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COMPANY LAW AND ECONOMIC PROTECTIONISM

NEW CHALLENGES TO
EUROPEAN INTEGRATION

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Company Law And Economic Protectionism New Challenges To European Integration

P.M. Vasudev, Susan Watson



Company Law And Economic Protectionism New Challenges To European Integration:

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The Nature of Corporate Governance Janet Dine, Marios Koutsias, 2013-01-01 This book presents a thoughtful inquiry into the nature and rationale of corporate governance The authors address fundamental questions including What is the balance between ownership and control For whose interests should the company be run What is the institutional balance between shareholders directors and other potential stakeholders including the economy Professor Dine and Dr Koutsias consider how these issues are dealt with by the jurisprudence of three major and greatly influential jurisdictions the USA the UK and Germany and also reflect on why and how the current corporate governance context in some states is defined by social political and historical developments The authors argue that corporate governance is crucial for the identity of each country What is revealed in the work is that when national corporate governance is thriving it allows space for democracy to flourish Corporate governance scholars policy makers LLM and LLB students of company law and corporate governance NGOs involving issues of inequality poverty and democracy will find this important book an insightful resource

International Investment Law and Competition Law Katia Fach Gómez, Anastasios Gourgourinis, Catharine Titi, 2020-05-23 This EYIEL special issue examines the interaction between international investment law and competition law Although issues related to both international investment law and competition law arise regularly in international legal practice and are examined together scholarly analysis largely treats them as parallel universes As a result their actual and potential overlap has yet to be sufficiently explored In this light *International Investment Law and Competition Law* discusses a variety of topics at the intersection of investment and competition including the interaction between competition related provisions and investment protection standards in free trade agreements investors anti competitive behaviour and illegal investments state aid schemes and foreign investors legitimate expectations EU member States compliance with investment awards as illegal state aid under EU law State owned enterprises and competitive neutrality and interactions between public procurement investment and competition law

Reviewing European Union Accession Tom Hashimoto, Michael Rhimes, 2017-09-25 The year 2017 has been an uneasy one for the EU with so called Brexit on the horizon and the rise of populist euroskepticism in a number of Member States This year with the tenth anniversary of the Romanian and Bulgarian accession to the Union is a good year to pause and reflect over the life and future of the Union In this work we envision the next decade with Europe 2020 strategy and review the fruits of the 2004 accession

in Central and Eastern Europe What has the Union achieved Which policy areas are likely to change and how How successful and by what measure has the accession of the 10 Member States in 2004 been Reviewing European Union Accession addresses a wide range of issues deliberately without any thematic constraints in order to explore EU enlargement from a variety of perspectives both scientific and geographical internal and external In contrast to the major works in this field we highlight the interrelated and often unexpected nature of the integration process hence the subtitle unexpected results spillover effects and externalities *The Regulatory Aftermath of the Global Financial Crisis* Eilís Ferran, 2012-11-15 Provides an unrivalled understanding of major regulatory reforms that will profoundly affect the future of finance

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economy institutionalist systems of capitalism structuralist dependency scholarship and world systems theory The contributors deal with the theory of economic patriotism in a conceptual framework as well as case studies regarding rent seeking behaviour the patronage state in Hungary and Poland the conflict between national regulation and the European legal framework and the perspective of wage relations in the European institutional framework The book concludes with the legacy of developmentalism and dirigisme in a core periphery relation based on the French state and a range of non European cases including Iran Brazil and Egypt *States, Firms, and their Legal Fictions* Melissa J. Durkee, 2024-03-07 Corporations and states are creatures of law that claim rights trade roles and avoid responsibility based on legal concepts in international and domestic law Using the concept of attribution as a touchstone this cross disciplinary book explores the law s diverse ways of constructing the identities and responsibilities of firms and states **Comparative Takeover Regulation** Umakanth Varottil, Wai Yee Wan, 2017-10-26 While Western economies generally display dispersed shareholding in listed companies Asian economies commonly have concentrated shareholding also in publicly listed companies The principal analysis in *Comparative Takeover Regulation* relates to the role of takeover regulation in different economies In the Asian context the nature of takeover regulation may necessitate a different approach with greater emphasis on the mandatory bids and disclosure of substantial shareholding The likelihood of hostile takeovers will be minimal It is these differences among various jurisdictions that strike at the heart of Varottil and Wan s new work Ideal for educational institutions that teach corporate law corporate governance and mergers and acquisitions as well as for law firms corporate counsel and other practitioners *Comparative Takeover Regulation* provides students and scholars with brand new analysis of this increasingly important field of study **The Deconstruction of Equity** Wolf-Georg Ringe, 2016-09-15 New investment techniques and new types of shareholder activists are shaking up the traditional ways of equity investment that informs much of our present day corporate law and governance Savvy investors such as hedge funds are using financial derivatives securities lending transactions and related concepts to decouple the financial risk from shares This leads to a distortion of incentives and has potentially severe consequences for the functioning of corporate governance and of capital markets overall Taking stock of the different decoupling strategies that have become known over the past several years this book then provides an evaluation of each from a legal and an economic perspective Based on several analytical frameworks the author identifies the elements of equity deconstruction and demonstrates the consequences for shareholders outside investors and capital markets On this basis the book makes the case for regulatory intervention based on three different pillars and comprising disclosure voting right suspension and ex post litigation The book concludes by developing a concrete comprehensive proposal on how to address the regulatory problem Overall this book contributes to the debate about activist investment and the role of shareholders in corporate governance At the same time it raises a number of important considerations about the role of equity investment more generally *Global Capital Markets* P.M. Vasudev, Susan Watson, 2017-08-25 This topical volume

