

Shareholder voting rights

Substance (what SHs vote on)

- Choose directors
 - Annual election
 - Removal/replacement of directors
- Approve fundamental changes (usually after board initiation)
 - Amendments to articles of incorporation
 - Mergers / sales of assets
 - Dissolution
- Initiate and approve bylaw changes
- Adopt resolutions

Process (how SHs vote)

- Meetings of shareholders
 - annual meeting
 - special meeting
 - Action by consent
- Voting at meetings
 - quorum (purpose)
 - proxy (appointment of agent)
 - absolute vs. simple majority
 - supervision of voting

Shareholder Voting Rights And Practices In Europe And The United States

Wolf-Georg Ringe



Shareholder Voting Rights And Practices In Europe And The United States:

Shareholder Voting Rights and Practices in Europe and the United States Theodor Baums, E. Wymeersch, 1999-12-13 With the increasing interest of foreign investors particularly institutional investors in European companies there is a growing need for information on the different regimes affecting the legal status of shareholders Investors need to be aware of the rights and privileges of shareholders in various jurisdictions in order to participate effectively in companies voting and decision making processes This book provides detailed analysis of the rules and practices in sixteen European jurisdictions and the United States covering issues such as convening the general meeting depositing and blocking of shares participation rights setting of the agenda voting rights and proxy rules The authors also aim to make companies aware of practices which may hamper effective shareholder participation and in comparing the different rules and practices to identify areas where further harmonisation might be undertaken within the European Community framework The papers collected here are the result of a conference organised by Professor Theodor Baums of the University of Osnabrück and Professor Eddy Wymeersch of the University of Ghent

Public Companies and the Role of Shareholders Sabrina Bruno, Eugenio Ruggiero, 2011-01-01 This is a book that will be warmly welcomed by everyone engaged in the important debate under way on corporate responsibility and governance

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

The Oxford Handbook of Comparative Law Mathias Reimann, Reinhard Zimmermann, 2019-03-26 This fully revised and updated second edition of *The Oxford Handbook of Comparative Law* provides a wide ranging and diverse critical survey of comparative law at the beginning of the twenty first century It summarizes and evaluates a discipline that is time honoured but not easily understood in all its dimensions In the current era of globalization this discipline is more relevant than ever both on the academic and on the practical level The Handbook is

divided into three main sections Section I surveys how comparative law has developed and where it stands today in various parts of the world This includes not only traditional model jurisdictions such as France Germany and the United States but also other regions like Eastern Europe East Asia and Latin America Section II then discusses the major approaches to comparative law its methods goals and its relationship with other fields such as legal history economics and linguistics Finally section III deals with the status of comparative studies in over a dozen subject matter areas including the major categories of private economic public and criminal law The Handbook contains forty eight chapters written by experts from around the world The aim of each chapter is to provide an accessible original and critical account of the current state of comparative law in its respective area which will help to shape the agenda in the years to come Each chapter also includes a short bibliography referencing the definitive works in the field

Perspectives in Company Law and Financial Regulation

Michel Tison,Hans De Wulf,Christoph Van der Elst,Reinhard Steennot,2009-06-18 This collection of essays has been compiled in honour of Professor Eddy Wymeersch on the occasion of his retirement as professor at Ghent University His main international academic peers explore developments on the crossroads of company law and financial regulation in Europe and the United States providing a unique view on the dynamics of regulatory competition in an era of economic globalisation whether in the fields of rulemaking organising the mobility of capital or the enforcement of rules The deepening of European financial integration and the transatlantic regulatory dialogue has generated new paradigms of rule setting in a multinational framework and reinforced the need to develop adequate instruments for co operation between regulators Regulators increasingly use concepts such as equivalence or mutual recognition to regulate cross border relations

