

Diapason N 622 Mars 2014

Pandectes françaises Vertragsbeendigung in der Insolvenz Die Konzerninsolvenz im französischen Recht Die Durchsetzung von Verbraucherrechten Annuaire de documentation coloniale comparée Frommels Jahresbericht über die Fortschritte auf dem Gebiete der Geburtshilfe und Gynäkologie Annales de l'Observatoire de Nice ... Patentblatt Government Reports Announcements Astronomical and Magnetical and Meteorological Observations Made at the Royal Observatory, Greenwich, in the Year ... A Catalogue of the Extensive, Valuable, and Highly Interesting Collection of Prints, the Property of Thomas Lloyd, Esq. ... Revue générale des sciences pures et appliquées Bulletin Apologie des Christenthums United States Investor Government Reports Announcements & Index An American Almanac and Treasury of Facts, Statistical, Financial, and Political, for the Year ... Prometheus Raphael's Astronomical Ephemeris of the Planets' Places, with Tables of Houses for London, Liverpool and New York NEW JERSEY & PENNSYLVANIA TOUR BOOK Patrick Keinert Alexander Arfert Maurice Nürnberg Thomas Lloyd Paul Schanz

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long description patrick keinert behandelt die wirksamkeit vertraglicher lösungsklauseln in der insolvenz hierzu untersucht er die rechtslage in deutschland in der schweiz in Österreich in frankreich in den vereinigten staaten und in england aus dem rechtsvergleich erarbeitet er einen konkreten gestaltungsvorschlag

während die deutsche insolvenzordnung im wesentlichen prozessrechtliche probleme regelt enthält der insolvenzrechtliche teil des französischen code de commerce ausserst praxisrelevante vorschriften die hierzulande etwa dem gesellschafts oder dem allgemeinen zivilrecht zuzuordnen waren diese systematische beobachtung trifft auch für die lebhaft diskutierten und vom deutschen gesetzgeber nur in prozessualer hinsicht aufgegriffenen rechtsprobleme der konzerninsolvenz zu alexander arfert unternimmt einen funktionalen rechtsvergleich des materiellen französischen konzerninsolvenzrechts mit den im deutschen recht anwendbaren vorschriften des gesellschafts insolvenz arbeits und zivilrechts dabei untersucht er ob deutschland bei der bekämpfung von missbrauchen und zur erreichung des ziels einer nachhaltigen sanierung in der insolvenz die richtigen losungen und das französische recht übertragbare lösungsansätze bereithält

die durchsetzung von verbraucherrechten gilt als defizitär um das verbraucherrecht faktisch zur geltung zu bringen verfolgen deutschland frankreich und die niederlande traditionell unterschiedliche ansätze mit zunehmender intensität wirken auch europäische maßnahmen auf die nationalen durchsetzungsstrukturen ein die arbeit stellt die unterschiedlichen formen der verbraucherrechtsdurchsetzung in deutschland frankreich und den niederlanden dar dabei werden individuelle kollektive sowie behördliche rechtsschutzinstrumente und deren stellenwert in der rechtsordnung näher betrachtet auf grundlage einer rechtsvergleichenden analyse wird ein eigener ansatz zur besseren durchsetzung von verbraucherrechten vorgestellt

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