LEGAL AND ACCOUNTING CONSIDERATIONS ON THE CONCEPT OF PATRIMONY

https://doi.org/10.47743/jopafl-2021-22-23

Maria LAIU
Faculty of Law, „Alexandru Ioan Cuza" University of Iași,
Iași Romania
lavinia_laiu09@yahoo.com

Abstract: *The concept of patrimony has many semantic values, as the notion of patrimony transcends time and undergoes connotative mutations. In the present study, we aim to analyze the concept of patrimony in an interdisciplinary approach, at the intersection of legal sciences with economic sciences. We aim to highlight the similarities and conceptual differences between legal patrimony and accounting patrimony. The research will be completed with an empirical experiment with the purpose of validating the research hypothesis on conceptual differences.*
Keywords: *patrimony, legal patrimony, accounting patrimony, legal empirical study.*

Introduction and historical aspects of patrimony

From an early age, we calculate our age, we measure our weight and height. A little later, we start to manage our own existence, we record our realized incomes, we determine the necessary expenses for carrying out some activities, thus realizing an analysis of our own patrimony. In the following, we aim to make an in-depth analysis of the concept of patrimony from an interdisciplinary, legal, and accounting perspective, being interesting from the perspective that the link between the two social sciences, law and accounting, is almost indissoluble. The concept of patrimony has many semantic values, as the notion of patrimony transcends time and undergoes connotative mutations, the only ones we can call to present now all these are historians, used to extract chronologically the sequence of events.

"Patrimony" was a real topic of thought among scientists, in terms of its significance and place, which is analyzed in all aspects. In this sense, the year 1980 was declared the Year of Patrimony in France, on which occasion there were numerous scientific events and popularization of heritage issues. The French people, at that time said that "the patrimony of skills or knowledge forms our intellectual patrimony." At the same time, the literary and the artistic patrimony, together form the cultural patrimony, or simply, the culture, which also includes the moral and spiritual patrimony (Imbs P., 1982). These connotations were unanimously recognized, people being outraged by the situations in which these values were endangered because they harmed the moral patrimony. Also, in certain contexts, politicians brought up the notion of patrimony. E.g., Charles de Gaulle, in the midst of the war, was provisionally called the "guarantor of the religious, intellectual and moral patrimony of his country." Benjamin Constant, appreciated the patrimony as something related to his family, consisting in a chosen education and good manners, which he passed on to his children. Étienne Pivert de Senancour, describes misery as probably the only patrimony of some people, while an ordinary man, a soldier, considers courage as his

only patrimony. Dautec writes about the hereditary patrimony in line, and Plantefol considers that the stability of the characters is related to a constant of the hereditary patrimony represented by specific chromosomes and appreciates the patrimony similar to the genotype (Imbs P., 1982).

In Roman law, *patrimonium* was defined as a "sphere of tangible property (*corpes*) that were inherited by the *pater familias*", hence the etymology of the word patrimony, and which they had passed on to their heirs. In the old Roman sense, it was the correspondent of the term "*hereditas*" (the mass of goods or, more precisely, the rights and obligations of succession, seen in their unity, in the "mass" (Ciucă V.M., 2014). In the Ancient and Old Ages, respectively, of the Roman law, fragments of the patrimony were designated, *in concretto*: the pecuniary, which designated the ensemble of small animals, and later of the "*mancipi things*"; "Family" which originally meant a group of slaves, "*famulus*" being the first name for the slave, and later to designate all of "*mancipi things*"; among these *mancipi* goods, the most important were "*heredium*", i.e. the land with the rustic family house, from the countryside and *fundus*, the agricultural land which was the economic support of the family group under the authority of *pater familias*; in relation to the present time, we notice that what has been lost is the sacred, moral and spiritual character, which was attached to the notion of family patrimony. Only in the Classical Age of Roman law, the notion of "patrimony" is seen in a note similar to the contemporary one, designating "a set of rights and debts, without distinguishing by nature and mode of acquisition", but determining a composition of patrimony (Ciucă V.M., 2014).

Nowadays, moral and cultural patrimony defines the group and marks the individuals that make it up. Thus, we notice that step by step an ideological edifice has been built that maintains the main values that underlie humanity.

