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Making Disclosure Ideas And Interests In Ontario Securities Regulation

Paul Latimer, Philipp Maume



Making Disclosure Ideas And Interests In Ontario Securities Regulation:

Regulatory Convergence in EU Securities Regulation Iris H.-Y. Chiu, 2008-01-01 Offers a new approach to the legal issues raised by the drive for convergence in securities regulation The author offers an informed and insightful examination of the implications for regulatory and policy design if regulatory convergence were to be rigorously implemented

The Oxford Handbook of Financial Regulation Niamh Moloney, Eilís Ferran, Jennifer Payne, 2015-08-27 The financial system and its regulation have undergone exponential growth and dramatic reform over the last thirty years This period has witnessed major developments in the nature and intensity of financial markets as well as repeated cycles of regulatory reform and development often linked to crisis conditions The recent financial crisis has led to unparalleled interest in financial regulation from policymakers economists legal practitioners and the academic community and has prompted large scale regulatory reform The Oxford Handbook of Financial Regulation is the first comprehensive authoritative and state of the art account of the nature of financial regulation Written by an international team of leading scholars in the field it takes a contextual and comparative approach to examine scholarly policy and regulatory developments in the past three decades The first three parts of the Handbook address the underpinning horizontal themes which arise in financial regulation financial systems and regulation the organization of financial system regulation including regional examples from the EU and the US and the delivery of outcomes and regulatory techniques The final three Parts address the perennial objectives of financial regulation widely regarded as the anchors of financial regulation internationally financial stability market efficiency integrity and transparency and consumer protection The Oxford Handbook of Financial Regulation is an invaluable resource for scholars and students of financial regulation economists policy makers and regulators

Making Disclosure Mary Geraldine Condon, 1998 Historically two issues have dominated the study of regulatory agencies first how their goals are defined and achieved and second how their behaviour can be explained The influence of public and private interests on agencies has always been taken as central to understanding the outcomes of regulation Mary Condon argues that the study of interests is not a straightforward task Interests can be incoherent and they can shift and change over time We often leap to the conclusion that regulations are made specifically to benefit certain constituents when in fact other forces are also at play Our notion of a distinct public private divide among interests may also be flawed Condon proposes a new approach to the problem She urges us to examine the ideas behind regulation their source and how they have been interpreted by the regulators the regulated and other interests She argues that interests and ideas are mutually constructed for example ideas can be reshaped by the interests that they originally spawned In this book Condon applies this interpretative approach to the case of Ontario securities regulation She considers legislation policy making and regulatory undertakings from 1945 through the 1970s Making Disclosure provides an excellent example of how ideas and interests influence policy It is an important source text for courses on law and policy making and it contains valuable insights for observers of regulation It breaks new

ground for professionals in the securities industry and readers who are interested in regulatory decision making and the process of legislative reform

Handbook on Risk and Inequality Curran, Dean, 2022-09-06 This unique Handbook charts shifts in the relationship between risks and inequalities over the last few decades analysing how inequalities shape risk and how risks condition and intensify inequalities Expert contributors examine the impacts of environmental financial social urban economic and digital risks on inequalities at both national and global levels

About Canada: Corporate Crime Laureen Snider, 2015-04-01T00:00:00Z When corporations misbehave the consequences are devastating The monetary costs of the 2008 financial crisis a direct result of financial mismanagement were in the trillions and yet none of those responsible were held to account The monetary costs of Criminal Code theft pale in comparison and yet our prisons are filled with people who commit street theft In order to understand why governments regulators unions activists and community groups have such a difficult time preventing and sanctioning corporate criminals we must first recognize the vital role of corporate economic power Focusing on crimes against workers employees and the environment and financial crimes About Canada Corporate Crime traces the ways that particular systems of government from nineteenth century crony capitalism to neoliberalism and globalized capitalism develop policies regarding the socially harmful and illegal behaviour of corporations This book shows why governments are reluctant to pass enforce and administer meaningful regulation of corporations institutions and actors with the power to put thousands of potential voters out of work generate negative commentaries from highly respected experts and produce critical editorials from 80 percent of Canadian media owned and controlled let us remember by many of these same corporations Assessing the present state and future prospects of corporate crime this book asks How did we get here What do we know about corporate crime Why does it matter and What are the main issues developments today In the end it asks the most important question of all How can political and economic systems be changed to prevent or at the very least mitigate the tremendous damage corporate activities are inflicting on human lives health jobs communities and economies