Understanding Chinese Company Law, Third Edition Gu Minkang,2024-03-28 First published in 2006 Understanding Chinese Company Law covers the major topics in the area of company law in this fast changing country This third edition has incorporated the discussions on new laws and regulations that have sprung up over the past few years including the China Company Law Amendment 2013 and the new Hong Kong Companies Ordinance Cap 622 In this new edition besides offering an in depth study of the 2013 Company Law Gu Minkang addresses many new issues such as the zero capital system shareholders right to know and right to profits and a legal person s human rights The comparison between the Chinese and Hong Kong company laws is also updated accordingly This comprehensive and up to date presentation of Chinese company law will be of value to all who are involved in business with and in China and their legal advisors and to students of Chinese company law

Texas International Law Journal ,2006 **The Globalization of Corporate Governance** Alan Dignam,Michael Galanis,2016-03-09 The process of economic globalization as product and capital markets have become increasingly integrated since WWII has placed huge and it is argued by some irresistible pressures on the world s insider stakeholder oriented corporate governance systems Insider corporate governance systems in countries such as Germany so the argument goes should converge or be transformed by global product and capital market pressures to the superior shareholder oriented

outsider corporate governance model prevalent in the UK and the US. What these pressures from globalization are, how they manifest themselves, whether they are likely to cause such a convergence transformation, and whether these pressures will continue lie at the heart of the exploration in this volume. *The Globalization of Corporate Governance* provides a detailed analysis of the evolution of the key corporate governance systems in the UK, the US, and Germany from the perspective of the development of economic globalization. As such, it is a valuable resource for those interested in how economic and legal reforms interact to produce change within corporate governance systems.

Corporate Governance Regimes Joseph McCahery, 2002. *Corporate Governance Regimes* addresses corporate law's leading question: whether one or another corporate law regime possesses relative competitive advantage. To this end, the editors have brought together an international team of scholars in economics and law to critically assess the new theories of ownership and control which seek to explain the important efficiency advantages of dispersed ownership and the inevitable limitations of control-oriented systems of governance. Contributors describe and analyse the relative strength of the forces that shape the evolution of corporate law rules and practice. They also raise the issue of whether nations undertaking reforms should develop corporate governance policies that borrow from other systems' best practices or pursue a course of internally designed corporate governance reforms. And building on new theories of law and finance, they examine the incentives for introducing meaningful corporate governance reforms that disrupt or destabilize Europe's blockholding regimes. The collection is divided into seven parts. Part One provides not only a means for assessing the key features of market and control-based systems of governance, but a standpoint for determining whether national governance systems are likely to converge on a single optimal system of governance. Part Two introduces the reader to the building blocks of European corporate governance and the securities law harmonization program. Part Three examines the complex ownership and control structures that are found in Western Europe, investigating the consequences of large shareholdings for minority investors. Part Four offers law and finance analyses of the relationship between legal and financial systems and corporate performance. Part Five looks at the economic perspective on the operation of the market for corporate control and the key legal rules and institutions of the bankruptcy and insolvency regimes in the USA and Britain. Part Six is devoted to exploring the economic effect of institutional shareholder participation in corporate governance in the USA, Britain, and continental Europe. The final section, Part Seven, evaluates empirically the executive compensation arrangements in the USA, Britain, and continental Europe. The contributions supply a pool of current research on the motivational effect of performance-related remuneration and the substantial increase in top executive remuneration in the USA.

[Understanding Chinese Company Law, Second Edition](#) Minkang Gu, 2010-07-01. In China, the thirty-year economic reform reflects the process of moving from planned economy towards market economy. This could be seen from the changes in the 2005 Company Law, which recognizes the owners' property rights and gives more freedoms to them to decide various matters. In this new edition, besides offering a systemic constitution of companies, the

establishment of various companies role and function of various parties in corporate governance and corporate financing Gu Minkang highlights the major changes in the 2005 Company Law and addresses many new issues such as shareholders derivative action American limited liability company and asset restructuring of listed companies Another important feature is a comparison between the 1993 Company Law and the 2005 Company Law that will facilitate reading and understanding This comprehensive and up to date presentation of Chinese company law will be of value to all who are involved in business with and in China and their legal advisors and to students of Chinese company law

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