Summarizing all these definitions, despite appearances fueled by strong metaphorical reverberations that the figurative meaning implies, it cannot be denied that each of the meanings implies a more substantial or a more discreet legal burden (Vieriu V., 2021). But we can appreciate that the value of individuals is measured in their contribution to progress or the development of civilization, a conclusion we reached after analyzing the notion of heritage that has many connotations susceptible to metamorphosis over time.

Accounting patrimony and Legal patrimony

Analyzing the concept of patrimony through the prism of law and accounting *lato sensu*, we can observe in these sciences a temporal evolution of this notion that is the central object of our study, but which never represented the result of the intersection between the foundations of law and economic concepts in force. From a legal point of view, starting with a horizontal analysis, we notice that in modern French law, the notion of patrimony was enshrined in the Napoleonic Code, without the drafters of this Code leaning on the definition of this notion. The texts and principles of this Code have allowed, after more than half a century of practical application, the elaboration of the personalist theory of patrimony: "*Patrimony, being an emanation of personality and expression of the legal force with which a person is invested as such, results: that only natural and legal persons can have a patrimony; that every person necessarily has a patrimony, even if he does not currently possess any money; that a person can have only one patrimony in the proper sense of the word "* (Aubury C., Rau C., 1873). This is the essence of personality theory,

which is still famous today. We notice that the connection between the person and the patrimony is not only implicit, but becomes explicit, even defining, substantiating the idea of the indivisibility of the patrimony (Stoica V., 2017).

However, this theory has not been sheltered from criticism, considering that the Theory of Personality is an obstacle in the evolution of business life. Thus, the German School of Civil Law initiated the tendency of depersonalization of the patrimony materialized in the "Theory of the patrimony of affectation or of the patrimony-purpose". This theory, conceived by the jurists Brinzz and Bekker, later taken over in France through Saleilles, no longer links the unity of the patrimony to the person of its holder, but to the purpose for which the patrimony is affected, the idea of affectation becoming defining for the patrimony (Josserand L., 1938). We can see that this theory remains relevant, being taken over by Romanian commercial law and even surviving to this day. Like the natural person, the legal entity, also called a moral entity, is the owner of its own patrimony, without multiplying the patrimony of a natural person. As a result, the idea of affectation ceased to undermine the indissoluble link between patrimony and the natural or legal person, thus becoming the basis for recognizing the divisibility of patrimony into several masses of goods with distinct legal regimes (Josserand L., 1938). Therefore, after a long evolution, the legal notion of patrimony remains related to the idea of the person, which explains its unity but without excluding the idea of division and affectation in the specific cases provided by law. We note, therefore, that according to Roman law, the patrimony remains its own, even if it is divided into several masses of pecuniary rights and obligations, each with a distinct regime (Stoica V, 2017).

Continuing the analysis, but in a vertical sense, on the provisions contained in the Romanian Civil Code of 1864 and the Civil Code in force, we could see that, similar to Napoleon's Code in French law, the Civil Code of 1864 does not contain a general legal definition. of heritage. However, the notion of patrimony was used in some articles of the normative act. Thus, in art. 781 mentioned "the separation of the deceased's patrimony from that of the heir", and art. 784 specified "The creditors of the heir cannot request the separation of the patrimonies against the creditors of the succession". However, without expressly referring to the notion of patrimony, art. 1718 of the Civil Code of 1864 approached, through its content, a definition. According to him, "everyone who is personally obliged is obliged to fulfil his duties with all his goods, movable and immovable, present and future". Therefore, "duties, movable and immovable property, present and future" constituted the content of the patrimony as a legal notion (Stoica V, 2017).

De lege lata, the notion of patrimony is explicitly defined in art. 31 par. (1) Civil Code: "Any natural or legal person is the owner of a patrimony that includes all the rights and debts that can be valued in money and belong to it". In par. (2) and (3) it is added that it may be the subject of a division or affectation, in the cases expressly provided by law; the patrimonies of affectation being defined as "fiduciary patrimonial masses, constituted according to the provisions of the Civil Code, and assigned to the exercise of an authorized profession, to which are added other patrimonies determined by law".

In the following, we consider that an analysis of these defining elements of the notion of patrimony is required, namely, the fact that the rights and obligations that make up the patrimony are pecuniary, and they form a legal universality and patrimony is an attribute of personality.

