

Regulating The Closed Corporation European Company And Financial Law Review Special Volume

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The European Union and the Regulation of Media Markets Alison Harcourt 2005 National broadcasting and press regulation is undergoing a process of convergence in Europe. This book explains how this process has been shaped by the actions of the European Union (EU) institutions. Alison Harcourt observes that whilst communications is one of the EU's most successful policy areas, European decision-making is eroding the national capacity to regulate for the public interest and has created a situation of regulatory arbitrage in Europe. European-level efforts to protect public interest goals have been constrained by the European Treaties. The author argues that increased European coordination in public interest regulation could be more conducive to growth and competitiveness than the dismantling of existing national laws. This, however, would require changes to the political composition of the European Union.

On European Companies in Private International Law Maria Kaurakova 2017 Currently nobody doubts a significant role of corporations, being not only a primary legal and social, but also economic form of involvement of the multitude as one party in civil and business turnover traditionally presenting high risks. And it is true that, the European Union has long fixed its eyes on perspectives of its economic and political rise, which also may be stimulated by support of the cross-border activity of corporations suited to the dimensions of the Single Market. As may be read between the lines of numerous legal acts of the European Union, the dynamic and ever-increasing Single Market requires rational legal forms, models and institutions to be introduced by the relevant legal instruments.

Rail Economics, Policy and Regulation in Europe Matthias Finger 2015-09-25 The European railway sector has undergone profound and predominantly institutional changes over the past 20 years, due to the initiatives of the European Commission. This book constitutes a first systematic assessment and account of the recent transformations of the industry along a series of critical yet contentious issues such as competition, unbundling, regulation, access charging, standards and interoperability, and public-private partnerships. It also covers the main railways sectors including passenger transport, high speed and freight.

Mapping European Corporations Andrea Colli 2013-09-13 This book addresses the evolution of the strategies, structures, ownership patterns and performances of large European corporations since the early 1960s. The authors study large and small countries, in order to understand how the process of economic integration has affected the patterns of growth and the structural characteristics of the largest firms. Drawing both on extensive databases and on case studies, the contributions in this volume address the peculiar specificities of large firms in different national contexts, adopting a longitudinal, long term perspective. This volume delivers the first results of an international, collective research effort undertaken by several national teams. The 'Mapping Corporate Europe' project aims to provide a detailed account of the structural traits of the European Corporation in a framework which includes (i) a chronological analysis over 50 years, starting with the Rome treaty in 1957; (ii) geographical extension beyond previous analyses for France, Germany and the UK, by including smaller countries; (iii) firms from other industries in addition to manufacturing companies; and (iv) attention to internationalisation of European firms. These analyses form the basis of a rich description of the developments of large European corporations over the past five decades, using both qualitative and quantitative approaches. This book was originally published as a special issue of Business History.

Luxembourg Company Laws and Regulations Handbook - Strategic Information and Basic Laws IBP, Inc 2008-03-03 Luxemburg Company Laws and Regulations Handbook
Libya Company Laws and Regulations Handbook Volume 1 Strategic Information and Basic Laws IBP, Inc. 2013-08-01 Libya Company Laws and Regulations Handbook Volume 1 Strategic Information and Basic Laws

The Regulation of Power Exchanges in Europe Martha M. Roggenkamp 2005 This volume represents an initial effort to analyse the role of power exchanges in Europe and evaluate their impact on the European electricity industry.

European Corporate Law Adriaan F.M. Dorrestein 2016-04-24 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 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 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 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 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 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.

Regulating Corporate Governance in the EU L. Horn 2011-11-22 In the context of the financial and economic crisis, corporate governance and regulatory supervision failures, Laura Horn investigates one of the defining questions in social power relations in contemporary capitalism: who controls the modern corporation, and why.

