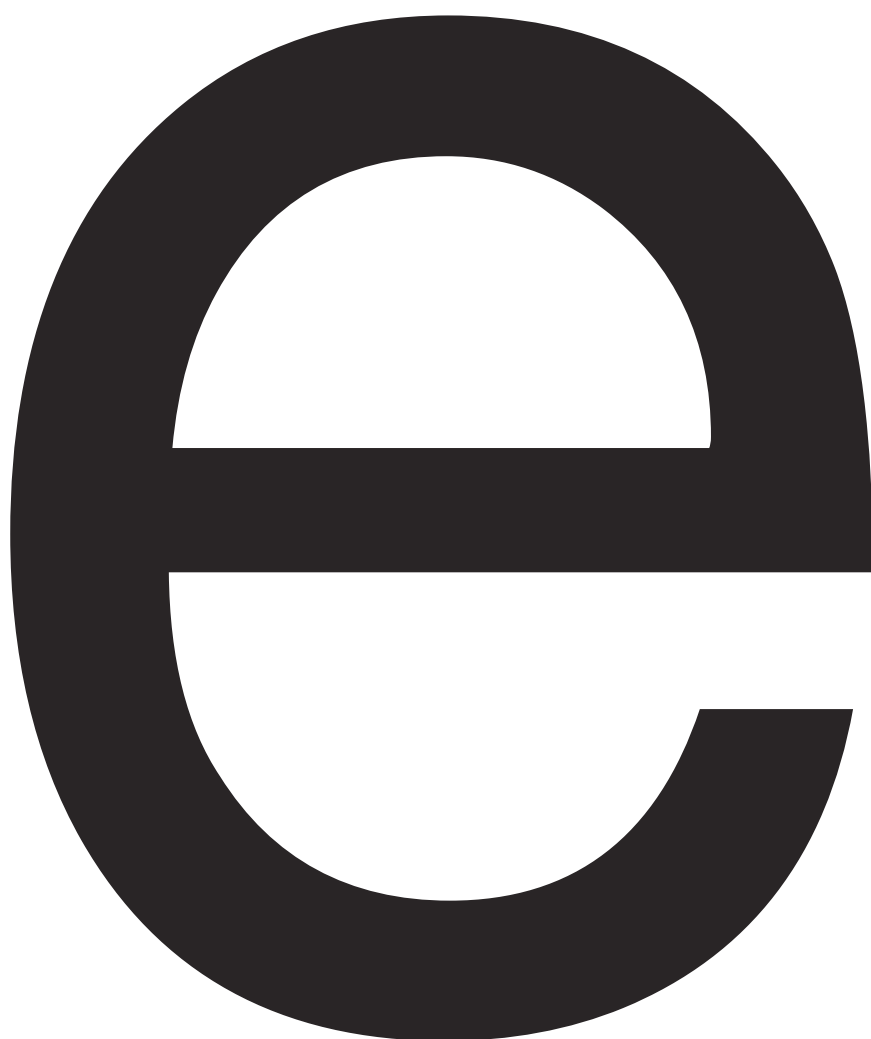


a

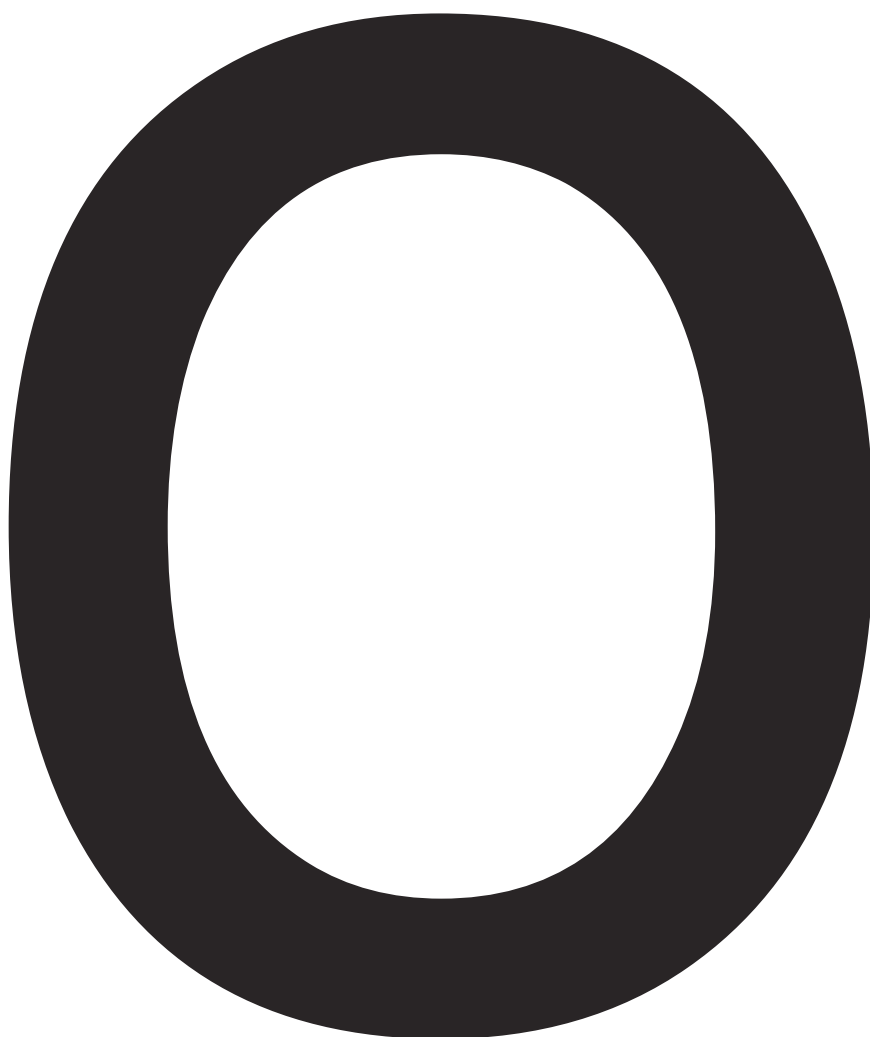


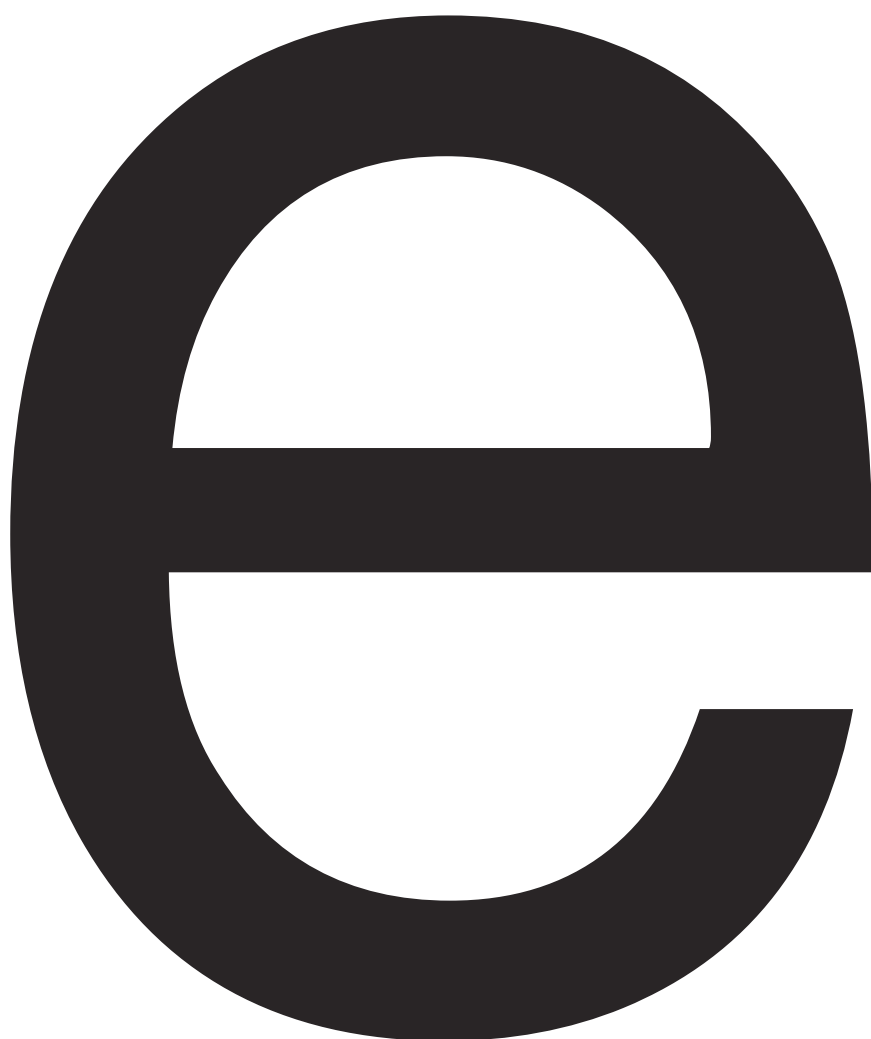
is







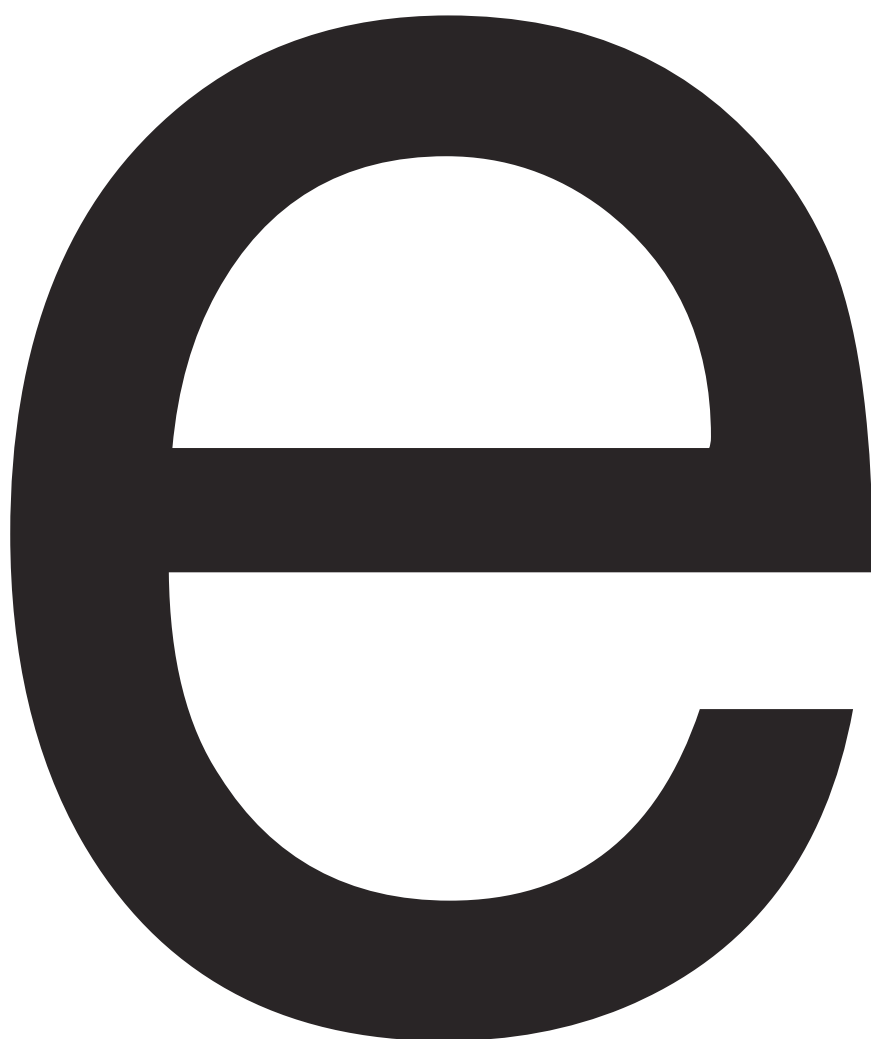




U





