

## Public Management Bachelor Programme

<b>Module</b>	<b>12 – Private Law</b>		
Semester	1 <sup>st</sup> semester (winter semester)		
Course	Private Law (L/E) <span style="border: 1px solid black; padding: 0 2px;">DE</span>		
Workload	4 SPW	5 credits	150 workload hours (45 attendance hours, 105 self-study hours)
Admission prerequisites	–		
Module coordinator	Dr. Alexandra Petersohn		

### 1. Learning outcomes

Students will understand the economic and legal background of legal transactions and be able to evaluate these with respect to their validity. They will also be able to test the contestability of declarations of intent. Students will be informed about the statute of limitations and know the essentials of the law on breach of performance. They will be familiar with the main provisions pertaining to purchasing rights between private individuals, and with commercial transactions. Students will be able to explain the concept of the status of a merchant, the different forms of merchant and the functions of the commercial register. They will be familiar with the positions of self-employed and employed traders' assistants. They will understand the effect of an entry in the commercial register by the legal representative of a company and its removal. Students will be capable to identify simple problems from the legal areas listed and will be able to solve these using the subsumption technique.

### 2. Recommended prior knowledge and skills

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### 3. Contents

- Theory of legal transactions
- Legal rights of minors
- Contestability and rescission of declarations of intention
- Right of representation
- Limitation of actions and time limits
- Different types of contractual obligations
- Breach of performance in the German Civil Code (BGB) and amendments to these in the German Commercial Code (HGB)
- General terms and conditions and power of rescission
- The different forms of traders
- Functions of the commercial register
- Self-employed and employed merchants' assistants
- Distinction between the provisions of the Civil Code and the Commercial Code (subsidiarity of the provisions of the Civil Code)
- Commercial transactions
- Liability for defects at the time of purchase as per the German Civil Code and the Commercial Code
- Transfer of ownership of moveable objects
- Bona fide purchases as per the German Civil Code and the Commercial Code

Relevant legal norms: German Civil Code, German Commercial Code, EGHGB, HaustürWG.

### 4. Modes of teaching and learning, workload

Lecture with active feedback from students and integrated practical exercises (45 hrs); preparation and revision of lectures (25 hrs); sample questions and test exam (40 hrs), discussion of sample questions and test exam answers during class; exam preparation (40 hrs).

### 5. Type of examination

Written exam (120 minutes)

### 6. Literature

WÖRLEN, Rainer; METZLER-MÜLLER, Karin: *BGB AT: Einführung in das Recht und Allgemeiner Teil des BGB*, 13. Auflage, Köln 2014; WÖRLEN, Rainer; METZLER-MÜLLER, Karin: *Schuldrecht AT*, 11. Auflage, Köln 2012; WÖRLEN, Rainer; KOKEMOOR, Axel: *Sachenrecht*, 8. Auflage, Köln 2012; WÖRLEN, Rainer, KOKEMOOR, Axel: *Handelsrecht mit Gesellschaftsrecht*, 11. Auflage, Köln 2012; JUNG, Peter: *Handelsrecht*, 10. Auflage, München 2014.