European Developments in Corporate Criminal Liability James Gobert, Ana-Maria Pascal, 2011-06-10 When corporations carry on their business in a grossly negligent manner or take a cavalier approach to risk management the consequences can be catastrophic The harm may be financial as occurred when such well regarded companies as Enron Lehman Brothers Worldcom and Barings collapsed or it may be environmental as illustrated most recently by the Gulf oil spill Sometimes deaths and serious injuries on a mass scale occur as in the Bhopal gas disaster the Chernobyl nuclear explosion the Paris crash of the Concorde the capsizing of the Herald of Free Enterprise and rail crashes at Southall Paddington and Hatfield in England What role can the law play in preventing such debacles and in punishing the corporate offenders This collection of thematic papers and European country reports addresses these questions at both a theoretical and empirical level The thematic papers analyse corporate criminal liability from a range of academic disciplines including law sociology criminology economics philosophy and environmental studies whilst the country reports look at the

laws of corporate crime throughout Europe highlighting both common features and irreconcilable differences between the various jurisdictions

Policing the Markets James Williams, 2012-01-17 Set against the backdrop of the recurring waves of financial scandal and crisis to hit Canada the US the UK and Europe over the last decade this book examines the struggles of securities enforcement agencies to police the financial markets While allegations of regulatory failure in this realm are commonplace and are well documented in policy and legal scholarship James Williams seeks to move beyond these conventional accounts arguing that they are based on a limited view of the regulatory process and overlook the actual practices and dilemmas of enforcement work Informed by interviews with police regulators lawyers accountants and investor advocates along with a wealth of documentary materials the book is rooted in a uniquely interdisciplinary social science perspective Peering inside the black box of enforcement it examines the organizational professional geographical technological and legal influences that shape securities enforcement as a distinctly knowledge based enterprise The result of these influences Williams argues is the production of a very particular vision of financial disorder which captures certain forms of misconduct while overlooking others a reflection not of incompetence or capture but of the unique demands and constraints of the regulatory craft Providing a very different and much needed account of the challenges faced by regulators and enforcement agencies this book will be of enormous interest to current research on enforcement regulation and governance both within and beyond the financial realm

Moose Pastures and Mergers Chris Armstrong, 2001-12-15 Long before the spectacular collapse of Bre X in 1997 the Canadian capital markets had their share of swindlers and crooks In the boom times after Second World War hard sell speculative mining ventures pushing what often amounted to a few acres of moose pasture riddled over the counter markets and the TSE It was in this context that the Ontario Securities Commission developed into Canada s leading securities regulator Following the war the OSC concerned itself primarily with fraudsters and attempts to reign in Toronto s boiler rooms but by the mid sixties increasingly sophisticated markets and a series of scandals culminating in the Windfall affair resulted in a rewriting of the Securities Act and a widening of the OSC s investor protection mandate The seventies tested the Commission s new powers as increased corporate merger activity brought the phrase insider trading into the popular lexicon Surprisingly considering that capital markets have such a profound impact on Canada s well being this is the first thorough study of the their post war evolution and regulation *Moose Pastures and Mergers* takes off where the author s acclaimed previous work *Blue Skies and Boiler Rooms* Buying and Selling Securities in Canada 1870 1940 left off With an ear for a good story seedy personalities bunglers and guileless victims abound and a scholar s rigour Armstrong has met the protean beast of share markets head on and revealed its shape for the timid or the merely baffled Essential reading for business journalists securities lawyers academics and interested investors Winner of the J J Talman Award presented by the Ontario Historical Society

How to Protect Investors Niamh Moloney, 2010-01-21 As governments around the world withdraw from welfare provision and promote long term savings by households through the

financial markets the protection of retail investors has become critically important Taking as a case study the wide ranging EC investor protection regime which now governs EC retail markets after an intense reform period this critical contextual and comparative examination of the nature of investor protection explores why the retail investor should be protected whether retail investor engagement with the markets should be encouraged and how investor protection laws should be designed particularly in light of the financial crisis The book considers the implications of the EC s investor protection rules on the books but also considers investor protection law and policy in action drawing on experience from the UK retail market and in particular the Financial Services Authority s extensive retail market activities including the recent Retail Distribution Review and the Treating Customers Fairly strategy

Globalization and Corporate Governance in Developing Countries Boniface Ahunwan, 2021-09-06 Globalization and Corporate Governance in Developing Countries provides a clear eyed analysis of the effects of the global economy on developing countries which often face an up hill battle when they opt to compete in a global market Listing on a foreign exchange alone can be daunting because it means following the home rules as well as a different set of stringent rules and elevated cost required by the listing exchange Within this context the question of cost effectiveness the desirability of possible changes to the company and tangible benefits are raised The effects of globalization clearly travel a two way street Is harmonization possible and sensible This book weighs options and poses questions within a balanced assessment of new economic reality This volume is in the International Law and Development Series edited by Professor Raj Bhala Published under the Transnational Publishers imprint