It was first stated that the patrimony is made up only of rights and obligations with economic content, i.e., evaluable in money, and then they were named as patrimonial. The content of the patrimony does not include the non-patrimonial personal rights, but nevertheless, the illicit deeds by which they are violated generate a report of tortious civil liability. Thus, the right to request the material reparation of the damage thus caused is a patrimonial one since its object is assessable in money and will enter directly into the patrimony of the injured person (Firică M.C, 2015). The reasoning does not apply mutatis mutandis if the repair of the damage is not material in nature. The value of rights and obligations in the content of the patrimony is important, as they determine the value of the patrimony as a whole, overall. From a legal perspective, the rights make up the assets, and the debts the liabilities, the economic value of the legal patrimony being determined by the result obtained following the decrease of the two. On this basis, the state of solvency or insolvency of a person's patrimony is also determined. We emphasize that the state of insolvency should not be confused with insolvency, the latter assuming a higher liability than the asset, while a person in a state of insolvency is not necessarily insolvent, it is possible to be in this state due to lack of liquidity. The assessment of the state of solvency or insolvency is made by reporting at a given time, i.e., according to the real rights existing in the patrimony and the due receivables, as the state of solvency and insolvency are relative and temporary, and not absolute and final.

Although we mentioned that the rights and obligations that make up the patrimony have a pecuniary value, this does not mean that all these have as object sums of money, but only that they are evaluable in money, with the mention, of course, that they do not have a determined value at any time. e.g., the value of the real estate that is only determinable and fluctuates over time. We also mention that the material identity to which the rights and debts refer is not important, but only that they have an economic, monetary value (Stoica V., 2017). All these mentions made regarding the criterion of patrimonialism, enjoy an express regulation, in art. 31 para. (1) Civil Code by the phrase "all rights and debts that can be valued in money".

Based on this criterion, it was also stated that the component elements of the patrimony are fungible, as they have a pecuniary value, thus justifying the theory of damages - interests, the principle of enrichment without just cause, as well as the real subrogation (Aubury C., Rau C., 1873). As we have said repeatedly, the patrimony includes rights and debts with economic content, but the goods that form their object will not be considered. This is because, in Romanian civil law, even patrimonial rights are goods, on the one hand, and on the other hand, patrimony is a legal notion, so an intellectual reality, so it can only be formed of intellectual elements, i.e., from patrimonial rights and obligations, respectively intangible assets, but not from material and tangible assets. Another argument with practical importance is precisely that, in the hypothesis that both the patrimonial rights and the goods that form their object would be included in the patrimony, a doubling of the economic value would be reached, distorting the relationship between active and passive in terms of veracity. Moreover, it is possible for a good to be exercised simultaneously on rights that are in different patrimonies, or this would lead to the false conclusion that one and the same good could be “accounted” in the assets of each patrimony, in reality, the right that everyone has over the respective good is accounted for. e.g., the bare property is in the patrimony of one person, and the right of usufruct in the patrimony of another.

Going over the individuality of each right and of each duty that makes up the patrimony, they constitute a whole, i.e., a universality, which acquires an autonomous reality, distinct from these elements. Therefore, the legal notion of patrimony is understood as a universality of rights and obligations with economic value, in other words, patrimony is a legal universality and not a de facto one. The universality of law is distinguished from that of fact, by the fact that in its content are found both active elements and debts; moreover, in the case of de facto universality, the goods that compose it are not fungible, in the sense described above, and in the case of the alienation of the goods it can no longer preserve the whole since the real subrogation does not operate. E.g. - a classic - a library whose unity results from the material nature of the goods that compose it, and not from its economic value, so that the alienation of books, *ut singuli*, determines the decrease of the whole, and the price received does not take the place of alienated goods.

Differentiating the patrimony from the individuality of the component elements is important to understand that the unity of legal universality is preserved regardless of the dynamics of the patrimonial flows; i.e. a person may acquire new pecuniary rights or debts, may alienate or extinguish existing rights and debts, without prejudice to the existence of the patrimony as such, this being the reasoning for which the patrimony may be the object of the general guarantee of creditors (Stoica V., 2017). Thus, we note that, regardless of the changes that take place in the individuality of patrimonial rights and obligations, "legal universality is preserved as a permanent, continuous reality throughout the person's existence". However, as a legal universality, the patrimony includes not only present patrimonial rights and debts, but also “future rights and debts, thus emphasizing the permanence and continuity of the patrimony as a legal reality during the existence of a person”. This fact results from the use of the phrase “present and future goods” which is found both in the Code of 1864 and in the New Civil Code, in art. 2324, para. (1).

