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the EC Treaty.

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Mads Andenas

An increasing EU harmonisation is taking
place through the Company Law Directives,
and the free movement of companies is also

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The driving forces of comparative company law can be traced back to the spread of the 1930s' U.S. securities regulation into European Union member states, Eastern European states, and also China; the

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harmonization efforts of the European Community since the late 1950s; and most recently, the international rise of the corporate governance and code movements in the 1990s that had some famous origins in the United Kingdom.

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stakeholders rights in Europe, International and Comparative Corporate Law Journal, 10 (1), 80 – 97. Clift B. (2009) The second time as farce? The EU Takeover Directive, the clash of capitalisms and the hamstrung harmonization of European (and French) corporate governance, Journal of Common

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Market Studies, 47 (1), 55 – 79.

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degree in business law by gaining an in-depth exposure to the theory and practice of company law in Europe and acquiring the tools for dealing with cross-border transactions involving listed companies.

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When comparing the laws of different jurisdictions, one often sees only the forest or the trees. This is particularly problematic in comparative company law, where students hope both to understand the overall framework of the law and grasp its practical application. This text's structure, now in its second edition, solves that

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company law is at once very old and very
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trade has not stopped at the frontiers of
countries and states the persons concerned
practitioners as well as rule makers had to

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look beyond their own city country rules
and laws

An examination of important aspects of the
company laws of seven European countries.

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Comparative Company Law provides a systematic and coherent exposition of company law across jurisdictions, augmented by extracts taken from key judgments, legislation, and scholarly works. It provides an overview of the legal framework of company law in the US, the UK, Germany, and France, as well as the

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legislative measures adopted by the EU and the relevant case law of the Court of Justice. The comparative analysis of legal frameworks is firmly grounded in legal history and legal and economic theory and bolstered by numerous extracts (including extracts in translation) that offer the reader an invaluable insight into how the law

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operates in context. The book is an essential guide to how company law cuts across borders, and how different jurisdictions shape the corporate lifespan from its formation by way of incorporation to its demise (corporate insolvency) and eventual dissolution. In addition, it offers an introduction to the nature of the

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corporation, the framework of EU company law, incorporation and corporate representation, agency problems in the firm, rights of stakeholders and shareholders, neutrality and defensive measures in corporate control transactions, legal capital, piercing the corporate veil, and corporate insolvency and restructuring law.

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This successful textbook remains the only offering for students of European company law, and has been fully updated.

Presents in-depth, comparative analyses of German, UK and US company laws illustrated by leading cases, with German

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cases in English translation.

As attention moves rapidly towards comparative approaches, the research and teaching of company law has somehow lagged behind. The overall purpose of this book is therefore to fill a gap in the literature by identifying whether conceptual

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differences between countries exist. Rather than concentrate on whether the institutional structure of the corporation varies across jurisdictions, the objective of this book will be pursued by focusing on specific cases and how different countries might treat each of these cases. The book also has a public policy dimension, because

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the existence or absence of differences may lead to the question of whether formal harmonisation of company law is necessary. The book covers 12 legal systems from different legal traditions and from different parts of the world (though with a special emphasis on European countries). In alphabetical order, those countries are:

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Finland, France, Germany, Italy, Japan, Latvia, the Netherlands, Poland, South Africa, Spain, the UK, and the US. All of these jurisdictions are subjected to scrutiny by deploying a comparative case-based study. On the basis of these case solutions, various conclusions are reached, some of which challenge established orthodoxies in

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the field of comparative company law.

Taking a text, cases and materials approach, this is the first and only student textbook on European company law, providing an insight into the subject and shedding light on its future development. Textboxes for explanatory commentary, cases and

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materials - such as EU legislation, official documents and excerpts from scholarly papers - are clearly differentiated from the text, allowing the student to quickly identify sources. Each chapter also includes suggestions for further reading. Structured in seven parts, the book explores a diversity of topics, from what European company law is,

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the common rules for establishing, financing and accounting a company, and corporate governance, to the structure of the Societas Europaea Statute, EU company law directives, capital markets and takeover law, and insolvency. An essential resource for the growing number of graduate courses on European company law, European business

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law, and comparative corporate law.