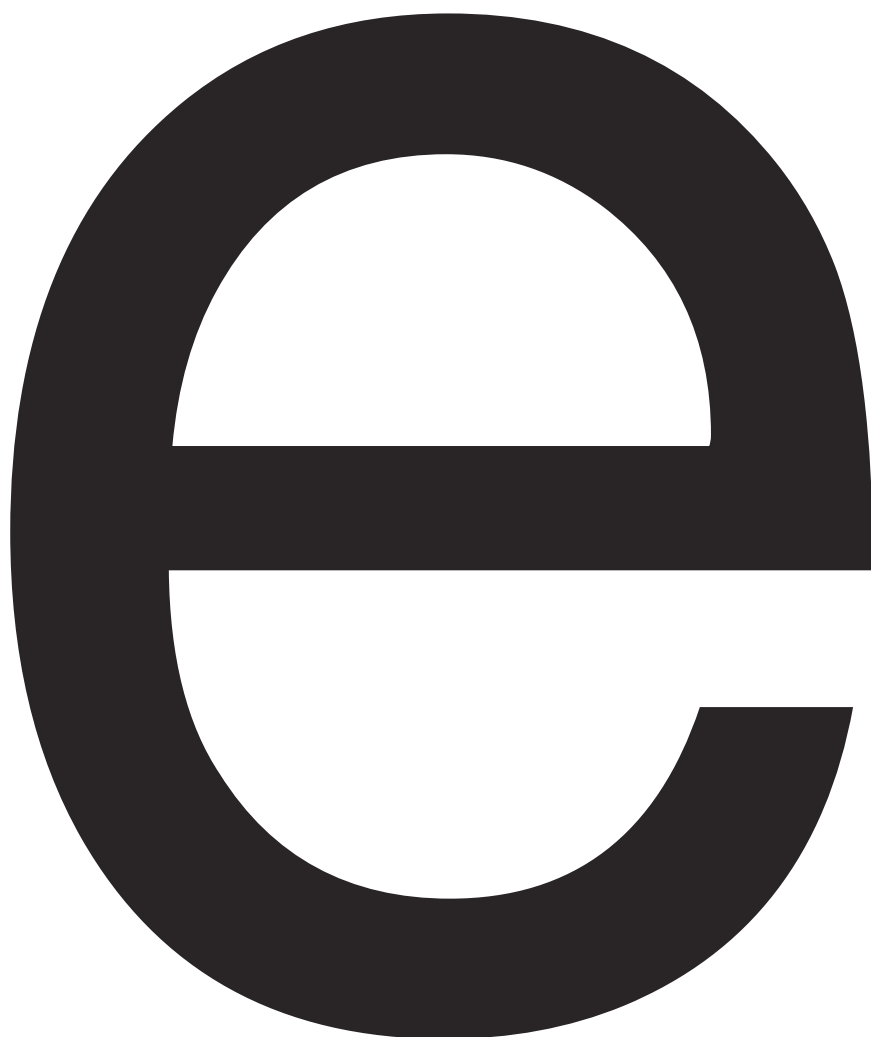


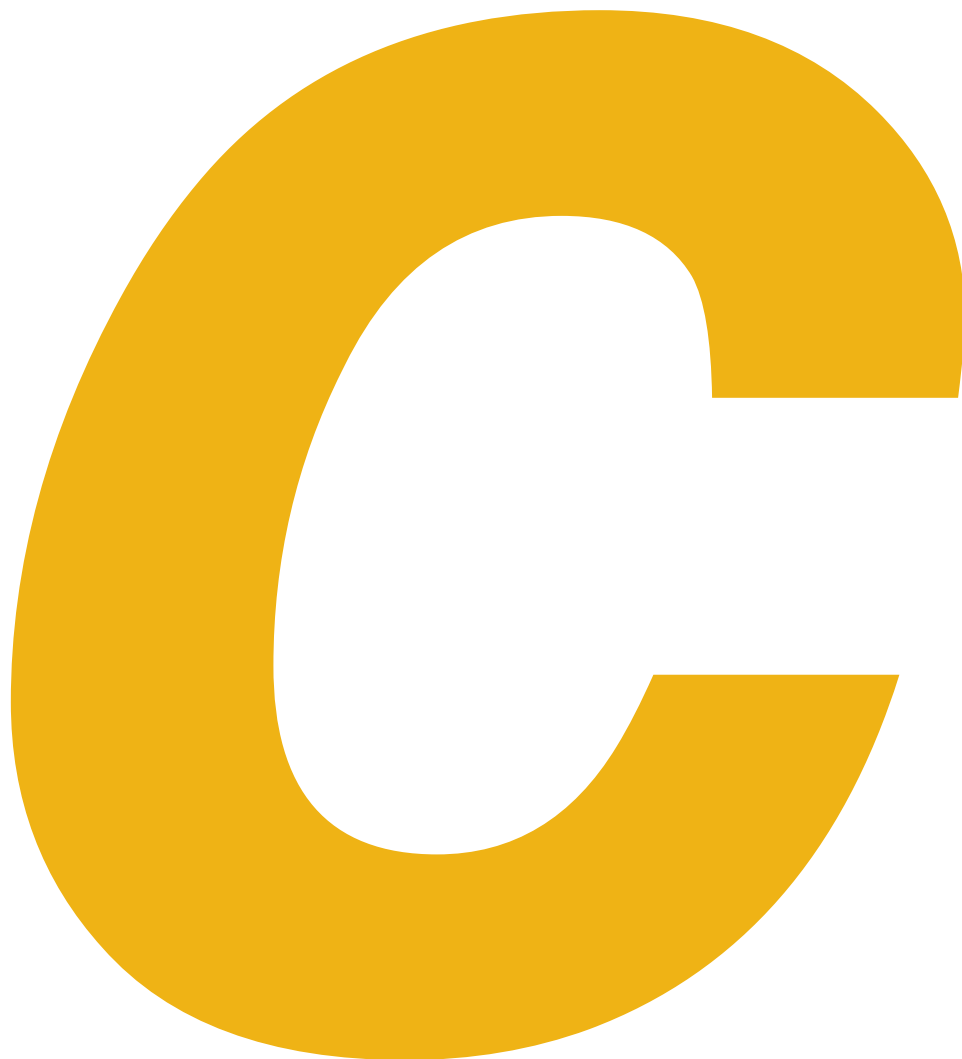




U







U









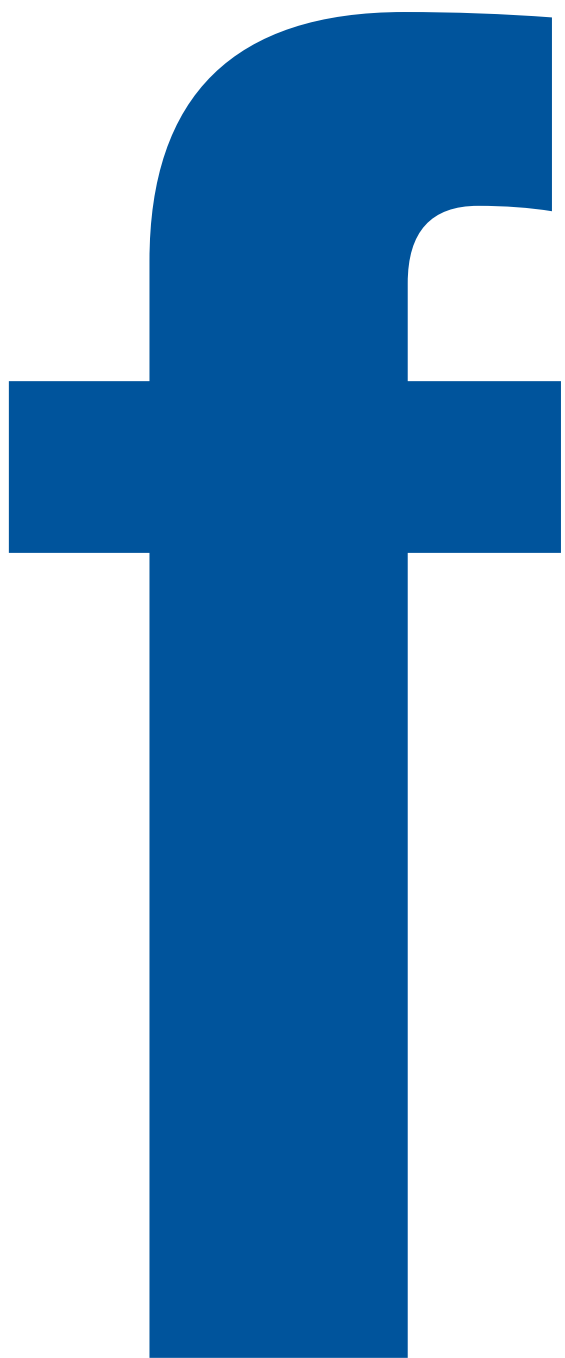


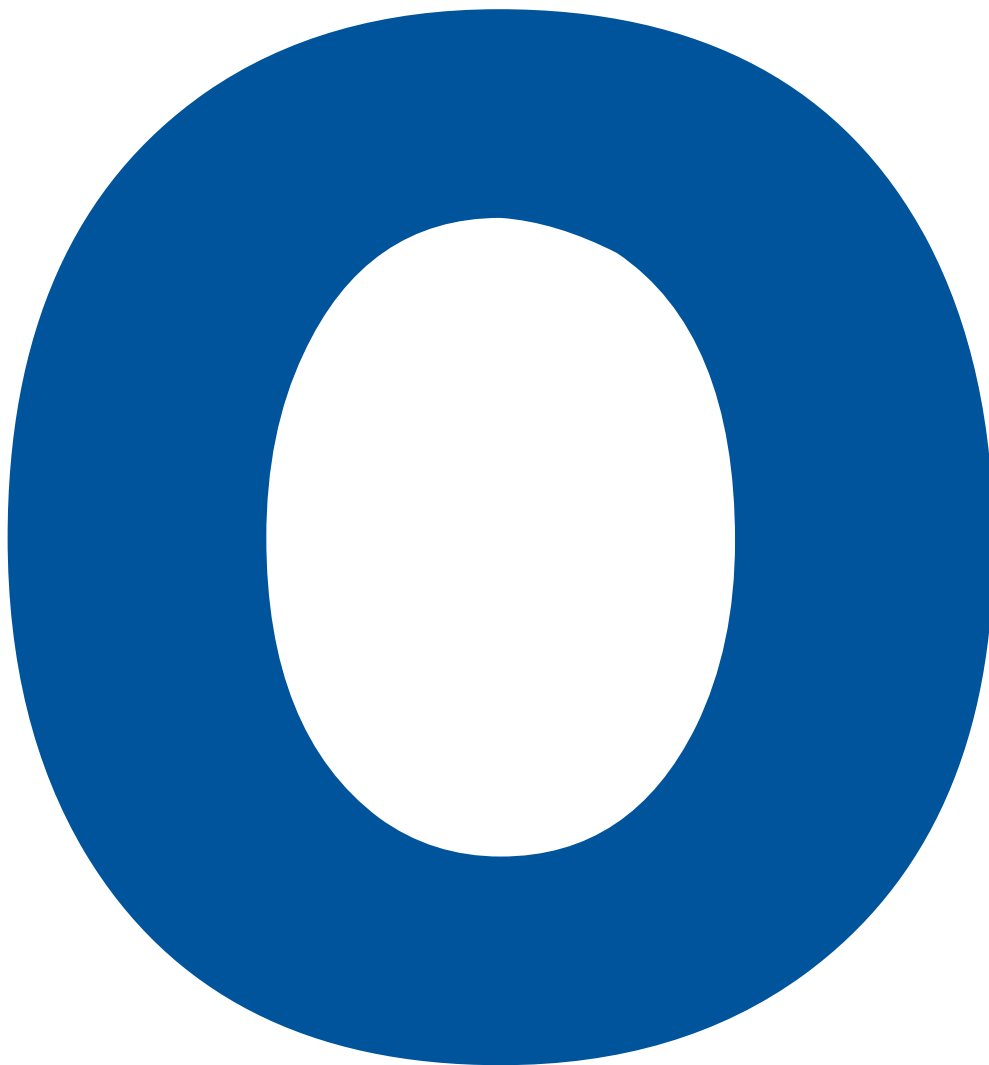




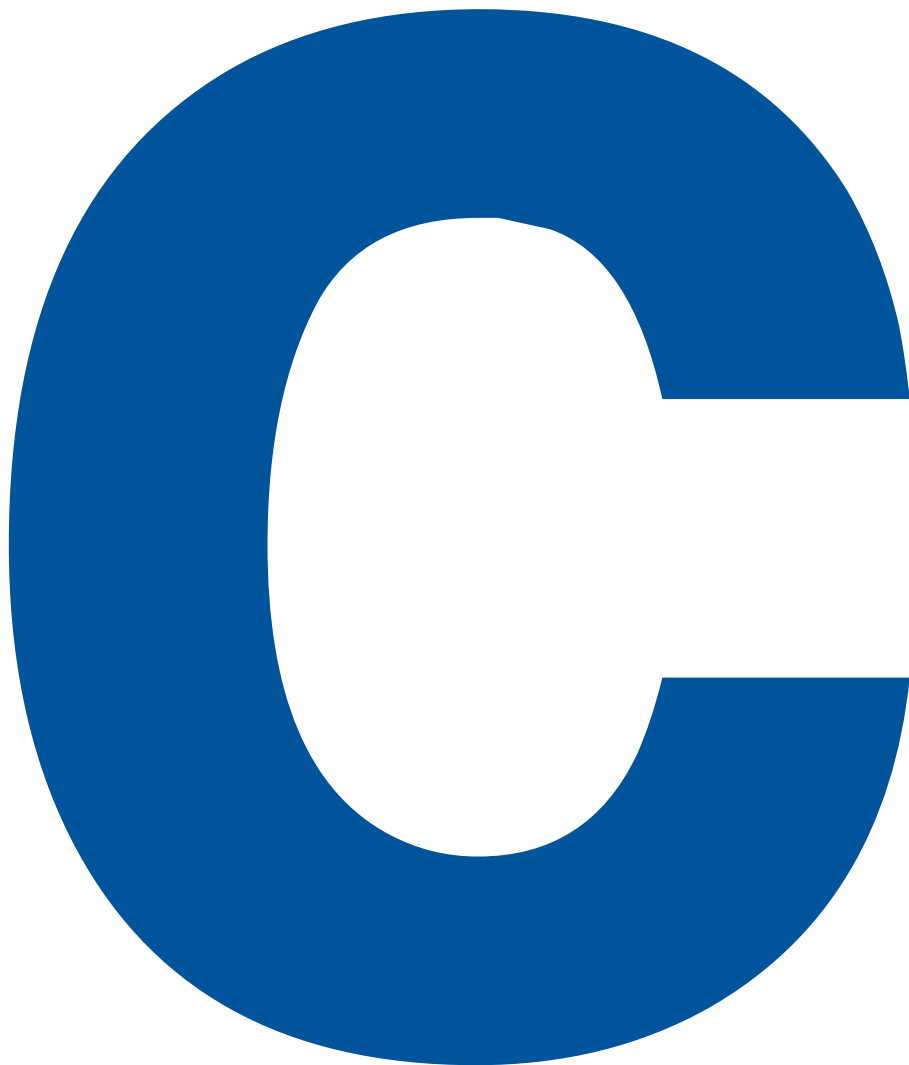








