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Dannemann / Schulze

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Foreword

Question: ‘How many Germans does it take to change a lightbulb?’

Answer: ‘One. They are efficient. And this is not a joke.’

Indeed, the proverbial German efficiency and seriousness are no laughing matter. Yet these qualities can also have their advantages, especially when it comes to doing business. A good example of this is the renowned efficiency of the German legal system. As a jurisdiction and place of business, Germany offers international companies considerable advantages. On comparison with other legal systems, it is more efficient, more predictable and more cost-effective. At the same time, it also ties in seamlessly with European and international law. This is in no small part due to the German Civil Code – the Bürgerliches Gesetzbuch (BGB) – which the present commentary elucidates for the first time in the English language.

Following the Roman law tradition, the Bürgerliches Gesetzbuch codifies the fundamental rules of German civil law. From contract and tort law, all the way to family law and the law of succession, it sets out the general guidelines and principles for legal relationships between private persons. It governs in particular the conclusion, performance and enforcement of contracts, as well as the main types of contracts such as purchase agreements, service contracts and contracts to produce a work. Unless the parties have agreed otherwise, the general rules apply automatically. The parties do not need to make arrangements for every eventuality from scratch, but can rely on the fair and balanced rules set out in the BGB. I would like to highlight four particular advantages that this brings:

- German contracts are significantly shorter in length than contracts concluded, for example, under English or US law. This not only saves the parties a great deal of time, but also means lower costs for legal advice.
- German contracts are more certain and dependable. The advantage of this is that there is a comparatively low risk of lengthy and expensive legal disputes arising. Relative to its population and GNP, Germany has the lowest rate of litigation in all of Europe.
- Codification allows quick and easy access to justice. The structure of the individual provisions makes it easy to sort and search through the relevant court decisions and jurisprudential opinions. The present commentary illustrates this perfectly. The result is that the law is easily predictable, and court proceedings are comparatively short.
- In continental Europe, codification is a defining feature of a legal tradition that shapes both European law as well as UN sales law. Furthermore, many important civil law provisions are harmonised across Europe, such as those regarding the sale of consumer goods. German law therefore provides the ideal framework for businesses that operate internationally.

I am sure it will come as no surprise that Germany’s Minister of Justice is keen to promote Germany as a jurisdictional location. But you need not take my word for it. I invite you to take a closer look at German civil law with the guidance of the present commentary. Verlag C.H.Beck is one of the leading publishing houses specialised in German legal literature. Under the publisher’s aegis, a team of distinguished experts from research and practice have collaborated on a commentary of the Bürgerliches Gesetzbuch, produced for the very first time in the English language. They explain the scope, context, meaning, terminology, relevance and practical application of the provisions of the BGB. Even if you are not already familiar with German law, this commentary will help you to understand the BGB and gain an overview of current legal theory and court decisions. And perhaps you might even find some quite interesting answers to questions like: How come property loans are so cheap in

Foreword

Germany? Why is the mark-up on loans in Germany only half of what banks in the U.K. charge? What is the key to the much envied legal certainty of Germany's land law? To give you a hint: Take a look at the property-law regulations on the provision of securities and the effects of the Land Register...

I would like to thank Verlag C.H. Beck and Professors Gerhard Dannemann and Reiner Schulze as the editors of this work, as well as all the authors of the commentary. They make a vital contribution to the good reputation of German law. Their work promotes a common understanding across legal systems, and facilitates an international exchange of views and experiences amongst legal professionals. I trust that this work will make for interesting, informative – and of course very serious and efficient reading.



Christine Lambrecht
Federal Minister of Justice and Consumer Affairs


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Preface

No other legislation can rival the *Bürgerliches Gesetzbuch* (BGB) as the embodiment of 'Law made in Germany'. Historically rooted in 19th century pandectist scholarship, it keeps a decidedly 21st century outlook due to modern reforms and the integration of consumer law.¹ No other codification has been equally relevant for legal education, legal methodology, and legal practice in Germany. It eclipses other codifications in the sheer volume of transactions and occurrences which it covers, and accompanies the population of Germany from the cradle (in § 1) to the grave (in Book 5 on successions).

Since its enactment in 1900, the BGB has inspired legislators and scholars well beyond the borders of Germany, from the early influence of the BGB on the Civil Codes of Japan, Greece and Korea up to the recent codification of the General Part of the new Chinese Civil Code. Mutual influences between the BGB and EU law, and between the BGB and the recently partially reformed French Code civil, can be added to this list.

While the BGB has been translated numerous times and into many languages, it is almost surprising that the present book is the first which attempts to provide a comprehensive and systematic explanation of the BGB and its ongoing development through courts and scholars in the modern *lingua franca*, English. The present volume covers general rules, the law of obligations and property law; the second volume will include family and inheritance law.