examines key developments in the law regulating capital markets drawing on examples from around the world including United States Canada Europe China India and New Zealand With perspectives from international scholars chapters look at current issues including the regulation of crowdfunding efforts in Europe for shareholder empowerment hedge fund activism in Canada international regulatory cooperation and regulation of corporate governance in China through securities law rules

The Law on Corporate Governance in Banks Iris H-Y Chiu, Michael McKee, 2015-02-27 Corporate governance in financial institutions has come under the spotlight since the banking crisis in the UK in 2008 9 In many respects the banking business raises unique problems for corporate governance that are not found in other corporate sectors *Founders without Limits* Bobby Reddy, 2021-11-11 The first comprehensive collation of the international history of and evidence on dual class stock and their relevance to UK policy *Corporate Groups and Shadow Business Practices* Linn Anker-Sørensen, 2022-04-28 This book analyses innovations of structuring corporate groups and regulatory limitations of group transparency and proposes Systems Thinking as solution **Comparative Corporate Governance** Andreas M. Fleckner, Klaus J. Hopt, 2013-07-11 The business corporation is one of the greatest organizational inventions but it creates risks both for shareholders and for third parties To mitigate these risks legislators judges and corporate lawyers have tried to learn from foreign experiences and adapt their regulatory regimes to them In the last three decades this approach has led to a stream of corporate and capital market law reforms unseen before Corporate governance the system by which companies are directed and controlled is today a key topic for legislation practice and academia all over the world Corporate scandals and financial crises have repeatedly highlighted the need to better understand the economic social political and legal determinants of corporate governance in individual countries Comparative Corporate Governance furthers this goal by bringing together current scholarship in law and economics with the expertise of local corporate governance specialists from twenty three countries **Rethinking Corporate Governance** Alessio Paces, 2013-01-17 The standard approach to the legal foundations of corporate governance is based on the view that corporate law promotes separation of ownership and control by protecting non controlling shareholders from expropriation This book takes a broader perspective by showing that investor protection is a necessary but not sufficient legal condition for the efficient separation of ownership and control Supporting the control powers of managers or controlling shareholders is as important as protecting investors from the abuse of these powers Rethinking Corporate Governance reappraises the existing framework for the economic analysis of corporate law based on three categories of private benefits of control Some of these benefits are not necessarily bad for corporate governance The areas of law mainly affecting private benefits of control including the distribution of corporate powers self dealing and takeover regulation are analyzed in five jurisdictions namely the US the UK Italy Sweden and the Netherlands Not only does this approach to corporate law explain separation of ownership and control better than just investor protection it also suggests that the law can improve the efficiency of corporate governance by allowing non controlling shareholders to be less powerful *The*

Eurosceptic Challenge Clara Rauchegger, Anna W Ghavanini, 2019-09-19 In recent years Eurosceptic and nationalist forces have been gaining ground in the European Union Their rhetoric has changed the political discourse shaking the ideal of an ever closer union to its core However the specific legal changes brought about by this political turn have often remained obscure How does Euroscepticism manifest itself in the law and policies of the EU Member States This book seeks to understand to what extent Eurosceptic attitudes translate into legislative administrative and judicial practices that challenge EU law and governance in the Member States It reveals the many facets of national resistance that the EU is currently facing ranging from open defiance to ignorance of EU law It includes perspectives from the entire Union from old and new western and eastern troublesome and ostensibly compliant Member States Bringing together experts from law and political science this timely book offers unique insights into the reception and sometimes rejection of EU law in the Member States It is essential reading for anyone interested in the current challenges and the future of the European Union

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