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Modern Irish Company Law

Surya Deva



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Modern Irish Company Law T. Henry Ellis, Henry Ellis, 2001 *Modern Irish Company Law* is the most up to date guide available to cover all aspects of contemporary Irish company law Written from a practical business perspective it offers a clear and authoritative explanation of the complexities in the law governing companies in Ireland The new edition has been updated to tackle recent developments in company law in Ireland In particular the Company Law Enforcement Act 2001 and the creation of the office of Director of Corporate Enforcement represent the most radical action ever taken by any Irish government to reform company law enforcement

Keane on Company Law Brian Hutchinson, 2017-02-03 *Keane on Company Law* Fifth Edition previously *Company Law* by Justice Ronan Keane covers the Companies Act 2014 and is essential reading for students solicitors and barristers alike This latest edition of Judge Keane's highly regarded text on Irish company law is substantially revised and updated to cover the Companies Act 2014 as amended up to October 2016 and also covers the many developments in the case law since the fourth edition was published in 2006 Hardly any aspect of company law is left untouched in some way by the 2014 Act The Act not only repeals the prior Companies Acts and replaces them with a consolidated code but also introduces many innovations designed to make companies more accessible to those doing business and to streamline corporate compliance and procedures The Act creates two new forms of private company the private company limited by shares LTD which enjoys concessions not previously available to private companies and the designated activity company DAC which more closely resembles to private company known under the former legislation It also overhauls the requirements relating to other forms of company namely PLCs guarantee companies CLGs and unlimited companies while also clarifying and extending the obligations of external companies which operate in Ireland Among the key changes are the effective abolition of the ultra vires rule which has applied to all companies up to now and changes in the requirements relating to the constitutions of companies The Act also changes the rules regarding company capital and makes significant changes to the law concerning the registration of company charges the conduct of windings up the passing of written resolutions and the approval of certain transactions which previously were either prohibited or required Court approval by a new Summary Approval Procedure involving a special resolution combined with an appropriate declaration by the directors subject to safeguards to prevent improper use The Act also codifies the previously common law fiduciary duties of directors and substantially modifies the regime regarding disclosure and approval of transactions involving directors The Act also introduces new procedures whereby Irish companies can be merged or divided Recent amendments to the Act have added further requirements regarding statutory audit and auditors and impending changes addressed in this edition will alter the regime governing annual financial statements and impose filing requirements on unlimited companies Meanwhile the courts have been busy particularly in the areas of restriction and disqualification of directors and examinership but also notably in the areas of company charges reservation of title financial assistance in the purchase of shares to mention but a

few All these changes to Irish company legislation are covered in this new edition which continues in the accessible and user friendly but authoritative style for which previous editions have made the work a renowned standard

Law and Gender in Modern Ireland Lynsey Black, Peter Dunne, 2019-02-21 Law and Gender in Modern Ireland Critique and Reform is the first generalist text to tackle the intersection of law and gender in this jurisdiction for over two decades As such it could hardly have come at a more opportune moment The topic of law and gender perhaps more so than at any other time in Irish history has assumed a dominant place in political and academic debate Among scholars and policy makers alike the regulation of gendered bodies and the legal status of sexual and gendered identities is now a highly visible fault line in public discourse Debates over reproductive justice exemplified by the recent referendum to remove the 8th Amendment increased rights for lesbian gay bisexual and transgender persons including the public sanctioned introduction of same sex marriage and the historic mistreatment of women and young girls have re shaped Irish public and political life and encouraged Irish society to re examine long unchallenged gender norms While many traditional flashpoints remain such as abortion and prostitution sex work there are also new questions including surrogacy and the gendered experience of asylum frameworks which have emerged As policy makers seek to enact reforms they face a population with increasingly polarised perceptions of gender and a legal structure ill equipped for modern realities This edited volume directly addresses modern Irish debates on law and gender Providing an overview of the existing rules and standards as well as exploring possible options for reform the collection stands as an important statement on the law in this jurisdiction and as an invaluable resource for pursuing gendered social change While the edited collection applies a doctrinal methodology to explain current statutes case law and administrative practices the contributors also invoke critical gender queer and race perspectives to identify and problematise existing and potential challenges This edited collection is essential reading for all who are interested in law gender and processes of social change in modern Ireland

Company Law Eva Micheler, 2021 This book advances a real entity theory of company law In this theory the company is a legal entity allowing an organization to act autonomously in law and company law establishes procedures facilitating autonomous organizational decision making The theory builds on the insight that organizations or firms are a social phenomenon outside of the law and that they are autonomous actors in their own right They are more than the sum of the contributions of their participants and they act independently of the views and interests of their participants The real entity theory advanced in this book explains company law as it stands at a positive level Companies are liable in tort and crime The statute creates roles for shareholders directors a company secretary and auditors and so facilitates a process leading to organizational action The law also integrates the interests of creditors and stakeholders The book states the law as of 1 August 2021

