

Robert Magnus

Der Rückholanspruch

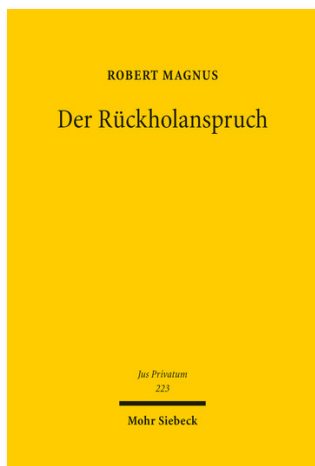
Die rückwirkende Grenze der Eigentumsfreiheit

[The »Rückholanspruch«. The Retroactive Limit of the Freedom of Ownership.]

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The term »Rückholanspruch« describes a right to subsequently render void a transaction that was valid when it was made and then reclaim assets that were dissipated through that transaction. Such reversal rights exist in insolvency, family and succession law, and although they are essentially identical, they are very differently regulated. Robert Magnus queries whether a uniformly designed claim exists here or should be considered.

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