The Multinational Challenge to Corporation Law Phillip I. Blumberg 1993-04-08 Modern multinational corporate groups of incredible complexity conducting world enterprises through numerous subsidiaries have rendered traditional corporation law archaic. The traditional concept of each corporation as a separate legal unit clashes with modern economic realities and frustrates effective regulation when applied to affiliated corporations collectively conducting a common enterprise. In response, there is emerging a law of corporate groups directed at the enterprise rather than its corporate components. As national legal systems begin to apply enterprise law to multinationals, including their foreign companies, the resulting extraterritorial application of national law inevitably leads to international controversy. Resolution of the problems presented by conflicting national regulation of multinational enterprises presents a major challenge to international law and foreign relations law, as well as to corporation law. This volume is a comprehensive review and analysis of these major legal developments and their economic and political implications. It concludes with a pathbreaking analysis of the jurisprudential implications of the changing corporate personality in enterprise law focusing on economic organization rather than on the conceptualized legal entity of yesterday.

Structure and regulation of financial firms and holding companies United States. Congress. House. Committee on Government Operations. Commerce, Consumer, and Monetary Affairs Subcommittee 1986

International Handbook on Shareholders' Agreements Sebastian Mock 2018-05-07 Shareholders' Agreements have a growing influence on the general understanding of corporate law since they bind not only the shareholders but also affect the constitution of the corporation and can have a severe impact on capital markets. Therefore, Shareholders' Agreements are more and more subject to regulation in corporate, capital market and also insolvency law on the national, the European and the international level. This handbook provides a general examination of conceptual questions of Shareholders' Agreements and provides an analysis of the regulation of Shareholders' Agreements in European and international law and of the national law of more than 20 jurisdictions. Readers will get a general understanding of the theoretical and practical problems involved with Shareholders' Agreements and detailed information on the regulation of Shareholders' Agreements in several jurisdictions and the applicable law in the case of transnational corporations and cross-border transactions.

The Law of Business Organizations Martin Schulz 2012-01-05 This book gives a concise introduction to the German law of business organizations and is meant to help business practitioners and international students to familiarize themselves with its key concepts and legal issues. After outlining some characteristic features of the German legal system the book describes the various types of German business organizations with a special focus on the German Limited Liability Company (GmbH) and the German Stock Corporation (AG). The book discusses some typical problems faced by companies engaged in cross-border activities and also provides a brief outline of some recent developments in European company law with a special focus on the new multinational corporate form of the European Company (SE).

Satellite Regulation in Europe Stéphane Le Goueff 2021-10-25

Comparative Company Law Andreas Cahn 2018-10-04 Presents in-depth, comparative analyses of German, UK and US company laws illustrated by leading cases, with German cases in English translation.

Regulating the Closed Corporation Gregor Bachmann 2014 The renowned authors of this ECFR special volume systematically develop legal standards and regulatory frameworks for closed corporations in Europe (including of course the Societas Privata Europaea), putting a strong focus on the economic practice and efficiency. The profound, in-depth analysis of the objectives and strategies comes to groundbreaking insights and also offers specific solutions for a multitude of practical aspects.

Comparative Corporate Governance Andreas M. Fleckner 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.

Regulating the Closed Corporation Gregor Bachmann 2013-12-18 The renowned authors of this ECFR special volume systematically develop legal standards and regulatory frameworks for closed corporations in Europe (including of course the Societas Privata Europaea), putting a strong focus on the economic practice and efficiency. The profound, in-depth analysis of the objectives and strategies comes to groundbreaking insights and also offers specific solutions for a multitude of practical aspects.