A Social History of Company Law Rob McQueen, 2016-03-16 The history of incorporations legislation and its administration is intimately tied to changes in social beliefs in respect to the role and purpose of the corporation By studying the evolution of the corporate form in Britain and a number of its colonial

possessions the book illuminates debates on key concepts including the meanings of laissez faire freedom of commerce the notion of corporate responsibility and the role of the state in the regulation of business In doing so *A Social History of Company Law* advances our understanding of the shape effectiveness and deficiencies of modern regulatory regimes and will be of much interest to a wide circle of scholars

The Historical Foundations of Modern Company Law Ronald Ralph Formoy, 1923

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

Critical Company Law Lorraine Talbot, 2015-08-11 The second edition of *Critical Company Law* provides a framework in which to understand how the company functions in society and a thorough grounding in modern legal doctrine It shows how modern company law is shaped by a multi layered history of politics ideology economics and power Through the lens of political economic theory the book shows how the company becomes the mechanism through which the state makes political choices about distributing societies wealth and through which it responds to economic crises The current law reflects an economy marked by a disjuncture between the low profits of the productive economy and the high profits of the finance economy *Critical Company Law* examines areas of company law to show how they reflect a fragile economy inexorably drawn to social and economic inequality and short termism These include The Doctrine of Separate Corporate Personality Groups of Companies and Tort Liabilities Company Formation and the Constitution Directors Duties and Authority Corporate Capacity Shares and Shareholders Raising and Maintaining Capital Minority Protection In this uniquely hybrid book the legal topics are treated with detail and clarity providing an engaging introduction to the key topics required for a student of company law

Companies and Climate Change Lisa Benjamin, 2021-04-29 Companies lie at the heart of the climate crisis and are both culpable for and vulnerable to its impacts Rising social and investor concern about the escalating risks of climate change are changing public and investor expectations of businesses and as a result corporate approaches to climate change Dominant corporate norms that put shareholders and their wealth maximization at the heart of company law are viewed by many as outdated and in need of reform *Companies and Climate Change* analyzes these

developments by assessing the regulation and pressures that impact energy companies in the UK with lessons that apply worldwide In this work Lisa Benjamin shows how the Paris Agreement climate and energy law in the EU and the UK and transnational human rights and climate litigation are regulatory and normative developments that illustrate how company law can and should act as a bridge to progressive corporate climate action *Sustainable Value Creation in the European Union* Beate Sjøfjell, Georgina Tsagas, Charlotte Villiers, 2022-12-15 The European Union Treaty after Lisbon emphasises the overarching objectives of sustainable development and a highly competitive social market economy aiming at full employment high levels of environmental protection and social progress Yet in 2022 it is clear that these ambitions have not been fully achieved The ongoing pandemic the continuing fall out from Brexit and the resulting economic damage a Grexit avoided and potential other exits from the EU have come to undermine the political consensus of the idea of a European Union Amidst these challenges the debates on how to achieve the UN Sustainable Development Goals have turned towards demanding more sustainable economic policies financial investments and business actions The present volume provides a much needed space for in depth discussion of the concept of sustainable value creation and how it can be achieved within the ecological limits of our planet through the prism of an interdisciplinary concept of sustainability **The Constitutional Corporation** Stephen Bottomley, 2016-03-23 Corporate laws are based on the idea that the interests of shareholders should be the primary concern of company directors However some argue that the proper role for shareholders is to sit back and let the corporation s managers do their job or that the pursuit of shareholders interests detracts from the concerns of employees or victims of corporate wrongdoing or other stakeholders Stephen Bottomley argues that instead of consigning shareholders to this passive role they should be given opportunities to be active members of corporations Corporations are constitutional arrangements rather than mere contractual agreements They are decision making organizations in which questions of process and structure are important Thus instead of using economic criteria such as efficiency as the sole measure for deciding what constitutes good corporate governance this book examines whether ideas of accountability deliberation and contestability provide a valuable framework for assessing corporate structures and process and for encouraging greater shareholder participation **Corporate Group Legitimacy** Peter Underwood, 2024-08-01 This book focuses on the legitimacy of corporate power wielded by corporate groups integrating legal doctrine economic analysis and theoretical approaches It reassesses how corporate groups can maintain legitimacy whilst exercising corporate power Corporate groups are a prominent commercial feature of many jurisdictions and present unique challenges The book argues that when analysed through the lens of corporate social responsibility a legitimacy deficiency emerges This arises from a lack of historical debate diluted control mechanisms and inflated growth utilising unique features of the corporate group It explores how the magnified power of the corporate group presents acute challenges for corporate legitimacy Data is utilised alongside current examples of corporate groups which identify structural architectural patterns It explores new technologies such as