Governing the Corporation Justin O'Brien, 2005-11-01 Governing the Corporation is a unique forum combining the insights of some of the most influential minds involved in the governance of global financial markets with internationally recognised academics and practitioners Divided into three sections the book first examines changes to the regulation of markets and assesses the global implications of the export of Sarbanes Oxley for financial sector governance The second section examines the challenges facing the professions with critical analysis from leading lawyers and accountants The final section calculates the effectiveness of state and self regulatory policy and posits the importance of institutionalising an ethical framework tied to incentives Each section of the book features contributions from regulators practitioners and academics from a range of disciplines including finance political science criminology law and philosophy

The Embedded Firm Cynthia A. Williams, Peer Zumbansen, 2011-08-11 The globalization of capital markets since the 1980s has been accompanied by a vigorous debate over the convergence of corporate governance standards around the world towards the shareholder model But even before the financial and economic crisis of 2008 2009 the dominance of the shareholder model was challenged with regard to persisting divergences and national differences in corporate law labor law and industrial relations This collection explores this debate at an important crossroads echoing Karl Polanyi s famous observation in 1944 of the disembeddedness of the market from society Drawing on pertinent insights from scholars practitioners and regulators in corporate and labor law securities regulation as

well as economic sociology and management theory the contributions shed important light on the empirical effects on the economy of the shift to shareholder primacy in light of a comprehensive reconsideration of the global context policy goals and regulatory forms which characterize market governance today

Locating Law, 3rd Edition Elizabeth Comack, 2020-05-27T00:00:00Z Praise for the second edition This book is the best available for teaching the role of law in society and making sense of how it operates within the inter connections of race class and gender dynamics often perpetuating oppression Locating Law is essential for undergraduate students in justice sociology and criminology Margot Hurlbert University of Regina Students regularly tell me that Locating Law is their favourite book out of the selections for the Law and Society course The case studies are sufficiently different from one another that the students deepen their general knowledge and they appreciate the fact that the chapters are written in a style they can understand Jennifer Jarman Lakehead University A primary concern within the study of law has been to understand the law society relation Underlying this concern is the belief that law has a distinctly social basis it both shapes and is shaped by the society in which it operates This book explores the law society relation by locating law within the nexus of race class gender sexuality relations in society In addition to updating the material in the theoretical and substantive chapters this third edition of Locating Law includes three new contributions sentencing law and Aboriginal peoples corporations and the law and obscenity and indecency legislation The analyses offered in the book are sure to generate discussion and debate and in the process enhance our understanding of law s location

Critical Criminology in Canada Aaron Doyle, 2011-01-01 This book presents the work of a new generation of critical criminologists who explore the geographical institutional and political contexts of the discipline in Canada Breaking away from mainstream criminology and law and order discourses the authors offer a spectrum of theoretical approaches to criminal justice from governmentality to feminist criminology from critical realism to anarchism and they propose novel approaches to topics ranging from genocide to white collar crime By posing crucial questions and attempting to define what criminology should be this book will shape debates about crime policing and punishment for years to come

The Surveillance-Industrial Complex Kirstie Ball, Laureen Snider, 2013-07-04 Today s surveillance society emerged from a complex of military and corporate priorities that were nourished through the active and cold wars that marked the twentieth century Two massive configurations of power state and corporate have become the dominant players Mass targeted surveillance deep within corporate governmental and social structures is now both normal and legitimate The Surveillance Industrial Complex examines the intersections of capital and the neo liberal state in promoting the emergence and growth of the surveillance society The chapters in this volume written by internationally known surveillance scholars from a number of disciplines trace the connections between the massive multinational conglomerates that manufacture distribute and promote technologies of surveillance and the institutions of social control and civil society In three parts this collection investigates how the surveillance industrial complex spans international boundaries through the workings of global

capital and its interaction with agencies of the state surveillance as an organizational control process perpetuating the interests and voices of certain actors and weakening or silencing others how local political economies shape the deployment and distribution of the massive interactions of global capital military that comprise surveillance systems today This volume will be useful for students and scholars of sociology management business criminology geography and international studies

