

LAND LAW IN GERMANY

Contribution to the course Land Law from the perspective of comparison of laws

Contents

Preliminary remark: At the Faculty of Law of Universitas Gadjah Mada the courses are shared by several lecturers. This table informs about my lectures on 15.10. and 22.10.2024. They complement those of my colleagues *Edi Bosco Rafael* and *Dr. Alifa Prasasti Rahmanyangrum* from a comparative perspective.

§ 1 Introduction

- I. Why studying land law with a comparative approach?
- II. Backgrounds of land law in Germany
- III. The concept of land law and the position of land law in the spectrum of German law

§ 2 Important elements of land law in Germany

- I. The plot of land [Grundstück] as the central reference point of land law
- II. The land Register [Grundbuch]
- III. Types of land tenure rights in Germany
 - 1) Land ownership (real estate ownership) [Grundstückseigentum]
 - 2) Rights equivalent to land ownership [grundstücksgleiche Rechte]
 - 3) Other rights in rem to plots of land [dingliche Rechte]
 - 4) Rights under the law of obligations
- IV. Acquisition and alienation of land ownership
 - 1) General rules
 - 2) Special rules for the acquisition and alienation of ownership of agricultural and forestry land: land transaction law
 - 3) Land consolidation [Flurbereinigung]

§ 3 Land acquisition for public purposes

- I. The predominant practice: land acquisition by purchase
- II. The last resort: expropriation for the public good
 - 1) Constitutional background and terminology
 - 2) Legal requirements
 - 3) The expropriation procedure
- III. The compensation in case of expropriation for the public good

§ 4 Land reform in Germany

- I. Calls for land reform in German history
- II. No real land reform in West Germany after 1945
- III. The land reform in the Soviet occupation zone 1945 - 1949

More information on this course contribution at www.thomas-schmitz-yogyakarta.id. For any questions, suggestions and criticism please contact me via WhatsApp or e-mail (tschmit1@thomas-schmitz-eu.de).