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4. Auflage

Rechtstaschenbuch

MANZ 

Exekutionsrecht Matthias Neumayr

Michael Grötsch



Exekutionsrecht Matthias Neumayr:

Dispute Resolution in Austria Manfred Heider, Michael Nueber, 2015-10-16 This very useful book arms litigation and arbitration practitioners and in house counsel with a detailed description of the Austrian procedural law governing proceedings before both Austrian domestic courts and arbitral tribunals seated in Austria Divided equally between arbitration and litigation with a concluding chapter on the role of relevant international conventions and treaties the book provides a practical approach to users of the Austrian law on dispute resolution While it includes detailed references and examples of the jurisprudence of Austrian courts and the opinions of Austrian academics its great value lies in the straightforward answers it provides foreign lawyers to questions that arise during proceedings in Austria Issues and topics covered include the following the rules governing arbitration agreements and arbitrability the taking of evidence in arbitration interim measures costs recognition and enforcement of arbitral awards court structure and jurisdiction of Austrian courts the evidentiary proceedings before Austrian courts and European Civil Procedure This is the first detailed English language portrayal of the Austrian legal situation propos dispute resolution It allows practitioners to quickly grasp an overview of the Austrian practice in both arbitration and litigation while simultaneously ensuring the required depth to fully understand the legal background of this practice Russian Law Journal Dmitry Maleshin, The Russian Law Journal RLJ magazine is one of the first English language legal academic editions regularly published in Russia It is an All Russian interuniversity platform designed to promote Russian legal researches abroad The magazine is meant for both Russian and foreign readers including major world legal libraries academics and practicing lawyers International editorial board and editorial team are represented by professors from leading world centers of legal education and legal science like Harvard Yale Cambridge and La Sorbonne as well as by scientists from Russian law schools Moscow State University Kutafin Moscow State Law University Saint Petersburg State University Higher School of Economics Mediation Klaus J. Hopt, Felix Steffek, 2018-12-13 Mediation provides an attractive alternative to resolving disputes through court proceedings Mediation promises just results in the interest of all parties concerned a reduction of the court caseload and cost savings for the parties involved as well as for the treasury The European Directive on Mediation has given mediation in Europe new momentum by establishing a common framework for cross border mediation Beyond Europe many states have tried in recent years to answer the question whether and if so how mediation should be regulated at a national and international level The aim of this book is to promote the understanding and discussion of regulatory issues by presenting comparative research on mediation It describes and analyses the law and practice of mediation in twenty two countries Europe is represented by chapters on mediation in Austria Bulgaria England France Germany Greece Hungary Ireland Italy the Netherlands Norway Poland Portugal and Spain The world beyond Europe is analysed in chapters on mediation in Australia Canada China Japan New Zealand Russia Switzerland and the USA Against this background further chapters on fundamental issues identify possible

regulatory models and discuss central principles of mediation law and practice In particular the work considers harmonisation and diversity in the law of mediation as well as the economic and constitutional problems associated with privatising civil justice To the extent available empirical research is used as a point of reference in the critical analysis

Das elektronische Mahnverfahren Bartosz Sujecki, 2008 English summary Bartosz Sujecik examines the need for an introduction of an electronic order for payment procedure in the Dutch civil procedure In his study he compares the German and the Austrian order for payment procedures In addition he examines the framework of a future Dutch order for payment procedure by analyzing the European order for payment procedure as well as the constitutional requirements for an electronic order for payment procedure In conclusion the author shows that this procedure is required in the Netherlands as well and makes a proposal for a Dutch electronic order for payment procedure German description Mit der Einführung des Europäischen Mahnverfahrens erhalten niederländische Gläubiger eine neue Möglichkeit Geldforderungen gegen Schuldner aus anderen Mitgliedstaaten Danemark ausgenommen gerichtlich durchzusetzen doch beschränkt sich dies lediglich auf grenzüberschreitende Geldforderungen Das nationale niederländische Zivilverfahrensrecht kennt hingegen kein besonderes Gerichtsverfahren zur Durchsetzung von unbestrittenen Geldforderungen Bartosz Sujecki geht der Frage nach ob auch in der niederländischen Zivilverfahrensordnung die Notwendigkeit der Einführung eines rein nationalen Mahnverfahrens besteht Er demonstriert anhand der Darstellung der derzeitigen Rechtslage dass die Durchsetzung von Geldforderungen zwar schnell aber aufgrund der sehr formellen Verfahrensausgestaltung die einen Rechtsbeistand erforderlich macht auch teuer ist In einer anschliessenden rechtsvergleichenden Untersuchung des deutschen sowie österreichischen Mahnverfahrens verdeutlicht der Autor dass nicht nur das Mahnverfahren sondern vielmehr auch seine elektronische Durchführung eines erheblichen Rationalisierungs und Beschleunigungseffekts bedarf Er widmet sich dem gesetzlichen Rahmen eines zukünftigen niederländischen Mahnverfahrens wobei er zum einen das Europäische Mahnverfahren und zum anderen die verfassungsrechtlichen Grenzen eines elektronischen Mahnverfahrens darstellt und analysiert Der Autor schliesst seine Untersuchung mit einem Vorschlag für ein nationales elektronisches Mahnverfahren in den Niederlanden ab Vom

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