

Table of Contents

Preface	V
List of Authors.....	IX
Abbreviations of Legislation, Legislative Drafts and Model Rules	XI
Abbreviations of Cited Works	XIX
List of Abbreviations and Abbreviated Literature.....	XXIII

Overview of Books IV and V BGB	1
---	----------

Book 4 Family Law

Division 1. Civil Marriage (§§ 1297–1588).....	5
Title 1. Engagement (§§ 1297–1302).....	5
Title 2. Entering into marriage (§§ 1303–1312)	8
Subtitle 1. Capacity to marry (§§ 1303–1305).....	8
Subtitle 2. Impediments to marriage (§§ 1306–1308).....	9
Subtitle 3. Certificate of no impediment (§ 1309)	10
Subtitle 4. Marriage (§§ 1310–1312).....	12
Title 3. Annulment of marriage (§§ 1313–1318).....	15
Title 4. Remarriage after declaration of death (§§ 1319, 1320).....	23
Title 5. Effects of marriage in general (§§ 1353–1362)	24
Title 6. Matrimonial property regime (§§ 1363–1563)	42
Subtitle 1. Statutory property regime (§§ 1363–1390).....	42
Subtitle 2. Contractual property regime (§§ 1408–1519).....	93
Chapter 1. General provisions (§ 1408–1413)	94
Chapter 2. Separation of property (§ 1414)	103
Chapter 3. Community of property (§§ 1415–1518)	104
Subchapter 1. General provisions (§§ 1415–1421)	105
Subchapter 2. Management of the marital property by a spouse (§§ 1422–1449)	110
Subchapter 3. Joint management of the marital property by the spouses (§§ 1450–1470)	130
Subchapter 4. Partitioning of the marital property (§§ 1471–1482)	141
Subchapter 5. Continued community of property (§§ 1483–1518).....	151
Chapter 4. Optional Regime of the Community of Accrued Gains (§ 1519)	177
Subtitle 3. Marriage property register (§§ 1558–1563).....	185
Title 7. Divorce (§§ 1564–1587)	189
Subtitle 1. Grounds of divorce (§§ 1564–1568).....	189
Subtitle 1a. Treatment of the marital home and of the household objects on the occasion of divorce (§§ 1568a, 1568b).....	202
Subtitle 2. Maintenance of the divorced spouses (§§ 1569–1586b)	210
Chapter 1. Principle (§ 1569)	210
Chapter 2. Entitlement to maintenance (§§ 1570–1580).....	215
Chapter 3. Ability to pay and priority (§§ 1581–1584).....	261
Chapter 4. Form of the maintenance claim (§§ 1585–1585c).....	269
Chapter 5. End of the maintenance claim (§§ 1586–1586b)	280
Subtitle 3. Equalisation of pension rights (§ 1587).....	288
Title 8. Church duties (§1588)	291
Division 2. Relationship (§§ 1589–1772).....	293
Title 1. General provisions (§§ 1589, 1590).....	293
Title 2. Descent (§§ 1591–1600d)	295
Title 3. Obligation to maintain (§§ 1601–1615n).....	328
Subtitle 1. General provisions (§§ 1601–1615).....	328
Subtitle 2. Special provisions for the child and its parents who are not married to each other (§§ 1615a–1615n)	369
Title 4. Legal relationship between the parents and the child in general (§§ 1616–1625).....	380

Title 5. Parental custody (§§ 1626–1698b)	397
Title 6. Legal advisership (§§ 1712–1717)	479
Title 7. Adoption (§§ 1741–1772)	484
Subtitle 1. Adoption of minors (§§ 1741–1766a)	484
Subtitle 2. Adoption of persons of full age (§§ 1767–1772)	527
Division 3. Guardianship, legal curatorship, custodianship (§§ 1773–1921)	534
Title 1. Guardianship (§§ 1773–1895)	534
Subtitle 1. Creation of guardianship (§§ 1773–1792)	534
Subtitle 2. Conducting of the guardianship (§§ 1793–1836e)	577
Subtitle 3. Care and supervision of the family court (§§ 1837–1847)	642
Subtitle 4. Cooperation of the youth welfare office (§ 1851)	654
Subtitle 5. Exempted guardianship (§§ 1852–1857a)	655
Subtitle 6. Termination of the guardianship (§§ 1882–1895)	663
Title 2. Legal custodianship (§§ 1896–1908i)	678
Title 3. Curatorship (§§ 1909–1921)	776

Book 5
Law of Succession

Division 1. Succession (§§ 1922–1941)	793
Division 2. Legal position of the heir (§§ 1942–2063)	831
Title 1. Acceptance and disclaimer of the inheritance; supervision of the probate court (§§ 1942–1966)	831
Title 2. Liability of the heir for the obligations of the estate (§§ 1967–2017)	872
Subtitle 1. Obligations of the estate (§§ 1967–1969)	873
Subtitle 2. Public notice to the creditors of the estate (§§ 1970–1974)	879
Subtitle 3. Restriction of the liability of the heir (§§ 1975–1992)	888
Subtitle 4. Filing of an inventory, unlimited liability of the heir (§§ 1993–2013)	926
Subtitle 5. Suspensive defences (§§ 2014–2017)	947
Title 3. Claim to inheritance (§§ 2018–2031)	950
Title 4. More than one heir (§§ 2032–2063)	969
Subtitle 1. Legal relationship of the heirs between themselves (§§ 2032–2057a)	969
Subtitle 2. Legal relationship between the heirs and the creditors of the estate (§§ 2058–2063)	1003
Division 3. Will (§§ 2064–2272)	1007
Title 1. General provisions (§§ 2064–2086)	1007
Title 2. Appointment of heirs (§§ 2087–2099)	1057
Title 3. Appointment of a subsequent heir (§§ 2100–2146)	1073
Title 4. Legacies (§§ 2147–2191)	1149
Title 5. Testamentary burden (§§ 2192–2196)	1186
Title 6. Executor (§§ 2197–2228)	1192
Title 7. The making and revocation of a will (§§ 2229–2263)	1263
Title 8. Joint Will (§§ 2265–2272)	1282
Division 4. Contract of inheritance (§§ 2274–2302)	1297
Division 5. Compulsory share (§§ 2303–2338)	1336
Division 6. Unworthiness to inherit (§§ 2339–2345)	1383
Division 7. Renunciation of inheritance (§§ 2346–2352)	1391
Division 8. Certificate of inheritance (§§ 2353–2370)	1404
Division 9. Purchase of an inheritance (§§ 2371–2385)	1426
Index	1445