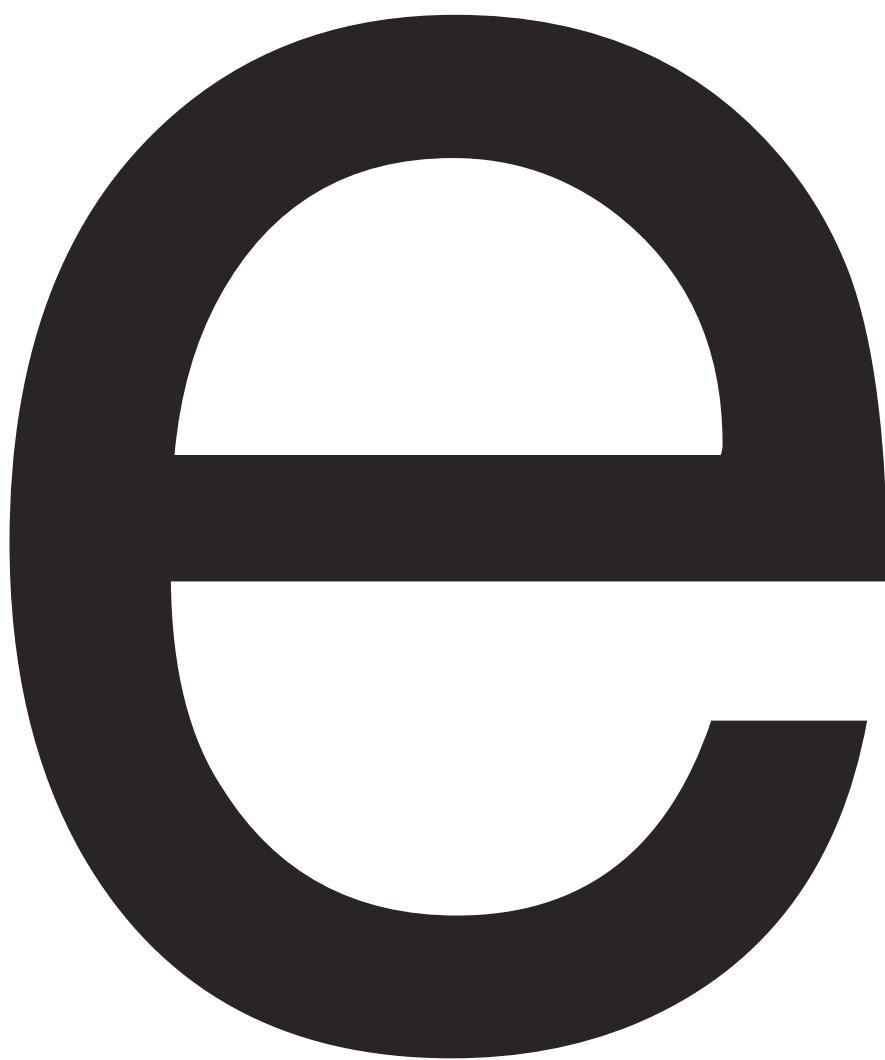








S



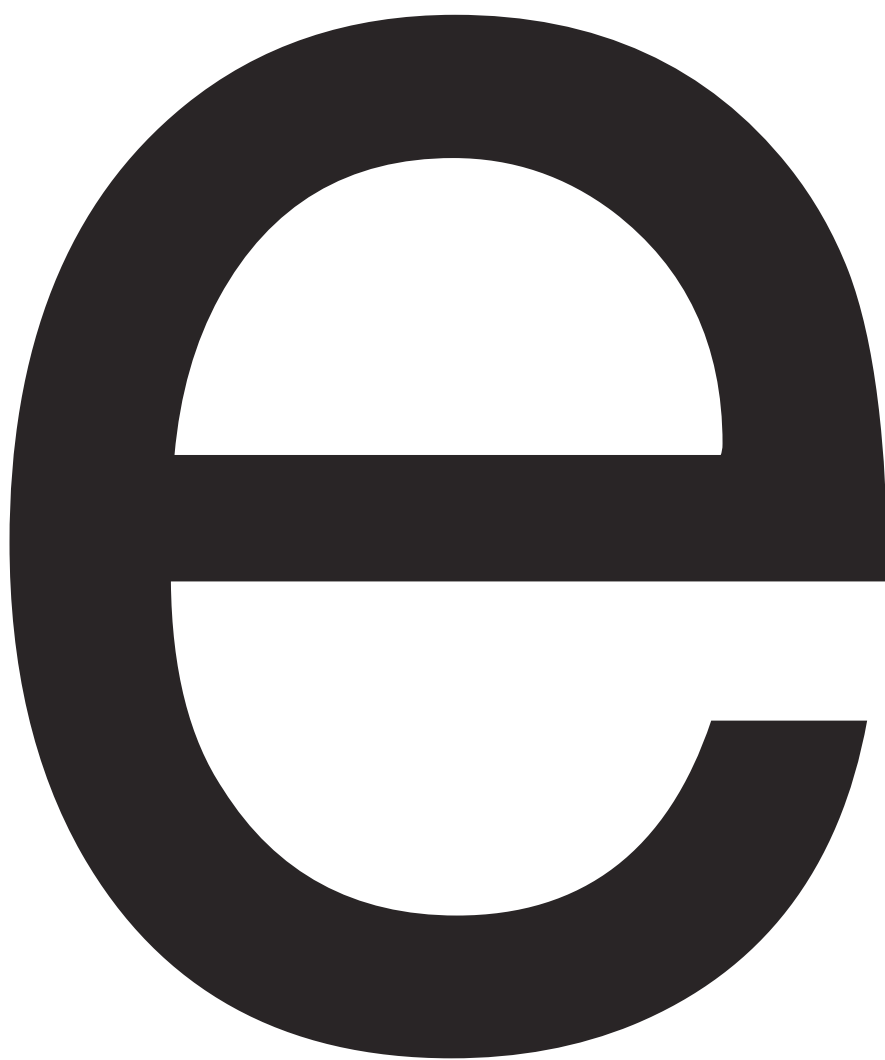


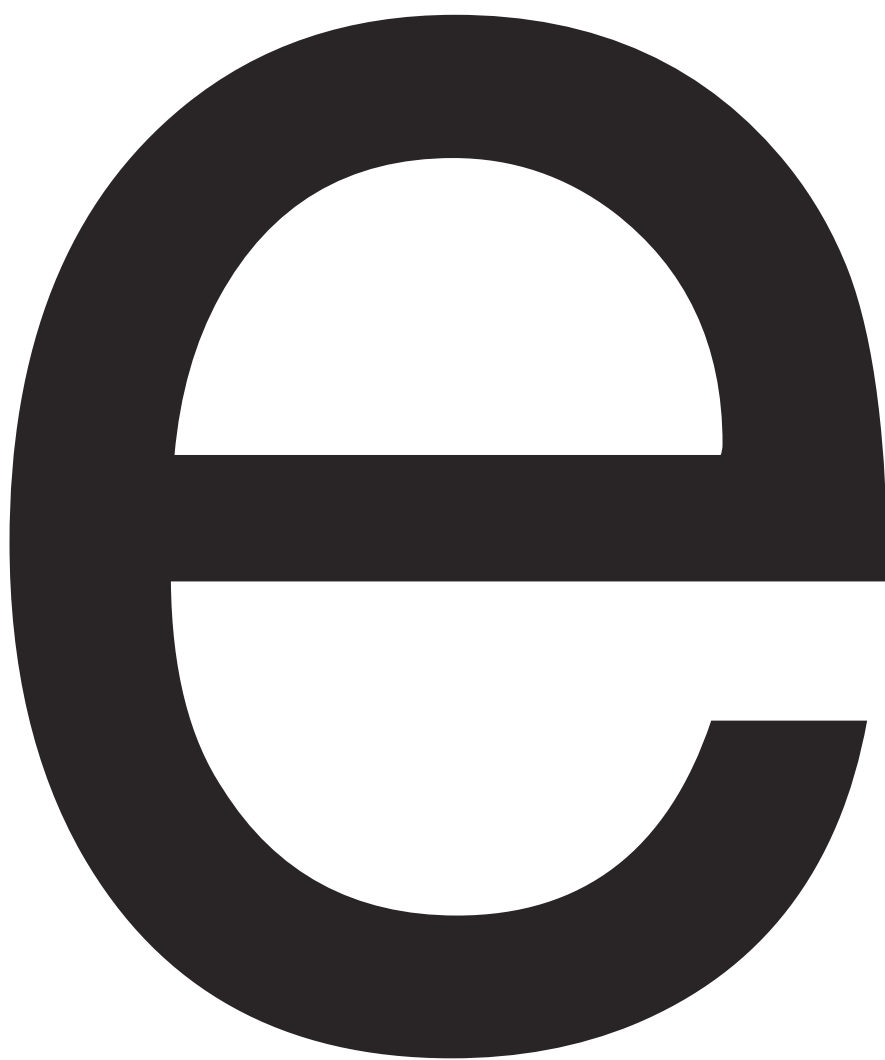
U

S



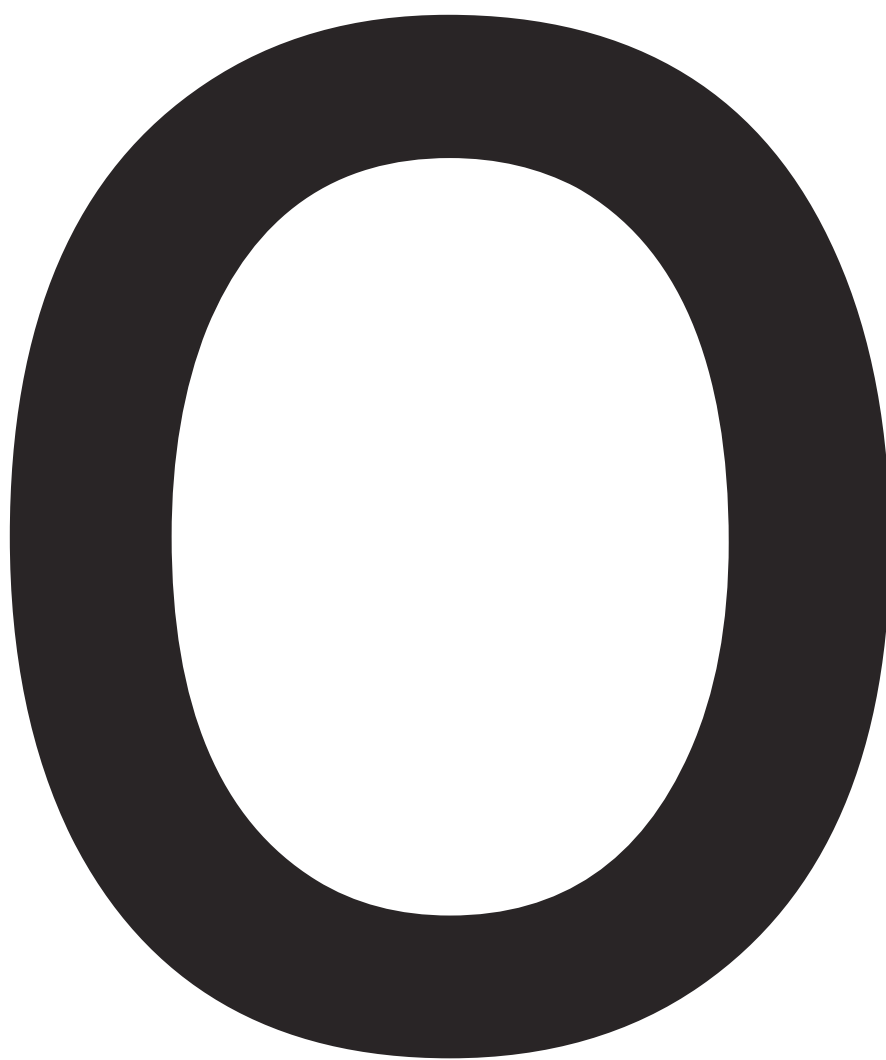






