

LA216-30 German Law

23/24

Department

School of Law

Level

Undergraduate Level 2

Module leader

Barbara Nastoll

Credit value

30

Module duration

20 weeks

Assessment

30% coursework, 70% exam

Study location

University of Warwick main campus, Coventry

Description

Introductory description

This module prepares students on the Law with German Law LL.B. for their year abroad and the academic demands of Warwick's partner universities in Germany. The module is taught in German and is available to any student with an adequate knowledge of the language.

[Module web page](#)

Module aims

Students are introduced to the German Civil Code (Bürgerliches Gesetzbuch) which is the core of German Private Law. They will familiarise themselves with the structure of German Private Law and will learn to apply German legal methodology on a case-by-case basis. At the end of the year, students will have obtained a detailed knowledge of the General Part of the Bürgerliches Gesetzbuch as well as the Law of Obligations. They will be able to use the Bürgerliche Gesetzbuch and research cases independently.

Outline syllabus

This is an indicative module outline only to give an indication of the sort of topics that may be

covered. Actual sessions held may differ.

Term 1:

BGB - Allgemeiner Teil

- Einführung in das BGB und die Falllösungstechnik
- Subjektive Rechte, Rechtssubjekte und Rechtsobjekte
- Rechtsgeschäft, Willenserklärung
- Vertragsschluss, Allgemeine Geschäftsbedingungen
- Geschäftsfähigkeit
- Gesetzliche Verbote, Formvorschriften
- Anfechtung und Willensmängel

Term 2:

BGB - Allgemeiner Teil und BGB Schuldrecht

- Stellvertretung
- Einführung in das Schuldrecht
- Inhalt von Schuldverhältnissen
- Beendigung von Schuldverhältnissen
- Schadenersatz im deutschen Recht
- Leistungsstörungen: Unmöglichkeit
- Leistungsstörungen: Verzug
- Leistungsstörungen Schlechtleistung;
Nebenpflichtverletzungen, CIC-Haftung

TRANSLATION:

Term 1 - General civil law:

- Introduction to the German civil code and German legal methodology
- Subjects and objects of law
- Contracts
- Formation of contracts and terms of contract
- Rules relating to minors
- Statutory limits to contractual freedom
- Rescission of contracts

Term 2 - General civil law and the law of obligations:

- Principal and Agent
- Introduction to the Law of Obligations
- Types of Obligations, rules relating to the duty to perform
- Termination of obligations
- Damages
- Impossibility of performance
- Delayed performance
- Other violations of contractual or pre-contractual duties

Learning outcomes

By the end of the module, students should be able to:

- Understand the basic concepts and the structure of German Civil Law (Bürgerliches Recht)
- Use and apply the German Civil Code
- Find, identify and apply court decisions
- Apply the German Civil Code by solving cases and commenting on German Court decisions
- Apply the law according to the specific legal methodology applied in German law
- Identify and apply relevant statutes
- Identify questions of law that require interpretation and analyse and evaluate possible solutions developing an own argument
- Carry out independent work/case solving (planning and managing tasks with limited guidance)
- Use journals, commentaries, court decisions relevant to the case
- Understand and apply German Law and German Legal Terminology
- Write and speak about German Law (e.g. case solving) with accurate use of specific terms and lingual structure

Indicative reading list

[View reading list on Talis Aspire](#)

International

This module is taught in German and applies German law and methodologies.

Subject specific skills

No subject specific skills defined for this module.

Transferable skills

No transferable skills defined for this module.

Study

Study time

| Type | Required |
|---------------|-----------------------------|
| Lectures | 36 sessions of 1 hour (12%) |
| Seminars | 16 sessions of 1 hour (5%) |
| Private study | 248 hours (83%) |
| Total | 300 hours |

Private study description

Private study.

Costs

No further costs have been identified for this module.

Assessment

You do not need to pass all assessment components to pass the module.

Students can register for this module without taking any assessment.

Assessment group D

| | Weighting | Study time |
|---|-----------|------------|
| 2000 Word Essay | 20% | |
| This will take the form of a case solution (Hausarbeit) | | |
| Class Test 1 | 10% | |
| This consists of multiple choice, short answer, missing words and a case study. | | |
| Online Examination | 50% | |
| This is a 2hr exam to be completed within the given 24hr period. | | |
| ~Platforms - AEP | | |

- Dictionary
- LA019: Students to bring own Burgerliches Gestebuch
- Online examination: No Answerbook required

| | | |
|---|-----|--|
| Class Test 2 (Take Home Case Solutions) | 10% | |
| Two take-home case solutions (Gutachten). Duration 60 minutes. | | |
| Oral Exam | 10% | |
| Students are taking the exam in groups of three and each student is examined for about 10 minutes | | |