Regulation of Stock Ownership in Railroads . . . United States. Congress. House. Committee on Interstate and Foreign Commerce 1931

Hedge Fund Regulation in the European Union Phoebus Athanassiou 2009-04-14 While hedge funds have been part and parcel of the global asset management landscape for well over fifty years, it is only relatively recently that they came to prominence as one of the fastest growing and most vigorous sub-sectors of the financial services industry. Despite their growing significance for global and European financial markets, hedge funds continue enjoying a sui generis regulatory status. The ongoing credit crisis and its lessons for the wisdom of unregulated or loosely regulated pockets of financial activity raise, with renewed urgency, the issue of deciding how long for the relative regulatory immunity of hedge funds is to be tolerated in the name of financial innovation. This well-thought-out book, the first of its kind in this particular field, examines the case for the European onshore hedge fund industry's regulation, making concrete proposals for its normative future. Following a detailed account of the 'established' regulatory systems in Ireland and Luxembourg, as well as of the 'emerging' hedge fund jurisdictions in Italy, France, Spain and Germany, and of the regulatory treatment of hedge funds in the UK, this book examines to what extent the continuing exclusion of hedge funds from harmonized European regulation is defensible, whether their differences to traditional asset management products justify their distinct regulatory treatment and, ultimately, if their EU-wide regulation is possible and, if so, what form this should take. This book offers enormously valuable insights into all facets of the subject of the regulation of hedge funds, including: the legitimacy of the public policy interest in their activities; the conceptual underpinnings and systemic stability emphasis of a realistic hedge fund regulatory scheme; the main parameters of a workable onshore hedge fund regulatory framework; the role of investor protection and market integrity as part of a holistic hedge fund regulatory scheme; the possible use of the UCITS framework as a foundation for the EU-wide regulation of hedge funds; the MiFID's impact on the regulatory future of the European hedge fund industry; existing cross-jurisdictional differences and similarities in the normative treatment of hedge funds within the EU; hitherto initiatives and recommendations of the Community institutions and bodies; and the need for more efficient co-operation and information-sharing arrangements amongst national supervisors for the monitoring of the

cross-border risks inherent in the activities of hedge funds. As the first ever comprehensive account of the profile, main features and normative future of the contemporary global and European hedge fund markets – including a systematic inquiry into the conceptual underpinnings of hedge fund regulation and a detailed examination of the European hedge fund industry's treatment under Community and domestic law – this book represents a major contribution to the literature on hedge funds and their regulation which, through its concrete proposals for the onshore industry's regulation and its clear analysis of the conditions necessary for their implementation, should be of extraordinary value to policymakers, supervisors and academics alike.

Northwestern Journal of International Law & Business 1991

Corporate Boards in European Law Paul Davies 2013-11 This book analyses corporate boards; their regulation in law and codes, and their actual operation in ten European countries in a functional and comparative method. Issues addressed include: board structure, composition and functioning, enforcement by liability rules, incentive structures and shareholder activism.

International Securities Law and Regulation Dennis Campbell 2021-09-13

The Politics of Global Regulation Walter Mattli 2009-04-27 Regulation by public and private organizations can be hijacked by special interests or small groups of powerful firms, and nowhere is this easier than at the global level. In whose interest is the global economy being regulated? Under what conditions can global regulation be made to serve broader interests? This is the first book to examine systematically how and why such hijacking or "regulatory capture" happens, and how it can be averted. Walter Mattli and Ngaire Woods bring together leading experts to present an analytical framework to explain regulatory outcomes at the global level and offer a series of case studies that illustrate the challenges of a global economy in which many institutions are less transparent and are held much less accountable by the media and public officials than are domestic institutions. They explain when and how global regulation falls prey to regulatory capture, yet also shed light on the positive regulatory changes that have occurred in areas including human rights, shipping safety, and global finance. This book is a wake-up call to proponents of network governance, self-regulation, and the view that technocrats should be left to regulate with as little oversight as possible. In addition to the editors, the contributors are Kenneth W. Abbott, Samuel Barrows, Judith L. Goldstein, Eric Helleiner, Miles Kahler, David A. Lake, Kathryn Sikkink, Duncan Snidal, Richard H. Steinberg, and David Vogel.