n

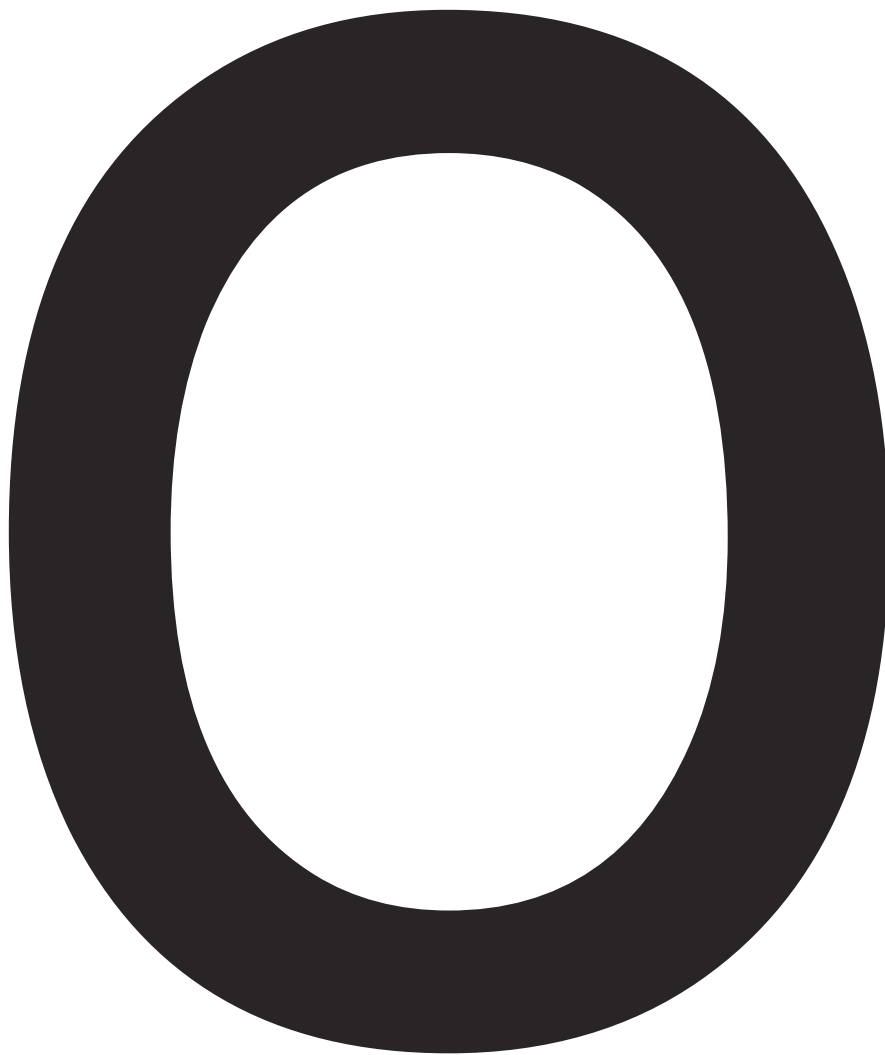




n

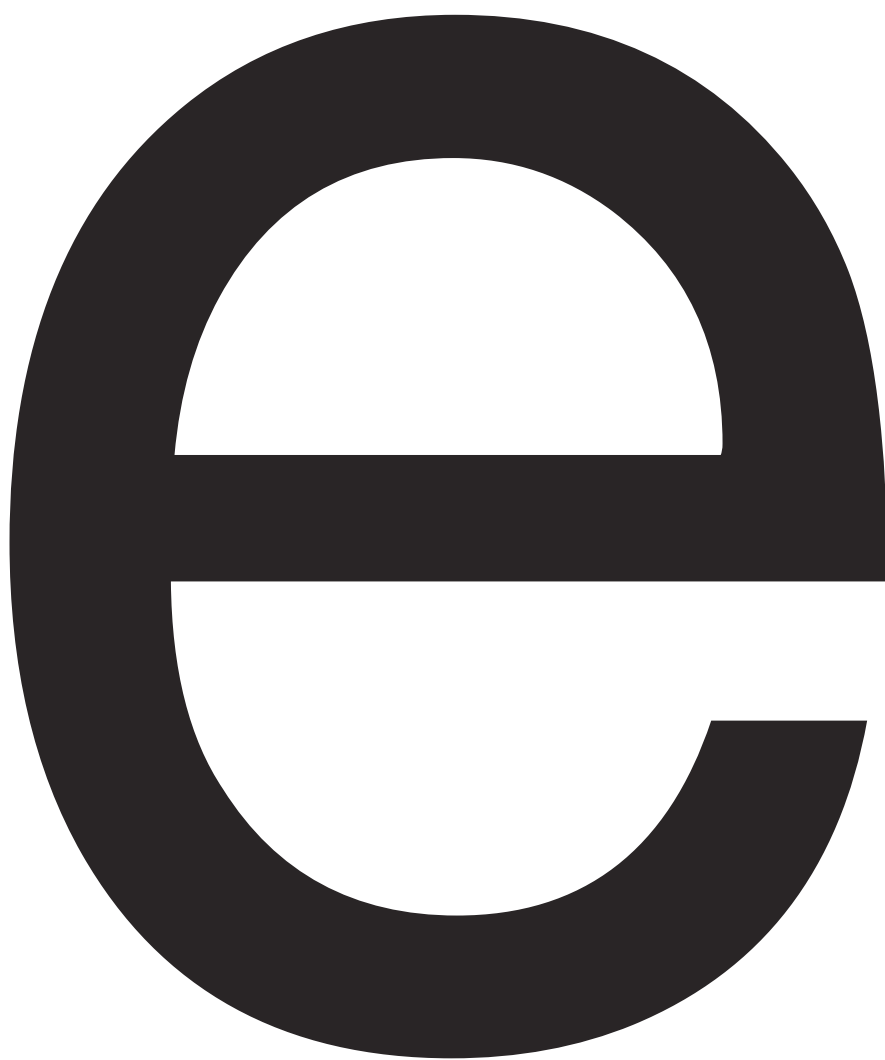














a

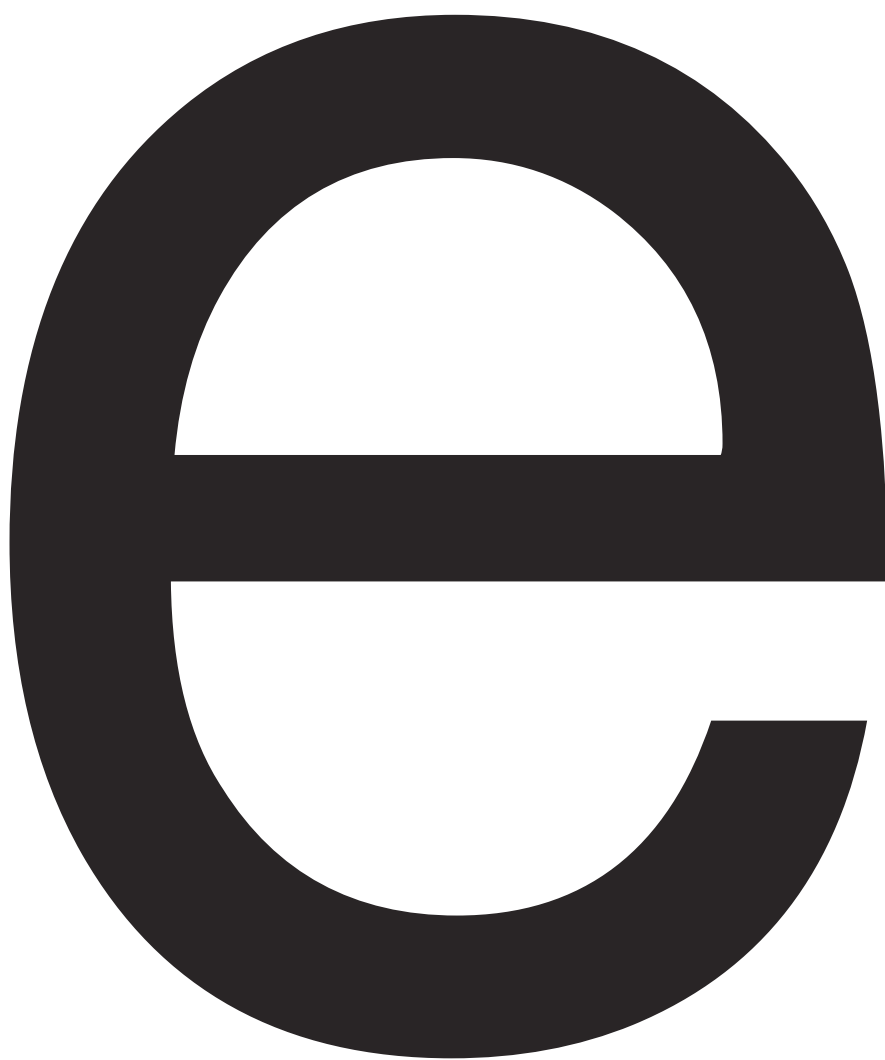






U





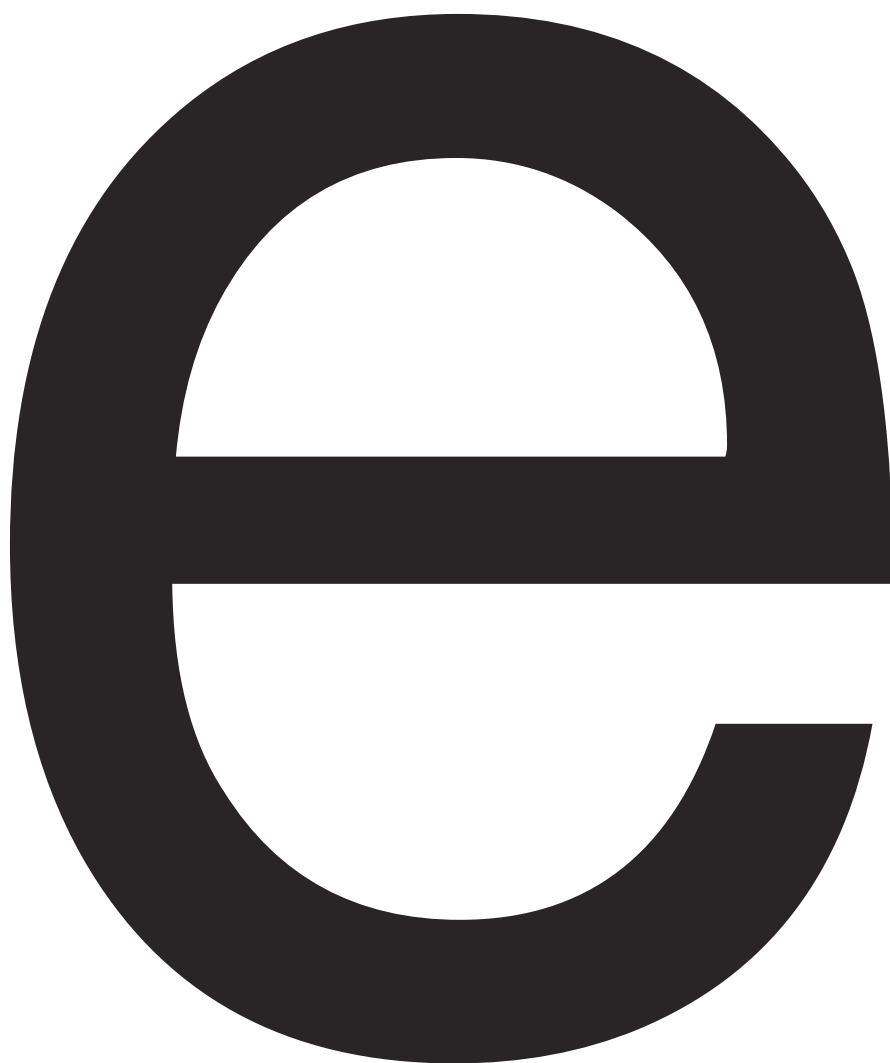


