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2

384

1

2002



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<sup>4</sup>

<sup>5</sup>

<sup>6</sup> 1977

2005

1968

311

18

1980

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7

Hueck

2003 359

8

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39

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10 --< > 2004  
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11





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24				2004	261
25					
26	23	2	3	2004	262
27					
28	23			2004	263









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<sup>35</sup>  
36 [ ]

1894

[ ]

2012 237

2012 37

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37

38      2012                  234  
39      [ ]

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2012                  240~241  
2003                  4~5





## **Comparison of Chinese and German standard terms of legal regulation**

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**Abstract:** Legal regulation have plays a very important role in many cases, the German legislation on this issue has gone from a special law to incorporate the process of the Civil Code, its provisions clear logic, In China's "Contract Law", there are serious shortcomings and deficiencies on the Standard terms .We need to constantly improve. And many countries, including Germany, can provide reference for our country in this regard. By examining comparative law, We should improve the legislative technique, and handle the relationship between the legislative, judicial and legal research, to achieve positive interaction between the three.

**Key words:** Standard Terms Legal Regulation Improve

, . [J].  
, 2004, (1): 63.