The last defining element of the notion of patrimony, *sine qua non* in the comprehensive sense of the notion of patrimony, is the fact that “patrimony is an attribute of personality”. From the idea of attribute of personality derives the idea of belonging, in the sense that the elements of the patrimony can belong only to its holder; this idea of belonging is expressly regulated in art. 31 para. (1). Being therefore an attribute of the personality, we can deduce several features of the patrimony: only the persons can have a patrimony and the possibility of the existence of a patrimony without holder is denied. We must be aware that "*subjects of law form the nodes of the legal network made up of legal relations of public and private law, without which the cohesion of human communities in the modern world cannot be understood (Stoica V., 2017).*" Another feature is that any person has a patrimony, the existence of legal universality does not depend on the amount of pecuniary rights and obligations belonging to a person nor on the ratio between assets and liabilities. *Sine qua non*, for legal persons, the existence of the patrimony and the assurance of its economic substance is a condition of existence, and as for the natural persons, “*they have a patrimony, no matter how poor they are (Stoica V., 2017).”*

At the same time, it is worth mentioning in the category of patrimony features and the fact that a person can only have a patrimony, the consecration of the notion of patrimony of affectation is not likely to lead to another conclusion, since the phrase "patrimony of affectation" does not mean a multiplication of the patrimony, but only the possibility of dividing the unique patrimony into several patrimonial masses, hence the character of the divisibility of the patrimony (Baias A.F., Chelaru E., Macovei I., 2014).

We also reiterate that the patrimony, as an attribute of the personality, cannot be learned by its holder, being therefore inalienable. The inalienability of the patrimony must not be analyzed by reporting through its individual elements, but as "*universitas iuris*". The transfer of the patrimony of a natural person to its heirs, the transmission, integral or divided, of the patrimony of a legal person in case of its reorganization, are not contrary nor does not invalidate the inalienability of the patrimony (Baias A.F., Chelaru E., Macovei I., 2014). The reasoning being that the object of the transmission is not the patrimony, but all the rights and debts existing at a given moment in the patrimony or in a patrimonial mass of the transmitter. *Mutatis mutandis* in the case of universal or universal transfer, which is only partially correct, in the sense that all rights and obligations in an estate or estate are transferred, in a unitary or fractional manner, in respect of a particular time, and not in the meaning of the transmission of the patrimony, which cannot be reduced, from a temporal point of view, at a certain moment, but as said before, it is characterized by permanence and continuity during the existence of its holder.

We conclude by saying that patrimony is inalienable, and patrimonial rights and obligations are, in principle, autonomous and alienable, universally, or privately.

The presentation of all the above elements was necessary precisely in order to bring together all those notions and the relief in the end, the definition of the legal notion of patrimony as designating *brevitatis causa* "all rights and debts with economic content belonging to a person". The accounting perspective on the concept of patrimony differs significantly from the legal one, with some authors appreciating that "*the existence of patrimony is the cause of the existence of accounting and, implicitly, the object of its representation and registration*" (Munteanu V., Nicualeu M., Ibănișteanu D., Gheorghe C., 2020). As an independent scientific discipline, accounting has its own object of research that distinguishes it from other sciences. The declared objective of accounting, as a scientific and technical theory of registration, is the clear, reliable, and complete reflection of the situation of the patrimony, of the results obtained from its use and of the financial performances of the patrimonial unit.

With the development of economic science, patrimony as an object of study of accounting can be defined as representing *the totality, respectively, the universality of tangible and intangible values, accounted for in the form of tangible, intangible or financial assets, current assets, treasury, and receivables* For the existence of the patrimony, the existence of two elements is required: a natural or legal person, as a subject of rights and obligations, which in accordance with the Accounting Law no. 82/1991 has the obligation to manage and organize its own accounting and economic assets, which represent the objects of rights and obligations *(*Pântea P.I., Bodea G., 2014*)*.

