



Responsibility of sales organizations for the criminal behavior of an agent

Responsibility of sales organizations for the criminal behavior of an agent

GRP Rainer Lawyers Tax Consultants, Cologne, Berlin, Bonn, Düsseldorf, Hamburg, Munich, Stuttgart, Frankfurt www.grprainer.com inform: According to this judgement sales organizations which provide capital investments are liable for the criminal conduct of their consultants. The decision was based on the following record: A representative of a financial consulting firm liquidated a customer's investment funds and transferred the sales value to his private account by forging the customer's signature. The court saw a close relationship between the professional activities of the representative and his criminal actions in this case.

Considering the judgement, the advice provided by the representative established a contractual relationship within the meaning of § 311 Section 2 No. 3 BGB with duties under § 241 para 2 BGB, because the advice was accompanied by the authorization of said representative to continuously disclose to the customer information that is generally subject to banking secrecy.

In the case at hand, this obligation had been violated by the representative. The Federal Supreme Court held that the defendant sales organization was liable in accordance with § 278 p.1 BGB. The Court established this perception with the fact that the representative had come in contact with the infringed legal assets of his customer precisely by means of his professional activity, which ultimately enabled him to sell the customer's capital investments.

An experienced lawyer in financial law can help you to enforce your rights. He can evaluate your case and inform you about the possible proceedings.

Commercial law is the branch of civil law which governs commercial transactions. Commercial law thus includes provisions relating to the legal relationship between the merchant and his business partners, as well as competition and corporate relations with other entrepreneurs. The most important source of law is the German Commercial Code.

<http://www.grprainer.com/en/Commercial-Law.html>

Pressekontakt

GRP Rainer LLP Lawyers Tax Advisors

Herr Michael Rainer
Hohenzollernring 21-23
50672 Cologne

grprainer.com/en
press@grprainer.com

Firmenkontakt

GRP Rainer LLP Lawyers Tax Advisors

Herr Michael Rainer
Hohenzollernring 21-23
50672 Cologne

grprainer.com/en
press@grprainer.com

GRP Rainer LLP www.grprainer.com/en/ is an international firm of lawyers and tax advisors who are specialists in commercial law. The firm counsels commercial and industrial companies and corporations, as well as associations, small- and mid-sized businesses, self-employed freelancers and private individuals worldwide from offices Cologne, Berlin, Bonn, Dusseldorf, Frankfurt, Hamburg, Munich, Stuttgart and London UK.

Anlage: Bild