Feedback on assessment

Class test and take home test: students are handed back a copy of their work with corrections and a feedback sheet setting out what was expected and how they could improve

Assessed essay: students receive a model answer and a feedback sheet explaining the strenghts and weaknesses of the work and how it could be improved

Exam: students receive a generic feedback sheet

Oral exam: immediate oral feedback and students receive a copy of the protocol if they wish

[Past exam papers for LA216](#)

Availability

Courses

This module is Core for:

- Year 2 of ULAA-M134 Undergraduate Law with German Law
- Year 2 of ULAA-M10C Undergraduate Law with German Law (Qualifying Degree)

This module is Optional for:

- ULAA-M300 Undergraduate Law
 - Year 2 of M300 Law
 - Year 3 of M300 Law
- ULAA-M105 Undergraduate Law (3 year) (Qualifying Degree)
 - Year 3 of M105 Law (3 year) (Qualifying Degree)
 - Year 3 of M105 Law (3 year) (Qualifying Degree)
- ULAA-M106 Undergraduate Law (4 year) (Qualifying Degree)
 - Year 2 of M106 Law (4 year) (Qualifying Degree)
 - Year 3 of M106 Law (4 year) (Qualifying Degree)
 - Year 4 of M106 Law (4 year) (Qualifying Degree)
- ULAA-M108 Undergraduate Law (Year Abroad) (Qualifying Degree)
 - Year 2 of M108 Law (Year Abroad) (Qualifying Degree)
 - Year 2 of M108 Law (Year Abroad) (Qualifying Degree)
 - Year 4 of M108 Law (Year Abroad) (Qualifying Degree)
 - Year 4 of M108 Law (Year Abroad) (Qualifying Degree)
- Year 3 of ULAA-ML33 Undergraduate Law and Sociology
- Year 2 of ULAA-M10A Undergraduate Law with French Law (Qualifying Degree)
- Year 3 of ULAA-M110 Undergraduate Law with Humanities (3 Year)
- ULAA-M113 Undergraduate Law with Humanities (4 Year) (Qualifying Degree)
 - Year 2 of M113 Law with Humanities (4 year) (Qualifying Degree)
 - Year 3 of M113 Law with Humanities (4 year) (Qualifying Degree)
- ULAA-M115 Undergraduate Law with Social Sciences (3 Year) (Qualifying Degree)
 - Year 2 of M115 Law with Social Sciences (3 year) (Qualifying Degree)
 - Year 2 of M115 Law with Social Sciences (3 year) (Qualifying Degree)
- UPHA-V7MW Undergraduate Politics, Philosophy and Law
 - Year 2 of V7MW Politics, Philosophy and Law
 - Year 2 of V7MW Politics, Philosophy and Law
 - Year 3 of V7MW Politics, Philosophy and Law
 - Year 3 of V7MW Politics, Philosophy and Law

- Year 4 of UPHA-V7MX Undergraduate Politics, Philosophy and Law (with Intercalated Year)

This module is Unusual option for:

- UPHA-V7MW Undergraduate Politics, Philosophy and Law
 - Year 2 of V7MW Politics, Philosophy and Law
 - Year 2 of V7MW Politics, Philosophy and Law
 - Year 3 of V7MW Politics, Philosophy and Law
 - Year 3 of V7MW Politics, Philosophy and Law
- Year 4 of UPHA-V7MX Undergraduate Politics, Philosophy and Law (with Intercalated Year)

This module is Option list A for:

- Year 4 of ULAA-M10A Undergraduate Law with French Law (Qualifying Degree)
- Year 4 of ULAA-M113 Undergraduate Law with Humanities (4 Year) (Qualifying Degree)
- ULAA-M115 Undergraduate Law with Social Sciences (3 Year) (Qualifying Degree)
 - Year 3 of M115 Law with Social Sciences (3 year) (Qualifying Degree)
 - Year 3 of M115 Law with Social Sciences (3 year) (Qualifying Degree)

This module is Option list B for:

- Year 3 of ULAA-ML34 BA in Law and Sociology (Qualifying Degree)
- Year 5 of ULAA-ML35 BA in Law and Sociology (Qualifying Degree) (with Intercalated year)
- Year 4 of ULAA-ML33 Undergraduate Law and Sociology

This module is Option list E for:

- UPHA-V7MW Undergraduate Politics, Philosophy and Law
 - Year 2 of V7MW Politics, Philosophy and Law
 - Year 2 of V7MW Politics, Philosophy and Law