The form of presenting the patrimony in accounting is that of a balance with equal parts, conventionally, on the left side is the economic patrimony, and on the right, the legal patrimony; the economic content is the material support, while the legal content represents its origin. Therefore, the economic patrimony consists of economic goods, as objects of rights and obligations, evaluable in money; they form the material substance of the patrimony and are materialized in tangible or intangible assets. Whereas the legal patrimony is formed by the rights and obligations with economic value that represent, the cause, the legal provenance of the concrete patrimonial elements that form the legal substance of the patrimony. In accounting, economic assets are known as equity assets, while rights and obligations as equity liabilities, which results in a generally valid equation:

ACTIVE = PASSIVE.

The patrimony of a natural or legal person is highlighted by what is called balance, this term derives from the Latin "balance", meaning balance with two plates (Hormonea E., Budugan D., Georgescu I., Istrate I., Păvăloaia L., Rusu A., 2017), we see how the idea of balance prevails, embodied in the equation ACTIVE = PASSIVE. In accordance with the Romanian accounting norms, OMFP 1802/2014, the balance sheet is presented in the following form:

ACTIVE	PASIVE= equity + debts
Fixed assets	Equity (Share capital, capital premiums, reserves, profit, or loss for the year)
Intangible assets (software, concessions, patents, licenses, trademarks, development expenses, goodwill etc.)	
Tangible fixed assets	
Financial fixed assets (medium and long-term receivables; equity securities)	
Current assets	Liability
Stocks (Goods, raw materials, and consumables; finished products and work in progress; biological assets in stocks harvested as agricultural products or sold as such; packaging, inventory items, stocks to third parties)	Financial debts
Current receivables (up to 12 months)	2. Other debts (fiscal, salary, social, commercial: suppliers and debts to customers)
Treasury (bank or house accounts)	Adjustments and provisions
Short-term financial investments	
Prepayments	Income in advance
TOTAL ACTIVE=TOTAL PASSIVE	

Putting in the plates of the goddess Themis, the patrimony in its legal conception and the patrimony object of the accounting, we observe with great ease how the two plates are not in balance, and this because the notions, as they are defined through the prism of these sciences, do not coincide. are regulated and perceived almost antagonistically. Therefore, we notice significant differences, firstly, the fact that tangible assets fall into the notion of accounting patrimony, and secondly, that in the economic conception not only does it not apply, but the legal conception is vehemently contradicted, according to which only the rights and the patrimonial obligations, and not the goods that form their object. The legal reasoning underlying this legal theory is also refuted, in the sense that a "double accounting" would be reached in a person's patrimony, if both the right and its object, represented by the good, were mentioned, as well as that the same good could end up being in two patrimonies simultaneously. Thus, the reasoning in economics, more precisely accounting, is that, by the presence of an asset in the patrimony, it means that the holder has a right or, as the case may be, a payment claim on it, and this indicates the balance sheet, and then the fact that a good is simultaneously in two patrimonies, it does not mean that two persons have a full right over it, but that one person has a right over it, while the other has a debt, which is also indicated by the balance sheet; the latter situation is maintained even if both have partial rights over the good, because always, correlative to a right, it is an obligation.

We observe, therefore, the difference of conception and perception of the notion of patrimony, in accounting, by reference to the norms of civil law, where the pecuniary rights are those that make up the asset, while the obligations make up the liability, and the ratio between asset and liability indicates the state of solvency, and the probability of them being equal being very small.

Accounting patrimony vs. Legal patrimony – a short empirical experiment

We consider that it is necessary to concretize this dichotomous and purely theoretical analysis that we carried out on the notion of patrimony-object of accounting and patrimony as defined by the legal norms, by elaborating a pertinent case study. Thus, starting from the following factual hypothesis, we will draw up both a balance sheet in accordance with the accounting norms in force, and a patrimony as it is presented according to the legal norms, more easily capturing the notable differences. We propose that through a short empirical experiment to obtain the clearest possible analysis of the financial situation of a legal entity, presenting its commercial activity but also the components, in order to subsequently prepare its balance sheet, in accordance with the accounting rules, and then, on the basis of the same factual situation, to sketch *de jure* patrimony, precisely to prove the research hypothesis, theorized up to this point.