U



a



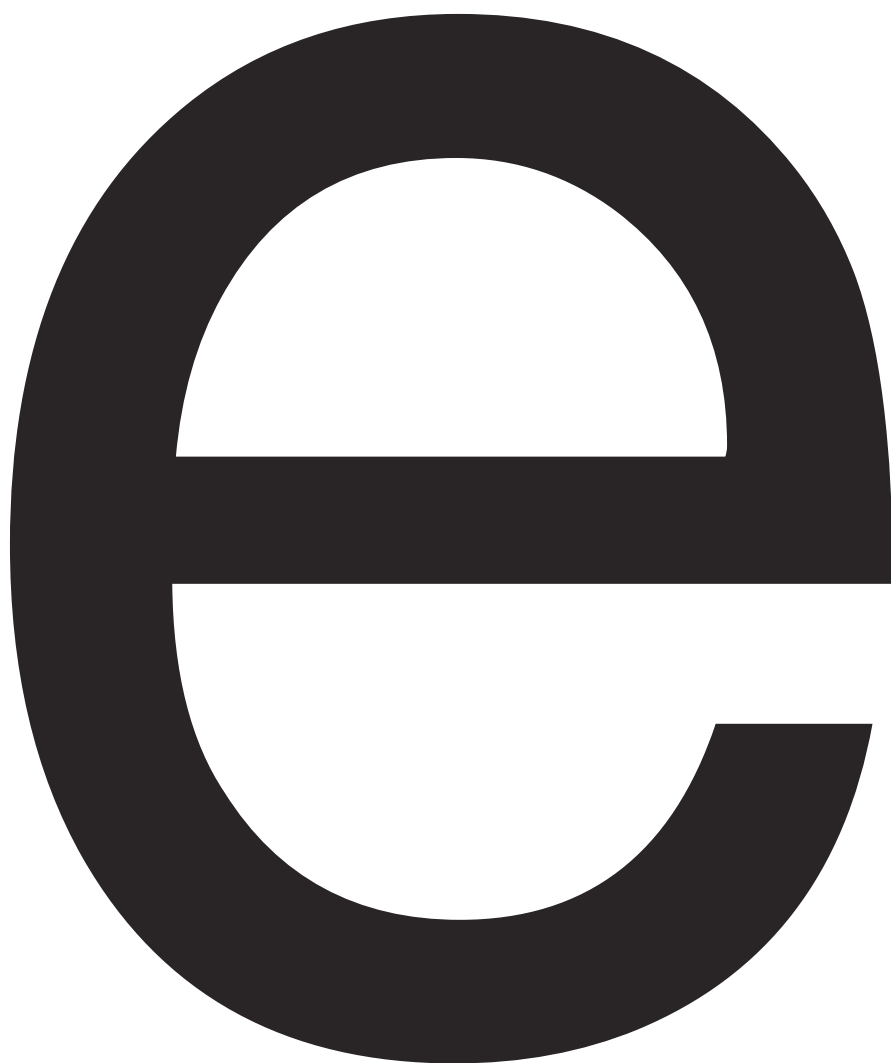


U







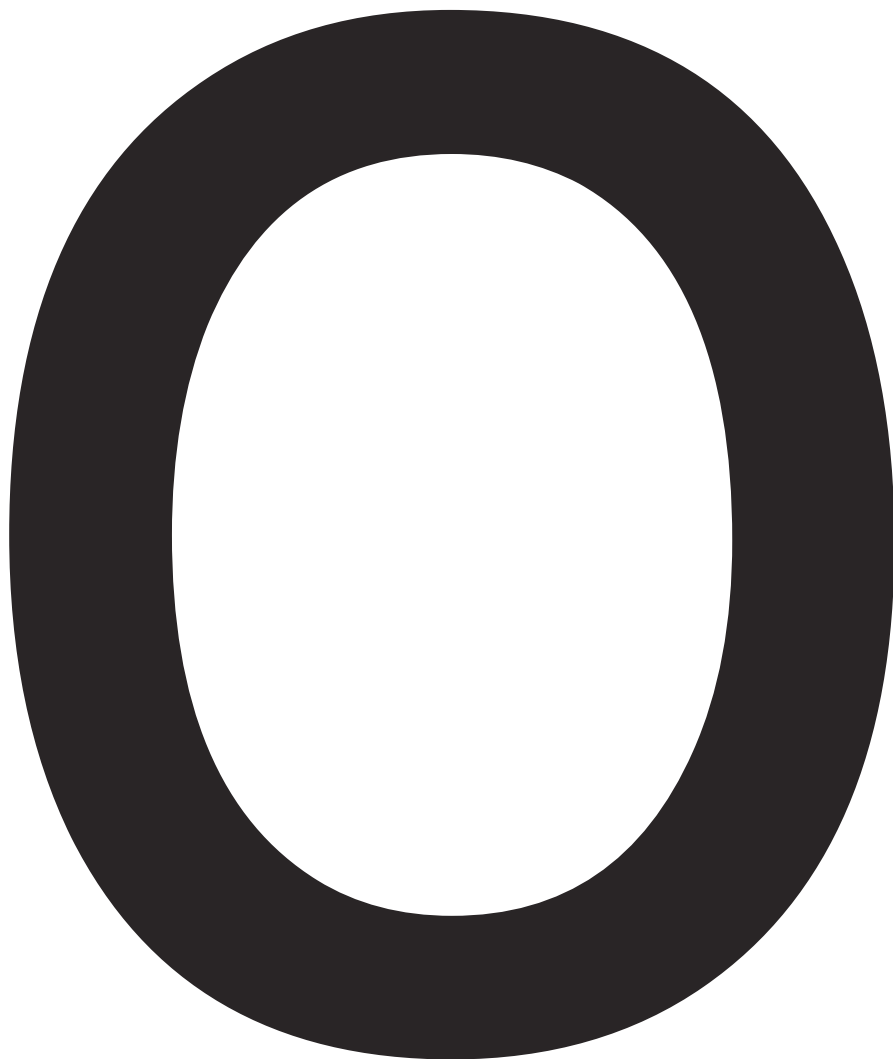






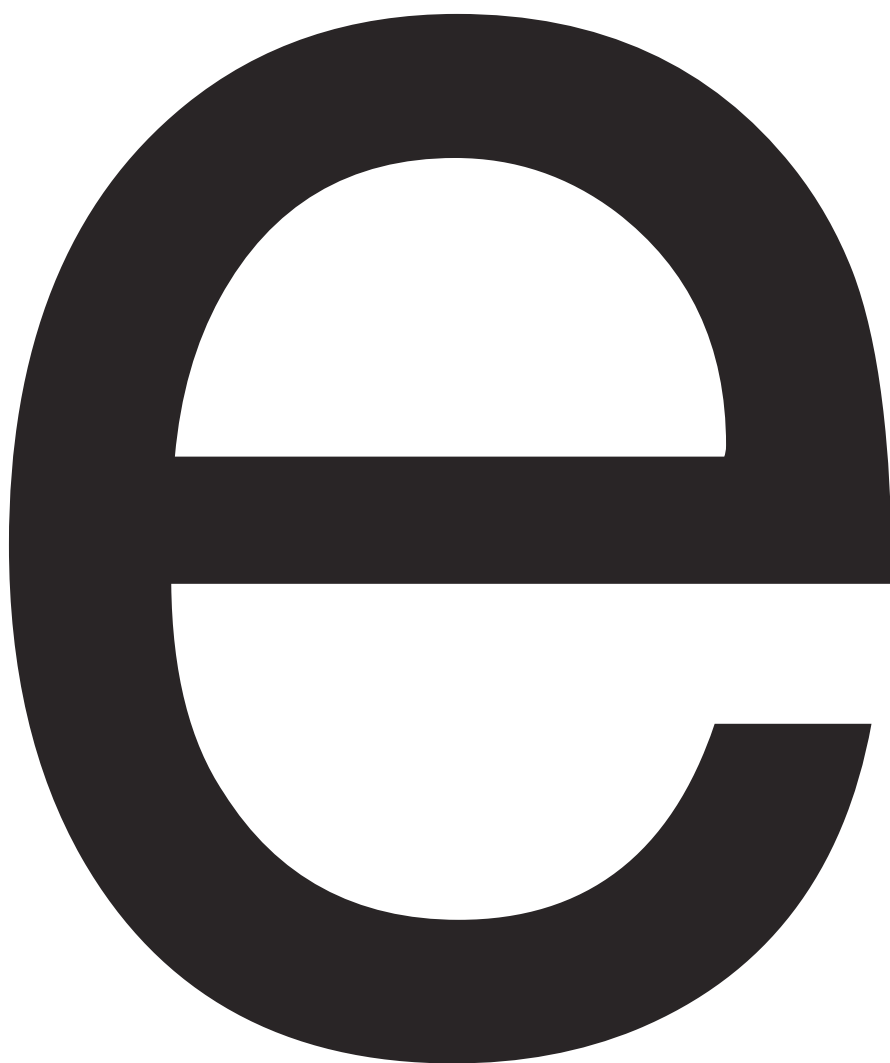
e





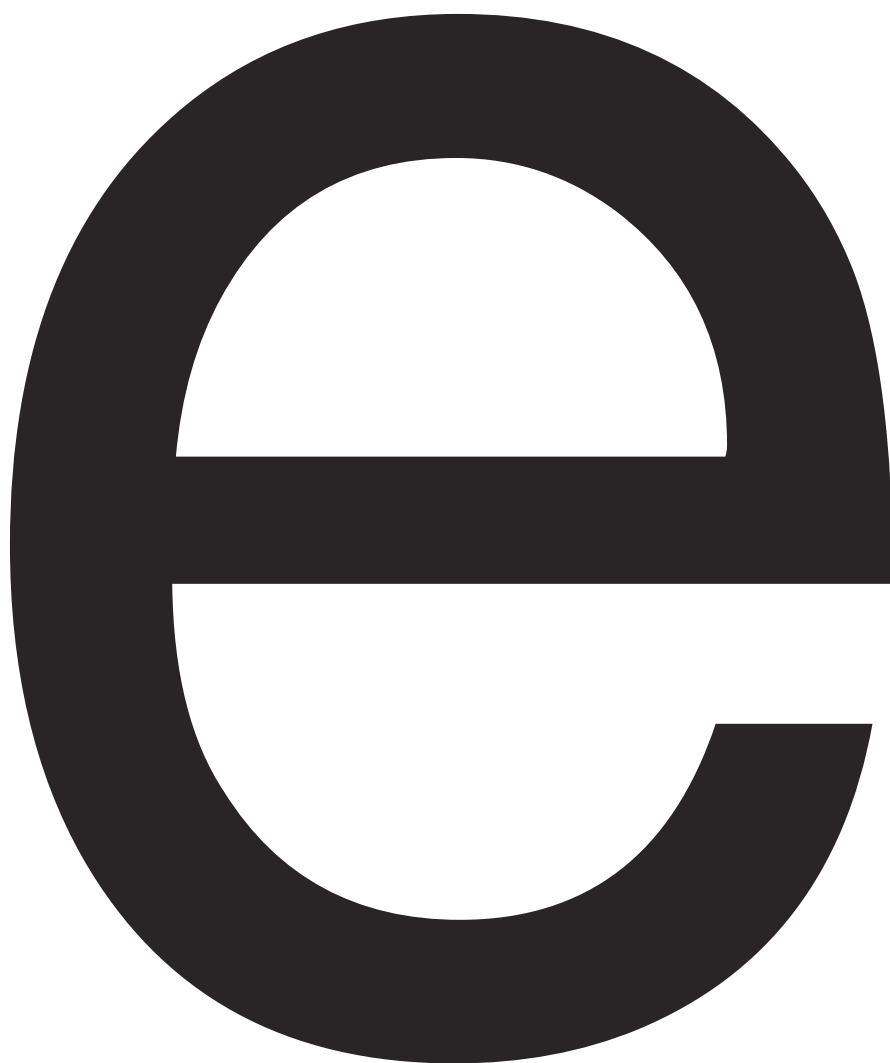




