



Concluding, observing, and terminating contracts. That is how the German Civil Law works.

Germany is a country that greatly values freedom. Besides the freedom of opinion and religion there is also the freedom of contract. What does that mean for your daily life?

For example, if you want to use a smartphone, rent an apartment or exercise in a gym, you have to conclude a contract, either orally or in writing.

What provisions you set forth in such a contract is basically your free choice.

Normally, the state won't impose any restrictions and will not check the content of the contract. However, this freedom does entail responsibilities.

If, for example, you want to conclude a contract to buy a new smartphone, you should pay attention to the content very closely.

Make sure to check exactly what the total purchase price includes. Are there other monthly costs besides the one-time payment?

If you notice you cannot afford to pay the price, do not conclude the contract. Otherwise you will be punishable by law.

Contracts have to be observed and only in exceptional circumstances can they be terminated in advance, for example if they have been concluded outside the premises of a shop: either at the door, on the phone or in the street. Contracts concluded on the Internet may also be terminated early.

However, within 14 days you have to terminate them on your own. What happens if you can't fulfil a contract? Your contractual partner may call the court. The court then sends a bailiff who will try to get the money from you.

If that bailiff finds out that you won't be able to pay off the smartphone contract at all, it may well be that you will never get another contract again. But despite all these obligations, a contract also provides security. If you have been deceived, you may consult with a lawyer.

Should your contractual partner fail to fulfil their obligations - for example, if you never receive

the phone you paid for – you may also call a court. However, in no case are you permitted to take the law into your own hands.

Self-justice is prohibited in Germany. The court will examine the exact circumstances in a public hearing. If a settlement can be reached, the court passes judgement.

In doing so the court is completely independent and only bound by the Parliament's laws.

Bavarian State Ministry of Justice. Justice for the people.