E.g. „POPESCU ANDREI SRL" has as object of activity the cultivation of plants for pharmaceutical use and their commercialization in various forms, i.e. both on the markets, at the stands, and through the order houses and internet on the website ,,www.laviesaine.ro ", In accordance with the classes provided in the CAEN code. The entity holds an unpaid subscribed capital in the amount of 6,000 lei to be contributed by the shareholders, on which it has a receivable of the same value, 6,000 lei, and a paid-in subscribed capital of 76,500 lei, know-how, whose value is appreciated as being 15,250 lei. He owns land used for cultivating plants worth 13,200 lei, constructions worth 60,000 lei, has in his bank account the amount of 16,631 lei and cash in cash 500 lei, equipment, and other devices necessary for harvesting plants worth 62,000 lei, seeds, pesticides, and other substances for cultivation worth 3,450 lei as well as raw materials 2,000 lei. „POPESCU ANDREI SRL" has a bank loan in the amount of 55,500 lei, but it also has a due payment obligation towards the packaging suppliers with the amount of 5,740 lei and towards the equipment suppliers of 4,012 lei as well as a debt of 3,500 lei compared to various creditors. Following the sales in the current month, "POPESCU ANDREI SRL" has receivables in the amount of 5,142 lei. It registers a debt to employees, for the due salaries, amounting to 16,441 and owes a salary tax amounting to 1,000 lei. It also holds provisions for pending litigation, amounting to 10,000 lei and has legal reserves amounting to 5,480 lei.

Active Initial balance sheet Liabilities

Nr.	The element's name	Amount	Nr.	The element's name	Amount
1.	Know-how	15.250	1.	Unpaid subscribed capital	6.000
2.	Lands	13.200	2.	Paid subscribed capital	76.500
3.	Construction	60.000	3.	Legal reserves	5.480
4.	Equipment	62.000	4.	Provisions	10.000

5.	Raw materials	2.000	5.	Suppliers	5.740
6.	Consumables	3.450	6.	Suppliers of fixed assets	4.012
7.	Clients	5.142	7.	Personally due remuneration	16.441
8.	Settlements with capital associations	6.000	8	Payroll tax	1.000
9.	Bank accounts	16.631	9.	Various creditors	3.500
10.	Cash	500	10.	Bank credits	55.500
Total active		184.173	Total passive		184.173

By highlighting the theorizing elaborated above regarding the patrimony - object of accounting, in a concrete example, we can make some more intelligible assessments now, which visibly and indisputably present veracity; the patrimonial asset consists only of economic goods, as objects of rights and obligations evaluable in money, which give material substance to the patrimony, being materialized in material or corporal goods (lands, constructions, equipment, etc.) and as intangible or intangible goods (receivables, know-how), and on the other hand, the liability is made up of the rights and obligations with economic value that represent the cause, the legal origin of the patrimonial elements that make up the legal substance of the patrimony. As we have already mentioned, according to the economic conception of the patrimony, it doubles in accounting as economic patrimony, formed by economic goods, as we explained previously the legal patrimony, and on the other side, formed by the rights and obligations with economic value which indicates the origin of the goods from the economic patrimony. The double representation of the patrimony in the accounting supposes that any modification of it in the sense of its increase or decrease to affect both the economic goods and the rights and obligations with economic value. Thus, a value equality of the economic patrimony with the legal one is always maintained, i.e., of the assets with the liabilities, called balance sheet equality (Pântea I.P., Bodea G.,2012).

Always, the two parts of the balance sheet, assets and liabilities, will be equal, and this is because any economic good is the expression of rights or obligations with economic value, and any right or obligation with economic value is a generator of economic goods.
In accordance with the legal norms, which state that the patrimonial asset is represented by the totality of the rights with patrimonial value, without including the objects of these rights, i.e., the goods, and the liability by the totality of the pecuniary obligations, the patrimony of "POPESCU ANDREI SRL" so:

ACTIVE	PASSIVE
Know-how rights The property right over the lands used for the cultivation of the commercialized plants. Ownership of constructions. The property right over the raw material, over the equipment. The right to lease on other equipment used in season. Debt rights owed by various debtors. Debt rights consisting of (bank accounts, share capital, subscribed capital).	Obligation to pay the lessor. The supplier's payment obligation. The obligation to pay the salaries and the related social contributions. The obligation to pay the bank loan. The obligation to pay other creditors.

Other receivables consisting of (provisions, legal reserves).	