The Quest for an Ideal Legal Form for Small Businesses, 1997 Barry Rider 1999-03-05

Comparative Media Policy, Regulation and Governance in Europe - Chapter 5 Josef Trappell 2018-04-01 Subsidies are controversial media policy tools as editorial independence might be affected by those granting subsidies to newsrooms, and because they do not comply with neo-liberal market rules. This chapter shows that financial and non-financial media subsidies are widespread in the media sector. They can help overcoming temporary crises of media companies, but they are no quick fix for the structural crises news media are undergoing. Most subsidies in European countries are granted for the purpose of maintaining diversity, holding power to account, educating journalists and encouraging alternative voices. With a view to the long tradition and the strengths and weaknesses of media subsidies the author concludes by suggesting accepting media subsidies as one element in the media policy tool box.

Financial Regulation in the European Union Rainer Kattel 2015-10-08 This collection offers a comparative overview of how financial regulations have evolved in various European countries since the introduction of the single European market in 1986. It includes a number of country studies which provides a narrative of the domestic financial regulatory structure at the beginning of the period, as well the means by which the EU Directives have been introduced into domestic legislation and the impact on the financial structure of the economy. In particular, studies highlight how the discretion allowed by the Directives has been used to meet the then existing domestic conditions and financial structure as well as how they have modified that structure. Countries covered are France, Germany, Italy, Spain, Estonia, Hungary and Slovenia. The book also contains an overview of regulatory changes in the UK and Nordic countries, and in post-crisis USA. This comparative approach raises questions about whether past and more recent regulatory changes have in fact contributed to increase financial stability in the EU. The comparative analysis provided in this book raises questions on whether the past and more recent changes are contributing to increase the financial stability and efficiency of individual banks and national financial systems. The crisis has demonstrated the drawbacks of formulating the regulatory framework on standards borrowed from the best industry practices from the large developed countries, originally designed exclusively for large global banks, but now applied to all financial institutions.

The European Company Joseph Micallef 1974

European Financial Regulation Veerle Colaert 2019-12-26 Mirroring the long-established structure of the financial industry, EU financial regulation as we know it today approaches banking, insurance and investment services separately and often divergently. In recent decades however, the clear separation between financial sectors has gradually evaporated, as business lines have converged across sectors and FinTech solutions have emerged which do not fit traditional sector boundaries. As the contours of the traditional tripartition in the financial industry have faded, the diverging regulatory and supervisory treatment of these sectors has become increasingly at odds with economic reality. This book brings together insights developed by distinguished researchers and industry professionals in a series of articles analysing the main areas of EU financial regulation from a cross-sectoral perspective. For each specific research theme – including prudential regulation, corporate governance and conduct of business rules – the similarities, as well as gaps, overlaps and unjustifiable differences between banking, securities and insurance regulation, are clearly presented and discussed. This innovative research approach is aimed at informing lawmakers and policymakers on potential improvements to EU financial regulation whilst also supporting legal and compliance professionals applying the current framework or looking to streamline compliance processes.

European Cross-border Insolvency Regulation Jona Israël 2005 This book presents a comprehensive analysis of the regulation of cross-border insolvencies in Europe. Council Regulation 1346/2000 on Insolvency Proceedings forms the natural focal point of such a study. However, while this book explores in detail the background, legal basis as well as the substance of the Regulation, it also contains an examination of the Regulation from two wider perspectives: that of international cross-border insolvency regulation and Community law. The approach adopted by the Regulation to the problems raised by cross-border insolvency forms part of a paradigmatic shift at the global level. The 'struggle over jurisdiction' - the natural state of affairs under the old principles of 'universality & territoriality' - is increasingly being replaced by co-operation between the jurisdictions involved. The Regulation must be understood against the backdrop of these new cooperative approaches, including the UNCITRAL Model Law and ancillary proceedings. Doing so, this book argues that the co-operative framework of the Regulation is limited and may ultimately not suffice to realise the efficient and effective cross-border proceedings it is aiming for. Although the Regulation is an exponent of this global shift towards cooperation, the legal context in which it operates is nevertheless very different. Community law, as an autonomous legal order, has limited the private international law autonomy of Member States and generated a *comitas Europaea*. This book argues that Community law and its *comitas* must be taken seriously. They are an important source of principles to guide courts in the interpretation and application of the Regulation and may reinforce and expand the co-operative mechanisms of the Regulation. Jona Israël obtained his LL.M. at the University of East Anglia, Norwich in 1994 and graduated at the University of Maastricht in 1995. From 1995 to 1998 he was researcher at the European University Institute in Florence, Italy. Since 1998 he has been Lecturer at the University of Maastricht, teaching private international law, insolvency law and commercial law.