This book is addressed to readers who are not familiar with German law, as well as to readers who work with German private law in an English language environment. We found this to be a highly challenging task, not least because the BGB relies heavily on concepts² which are often equally difficult to translate and to explain. No doubt improvements can be made, and we are very grateful for any suggestions from our readers.

We owe an enormous gratitude all those who have made this commentary possible. It is the brainchild of Dr. Wilhelm Warth from the publishers, C.H. Beck, who provided constant and valuable support throughout, and who even compiled the index. Dr. Jonathon Watson, a true Anglo-German lawyer, played a decisive role as assistant editor. We are also very grateful to our many dedicated contributors, not only because they have written most of this book, but also for many productive discussions, and especially for their patience. We are grateful that we were allowed to use the translation of the BGB that was initially provided in 2007 for publication on gesetze-im-internet.de by Langenscheidt Translation Service and updated until 2013 by Neil Musset and Carmen v. Schöning.³ We also thank the publishers, C.H. Beck, and especially Thomas Klich, whose skill, enthusiasm and constant support is greatly appreciated. Last, but by no means least, we are very grateful to our helpful student assistants: to Christoph König for the compilation of a terminology synopsis, and to Lorenz Böttcher, Madalina Luca and Sarah Meyer for their valuable support in the editing process.

Some unplanned events have unfortunately delayed the publication of this book. The commentaries reflect the law on 31 December 2018, whereas subsequent changes in legislation were incorporated until 31 December 2019.

Gerhard Dannemann and Reiner Schulze
Berlin and Münster, April 2020

¹ See -> Introduction, mn. 25–27.

² See -> Introduction, mn. 28.

³ See -> Introduction, mn. 62–65.

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Jonathon Watson studied English law in Liverpool and German law in Münster (Dr. iur., LL.M.). His main research interests are in the fields of comparative law, consumer law, European contract law and international sales law [§§ 355–361; 454–473, 480 (both parts jointly with Ingo Saenger)]

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Abbreviations of Legislation, Legislative Drafts and Model Rules

Germany

AAG	Aufwendungsausgleichsgesetz	Expenditure Compensation Act
ADHGB	Allgemeines Deutsches Handelsgesetzbuch	General German Commercial Code ⁺
AEntG	Arbeitnehmer-Entsendegesetz	Posting of Workers Act
AGBG	Allgemeine-Geschäftsbedingungs- gesetz	Standard Terms and Conditions Act
AGG	Allgemeines Gleichbehandlungsgesetz	General Act on Equal Treatment*
AktG	Aktiengesetz	Stock Corporation Act*
AMG	Arzneimittelgesetz	Medicinal Products Act*
AnfG	Anfechtungsgesetz	Act on the Avoidance of Fraudulent Conveyances
AO	Abgabenordnung	Fiscal Code*
StArbGG	Arbeitsgerichtsgesetz	Labour Courts Act
ArbSchG	Arbeitsschutzgesetz	Work Safety Act*
ArbStättV	Verordnung über Arbeitsstätten	Workplace Ordinance*
ArbZG	Arbeitszeitgesetz	Working Time Act
AtG	Atomgesetz	Atomic Energy Act
AÜG	Arbeitnehmerüberlassungsgesetz	Temporary Employment Act
BauGB	Baugesetzbuch	Construction Code
BBergG	Bundesberggesetz	Federal Mining Act*
BBiG	Berufsbildungsgesetz	Occupational Education and Training Act
BBodSchG	Bundes-Bodenschutzgesetz	Federal Soil Protection Act
BDSG	Bundesdatenschutzgesetz	Federal Data Protection Act*
BEEG	Bundeselterngeld- und Elternzeit- gesetz	Federal Parenting Benefit and Parental Leave Act
BetrVG	Betriebsverfassungsgesetz	Works Constitution Act*
BeurkG	Beurkundungsgesetz	Notarisation Act
BewachV	Bewachungsverordnung	Security Services Regulation
BGB	Bürgerliches Gesetzbuch	Civil Code*
BGB-InfoV	BGB-Informationspflichten Verordnung	BGB Information Regulations
BImSchG	Bundesimmissionsschutzgesetz	Federal Environmental Impact Protection Act
BinSchG	Binnenschifffahrtsgesetz	Inland Waterways Act
BNatSchG	Bundesnaturschutzgesetz	Federal Nature Conservation Act
BNotO	Bundesnotarordnung	Federal Notary Act
BörsG	Börsengesetz	Stock Exchange Act
BSHG	Bundessozialhilfegesetz	Federal Social Welfare Act

⁺ The English translations of the short titles are for indicative purposes only.

* An English translation is available under www.gesetze-im-internet.de.