Corporate and White Collar Crime John Minkes, Leonard Minkes, 2008-06-24 This timely collection contains contemporary case studies and critical analyses by leading writers in the study of white collar corporate crime It makes an invaluable contribution to the criminology of the corporation Professor Hazel Croall Glasgow Caledonian University *Corporate and White Collar Crime* is an essential overview of this diverse subject area and encourages students to develop a broad understanding of the topic Aimed primarily at undergraduate and postgraduate students in Criminology Criminal Justice and Business and Management Studies the book will cross over into many other disciplines including Law and Social Policy This is an innovative and multidisciplinary analysis of corporate and white collar crime that is both theoretically and empirically rich The text serves as a poignant reminder why research involving the powerful must be a central part of criminological inquiry and why this book is essential reading Professor Reece Walters The Open University Again and again pension funds are pillaged investors fleeced commuters killed workers maimed and communities poisoned Why is it that so few of these acts are defined as crimes and why is it that even when they are prosecution is so rarely effective *Corporate Crime and White Collar Crime* addresses these very questions through its rigorous well developed analysis and its wide ranging empirical focus on Europe North America Asia and beyond The book can help all of us to re examine our understanding of the nature of crime and of criminals and to reassess the costs as well as the benefits of our current economic political and social order Professor Frank Pearce Queen s University Canada

Promoting Information in the Marketplace for Financial Services Paul Latimer, Philipp Maume, 2014-11-14 This book provides a unique comparative and global analysis of the regulation of disclosure in financial securities markets It is written by two authors who represent both the new world Australia and the old world Germany The authors present their research in the global business context with legal and regulatory perspectives including some references from Africa Asia the Middle East and South America After every boom and bust legislators pass new disclosure legislation often in a heated environment fuelled by politics and the media Little regard is paid to existing regulation or the lessons learned from earlier regulation The result is the continuing enactment of redundant and overlapping disclosure laws Since financial markets are often described as markets for information the failure to ensure disclosure is at the heart of financial services regulation This book argues that the solution to the failure of disclosure is a brief easily understood principles based plain English safety net amendment to statute law such as you must keep the financial market fully informed a measure that would support effective mandatory continuous disclosure of information to financial markets This book examines the reasons for disclosure regulation and how the efficient operation of

financial markets is dependent on disclosure It examines the adequacy of common law and civil law concerning broker client disclosure and concludes that industry licensing in itself fails to keep the market informed While recognizing the failures of securities commissions to achieve good disclosure in financial markets it confirms the effectiveness of coregulation of disclosure by a commission with the support of the financial markets such as the stock exchange Coregulation builds on financial market self regulation and is best described in the words of one time SEC Chairman William O Douglas who in the 1930s described it as a shotgun behind the door Sexual Crimes in Africa and How to Deal with Them Funso,2019-12-30 Criminal liability is based upon a combination of actions actus reus thoughts and mind set mens rea This is expressed by the maxim actus non facit reum nisi mens sit rea which means that an act alone will not give rise to criminal liability unless it was done with a guilty state of mind Emily Flinch et al 2009 2 If actus reus and mens rea are established and there is no valid defense the defendant is guilty The onus or burden of proofs is on the prosecution to establish the elements of the offence beyond reasonable doubt This is required to establish criminal liability standard of proof Emily Flinch et al 2009 2 It is the responsibility of Government to protect its citizens from all forms of criminal activities Hence it has enacted Laws usually adopted from the British Laws in order to achieve this objective the enforcement of which is achieved through law enforcement Law enforcement Service Headquarters and their officers enforce these laws **Changing of the Guards** Alex Luscombe, Kevin Walby, Derek Silva, 2022-06-15 Although service outsourcing has spread throughout Canada s prisons and jails into its police courts and national security institutions and along the border in recent decades the expanding scope and pace of corporate involvement in criminal justice functions has not been closely investigated Changing of the Guards provides a comprehensive assessment of privatization and private influence across the twenty first century Canadian criminal justice system It illuminates the many consequences of public private arrangements for law and policy transparency accountability the administration of justice equity and public debate Within the contexts of policing sentencing imprisonment border control and national security the contributors explore crucial questions about legitimacy policy diffusion racism inequality corruption and democracy itself Changing of the Guards is a long overdue account of the social political and historical uniqueness of the Canadian criminal justice field and the key issues raised by this trenchant analysis are relevant both within and beyond Canada Heenan Blaikie Adam Dodek, 2024-10-15 In 1973 three young lawyers established Heenan Blaikie It would become one of Canada s highest profile law firms counting former prime ministers premiers and Supreme Court justices in its ranks It was like a family according to many who worked there But it was a dysfunctional family In 2014 the firm s dramatic collapse became front page news Based on extensive interviews with firm lawyers and legal industry insiders Heenan Blaikie is the story of a respected law firm that ultimately buckled under weak governance and management Heenan Blaikie seemed to punch above its weight bilingual humane national with international aspirations But beneath its unique culture as a kinder gentler law firm lay workplace bullying challenges for women and visible minority

lawyers and sexual harassment Adam Dodek an unbiased outsider situates the firm s evolution within the context of a changing legal profession and society producing an account that is gripping from beginning to end

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