

SINDICACIÓN DE ACCIONES

CONTORNOS JURÍDICOS
DE LOS ACUERDOS DE ACCIONISTAS

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Sindicacion De Acciones Contornos Juridicos De Los Acuerdos De Accionistas

Jorge Roberto Maradiaga



Sindicacion De Acciones Contornos Juridicos De Los Acuerdos De Accionistas:

Sindicación de acciones Carlos A. Molina Sandoval,2003 *Sindicación de acciones y mercado de control societario* Antonio Robles Martín-Laborda,2006-01-01 En las sociedades mercantiles resulta muy frecuente la celebración de los denominados acuerdos de sindicación de acciones entre los cuales se incluyen tanto los sindicatos de voto como los de bloqueo A pesar del recelo que tradicionalmente han despertado ha terminado imponiéndose la aceptación de su licitud y validez conforme a nuestro Derecho de sociedades Sin embargo en nuestra doctrina resulta generalizada la opinión de que solo son eficaces entre quienes los estipulan mientras que su existencia resulta irrelevante para los terceros y para la propia sociedad En esta monografía se replantean tales temas desde el punto de vista específico de las sociedades cotizadas sobre las cuales inciden normas recientes como la Ley de Transparencia o la Directiva de OPAs Para ello se parte de la constatación de que los acuerdos de sindicación de acciones pueden afectar al funcionamiento del mercado de control societario Por una parte pueden constituir una medida defensiva que impida el éxito o incluso la mera formulación de una eventual OPA lo cual no impide el mantenimiento de su validez como regla general pero sometida ahora a una serie de requisitos que vienen a alterar su carácter tradicionalmente secreto y en consecuencia tal vez también su eficacia Por otra los acuerdos de sindicación de acciones han sido considerados como un medio para la adquisición de ese control por lo que se ha planteado la cuestión de si existe obligación de formular una OPA en aquellos supuestos en los que dos o más accionistas de una sociedad cotizada cuya participación conjunta pueda ser calificada de significativa celebran un acuerdo sobre el ejercicio de sus derechos de voto para influir de manera decisiva en la vida social *La sindicación de acciones* Jorge Roberto Maradiaga,1981 *La sindicación de acciones* Fernando H. Mascheroni,1968 **Sindicacion de Acciones** Nicolás Agustín Torres del Sel,2011-10-03 El fenómeno de la sindicacion de acciones ha sido una de las cuestiones mas controvertidas a nivel doctrinario y jurisprudencial en el Derecho Societario del ultimo siglo La finalidad de este trabajo es abordar esta problematica analizando las razones o motivos que llevan a la negociacion y celebracion de este tipo de pactos Estudiaremos uno de sus aspectos mas debatidos como es la posibilidad de que los administradores del ente social se vinculen a traves de esta figura Haremos asimismo un breve analisis de la responsabilidad que puede caber a los integrantes de un pacto de sindicacion por los danos causados a la sociedad o a los terceros a traves del mismo tanto desde la perspectiva concursal como penal Nos detendremos en las consecuencias que se derivan del incumplimiento de lo convenido en el acuerdo de sindicacion por parte de alguno de los socios adheridos Finalmente haremos un analisis de la cuestion relativa a la eficacia o ineficacia de estos convenios frente a la sociedad y los terceros conforme los criterios sentados por la doctrina y jurisprudencia **La Sindicación de Acciones , El derecho de voto del accionista** Carmen Alborch Bataller,1977 *Sindicación de acciones* José María Cristia,1975

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