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CARLO BRUNOLD

Transactions of Minors in English and German Law

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by Carlo Brunold

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About the Book

Carlo Brunold's comparative legal analysis of the limitations placed on minors' ability to enter into and execute transactions in English and German law distinguishes between the laws of contract, property, and restitution of unjust enrichment to reveal the strengths and weaknesses of the two jurisdictions' strongly differing approaches. Whereas under English law minors can, in general, enter into contracts and perform their duties despite the fact that these contractual duties cannot be enforced against them, German law shifts the control over minors' transactions almost entirely to their parents, who can also enter into and execute transactions on behalf of their children. The latter concept is alien to English law, even though parents in both jurisdictions are subject to fiduciary duties with regard to their children's assets.

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