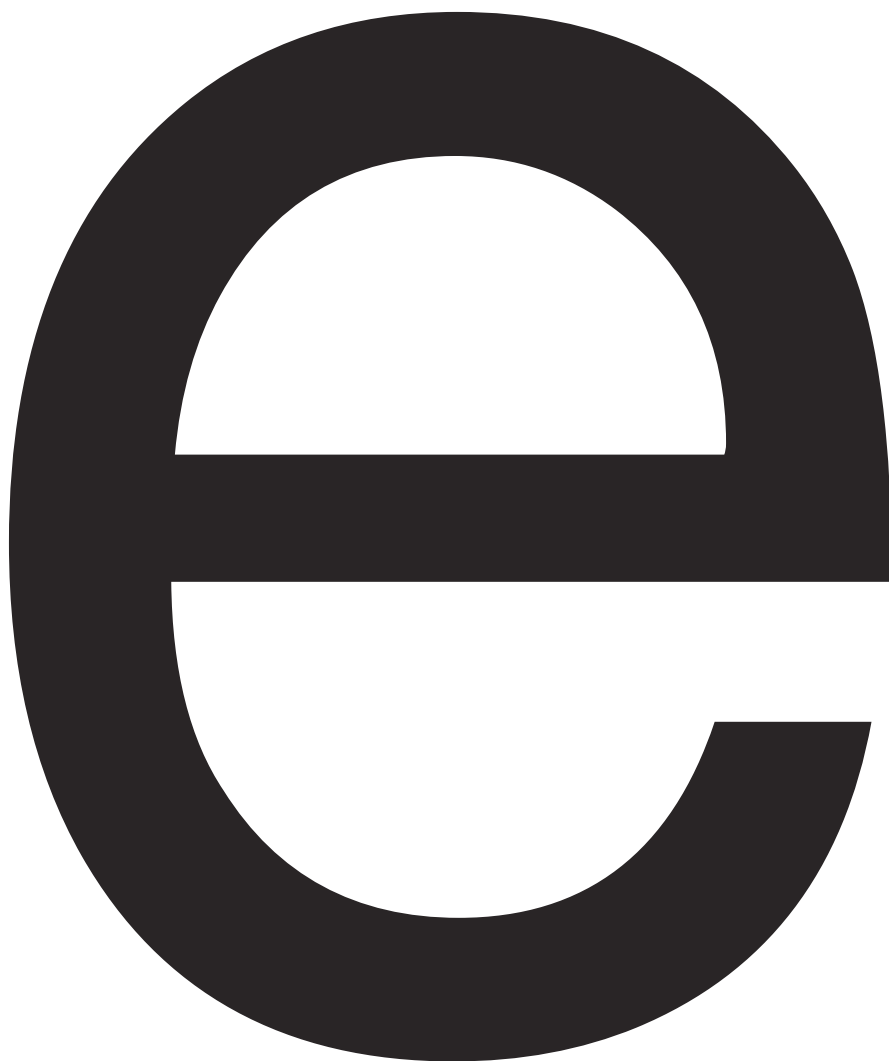


S





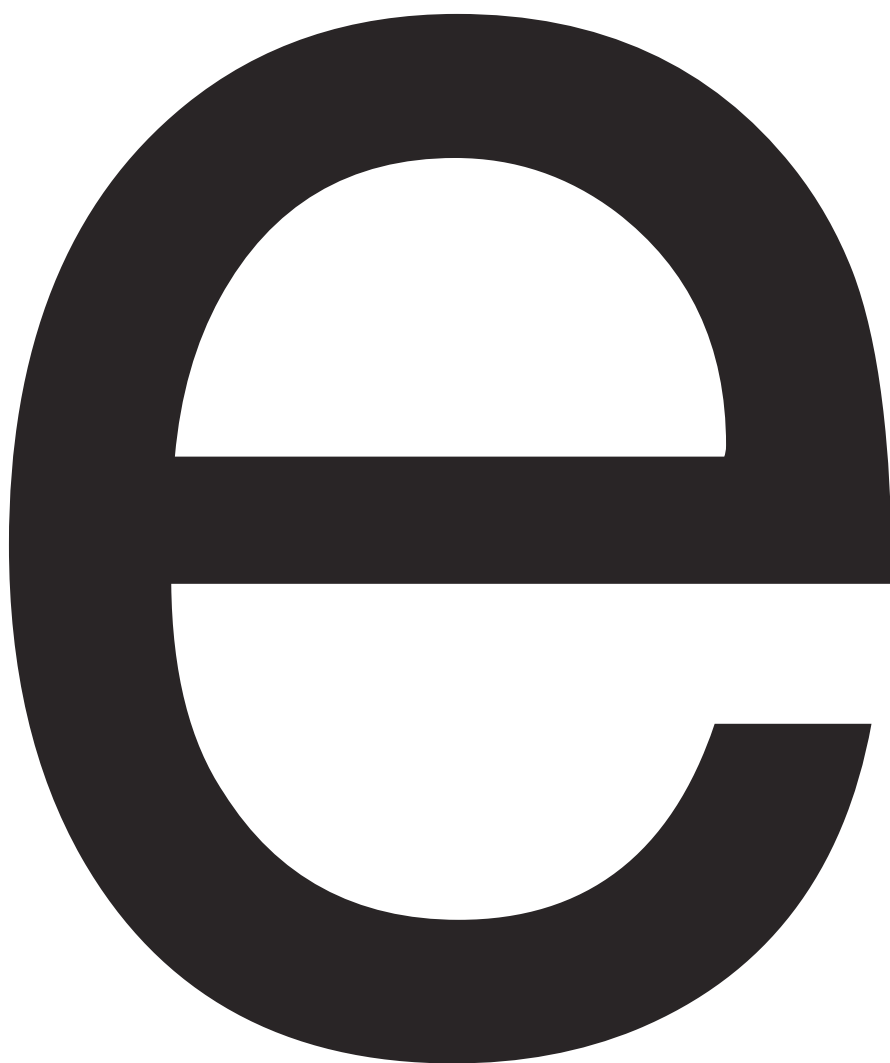






U

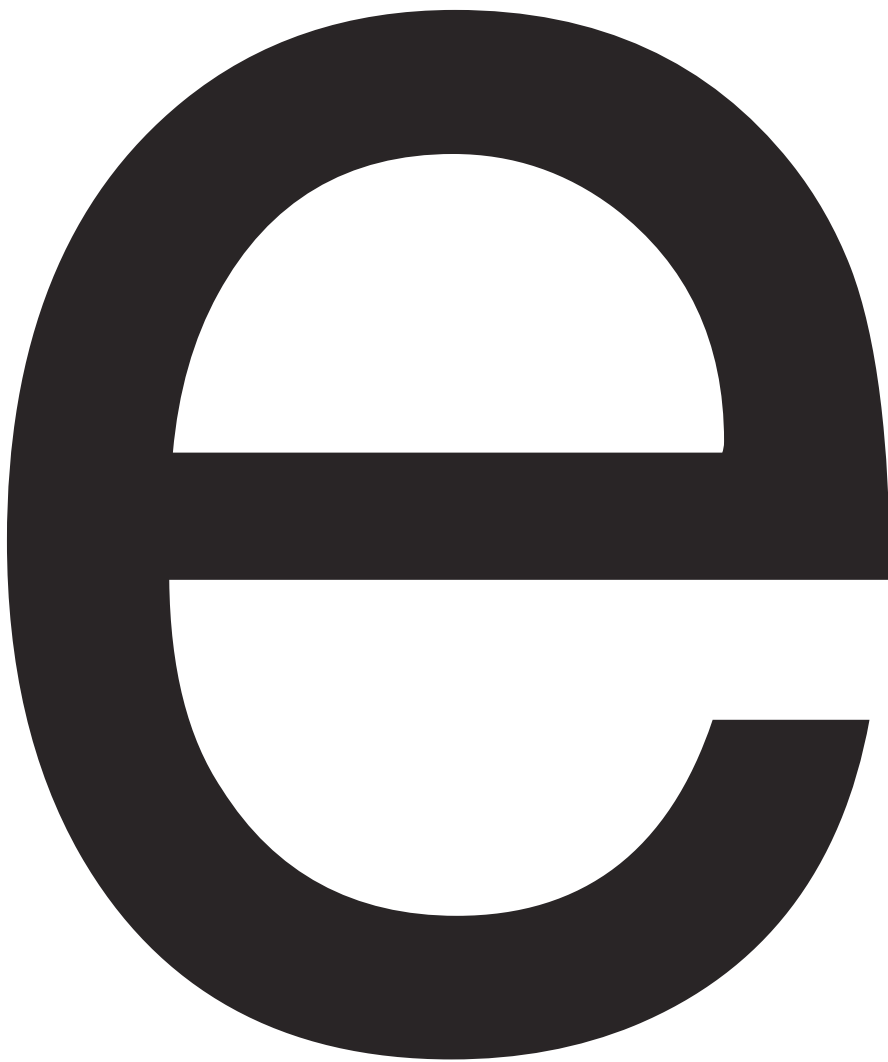
S







A large, stylized black letter 'a' is centered on the page. Above the top curve of the 'a', there is a thick, black diagonal slash (the symbol for a trademark). The 'a' is rendered in a bold, serif font with a thick stroke and a rounded, slightly flared bottom.

