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Abstract:

The publication introduces to the Polish readers the Austrian Civil Code (ABGB). The 200 years binding of this regulation in the Austrian legal order has given a great opportunity to present this legal document. The article focuses on the importance of the jurisdiction in the Austrian civil law. It is to emphasized that the judges adjudicating on basis of the Austrian Civil Code (ABGB) enjoys a great legislator's confidence and they have much discretion. Particularly it is showed what is the influence of the historical stream and pandects on the regulation of the Austrian Civil Code (ABGB) and the jurisdiction. Separately there is considered the impact of the social transformations upon the interpretation of the provisions of the binding Austrian Civil Code (ABGB).