

Responsibility of Parent Com panies for Thei r Subsidiaries.

COVER COMING SOON

Responsibility Of Parent Companies For Their Subsidiaries

Peter Whelan



Responsibility Of Parent Companies For Their Subsidiaries:

Corporate Criminal Liability and Prevention Richard S. Gruner, 2004 The book instructs corporate counsel on how to adopt forward looking compliance policies that can prevent criminal liability and how to mitigate the severity of penalties when they are unavoidable Corporate Governance Duties and Responsibilities of Boards in Company Groups OECD, 2020-06-03 This publication provides an overview of the duties and responsibilities of boards in company groups across 45 jurisdictions The introduction outlines the global landscape of company groups their economic role and the principal challenges they present with respect to corporate governance policies **Rethinking Corporate Crime** James Gobert, Maurice Punch, 2003-03 Critiques the application of the current criminal law system to corporate wrongdoing and assesses the potential for legal control of corporate criminality **Responsibility of parent companies for their subsidiaries** , 1980 *Corporate Responsibility Under the Alien Tort Statute* Michael Koebele, 2009 The Alien Tort Statute also referred to as the Alien Tort Claims Act is a US statute that provides a cause of action for violations of international law While originally used against former dictators and military officials who fled to the U S after the respective governments in their home countries have been removed human rights activists are now targeting transnational corporations or multinational enterprises for human rights violations in connection with their investments made outside the United States This book examines and analyzes corporate liability under the Alien Tort Statute **Business and Human Rights** Dalia Palombo, 2020-02-06 This book analyses the accountability of European home States for their failure to secure the human rights of victims from host States against transnational enterprises It argues for a reconfiguration of the relationship between multinational enterprises and individuals both of which have been profoundly changed by globalisation Enterprises are now supranational entities with numerous affiliates all over the world Likewise individuals are increasingly part of a global community Despite this the relationship between the two is deregulated Addressing this gap this study proposes an innovative business and human rights litigation strategy Human rights advocates could file a test case against a European home State at the European Court of Human Rights for its failure to secure the rights of victims vis vis European multinational enterprises The book illustrates why such a strategy is needed and points to the lack of effective legal remedies against European multinationals The goal is to empower victims from developing countries against European States which are failing to hold multinational enterprises accountable for human rights abuses Company Law Alan Dignam, John P. Lowry, 2022 The Core Text series takes the reader straight to the heart of the subject providing a reliable and invaluable guide for students of law at all levels Written by leading academics and renowned for their clarity these concise texts explain the intellectual challenges of each area of the law Company Law gives a clear and authoritative account of key principles covering all of the essential concepts in a way that demystifies this complex area of law without oversimplification The text also includes valuable coverage of corporate governance and theory including the current debates surrounding these areas

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Parental Liability in EU Competition Law Peter Whelan,2023-08-10 In enforcing EU competition law the Commission employs a unique doctrine of parental antitrust liability it imposes fines on the parent company of an infringing subsidiary in cases where the parent exercises decisive influence over the subsidiary s commercial policy Critics of this contentious aspect of EU competition law believe that the doctrine is unfair ineffective obscure disproportionate contrary to due process and based upon a dubious if not extremely flimsy justificatory foundation Such criticism raises serious and unanswered questions about the legitimacy of the Commission s efforts to enforce competition law **Parental Liability in EU Competition Law A Legitimacy Focused Approach** is the first monograph to be dedicated to this controversial topic Written by Professor Peter Whelan the book contends that although the general concept of parental liability can be justified in principle the current EU level doctrine of parental antitrust liability in fact suffers from a distinct and problematic lack of legitimacy More specifically the said doctrine displays significant deficiencies with respect to effectiveness fairness and legality Given this undesirable state of affairs **Parental Liability in EU Competition Law** offers a fully rationalised reformulated approach to parental antitrust liability for EU competition law violations that is built around the notion of parental fault That approach provides a solid normative account of how to impose parental antitrust liability in a manner that is theoretically robust effective in practice fair in substance and legally sound

