

# HEINE LAW REVIEW

Citation Guidelines



29 November 2024

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## I. Selection of Sources

In order to refer to concepts and institutions that are not directly mentioned “in black and white” by the very law itself, but are nevertheless taken for granted in German legal discourse, English-language sources instead of German ones should be used if available.

## II. Treatment of Certain Publications

### *German Commentaries*

OSCOLA does not provide a method to cite a distinct type of German legal literature in which several authors comment on different articles or paragraphs of a given statute. We have chosen that these should be cited as contributions to edited books, i.e. “Uwe Kischel, ‘Vor Art 3 GG’ in Volker Epping and Christian Hillgruber (eds), *Beck’scher Online-Kommentar Grundgesetz* (55<sup>th</sup> edn, C.H. Beck May 2023)”.

In case the commentary as a whole is attributed to a single or multiple authors without discriminating between authors and editors, it should be cited as a book, i.e. “Hans Jarass and Martin Kment, *Grundgesetz für die Bundesrepublik Deutschland. Kommentar* (17<sup>th</sup> edn, C.H. Beck 2022) Artikel 5 fn 68”.

When pinpointing paragraphs, add “para” or “paras” at the end of the citation.

### *Articles in German Journals*

Although less common than in English publications, citations taken from German journals should nevertheless include the volume number in addition to the year in which the article concerned was published, i.e. “Gloria Berghäuser, ‘Die Strafbarkeit des ärztlichen Anerbietens zum Schwangerschaftsabbruch im Internet nach § 219a StGB – eine Strafvorschrift im Kampf gegen die Normalität’ (2018) 73 JZ 497”.

### *Court Decisions*

In accordance with OSCOLA 4th edition, court decisions should be cited just as they would be in their country of origin. Hence, German judgements are referred to by the deciding court, as well as either by their publication in a journal, or their date and docket number, i.e. “AG Daun FamRZ 2008, 1897”. Further explanations - in the case of the aforementioned example, for instance, “Local Court in Daun (Rhineland-Palatinate), may be provided either in the article's running text, or in the footnotes following the citation.

### *Legislative Material*

As per OSCOLA, the established fashion of citing material published by either Houses of the German parliamentary apparatus (the Bundestag and the Bundestag) or state parliaments - BT-Drs. and corresponding abbreviations - has to be stripped of full-stop (i.e. “BT-Drs”). The

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type of document may be described further, and should in some cases even be explained if appropriate, i.e. “government proposal”, “opposition proposal” etc. Page numbers may also be added (“BT-Drs 19/4020, 3”).

## *Statements and Similar Documents*

Statements and similar documents not published as legislative materials but as PDFs online may be cited as websites would, only adding page numbers, i.e. “statement by Anna Katharina Mangold (Bundestag, 18 May 2022)  
<[www.bundestag.de/resource/blob/895972/60a356c1cc9ad1e8a76e13dd572850ba/Stellungnahme-Mangold.pdf](http://www.bundestag.de/resource/blob/895972/60a356c1cc9ad1e8a76e13dd572850ba/Stellungnahme-Mangold.pdf)> accessed 26 November 2023, 5”.

## *Videos*

Videos found online are quoted just like online articles, but omitting the institution. The access date may be followed by a pinpoint, i.e. “Günther Stampf and Thomas Müller, ‘Der Kannibale von Rotenburg: Das Interview – Ungekürzt und Unzensiert’ (2008)  
<<https://www.youtube.com/watch?v=Bv81Go7eHjw>> accessed 24 July 2024, 00:07:00”.

## III. Uniform Translations of Certain Vocabulary

### Courts

Amtsgericht – Local Court

Landgericht – Regional Court

Oberlandesgericht – Higher Regional Court

Kammergericht Berlin - Higher Regional Court for Berlin

Bundesgerichtshof – Federal Court of Justice

Bundesverfassungsgericht – Federal Constitutional Court

Reichsgericht - Reich Court

### Administrative Authorities

Bundesjustizministerium - Federal Ministry of Justice

### Corporate Bodies Under Public Law

Bundesärztekammer - Federal Medical Association

### Important Statutes

Grundgesetz (GG) - Basic Law / German Constitution

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Bürgerliches Gesetzbuch (BGB) - German Civil Code

Strafgesetzbuch (StGB) - German Criminal Code

Sozialgesetzbuch (SGB) - German Social Act

Allgemeines Gleichbehandlungsgesetz (AGG) - General Equal Treatment Act

Gesetz gegen den unlauteren Wettbewerb (UWG) - Law on Fair Trading Practices

## References

Artikel (Art.) - Article(s) or Art/Arts

Paragraph (§) - section or s/ss

Absatz (Abs.) - paragraph(s) or para/paras (alternatively: e.g. “section 17(2)”)

Satz (S.) - sentence(s) or sent/sents

Buchstabe/Ziffer - lit