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Andrew Muscat

<u>International Corporate Law - Volume 2 2002</u> Fiona Macmillan, 2003-05-30 This book contains essays and country reports from across the globe in the area of international and comparative corporate law.

The Liability of the Holding Company for the Debts of its Insolvent Subsidiaries Andrew Muscat, 2016-12-05 This work deals with the liability of the holding company for the debts of its insolvent subsidiaries. In analyzing the current position under English law, the work challenges as outmoded and inadequate the virtual dogma that a holding company is not answerable for the debts of its insolvent subsidiaries. The study identifies four separate and distinct types of behavioural practices within corporate groups which may prejudice the interests of external creditors or otherwise constitute an abuse of the corporate form; the subservient subsidiary situation; the inadequately financed subsidiary situation; the integrated economic enterprise situation; and the group persona situation. After weighing the various arguments for and against a change in the law and concluding that reform is called for, the study proceeds to submit some radical proposals for reform. The basic thrust of the reform proposals is that in a number of well-defined situations entity law should give way to an enterprise analysis and holding company liability should be imposed for the debts of insolvent subsidiaries.

The Conflict of Laws Adrian Briggs, 2019-10-24 This invaluable introduction to the study of the conflict of laws provides a survey and analysis of the rules of private international law as they apply in England. Written to take account of the various possible outcomes of the Brexit process, it goes as far as is possible to make sense of the effect it will have on English private international law. The volume covers general principles, jurisdiction, and the effect of foreign judgments; the law applicable to contractual and non-contractual obligations, the private international law of property, of adults (the increasingly complex law of children is described in bare outline), and of corporations. It does so in a manner which explains and illuminates the principles which underpin the subject in a clear and coherent fashion, as the wealth of literature, case law, and legislation can often obscure the architecture of the subject and unnecessarily complicate its study. This new edition organizes the existing material in light of European legislation on private international law, reflecting the way in which an accurate representation of the topic requires it to be interpreted as European law with a common law periphery, instead of common law with European legislative influences. As at the time of writing - and possibly for some time to come - the consequences of Brexit are a mystery, but the attempt is made to describe the various possible shapes which the subject will assume in the

future. The book adopts a pragmatic approach and avoids the more abstract theory; as the theory of the conflict of laws is actually to be found in and by applying the legislation and jurisprudence to the cases and issues which arise in private international litigation and in giving legal advice.

Res Judicata, Estoppel, and Foreign Judgments Peter R. Barnett, 2001 This book re-examines the doctrines of res judicata and abuse of process when applied to foreign judgments, and analyses how they are relied upon in English proceedings. The book clearly explains the four main pleas to which a foreign res judicata might give rise in subsequent proceedings in England.

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Elements of Private International Law Winston Anderson, 2003

Comparative Corporate Governance Petri Mäntysaari,2006-01-16 An analytical overview of the regulation of shareholder activism in the UK and Germany. The book shows how the comparative legal method can be used in the study of the corporate governance systems of different countries. It deals with the regulation of the governance of listed companies within a wide framework that recognises the importance of company law, securities markets law, standards and internal rule-making.

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Collier's Conflict of Laws Pippa Rogerson, 2013-06-06 Updated and refreshed version of this classic text for a new generation of students.

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