Die Europäische Aktiengesellschaft Theodor Baums 2004-01-01 In October 2004 the European stock corporation, or Societas Europaea (S.E.), has been made available in the EU as a European form of company. Then, in 2001, a surprising accord was reached after various failed attempts to establish a standard European stock corporation. The volume at hand reproduces the lectures held at the conference in Frankfurt on November 6th and 7th, 2003.

The Evolution of Legal Business Forms in Europe and the United States Erik M. Vermeulen 2003-01-01 The evolution of partnership forms is stimulated by powerful economic forces that can lead to widespread prosperity and wealth creation for a society. Given the importance of closely held firms in the United States and Europe, The Evolution of Legal Business Forms in Europe and the United States argues that partnership law should trouble itself less with historical and descriptive arguments about the legal rules and structure of the partnership form and focus much more on the new analytical apparatus of the economics of organizational form as well the fundamental economic learning that informs the debates on limited liability, partnership rules regarding management and control, conflict resolution and fiduciary duties. Introducing and extending the best available theories from law and economics, particularly those from the theory of the firm, this book's analysis demonstrates that the patterns of European partnership law and its recent history are best understood from an economic and comparative law perspective. By examining the economic theories of the firm and the economics of organization choice, The Evolution of Legal Business Forms in Europe and the United States conceives partnership-type business forms as contractual entities.

The key feature of the modern partnership form is that partners have significant flexibility and power to limit their liability, transfer all of their rights, and to freely exit the firm. Another key feature of partnership law is the insight that lawmakers should provide the rules and enforcement mechanisms to regulate the important relationships within the partnership. This book applies an efficiency test to determine which sets of default rules are likely to resolve the main problems in partnerships. Having identified partnership law with the economic theory of organization, The Evolution of Legal Business Forms in Europe and the United States then goes to argue that most of partnership law is directed at offering bundles of legal rules for different types of firms. Lawmakers should promote partnership rules that attract investors and can be expected to be efficient if they allow entrepreneurs to freely select the bundle of rules that best match their priorities. In a modern vision of partnership law, lawmakers promote economic welfare through creating non-mandatory rules that allow multiple businesses to switch to a favourable business form without significant costs. Jurisdictions plagued by falling incorporations and low levels of small and medium business activity, should abandon the mandatory and standardized framework and the 'lock in' effect that it promotes, and focus on the mechanisms of legal evolution and rules that tend to mimic the market. This innovation work will have ramifications felt across European jurisdictions, and will be debated by a large audience of policymakers and academic lawyers involved in law reform. Moreover, the book will receive serious attention from students of law and economics, as well as practising lawyers involved in resolving complex issues of organizational law. Review (s) ?Vermeulen's work makes a significant contribution to the dialogue between legal scholars and policy makers from Europe and the United States on the matter of business entity law reform. The volume is ambitious in scope, thoughtful in approach, and accurate in result. It shows a well-read and nuanced view of the recent American partnership law reform debates. He moves with assurance between different systems of law and analysis, and has a confident sense of what his diverse readers need to know to come to the ultimate discussion with a common sense of the issues and alternatives at hand. Vermeulen's work should serve as a starting point for a robust discussion among scholars and policy makers.?