Abbreviations of Legislation, Legislative Drafts and Model Rules

BUrlG	Bundesurlaubsgesetz	Federal Act on Annual Leave
DenkmalSchG	Denkmalschutzgesetz	Protection of Monuments Act
DepotG	Depotgesetz	Deposit Act
DesignG	Designgesetz	Act on the Legal Protection of Designs*
EFZG	Entgeltfortzahlungsgesetz	Continued Remuneration Act
EGBGB	Einführungsgesetz zum Bürgerlichen Gesetzbuch	Introductory Act to the Civil Code*
EGInsO	Einführungsgesetz zur Insolvenzordnung	Introductory Act to the Insolvency Code
EGStGB	Einführungsgesetz zum Strafgesetzbuch	Introductory Act to the Criminal Code
EGZPO	Einführungsgesetz zur ZPO	Introductory Act to the Code of Civil Procedure
EnWG	Energiewirtschaftsgesetz	Supply of Electricity and Gas Act
ErbbauRG	Erbbaurechtsgesetz	Act on Heritable Building Rights
ErbbauVO	Erbbaurecht-Verordnung	Regulation on Heritable Building Rights
EVO	Eisenbahn-Verkehrsordnung	Railway Regulation
FamFG	Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit	Act on Proceedings in Family Matters and in Matters of Non-contentious Jurisdiction*
FernUSG	Fernunterrichtsschutzgesetz	Distance Learning Act
FGO	Finanzgerichtsordnung	Code of Procedure of Fiscal Courts
FluglärmSchG	Fluglärmschutzgesetz	Aircraft Noise Protection Act
GasGVV	Gasgrundversorgungsverordnung	Gas Supply Regulation
GBO	Grundbuchordnung	Land Register Code
GBV	Grundbuchverordnung	Land Register Ordinance
GenDG	Gesetz über genetische Untersuchungen beim Menschen	Genetic Diagnosis Act
GenG	Genossenschaftsgesetz	Cooperatives Act
GenTG	Gentechnikgesetz	Genetic Engineering Act
GewO	Gewerbeordnung	Industrial Code
GG	Grundgesetz	Basic Law; German Constitution
GmbHG	Gesetz betreffend die Gesellschaft mit beschränkter Haftung	Limited Liability Companies Act*
GNotKG	Gerichts- und Notarkostengesetz	Court and Notary Costs Act
GOÄ	Gebührenordnung für Ärzte	Scale of Fees for Doctors
GOZ	Gebührenordnung für Zahnärzte	Scale of Fees for Dentists
GVG	Gerichtsverfassungsgesetz	Courts Constitution Act*
GWB	Gesetz gegen Wettbewerbsbeschränkungen	Act Against Restraints of Competition*
HAG	Heimarbeitsgesetz	Homeworkers Act
HessHintG	Hessisches Hinterlegungsgesetz	Deposit Act for Hessen
HGB	Handelsgesetzbuch	Commercial Code*
HintG NRW	Hinterlegungsgesetz für das Land Nordrhein-Westfalen	Deposit Act for North-Rhine Westphalia
HOAI	Honorarordnung für Architekten und Ingenieure	Fee Order for Architects and engineers
HPfLG	Haftpflichtgesetz	Liability Act

Abbreviations of Legislation, Legislative Drafts and Model Rules

ImmoKWPLV	Immobilien-Kreditwürdigkeitsprüfungsleitlinien-Verordnung	Regulation on the Guidelines for Assessing Creditworthiness for Real Estate
InsO	Insolvenzordnung	Insolvency Code*
JArbSchuhG	Jugendarbeitsschutzgesetz	Youth Employment Protection Act
JGG	Jugendgerichtsgesetz	Youth Courts Act*
JVKostG	Justizverwaltungskostengesetz	Judicial Administration Costs Act
KAGB	Kapitalanlagegesetzbuch	Capital Investment Code
KonsG	Konsulargesetz	Consulate Act
KSchG	Kündigungsschutzgesetz	Dismissal Protection Act
KunstUrhG	Kunsturhebergesetz	Act on the Protection of Copyright in Works of Art and Photographs
KWVG	Kreditwesengesetz	Banking Act
LPartG	Lebenspartnerschaftsgesetz	Civil Partnership Act
LuftFzG	Gesetz über Rechte an Luftfahrzeugen	Act on Rights in Aircraft
LuftVG	Luftverkehrsgesetz	Air Traffic Act
MarkenG	Markengesetz	Trademark Act*
MiLoG	Mindestlohnengesetz	Minimum Wage Act*
MuSchG	Mutterschutzgesetz	Protection of Working Mothers Act
NachwG	Nachweisgesetz	Act on Proof of the Existence of an Employment Relationship
NEhelG	Nichtehelichengesetz	Act on the Status of Children Born out of Wedlock
PartGG	Partnerschaftsgesellschaftsgesetz	Partnership Companies Act*
PatG	Patentgesetz	Patent Act*
PBefG	Personenbeförderungsgesetz	Transport of Persons Act
PflegeZG	Pflegezeitgesetz	Care Leave Act
prALR	Allgemeines Landrecht für die Preussischen Staaten	General State Laws for the Prussian States
PrKG	Preisklauselgesetz	Act on the Prohibition of Price Clauses in Determining Money Debts
ProdHaftG	Produkthaftungsgesetz	Product Liability Act*
PStG	Personenstandsgesetz	Personal Status Act
RPfIG	Rechtspflegergesetz	Act on Senior Judicial Officers*
RVG	Rechtsanwaltsvergütungsgesetz	Law on the Remuneration of Attorneys*
ScheckG	Scheckgesetz	Cheque Act
SchiffRG	Gesetz über Rechte an eingetragenen Schiffen und Schiffsbauwerken	Act concerning Rights in Registered Ships and Ships under Construction
SeeArbG	Seearbeitsgesetz	Maritime Labour Act*
SGB	Sozialgesetzbuch	Social Security Code
SGG	Sozialgerichtsgesetz	Social Courts Procedure Act
SMG	Schuldrechtsmodernisierungsgesetz	Act on the Modernisation of the Law of Obligations
StGB	Strafgesetzbuch	Criminal Code*
StPO	Strafprozessordnung	Code of Criminal Procedure*
StromGVV	Stromgrundversorgungsverordnung	Electricity Supply Regulation
StVG	Straßenverkehrsgesetz	Road Traffic Act*
TKG	Telekommunikationsgesetz	Telecommunications Act