This fully updated new edition provides the best-known practical overview of the law regarding companies, business activities, and capital markets in Europe, at both the European Union (EU) and Member State levels. It incorporates analysis of recent

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developments including the impact of global initiatives in such aspects of the corporate environment as regulation of financial institutions and non-financial reporting obligations with a view to sustainability and other social responsibility concerns. The authors, all leading experts in European corporate law, describe current and

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emerging trends in such areas of corporate law practice as the following: - rules on cross-border mergers; - employee involvement in business activities; - the initiatives by the Organisation for Economic Co-operation and Development (OECD) and the EU to curb tax avoidance; - Member States ' implementation of EU legislation; - a

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company ' s freedom to incorporate in a jurisdiction not its own; - competition among the legal forms of different Member States; and - safeguarding of employee involvement in cross-border transactions. With respect to national law, the laws of Belgium, France, Germany, the Netherlands, Poland, Spain, and the United

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Kingdom are taken into account; Italy is now included in this new edition. As in earlier editions, the authors demonstrate that analysis and comparison of national corporate laws yield highly valuable general principles and observations, not least because business organizations, wherever located, tend to show a fundamentally

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similar set of legal characteristics. The Third Edition will continue to be of great value to practitioners and academics who wish to acquire a better understanding of European corporate law, in its supranational dimension as well as in the similarities and differences among the various national legal systems.

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An examination of important aspects of the company laws of seven European countries.

This book is a multipurpose text that can be used in any class with a focus on comparative legal systems for corporations, taught in the U.S. or abroad. It contains

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cases, statutes, analysis and readings, the majority of which are from foreign jurisdictions. It also has extensive notes and questions. The focus is primarily on the U.S., U.K., major European continental civil law systems (France, Germany, Italy) and European Union law, and Japan; with references to other jurisdictions such as

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China, India and Brazil. In addition to law schools, the book may also appeal to non-law school professors of business administration, economics, and political science. In setting out to produce a casebook to meet the needs of students in different legal systems and on both introductory and advanced courses, make a

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contribution to scholarly debates and address practical and policy concerns, the authors set themselves ambitious goals, which they have amply achieved. This methodologically rigorous, insightful and stimulating book is rich in technical content but details are never allowed to obscure the main questions. The distinguished authors

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wear their scholarship lightly and the book is written in an admirably clear and accessible style. This book is a major addition to the growing literature on comparative corporate law and it is destined to shape the way we think about and teach the subject. Eil í s Ferran, Professor of Company and Securities Law, Faculty of Law, University of

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Cambridge Corporate law rules vary considerably around the world, and there is much that students of corporate law can learn from a comparative analysis of how different systems deal with similar problems. This casebook, co-authored by a group of experts with a rich set of perspectives, is thus a valuable and welcome addition to the

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literature. Lucian A. Bebchuk, Professor of Law, Economics and Finance, Director, Program on Corporate Governance, Harvard Law School This excellent book is a welcome addition to the still relatively sparse comparative corporate law literature. It is a wonderful teaching resource and a useful reference for the scholar. Tan Cheng Han,

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Professor of Law and Chairman, Centre for Law & Business, Faculty of Law, National University of Singapore [Comparative Corporate Law by Ventoruzzo and others] is both comprehensive and readily understandable. I think it will be a significant addition to both the literature and teaching material on comparative corporate

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governance. Martin Lipton, Founding Partner, Wachtell, Lipton, Rosen & Katz In-house counsels of firms operating internationally will find the book a practical and useful tool. Your own corporate issues aren't so unique after all, learning how others have approached theirs, across the world, is both instructive and refreshing, a

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must read! Antonino Cusimano, General Counsel and Secretary to the Board of Directors, Telecom Italia The materials collected and translated in English are precious and fascinating for a broad and international audience. The richness of the book is not, however, only in the materials carefully selected and sewn together, but also

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in the stitches that fasten them: The introductions, notes and questions, economic insights and empirical data that connect the materials allow readers to consider the causes and consequences of different legal rules in different systems, and compare different regulatory strategies.

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Brazil This book proves not only that
corporate law is global, but also that a global
approach is essential in order to understand
the laws of different countries and how they
interact. The book, innovative in both
methodology and contents, will be

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indispensable for anyone who studies and practices corporate law

This book uses the philosophy of Thomas Kuhn to provide a new vision of the development of European comparative law that will challenge and inspire scholars in the field. With the 'empathic' use of some ideas

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from Kuhn's theories on the history of science – paradigm, paradigm-shift, puzzle-solving research and incommensurability – the book rethinks the modern history of European comparative law from the late 19th century to the modern day. It argues that three major paradigms determine modern comparative law: - historical and

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comparative jurisprudence, - droit comparé, and - post-World War II comparative law. It concludes that contemporary methodological trends are not signs of a paradigm-shift toward a postmodern and culturalist understanding of comparative law, but that the new approach spreads the idea of

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methodological plurality.

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