



# Der Begriff des Betriebsübergangs (German Edition)

*Kiriaki Apelidou*

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## **Der Begriff des Betriebsübergangs (German Edition)** Kiriaki Apelidou

Studienarbeit aus dem Jahr 2006 im Fachbereich Jura - Zivilrecht / Arbeitsrecht, Note: 1,0, Technische Universität Darmstadt (Institut für Rechtswissenschaften), Veranstaltung: Entwicklungstendenzen im europäischen Arbeitsrecht, 8 Quellen im Literaturverzeichnis, Sprache: Deutsch, Abstract: Betriebe werden im Ganzen verkauft, Bereiche werden ausgegliedert oder im öffentlichen Bereich privatisiert. Der Umfang kann unterschiedlich sein, doch es handelt sich in allen Fällen um einen Betriebsübergang. Mit der Einführung des § 613a in das BGB im Jahre 1972 sollte eine Lösung gefunden werden, die hinsichtlich der Rechtsfolgen eines Betriebsübergangs Klarheit schafft.

Dennoch ist die Frage nach dem Vorliegen eines Betriebsübergangs, sowohl in der Anwendung des § 613a BGB wie auch der ihm zugrunde liegenden Richtlinie 77/187/EWG (2001/23EG) unter verschiedensten Gesichtspunkten streitig.

Schwierigkeiten in der einheitlichen Auslegung des Begriffes Betriebsübergang zeigen sich sowohl im EuGH, wie im BAG.

Im Rahmen dieser Arbeit soll versucht werden die Problematik des Begriffes Betriebs(teil)übergang näher zu erörtern und anhand von ausgewählten Entscheidungen zu erleuchten.

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