Abbreviations of Legislation, Legislative Drafts and Model Rules

TMG	Telemediengesetz	Telemedia Act
TVG	Tarifvertragsgesetz	Collective Bargaining Act
TzBfG	Teilzeit- und Befristungsgesetz	Part-Time Work and Fixed-Term Employment Act
UKlaG	Unterlassungsklagengesetz	Injunctions Act
UmwG	Umwandlungsgesetz	Transformation Act*
UrhG	Urheberrechtsgesetz	Copyright Act*
UWG	Gesetz gegen den unlauteren Wettbewerb	Act Against Unfair Competition*
VAG	Versicherungsaufsichtsgesetz	Insurance Supervision Act
VerbrKrG	Verbraucherkreditgesetz	Consumer Credit Act
VereinsG	Vereinsgesetz	Associations Act
VerkProsG	Verkaufprospektgesetz	Prospectus Liability Act
VermAnlG	Vermögensanlagengesetz	Investment Contracts Act
VOB/B	Allgemeine Vertragsbedingungen für die Ausführung von Bauleistungen	Award Rules for Building Works, Part B
VVG	Versicherungsvertragsgesetz	Insurance Contracts Act
VwGO	Verwaltungsgerichtsordnung	Code of Administrative Court Procedure*
VwVfG	Verwaltungsverfahrensgesetz	Administrative Procedure Act
WEG	Wohnungseigentumsgesetz	Act on the Ownership of Apartments and the Permanent Residential Right*
WG	Wechselgesetz	Bills of Exchange Act
WHG	Wasserhaushaltsgesetz	Water Management Act
WoVermG	Wohnungsvermittlungsgesetz	Housing Agencies Act
WpHG	Wertpapierhandelsgesetz	Trade in Securities Act
WRV	Weimarer Reichsverfassung	Constitution of the Weimar Republic
ZAG	Zahlungsdiensteaufsichtsgesetz	Act on Supervision of Payment Services
ZPO	Zivilprozessordnung	Code of Civil Procedure*
ZVG	Gesetz über die Zwangsversteigerung und die Zwangsverwaltung	Act on Enforced Auction and Receivership*

Austria

ABGB	<i>Allgemeines Bürgerliches Gesetzbuch</i>	Austrian Civil Code
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European Union

ACQP	Principles of the Existing EC Contract Law (Acquis Principles)
Brussels I	Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
Brussels Ia	Regulation (EU) No. 1215/2012 of the European Parliament and the Council of 12 December 2012 on jurisdiction and the recognition and enforcements of judgments in civil and commercial matters
Brussels Convention	1968 Brussels Convention on jurisdiction and the enforcement of judgments in civil and commercial matters
CESL (draft)	Proposal for a Common European Sales Law (COM(2011) 634 final)
Charter of Fundamental Rights	Charter of Fundamental Rights of the European Union (2009)
Commercial Agents Directive	Council Directive 86/653/EEC of 18 December 1986 on the coordination of the laws of the Member States relating to self-employed commercial agents

