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R Sanford



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Die Verkehrssitte im § 242 BGB Nadia Al-Shamari, 2006 English summary Nadia Al Shamari studies the prevailing practice in paragraph 242 of the German Civil Code in whose official heading of 2002 mention is made of performance in good faith. However in the wording of this rule there is no mention of the fact that the performance is to comply with good faith. The regulation pertains only to the way the performance is brought about. This should also not only comply with the concept of good faith but with the concept of what good faith demands in consideration of prevailing practice. Nadia Al Shamari studies the conception of paragraph 242 of the German Civil Code according to the authors of the Civil Code and in doing so she underscores the significance of prevailing practice and compares this with the actual role of prevailing practice after 1900. German description Nadia Al Shamari untersucht die Verkehrssitte im 242 BGB in dessen amtlicher Überschrift von 2002 von Leistung nach Treu und Glauben. Die Rede ist. Der Wortlaut der Norm hat allerdings einen anderen Inhalt. Dort steht genau genommen nicht, dass sich die Leistung nach Treu und Glauben richtet. Geregelt ist nach dem Wortlaut vielmehr nur die Art und Weise der Bewirkung der Leistung. Auch soll sich diese nicht nur nach Treu und Glauben richten, sondern nach dem, was Treu und Glauben mit Rücksicht auf die Verkehrssitte erfordern. Dieser Diskrepanz insbesondere der ursprünglichen Bedeutung des unbeachteten Tatbestandsmerkmals Verkehrssitte geht Nadia Al Shamari nach. Dazu beschäftigt sie sich zunächst mit der Konzeption des 242 BGB durch die Verfasser des BGB, wobei sie die besondere Funktion der Verkehrssitte und ihr Verhältnis zu Treu und Glauben herausarbeitet. Im Weiteren befasst sie sich mit der Rolle der Verkehrssitte in 242 BGB nach 1900. Sie untersucht die Anwendung der Verkehrssitte mittels einer Gesamtauswertung wesentlicher Quellen der hochstrichterlichen Judikatur und stellt die Rolle der Verkehrssitte im 242 BGB nach 1900 dar, indem sie systematisch die Kommentarliteratur analysiert und anhand einzelner Entscheidungen überprüft, ob das Merkmal der Verkehrssitte in der Rechtspraxis seiner ursprünglichen Konzeption entsprechend angewendet worden ist. **Das Postwesen einst und jetzt - Band 242 in der gelben Buchreihe - bei Jürgen Ruszkowski** Leopold Katscher, 2023-07-27 Leopold Katscher erzählt in diesem Buch detailliert über Post Briefe Pakete Postsparen und alles, was mit der Post zusammenhängt, von der Zeit der alten Ägypter bis nach 1900. Einige Themen: Die Hilschen Postreformen Mittel und Wege des Postverkehrs Was die Post heutzutage leistet Der Weltpostverein Außerdem folgen Informationen über die See Post im geschichtlichen Rückblick Mit vielen Bildern und Zusatzinformationen wird dieser Band neu herausgegeben von Jürgen Ruszkowski. Rezension Ich bin immer wieder begeistert von der Gelben Buchreihe. Die Bände reißen einen einfach mit. Inzwischen habe ich ca. 20 Bände erworben und freue mich immer wieder, wenn ein neues Buch erscheint. Oder Sammliche von Jürgen Ruszkowski aus Hamburg herausgegebene Bücher sind absolute Highlights. Dieser Band macht da keine Ausnahme. Sehr interessante und abwechslungsreiche Themen aus verschiedenen Zeit Epochen, die mich von der ersten bis zur letzten Seite gefesselt haben. Man kann nur staunen, was der Mann in seinem Ruhestand schon veröffentlicht hat. Alle Achtung.

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