Regulation of Food Packaging in Europe and the USA Derek J. Knight 2004 Annotation A wide variety of plastics are used in food-contact applications and it is important that such plastics do not affect the food with which they come into contact. The objective of food packaging legislation is to protect the consumer by controlling the contamination of food by chemicals transferred from the packaging. Food packaging regulations are constantly under revision, and differ significantly between Europe and the USA. This report provides a clearly written summary of the current legislation surrounding the use of plastics in contact with food. It discusses the plastics used in food packaging, their characteristics and applications. This review is accompanied by around 400 abstracts from papers and books in the Rapra Polymer Library database.

The Regulation of Transnational Mergers in International and European Law Dimitris Liakopoulos 2009-12-07 The major problem associated with the regulation of transnational mergers, which affect several national markets, is the allocation of jurisdiction. Each country concerned may wish to exert jurisdiction and apply its national competition law to regulate the anti-competitive effects a merger may have in its territory. However, this approach may lead to risks of inconsistent decisions regarding the legality of mergers. Indeed, the national competition laws applied by the regulating authorities may diverge in several aspects, which raise the likelihood of inconsistency. Therefore it is desirable to opt for regulatory approaches which are more sensitive to the transnational nature of mergers and which allow cooperation between competition authorities. A possible solution may be bilateral cooperation agreements through which two countries coordinate the enforcement activities of their national competition authorities. However, the benefits of these agreements are enjoyed only by the signatory parties. The sole reliance upon bilateral agreements does not appear to be the optimal regulatory approach towards transnational mergers.

The Governance of Close Corporations and Partnerships Joseph McCahery 2004 This book examines the limited liability business forms that have recently emerged, and seeks to

identify the forces that have led to the emergence of new business forms for small and medium-sized businesses. Focusing on the US, UK, and continental Europe, the contributors analyse the Limited Liability Company, the Limited Liability Partnership, and the new business forms proposed in Europe.

Regulating Europe Giandomenico Majone 2002-11-01 First published in 2004. Routledge is an imprint of Taylor & Francis, an informa company.

Accounting Regulation in Europe S. McLeay 1999-04-19 This book describes how the rules of accounting are developed. It provides a new perspective on European accounting, showing how laws, standards, decrees and other regulations evolve, discussing and comparing the institutional settings and the legislative processes within each country. Each chapter has been written by a leading expert on financial accounting in the established countries of the European Union.

United States and European Union Auditor Independence Regulation Christiane Strohm 2007-12-11 Christiane Strohm investigates the effects of the Sarbanes-Oxley-Act and the revised 8th EU-Directive on auditing. She shows that there is a difference in the communication and safeguarding effects of a regulation, depending on the precision of its wording and that safeguarding effects also depend on auditors' monetary incentives and on perceived costs of litigation.

Better Regulation in Europe: Greece 2012 OECD 2012-12-04 This review of regulation in Greece maps and analyses the core issues which together make up effective regulatory management, laying down a framework of what should be driving regulatory policy and reform in the future.

European Insolvency Regulation Klaus Pannen 2007-01-01 This book is a comprehensive commentary on the EIR in light of recent decisions of the ECJ and decisions of the judicatures of the various Member States of the EU. It contains a commentary on Article 102, Sections 1 to 11 of the German EInsO (The Act Introducing the Insolvency Act), as well as country reports on the international insolvency laws of France, Great Britain, and Hungary. This book also deals with the UNCITRAL Model Law on Cross-Border Insolvency together with detailed references to the international insolvency laws of the U.S.A., and it also includes a discussion of protocols. The appendix to the commentary on Article 3 of the EIR contains an extensive Table of Cases, which sets out over 100 cases from the various Member States, including decisions and literature references. While thus being tailored to the needs of the European insolvency practitioner, this commentary also serves as a knowledge-base from which further exploration of the material can begin. The contributing authors are all well-respected academics and practitioners in Germany, England, France, Hungary, and the U.S.A.