Abbreviations of Legislation, Legislative Drafts and Model Rules

Consumer Credit Directive	Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC
Consumer Rights Directive	Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights
Consumer Sales Directive	Directive 1999/44/EC of the European Parliament and of the Council of 25 May 1999 on certain aspects of the sale of consumer goods and associated guarantees
Cross-Border Credit Directive	European Parliament and Council Directive 97/5/EC of 27 January 1997 on cross-border credit transfers
Distance Marketing of Financial Services Directive	Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002 concerning the distance marketing of consumer financial services
Distance Selling Directive	Directive 97/7/EC of the European Parliament and of the Council of 20 May 1997 on the protection of consumers in respect of distance contracts
Directive on the Supply of Digital Content	Directive (EU) 2019/770 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the supply of digital content and digital services
Doorstep Selling Directive	Council Directive 85/577/EEC of 20 December 1985 to protect the consumer in respect of contracts negotiated away from business premises.
DCFR	Draft Common Frame of Reference
E-Commerce Directive	Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market
eIDAS Regulation	Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market
Equal Treatment in Goods and Services Directive	Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services
Financial Collateral Directive	Directive 2002/47/EC of the European Parliament and of the Council of 6 June 2002 on financial collateral arrangements
Framework Equality Directive	Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation
Gender Equality Directive	Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation
Interchange Fee Regulation	Regulation (EU) 2015/751 of the European Parliament and of the Council of 29 April 2015 on interchange fees for card-based payment transactions
Late Payment Directive 2000	Directive 2000/35/EC of the European Parliament and of the Council of 29 June 2000 on combating late payment in commercial transactions
Late Payment Directive	Directive 2011/7/EU of the European Parliament and of the Council of 16 February 2011 on combating late payment in commercial transactions
Mortgage Credit Directive	Directive 2014/17/EU of the European Parliament and of the Council of 4 February 2014 on credit agreements for consumers relating to residential immovable property
Package Travel Directive	Council Directive 90/314/EEC of 13 June 1990 on package travel, package holidays and package tours
Payment Services Directive	Directive (EU) 2015/2366 of the European Parliament and of the Council of 15 November 2015 on payment services in the internal market
PECL	Principles of European Contract Law
Product Liability Directive	Council Directive 85/374/EEC of 25 July 1985 on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products

Abbreviations of Legislation, Legislative Drafts and Model Rules

PSD1	Directive 2007/64/EC of the European Parliament and of the Council of 13 November 2007 on payment services in the internal market	
PSD2	Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market	
Race Equality Directive	Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin	
Sale of Goods Directive	Directive (EU) 2019/771 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the sale of goods	
SEPA Regulation	Regulation (EU) No 260/2012 of the European Parliament and of the Council of 14 March 2012 establishing technical and business requirements for credit transfers and direct debits in euro	
Settlement Finality Directive	Directive 98/26/EC of the European Parliament and of the Council of 19 May 1998 on settlement finality in payment and securities settlement systems	
Rome I	Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations	
TFEU	Treaty on the Functioning of the European Union	
Timeshare Directive	Directive 2008/122/EC of the European Parliament and of the Council of 14 January 2009 on the protection of consumers in respect of certain aspects of timeshare, long-term holiday product, resale and exchange contracts	
Timeshare Directive 1994	Directive 94/47/EC of the European Parliament and the Council of 26 October 1994 on the protection of purchasers in respect of certain aspects of contracts relating to the purchase of the right to use immovable properties on a timeshare basis	
Transfer of Undertakings Directive	Council Directive 2001/23/EC of 12 March 2001 on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses	
Unfair Commercial Practices Directive	Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market	
Unfair Terms Directive	Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts	
France		
Cc	Code civile	French Civil Code
International		
CISG	United Nations Convention on the International Sale of Goods	
PICC	UNIDROIT Principles of International Commercial Contracts	
Switzerland		
OR	Obligationenrecht	Law of Obligations
VRV	Vereinsregisterverordnung	Ordinance concerning the register of private associations
ZGB	Schweizerisches Zivilgesetzbuch	Swiss Civil Code