Artificial Intelligence and blockchain as ways of attaining legitimacy It presents methods of attaining legitimacy for the continued wielding of power to be held within corporate groups This book spans several research interests under the corporate law umbrella It will be of interest to traditional black letter company lawyers Additionally it will be of interest to those who have an interest in business and those who are interested in the role of technology **The Corporation** Grietje Baars, Andre Spicer, 2017-03-24 The corporation has become an increasingly dominant force in contemporary society However comprehensive in depth analysis of the concept of the corporation is often restricted or limited to one disciplinary approach This handbook brings together the cutting edge scholarship expertise and insight of leading scholars in a wide range of disciplines notably management studies law history political science anthropology sociology and criminology using a critical approach to dissect and understand the corporation Ten chapters provide overviews of the state of play of critical scholarship on the corporation in each of these disciplines Further contributors tackle current hot topics such as corporate social responsibility corporate crime global value chains financialization and the interaction between corporations and communities Finally they consider resistance and alternatives to the corporation With its interdisciplinary approach this book is an invaluable resource for all readers studying the past present and future of the corporation **Ecocide** David Whyte, 2020-09-01 We have reached the point of no return The existential threat of climate change is now a reality The world has never been more vulnerable Yet corporations are already planning a life beyond this point The business models of fossil fuel giants factor in continued profitability in a scenario of a five degree increase in global temperature An increase that will kill millions if not billions This is the shocking reality laid bare in a new hard hitting book by David Whyte Ecocide makes clear the problem won't be solved by tinkering around the edges instead it maps out a plan to end the corporation's death watch over us This book will reveal how the corporation has risen to this position of near impunity but also what we need to do to fix it Corporate Governance Marc Moore, Martin Petrin, 2017-09-15 This textbook on corporate governance is written for advanced undergraduate and graduate law students as well as scholars working in the field It offers clear insight into this fascinating area of financial law from the analysis of the legal and regulatory framework of corporate governance in the UK to the core laws and regulatory principles that determine the allocation of decision making power in UK public companies This book also highlights how prevailing corporate governance norms operate within their broader market and societal context In doing so it seeks to encourage readers to develop their own critical opinions on the topic by reference to leading strands of theoretical and inter disciplinary literature along with relevant comparative and historical insights Business Law Stephen Judge, 2017-09-16 With its real world business orientated approach Business Law has been fully updated in line with the Companies Act 2006 and also streamlined to address the needs of today's student of this fascinating and fast moving subject Providing a salient introduction to law in a business context this is a valuable learning companion **Ireland Company Laws and Regulations Handbook Volume 1 Strategic and Practical Information** IBP USA,

Regulating Corporate Human Rights Violations Surya Deva, 2012-05-04 Despite the continuous addition of regulatory initiatives concerning corporate human rights responsibilities what we witness more often than not is a situation of corporate impunity for human rights abuses The Bhopal gas leak examined as a site of human rights violations rather than as a mass tort or an environmental tragedy illustrates that the regulatory challenges that the victims experienced in 1984 have not yet been overcome This book grapples with and offers solutions to three major regulatory challenges to obligating companies to comply with human rights norms whilst doing business and asks why companies should adhere to human rights what these responsibilities are and how to ensure that companies comply with their responsibilities Building on literature in the fields of law human rights business ethics management regulation and philosophy this book proposes a new integrated theory of regulation to overcome inadequacies of the existing regulatory framework in order to humanize business This book will be of interest to scholars students researchers policy makers and human rights activists working in the fields of Law Business and Human Rights

The Routledge Handbook of White-Collar and Corporate Crime in Europe Judith van Erp, Wim Huisman, Gudrun Vande Walle, 2015-04-10 The study of white collar crime remains a central concern for criminologists around the world and research concentrates on its nature prevalence causes and responses However most books on white collar crime tend to focus on Anglo American examples which is surprising given the amount of rich data and research taking place in mainland Europe This new handbook seeks to reset the balance and for the first time presents an overview of state of the art research on white collar crime in Europe Adding to the existing Anglo American body of knowledge the Handbook will discuss specific European topics and typical European features of white collar crime The Routledge Handbook of White Collar and Corporate Crime in Europe consists of more than thirty chapters on topics ranging from the Icelandic Banking Crisis to the origins of the study of white collar crime to contemporary topics such as white collar crime in countries post transition from communist regimes the illegal e waste trade and white collar crime in professional football Furthermore the book contains extensive case study analyses of landmark European cases of white collar crime The editors have gathered together the leading voices in the field and a final section offers commentaries on white collar crime in Europe from eminent criminologists David Friedrichs and Hazel Croall This Handbook will thus serve as a work of reference for all scholars and students engaged in the study of corporate and white collar crime and will also set out directions for new research in the future

The Societal Company John Quinn, 2025-11-13 Many attempts have been made to reduce the harms caused by business and to make companies become socially responsible This book approaches the subject from a new perspective arguing that reflexive law offers the best means to align the interests of large companies with those of society and that recent developments in European company law fit a reflexive model A reflexive company law rather than trying to directly regulate companies aims to affect internal decision making processes to make companies responsive to outside interests and prevent them from operating as closed systems singularly focused on shareholder value In this vein the EU has

recently imposed new obligations on companies to develop corporate sustainability reporting and due diligence processes as part of its objective to create a climate neutral and sustainable economy This book presents an argument for how the societal company a company that has an internal culture of transnational responsibility to do no harm but that retains the autonomy necessary to be economically productive can be established through reflexive law The book will appeal to researchers policy makers and lawyers interested in corporate sustainability regulatory theory company law and EU law

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