Managing Business Risk Jonathan Reuvid,2012-12-03 Effective risk management the identification assessment and prioritization of risks is a vital consideration when looking to safeguard your company s commercial future and deal with the latest regulatory requirements **Managing Business Risk** will enable your company to maintain controls on risks that may threaten your business while at the same time delivering transparent reporting to your stakeholders The book examines the key areas of risk in today s competitive and complex business market Drawing on expert advice from leading risk consultants lawyers and regulatory authorities it shows you how to protect your business against a rising tide of business risks If you don t build risk controls into the structure of your company from the boardroom down then your business could be vulnerable to a number of threats both internal and external Identify and neutralise them now and give your company a competitive advantage

Business and Human Rights Florian Wettstein,2022-03-24 The first of its kind this comprehensive interdisciplinary textbook in business and human rights coherently incorporates ethical legal and managerial perspectives This path breaking textbook will be a valuable introductory resource for students instructors and researchers in business public policy and law schools

Comparative Company Law Carsten Gerner-Beuerle,Michael Schillig,2019 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 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 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 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

Mayson, French & Ryan on Company Law Derek French, 2021 Mayson French Ryan on Company Law is the ideal companion for students looking for a comprehensive and straightforward account of company law With hallmark clarity this new edition continues the tradition of providing accurate technical detail examination of theory and quotations from key cases The content has been streamlined with modern company law courses in mind and presented in numerous helpful features Consistently praised for thorough yet accessible handling of the law Mayson French Ryan on Company Law has positioned itself as the go to company law text for the modern student Digital formats and resources This edition is available for students and institutions to purchase in a variety of formats and is supported by online resources The e book offers a mobile experience and convenient access along with functionality tools navigation features and links that offer extra learning support www.oxfordtextbooks.co.uk/ebooks This edition is also accompanied by a selection of online resources to support and further student learning including four bonus chapters on transparency accounts marketable loans and legal forms for businesses

Business and Human Rights Dorothee Baumann-Pauly, Justine Nolan, 2016-04-28 In a global economy multinational companies often operate in jurisdictions where governments are either unable or unwilling to uphold even the basic human rights of their citizens The expectation that companies respect human rights in their own operations and in their business relationships is now a business reality that corporations need to respond to *Business and Human Rights From Principles to Practice* is the first comprehensive and interdisciplinary textbook that addresses these issues It examines the regulatory framework that grounds the business and human rights debate and highlights the business and legal challenges faced by companies and stakeholders in improving respect for human rights exploring such topics as the regulatory framework that grounds the business and human rights debate challenges faced by companies and stakeholders in improving human rights industry specific human rights standards current mechanisms to hold corporations to account future challenges for business and human rights With supporting case studies throughout this text provides an overview of current themes in the field and guidance on practical implementation demonstrating that a thorough understanding of the human

rights challenges faced by business is now vital in any business context

Board Directors and Corporate Social

Responsibility S. Boubaker, D. Nguyen, 2012-11-14 This volume introduces readers to recent developments in the fields of board of directors and corporate social responsibility It also provides new insights and perspectives on corporate governance practices in different countries [From Corporate Social Responsibility to Corporate Social Liability](#) Anna

Aseeva, 2021-05-20 This book provides a critical socio legal study that brings together the latest scholarly advances on corporate social responsibility and at the same time addresses the pressing issue of corporate liability for harmful acts across the supply and production chains Corporations have seldom been held responsible and virtually never liable for the acts of their subsidiaries and subcontractors Actors as different as workers investors individual consumers and shareholder activists claim that corporations should accept greater responsibility for communities and environments affected by their activities The book argues that a global value chain's head corporations remain immune to any liability because of the economically dependent legally independent relationships between core corporations and their periphery suppliers and subcontractors To tackle this problem globally the author acknowledges that we as a society need to reduce the economic dependence as described above which is far too excessive by ensuring a level playing field both economically and socially More concretely she argues that in order to realise transnational corporate liability we as lawyers need to find a way or ways to establish legally effective relationships between head corporations and their economically dependent entities Readers of this book will be able to export the concept of corporate social liability developed in the context of value chains and apply it to other contexts involving corporate activities where they need to tackle unrestrained corporate freedom and make global businesses responsible and socially useful **The Handbook of Board Governance** Richard Leblanc, 2016-05-16 Build a more