Abbreviations of Cited Works

APS Kündigungsrecht	Ascheid/Preis/Schmidt, <i>Kündigungsrecht</i> (5 th edn, C.H. Beck 2017)
Baur/Stürner, Sachenrecht	Baur/Stürner, <i>Sachenrecht</i> (18 th edn, C.H. Beck 2009)
BeckOK BGB	Bamberger/Roth (eds), <i>Beck'scher Online-Kommentar zum BGB</i>
BeckOK Arbeitsrecht	Rolfs et al. (eds), <i>Beck'scher Online-Kommentar zum Arbeitsrecht</i>
BeckOGK BGB	Gsell et al. (eds), <i>Beck-online. Großkommentar zum BGB</i>
BeckOK GBO	von Hügel (ed.), <i>Beck'scher Online-Kommentar zur Grundbuchordnung</i>
BeckOK BDSG	Wolff/Brink (eds), <i>Beck'scher Online-Kommentar zum Datenschutzrecht</i>
Bülow/Artz, Verbraucher- kreditrecht	Bülow, <i>Recht der Kreditsicherheiten</i> (9 th edn, C.F. Müller 2017)
Dauner-Lieb/Langen BGB	Dauner-Lieb/Langen (eds), <i>Bürgerliches Gesetzbuch – BGB</i> (3 rd edn, Nomos 2016)
Demharter GBO	Demharter (ed.), <i>Grundbuchordnung: GBO</i> (31 st edn, C.H. Beck 2018)
Ebenroth HGB	Ebenroth et al. (eds), <i>Handelsgesetzbuch: HGB</i> (4 th edn, C.H. Beck 2019)
EPL	Basedow et al. (eds), <i>Encyclopedia of European Private Law</i> (OUP 2012)
ErfK Arbeitsrecht	Müller-Glöße/Preis/Schmidt (eds), <i>Erfurter Kommentar zum Arbeitsrecht</i> (19 th edn, C.H. Beck 2019)
Erman BGB	Westermann/Grunewald/Maier-Reimer (eds), <i>Erman, BGB</i> (15 th edn, Otto Schmidt 2017)
GmbHG GK	Ulmer/Habersack/Löbke (eds), <i>GmbHG Großkommentar</i> , Vols I–III (2 nd edn, Mohr Siebeck 2012–2016)
Großkommentar HGB	Habersack et al. (eds), <i>Staub Handelsgesetzbuch: HGB</i> (5 th edn, de Gruyter 2016)
Henssler/Strohn Gesellschaftsrecht	Henssler/Strohn (eds), <i>Gesellschaftsrecht – Kommentar</i> (4 th edn, C.H. Beck 2019)
Heymann HGB	Kötter/Heymann, <i>Handelsgesetzbuch</i> (4 th edn, de Gruyter 1971)
HK-BGB	Schulze, Dörner, Ebert et al., <i>Handkommentar BGB</i> (10 th edn, Nomos 2019)
HKK-BGB	Schmöckel et al. (eds), <i>Historisch-Kritischer Kommentar zum BGB</i> (Mohr Siebeck 2003–2018)
HWB EuP	Basedow et al. (eds), <i>Handwörterbuch des Europäischen Privatrechts</i> (Mohr Siebeck 2009)
HWK Arbeitsrecht	Henssler/Willemsen/Kalb (eds), <i>Arbeitsrecht</i> (8 th edn, Otto Schmidt 2018)
Jauernig BGB	Stürner (ed.), <i>Jauernig, BGB</i> (17 th edn, C.H. Beck 2018)
Kommentar zum Zahlungsverkehrsrecht	Ellenberger/Findeisen/Nobbe (eds), <i>Kommentar zum Zahlungsverkehrsrecht</i> (2010 Finanz Colloquium Heidelberg)
Koziol/Bydlinski/Bollen- berger ABGB	Koziol/Bydlinski/Bollenberger (eds), <i>ABGB</i> (5 th edn, Verlag Österreich GmbH 2017)
LAGE KSchG	Entscheidungen der Landesarbeitsgerichte zum Kündigungsschutzgesetz
Lemke Immobilienrecht	Lemke (ed.), <i>Immobilienrecht – Kommentar</i> (2 nd edn, Wolters Kluwer 2015)
Mot.	<i>Motive zum BGB</i>
MüArbR	Kiel/Lunk/Oetker (eds), <i>Münchener Handbuch zum Arbeitsrecht – Individualarbeitsrecht I und II</i> (4 th edn, C.H. Beck 2018)

Abbreviations of Cited Works

Mugdan	<i>Die gesammelten Materialien zum Bürgerlichen Gesetzbuch für das Deutsche Reich Bd. I–V</i> (Collection of materials concerning the German civil code, Vols I–V)
MüKo BGB	Säcker et al. (eds), <i>Münchener Kommentar zum Bürgerlichen Gesetzbuch BGB</i> (9 th edn, C.H. Beck 2019)
Müller	Müller, <i>Besitzschutz in Europa</i> (Mohr Siebeck 2010)
NK-BGB	Dauner-Lieb/Heidel/Ring (eds), <i>BGB Kommentar</i> (3 rd edn, Nomos 2014)
NK-GA	Boecken/Düwell/Diller et al. (eds), <i>NomosKommentar – Gesamtes Arbeitsrecht</i> , Vols I–III (Nomos 2016)
OSK Haftung des Arbeitnehmers	Otto/Schwarze/Krause, <i>Die Haftung des Arbeitnehmers</i> (4 th edn, de Gruyter 2014)
Palandt	Brüdemüller et al. <i>Palandt – BGB Kurzkomentar</i> (78 th edn, C.H.Beck 2019)
PEL. Per. Sec.	Drobnig et al., <i>Personal Security</i> (Principles of European Law) (Sellier 2007)
PWW BGB	Prütting/Wegen/Weinreich (eds), <i>BGB</i> (13 th edn, Luchterhand 2018)
RGK BGB	<i>Reichsgerichtsräte-Kommentar BGB</i> (12 th edn, de Gruyter 1978–2000)
Schwimann ABGB	Schwimann (ed.), <i>ABGB Praxiskommentar</i> (3 rd edn, LexisNexis 2005)
Soergel BGB	<i>Bürgerliches Gesetzbuch mit Einführungsgesetz und Nebengesetzen: BGB</i> (13 th edn, Kohlhammer 2000)
Staudinger BGB	<i>J. von Staudingers Kommentar zum Bürgerlichen Gesetzbuch: Staudinger BGB</i> (Sellier/de Gruyter 2007)
The German Law of Contract	Markesinis/Unberath/Johnston, <i>The German Law of Contract</i> (2 nd edn, Hart 2006)
v. Bar/Clive, DCFR Full	von Bar/Clive (eds), <i>Principles, Definitions and Model Rules of European Private Law – Draft Common Frame of Reference – Full Edition</i> (Sellier 2010)
Zöller ZPO	Zöller (ed.), <i>Zivilprozessordnung</i> (32 nd edn, Otto Schmidt 2018)