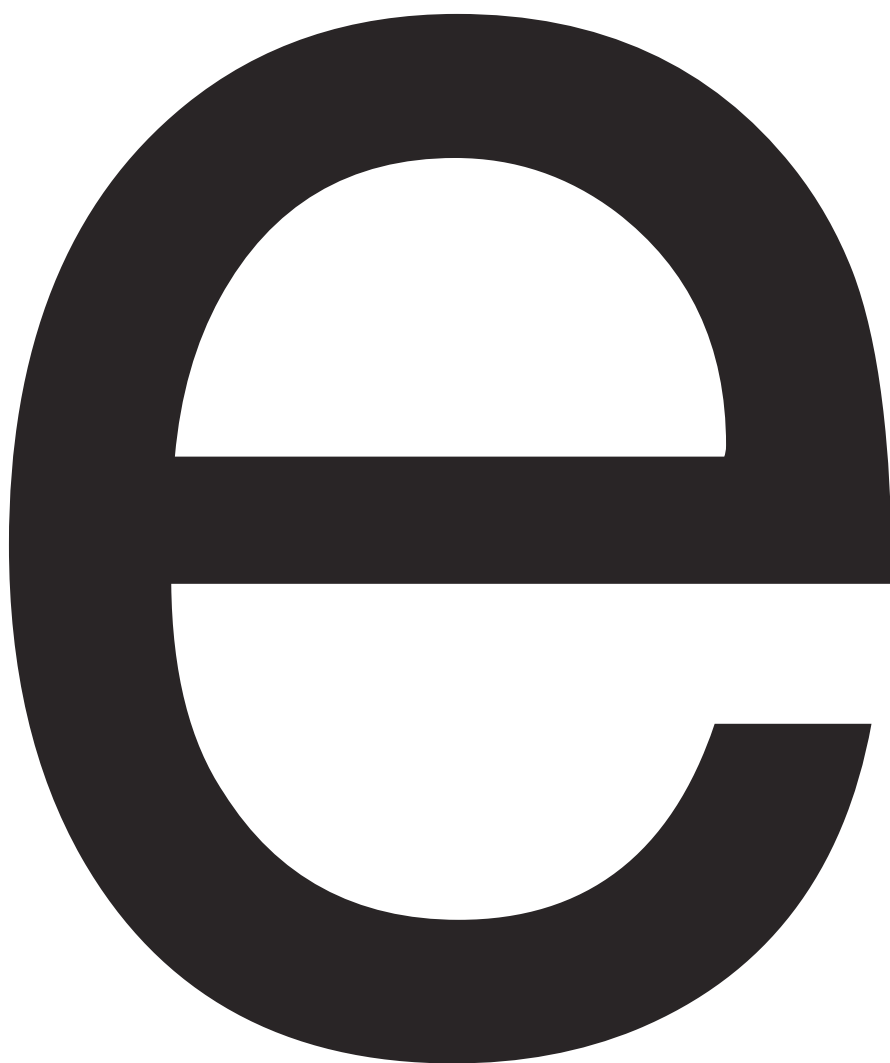


n



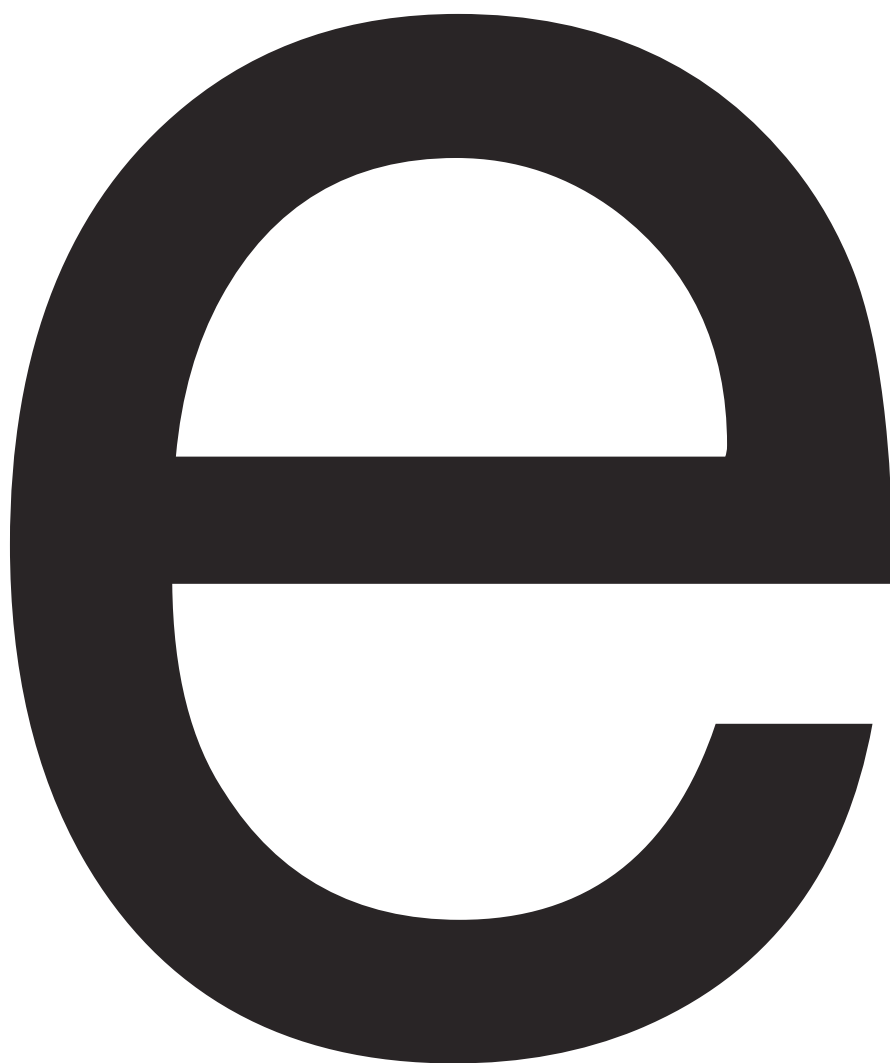
a





U

n



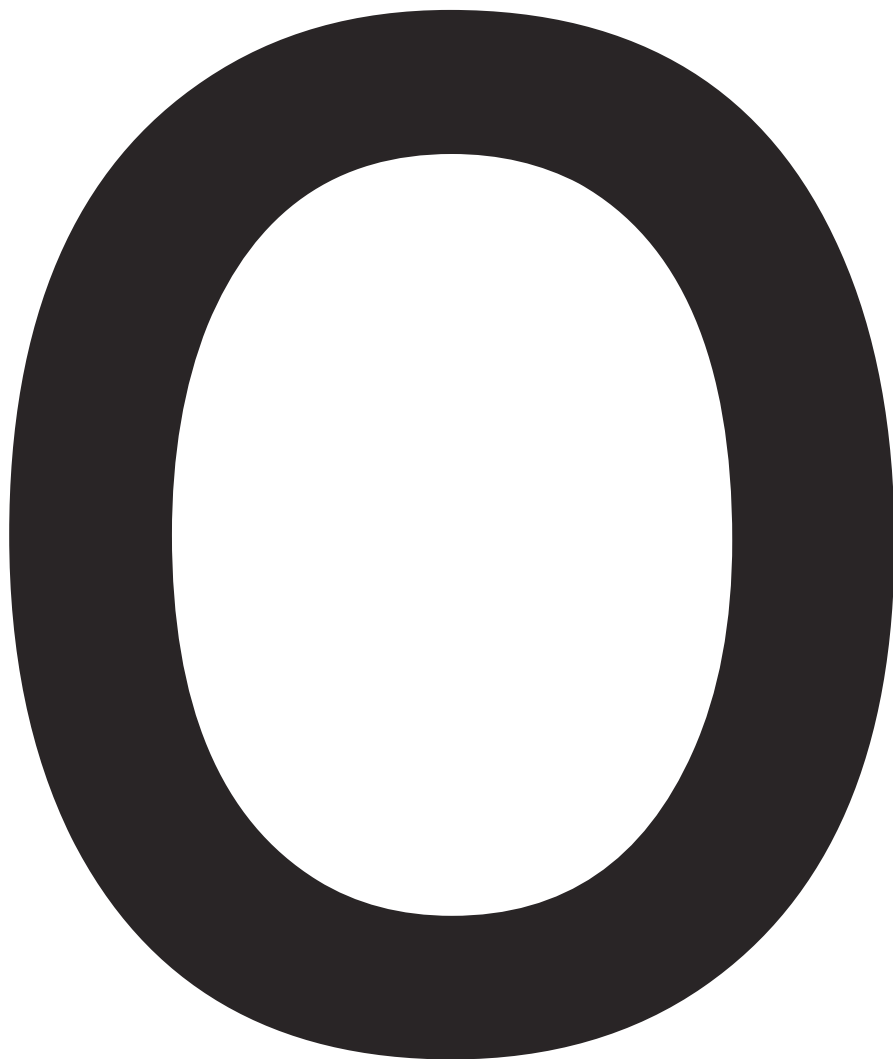
U





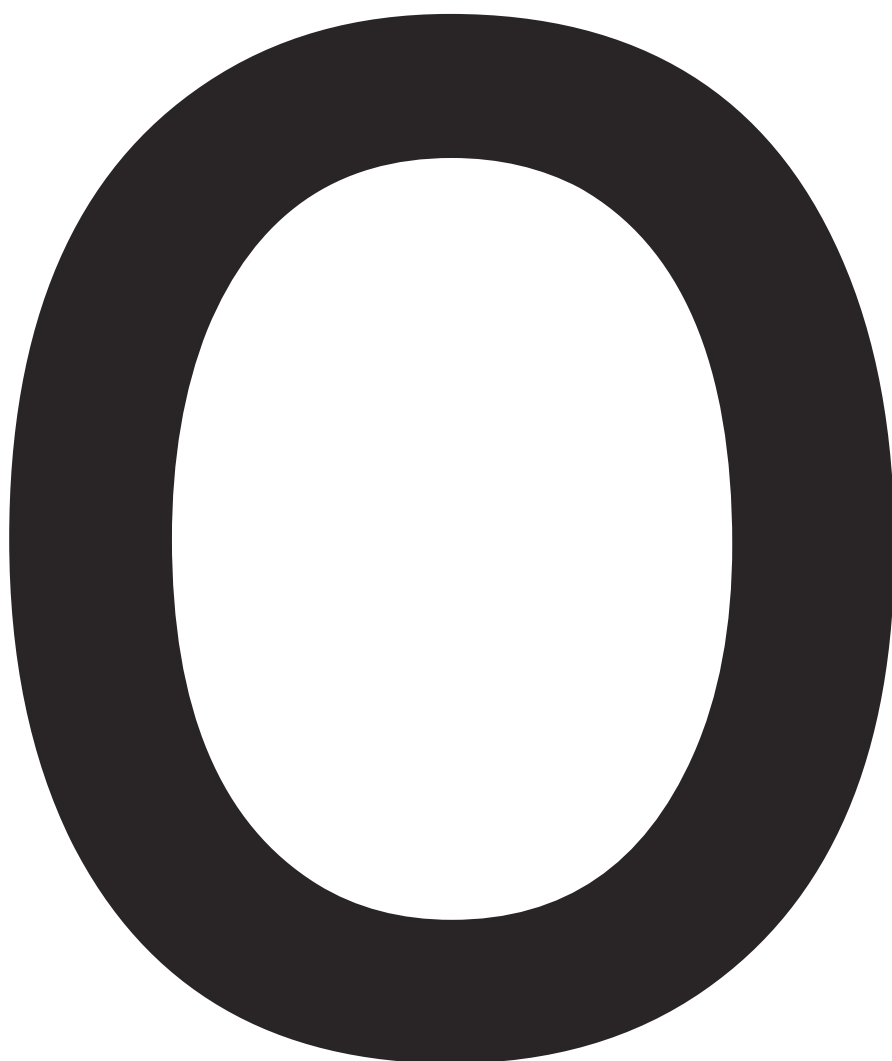
a





n









a



