

The German Legal System and Legal Language Volume 1 & 2

SEVENTH EDITION

Author: Howard D. Fisher

Volume 1

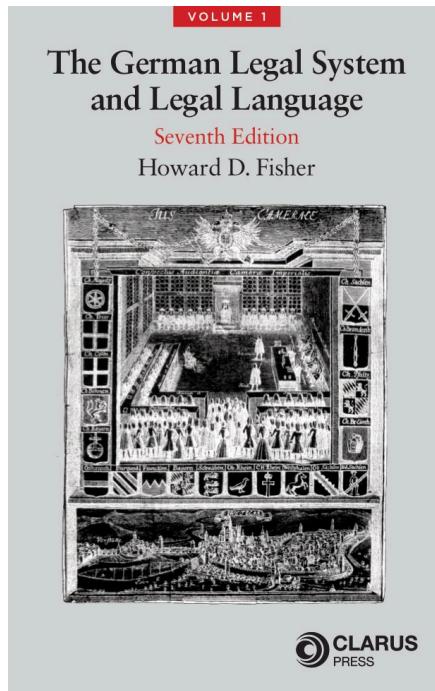
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Volume 2

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About

Now in its 7th Edition, and split into two volumes, this book outlines the German federal system, drawing attention to many of the innumerable norms and fundamental principles contained in the common German codes. Supplementing the text are extensive notes and a select German/English legal vocabulary which, together, provide readers with the necessary tools in order to obtain a reliable overview of the rules, methods and terminology of German law.

The 7th edition of the *German Legal System and Legal Language* has undergone substantial revision throughout and there has been much amendment and reorganization since publication of the 6th edition.

Among the many changes in the 7th edition are the following:

- New two-volume format;
- Three new chapters: (i) family law and law of succession (ii) procedure in family matters and (iii) international law, domestic law and foreign relations;
- Focus on fundamental constitutional concepts, with new exposés on the arrangement of law in codes, features of the German state, law and its relation to the state and the structure of government in the UK;

- New exposé on the constitutional right of general freedom of action and the general right of personality;
- Discussion of the character of rules of law;
- In the chapter on the Civil Code (BGB), new exposés on topics such as:
 - the principle of good faith;
 - the object, place and time of performance;
 - the concept of “loss”;
 - assignment;
 - contracts of sale;
 - contracts for services;
 - transaction of other people’s affairs without prior authority;
 - contracts of surety;
 - tort;
 - the different types of possession; and
 - the protection of possession and ownership

- Clearer explanation of essential terminology used in German commercial law;
- The different types of mercantile agent and the pitfalls of a general power of attorney
- “Silent” partnerships;
- New exposé on the commissioner;
- New exposé on the duty of loyalty between members of a company;
- New exposés on establishment of the facts and the burden of proof in civil proceedings;
- The German rules regarding arbitration;
- New exposé on immediate protective measures in administrative law;
- Judicial review of administrative action and enforcement of administrative acts;
- Overview of attempt, self-defence and capacity in criminal law;
- New exposé on arrest warrants and investigative custody;
- Consideration of the fair trial principle and the evidence stage in criminal proceedings
- Discussion of shipping documents (bills of lading) and methods of payment (letters of credit) in international trade;
- Expanded chapter on private international law, with a new exposé on selection of legal venue.

Contents Volume 1 chapters include

1. Historical Introduction
2. The Federal State
3. The Supreme Federal Organs
4. The Supreme and Other Federal Authorities
5. The ‘Länder’
6. Local Government
7. The Federal Constitution (‘Grundgesetz’)
8. The Basic Rights
9. Public and Private Law
10. Private Law: The Civil Code (BGB)
11. The Civil Code (BGB): Family Law and the Law of Succession
12. Private Law: BGB Company Law and The Commercial Code (HGB)
13. The Private Limited Company (GmbH)
14. Civil Procedure
15. Civil Procedure: Family Matters
16. Administrative Law
17. Administrative Procedure

18. Criminal Law
19. Criminal Procedure
20. Employment Law
21. Business Law ('Wirtschaftsrecht')
22. Private International Law
23. International Legal Co-operation
24. International Law, Domestic Law and Foreign Regulations
25. The Legal Profession and Court System

Contents of Volume 2 include

- Vocabulary: Selected German and Latin Words and Phrases (with their English/legal meanings);
- Abbreviations;
- Legislation Lists;
- Cases Lists.

Who Should Buy This Book?

German Legal System and Legal Language is designed for anyone interested in German law, in particular, English speaking lawyers who require an overview and understanding of German law, those who wish to qualify as a German lawyer as well as practitioners, students and academics.

About the Author

Howard D. Fisher graduated with an LL.B. (Honours) from University College London in 1975 and qualified as a Solicitor of England and Wales in 1978. He was educated at the City of London School, where he was awarded the John Goodwin Prize for Modern Languages and the War Memorial Scholarship in 1972. In 1992, he obtained the right to admission as a German '*Rechtsanwalt*' and, apart from a brief period of sole practice in Frankfurt am Main, has worked as a freelance legal translator both in that city and in Berlin for nearly 30 years. Howard is an accredited interpreter and translator for the courts and notaries of Berlin and a member of the Federal Association of Interpreters and Translators (BDÜ), Berlin-Brandenburg Branch.

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