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List of Abbreviations and Abbreviated Literature

AcP	Archiv civilistischer Praxis
ADAC	Allgemeiner Deutscher Automobil Club (General German Automobile Club)
AG	(1) Amtsgericht (Local Court); (2) Aktiengesellschaft (stock corporation)
AGB	Allgemeine Geschäftsbedingungen (standard business terms)
Alt.	Alternative
Anm.	Anmerkung (explanatory note)
API	Application Programming Interface
ArbG	Arbeitsgericht (Labour Court)
arg.	Argumentum
Art.	Article
Arts	Articles
B2B	business-to-business
B2C	business-to-consumer
BaFin	Bundesanstalt für Finanzdienstleistungsaufsicht (Federal Financial Supervisory Authority)
BAG	Bundesarbeitsgericht (Federal Labour Court)
BauR	Baurecht – Zeitschrift für das gesamte öffentliche und private Baurecht
BayObLG	Bayerisches Oberstes Landesgericht (Highest Regional Court of Bavaria)
BB	Betriebsberater
BeckRS	Beck-Online Rechtsprechung
BFH	Bundesfinanzhof (Federal Finance Court)
BGBL	Bundesgesetzblatt (German Federal Law Gazette)
BGH	Bundesgerichtshof (Federal Court of Justice)
BKR	Zeitschrift für Bank- und Kapitalmarktrecht
BR-Drs.	Bundesratsrucksache (Official Document of the Federal Council)
BReg.	Bundesregierung (Federal Government)
BSG	Bundessozialgericht (Federal Social Court)
BT	Bundestag (Federal Parliament)
BT-Drs.	Bundestagsdrucksache (Official Document of the Federal Parliament)
BVerfG	Bundesverfassungsgericht (Federal Constitutional Court)
BVerfGE	Entscheidung des BVerfG (Decision of the Federal Constitutional Court)
BWNNotZ	Zeitschrift für das Notariat in Baden-Württemberg
cf.	confer
Ch.	Chapter
Ch.App.	Law Reports. Chancery Division. Appeal Cases
CIF	Cost-Insurance-Freight (Incoterm)
CJEU	Court of Justice of the European Union
COM	Publications of the Commission of the EU
CR	Computer und Recht
CUP	Cambridge University Press

List of Abbreviations and Abbreviated Literature

D&O	Directors-and-Officers
DB	Der Betrieb
DG	Director General
DM	Deutsche Mark
DNotI	Deutsches Notarinstitut
DNotZ	Deutsche Notar-Zeitschrift
DStR	Deutsches Steuerrecht
e.g.	exempli gratia
e. V.	eingetragener Verein (registered association)
EA	Societas Europaea
EBA	European Banking Authority
EC	European Community
ECB	European Central Bank
ECHR	European Convention on Human Rights
ECJ	European Court of Justice
ECtHR	European Court of Human Rights
ed.	editor
Edinburgh L. Rev.	Edinburgh Law Review
edn	edition
eds	editors
EEA	European Economic Area
EEC	European Economic Community
eG	Eingetragene Genossenschaft (registered cooperative)
Einf	Einführung (introduction)
et seq.	et sequentia
etc.	etcetera
EU	European Union
EuCML	Journal of European Consumer and Market Law
Euratom	European Atomic Energy Community
EuZA	Europäische Zeitschrift für Arbeitsrecht
EuZW	Europäische Zeitschrift für Wirtschaftsrecht
EWCA	England and Wales Court of Appeal
EWiR	Entscheidungen zum Wirtschaftsrecht
EWIV	Europäische Wirtschaftliche Interessenvereinigung (European Economic Interest Groupings – EEIG)
FE	Fundation Europaea (European Foundation)
FOB	Free On Board (Incoterm)
GbR	Gesellschaft bürgerlichen Rechts (civil law partnership)
GDR	German Democratic Republic
GEMA	Gesellschaft für musikalische Aufführungs- und mechanische Vervielfältigungsrechte (German Music Author's Association)
GmbH	Gesellschaft mit beschränkter Haftung (limited liability company)
GPR	Zeitschrift für das Privatrecht der Europäischen Union
GRUR	Zeitschrift zum Gewerblichen Rechtsschutz und Urheberrecht
i.a.	inter alia
i.e.	id est