effective board with insight from the forefront of corporate governance The Handbook of Board Governance provides comprehensive expert led coverage of all aspects of corporate governance for public nonprofit and private boards Written by collaboration among subject matter experts this book combines academic rigor and practitioner experience to provide thorough guidance and deep insight From diversity effectiveness and responsibilities to compensation succession planning and financial literacy the topics are at once broad ranging and highly relevant to current and aspiring directors The coverage applies to governance at public companies private and small or medium companies state owned enterprises family owned organizations and more to ensure complete and clear guidance on a diverse range of issues An all star contributor list including Ram Charan Bob Monks Nell Minow and Mark Nadler among others gives you the insight of thought leaders in the areas relevant to your organization A well functioning board is essential to an organization's achievement Whether the goal is furthering a mission or dominating a market the board's composition strategy and practices are a determining factor in the organization's ultimate success This guide provides the information essential to building a board that works Delve into the board's strategic role in value creation Gain useful insight into compensation risk accountability legal obligations Understand

the many competencies required of an effective director Get up to speed on blind spots trendspotting and social media in the board room The board is responsible for a vast and varied collection of duties but the singular mission is to push the organization forward Poor organization one sided composition inefficient practices and ineffective oversight detract from that mission but all can be avoided The Handbook of Board Governance provides practical guidance and expert insight relevant to board members across the spectrum

Proceedings of the 3rd International Conference Engineering Innovations and Sustainable Development Valentina Mantulenko,2024-08-10 This book presents the contributions from the 3rd International Conference Engineering Innovations and Sustainable Development held in Samara Russia on April 26 2024 By presenting international research on various sustainability issues it includes topics such as current trends in industrial and agricultural development innovations in the construction and transport sectors problems concerning the financing of innovative activities and governmental support for innovations and engineering competences and skills in the era of new technologies It also covers the economic environmental and informational aspects of sustainable development in the context of innovations Finally the book addresses theoretical and practical aspects by studying the phenomenon of sustainability and engineering development in terms of comparing international experiences It provides significant value for scientists teachers and students of higher educational institutions and specialists who are researching sustainable development issues in the era of engineering innovations

Transnational Corporations and Human Rights Gwynne L. Skinner,2020-08-20 This account of business related human rights violations details the barriers victims face when seeking remedies and offers policy solutions

Transnational Corporations and Human Rights Gwynne L. Skinner,2020-08-20 The number of transnational corporations including parent companies and subsidiaries has exploded over the last forty years which has led to a correlating rise of corporate violations of international human rights and environmental laws either directly or in conjunction with government security forces local police state run businesses or other businesses In this work Gwynne Skinner details the harms of business related human rights violations on local communities and describes the barriers both functional and institutional that victims face in seeking remedies She concludes by offering solutions to these barriers with a focus on measures designed to improve judicial remedies which are the heart of international human rights law but often fail to deliver justice to victims This work should be read by anyone concerned with the role of corporations in our increasingly globalized society

Shareholders' Duties Hanne S. Birkmose,2017-01-15 It is often assumed that shareholders have rights not duties In recent years however this assumption has come under intense scrutiny in all aspects of company law and capital market law legislation the courts soft law and scholarship and in Europe especially major changes are under way across a diverse spectrum all the way from revised contractual arrangements to mandatory statutory provisions Such a shift has important implications for the fundamentals of European company law and there is a need to examine shareholders duties and to consider where this trend is taking shareholders and their stance in law This focused collection of essays by twenty notable

scholars addresses this complex subject from a highly informative and useful variety of perspectives Examining shareholders duties along three axes types of investee companies types of shareholders and types of business situations the essays deal with such topics and issues as the following shareholders duties as reflections of the interests they are intended to safeguard shareholders duties to society shareholders disclosure obligations duties of parent companies institutional investor s fiduciary duty how regulatory duties constrain value reducing forms of opportunism the state s continuing duties in the transformation of state owned companies significant shareholders duties in transactions with the company and powerful shareholders duty not to abuse right Examining the implications of this shift in discourse how shareholders duties are coming to the fore under the impetus of legislation legal doctrine case law and enforcement strategies as well as its ideological underpinnings this book offers a comprehensive and in depth consideration of this rapidly developing field It will prove of inestimable value not only to policymakers and academics but also to investors and practitioners committed to creating conditions favourable to sustainable economic growth and responsible business behaviour

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