Visibly, it is observed that there is no equality between the two parties, active and passive; that only the pecuniary rights are presented and not the goods, their object; that the appearance of the rights and obligations to the patrimonial asset or liability is certainly different from the patrimony-object of the accounting as previously presented.

Conclusions

"Although it does not govern the world, the figures express the way in which it is governed!", therefore, the presentation of the patrimony and in its meaning of object of accounting, is not only conclusive but imposes itself sine qua non on this realm of legal science with all its branches, which regulate the patrimony in a distinct way, and this for that what is relevant in legal relations is precisely the patrimony as it is presented in the accounting records. Moreover, precisely this meaning of the patrimony, and not the de jure one, seems to be identical with the first definition that the Explanatory Dictionary of the Romanian language gives to this word, "PATRIMÓNIU, patrimonii, sn (Jur.) Totality of rights and obligations with economic value, as well as the material goods to which these rights refer, which belong to a person natural or legal (Iorgu I., 1998).; thus, resulting in a prevalence of this meaning, in relation to the other connotations or meanings that the word patrimony implies.

References:

1. Aubury, C., Rau, C. (1873), *Cours de droit civil français, tome 6 ème, Cosse, Marchal et Billard, Imprimeurs-éditeurs,* Paris.
2. Ciucă, V.M. (2014), *Drept roman, Lecțiuni I, ed. a II-a addenda, corrigenda et incrementa*, Ed. Universității „Alexandru Ioan Cuza" Iași.
3. Firică, M.C. (2015), *Some Issues and Theories Concerning the Institution of the Patrimony*, Journal of Law and Public Administration, Volume I, Issue 1, available at: https://sjea-dj.spiruharet.ro/images/cercetare/jurnale/JoLPA-Volume-I-Issue-1-2015.pdf.
4. Baias, F.A. , Chelaru, E., Constantinovici, R., Macovei, I. (2014), Noul Cod civil-Comentariu pe articole, ed a 2-a, Editura C.H. Beck, București.
5. Horomnea E., Budugan D., Georgescu I., Istrate C., Păvăloaia L., Rusu A. (2017), *Introducerea în contabilitate - Concepte și aplicații*, ed. a V-a, revăzută și completată, Ed. Tipo Moldova, Iași.
6. Hormonea, E., Buzdugan, D., Georgescu I., Istrate C., Bețianu L., Dicu, R. (2012), Introducere în contabilitate-Concepte și aplicații, ed. a 2-a revăzută și completată, Ed. Tipo Moldova.
7. Iacobescu, S., Sorescu, A. (1928), *Curs de contabilitate comercială*, București.
8. Imbs, P. (1982), *Patrimoine: la notion et le mot. In: Bulletin de la Classe des lettres et des sciences morales et politiques,* tome 68.
9. Institutul de lingvistică "Iorgu Iordan", Dicționarul Explicativ al Limbii Române, ediția a II-a, Editura Universul enciclopedic, București, 1998
10. Josserand, L. (1938), *Cours de droit civil positiv français, tome premier, 3ème édition, Recueil Sirey*, Paris.
11. Munteanu, V., Niculae, M., Ibănișteanu, D., Gheorghe, C. (2020), *Bazele contabilității*, ed. a VI-a, revizuită și adăugită, Ed. Universitară.
12. Pântea, I.P., Bodea G. (2014), *Contabilitatea financiară*, Editura Intelcredo, Deva.

13. Radu, F., Barbu N., Radu V. (2017), *Evolutia contabilitatii. Context național și european*, Ed. Pro Universitaria, București.
14. Stoica, V. (2017), *Dreptul civil - Drepturi reale principale*, ed.3, Ed. C.H. Beck, București.
15. Tataru, Ș.R. (2020), *Protecţia informaţiilor de afaceri: informaţii clasificate, confidenţiale, date cu caracter personal*, în Analele Ştiinţifice ale Universităţii „Alexandru Ioan Cuza" din Iaşi Tomul LXVI/I, Ştiinţe Juridice, p. 263.
16. Vieriu, V. (2021), *Protecția juridică a ptrimoniului cultural în dreptul comparat*, Ed. Universul Juridic, București.
17. Vlachide, P.C. (1994), *Repetiția principiilor de drept civil*, vol. I, Ed. Europa Nova, București.