List of Abbreviations and Abbreviated Literature

InvKG	Investment-Kommanditgesellschaft
IOU	I Owe You (informal document acknowledging a debt)
JherJb	Jherings Jahrbücher für die Dogmatik des bürgerlichen Rechts
JR Rspr	Juristische Rundschau Rechtsprechung
juris – Die Monatszeitschrift	juris – Die Monatszeitschrift
jurisPK-BGB	juris PraxisKommentar BGB
jurisPR-BKR	juris PraxisReport Bank- und Kapitalmarktrecht
JuS	Juristische Schulung
JZ	Juristenzeitung
KB	King's Bench
KG	(1) Kommanditgesellschaft (limited partnership) (2) Kammergericht (Superior Court of Berlin)
KGaA	Kommanditgesellschaft auf Aktien (partnership limited by shares)
KTS	Zeitschrift für Insolvenzrecht Konkurs Treuhand Sanierung
KV	Kostenverzeichnis (cost directory)
LAG	Landesarbeitsgericht (Regional Labour Court)
LG	Landgericht (Regional Court)
MDR	Monatsschrift für deutsches Recht
MedR	Medizinrecht
MittRhNotK	Mitteilung der Rheinischen Notarkammer
MMR	Multimedia und Recht
mn.	margin number
NJW	Neue Juristische Wochenschrift
NJW-RR	Neue Juristische Wochenschrift-Rechtsprechungsreport
No.	number
Nos	numbers
NStZ	Neue Zeitschrift für Strafrecht
NZA	Neue Zeitschrift für Arbeitsrecht
NZA-RR	NZA-Rechtsprechungs-Report
NZBau	Neue Zeitschrift für Baurecht und Vergaberecht
OGH	Obersten Gerichtshof (Austrian Supreme Court of Justice)
OHG, oHG	Offene Handelsgesellschaft (general partnership)
OLG	Oberlandesgericht (Higher Regional Court)
OUP	Oxford University Press
p.	page
para.	paragraph
paras	paragraphs
PartG	Partnerschaftsgesellschaft (registered partnership)
PIN	Personal Identification Number
POS	Point of Sale
RAG	Reichsarbeitsgericht (Imperial Labour Court 1926–1945)
RdA	Recht der Arbeit
RegE	Regierungsentwurf (Government draft)
RG	Reichsgericht (Imperial Court 1879–1945)
RGZ	Sammlung der Entscheidungen des Reichsgerichts in Zivilsachen (Collated Decisions of the Imperial Court in Civil Cases)

List of Abbreviations and Abbreviated Literature

RIW	Recht der Internationalen Wirtschaft
RTS	Regulatory Technical Standards
s	section
SCA	Strong Customer Authentication
SCE	Societas Cooperativa Europea
SCHUFA	Schutzgemeinschaft für allgemeine Kreditsicherung (Protective Association for Sales Financing)
SE	Societas Europaea
SEPA	Single Euro Payments Area
St.	Sentence
Sub.	Subsection
Subs	Subsections
TAN	Transaction Authentication Number
TPP	Third Party Provider
UCP	Uniform Customs and Practice for Documentary Credits
UK	United Kingdom
UKHL	United Kingdom House of Lords
v	(1) versus; (2) vor
Var.	Variant
VAT	Value Added Tax
VersR	Versicherungsrecht
VG Wort	Verwertungsgesellschaft Wort (Collecting Society Wort)
Vol.	Volume
VuR	Verbraucher und Recht
Vols	Volumes
WM	Wertpapiermitteilungen – Zeitschrift für Wirtschafts- und Bankrecht
WuB	Entscheidungsanmerkungen zum Wirtschafts- und Bankrecht
WuM	Wohnungswirtschaft und Mietrecht
ZBB	Zeitschrift für Bankrecht und Bankwirtschaft
ZEuP	Zeitschrift für Europäisches Privatrecht
ZEV	Zeitschrift für Erbrecht und Vermögensnachfolge
ZfPW	Zeitschrift für die gesamte Privatrechtswissenschaft
ZGS	Zeitschrift für das gesamte Schuldrecht
ZHR	Zeitschrift für das gesamte Handels- und Wirtschaftsrecht
ZIP	Zeitschrift für Wirtschaftsrecht
ZNotP	Zeitschrift für die Notarpraxis
ZNR	Zeitschrift für neuere Rechtsgeschichte
ZTR	Zeitschrift für Tarifrecht
ZUM	Zeitschrift für Urheber- und Medienrecht
ZVertriebsR	Zeitschrift für Vertriebsrecht