

### 3.LEGAL ENTITY AND CORPORATE PERSONALITY

**1. A company has a legal existence, which is distinct from that of members.**

**2.All assets and liabilities are held in the name of the company.**

**The members are not agent of the company.**



# Personality Conception Of The Legal Entity

**Susan James, Stephanie Palmer**



## **Personality Conception Of The Legal Entity:**

**The Personality Conception of the Legal Entity** Alexander Nékám,1938      The Personality Conception of the Legal Entity Alexander Nekam,1978-09 An essay presenting what at the time of publication was believed to be a new theoretical approach to an old already much discussed problem personality conception of the legal entity      **Jurisprudence** Roscoe Pound,2000 v 1 Jurisprudence The end of law v 2 The nature of law v 3 The scope and subject matter of law Sources forms modes of growth v 4 Application and enforcement of law Analysis of general juristic conceptions v 5 The system of law

Digital Identity, an Emergent Legal Concept Clare Sullivan,2011 A new legal concept of identity As transactions once based on personal relationships are increasingly automated it is inevitable that our traditional concept of identity will need to be redefined This book examines the functions and legal nature of an individual s digital identity in the context of a national identity scheme The analysis and findings are relevant to the one proposed for the United Kingdom to other countries which have similar schemes and to countries like Australia which are likely to establish such a scheme in the near future Under a national identity scheme being asked to provide ID will become as commonplace as being asked one s name and the concept of identity will become embedded in processes essential to the national economic and social order The analysis reveals the emergence of a new legal concept of identity This emergent concept and the associated individual rights including the right to identity potentially change the legal and commercial landscape The author examines the implications for individuals businesses and government against a background of identity crime      *Visible Women* Susan James,Stephanie Palmer,2002-02 How should feminist theories conceive of the subject What is it to be a legal person What part does embodiment play in subjectivity Can there be a conception of rights which does justice to the social contexts in which rights claims are embedded Is the way the law constitutes legal subjects a form of violence These questions lie at the heart of contemporary feminist theory and in this collection they are addressed by a group of distinguished international scholars working in law philosophy and politics The volume in which the concerns of one author are taken up by others advances current debate on two interconnected levels First it contains original and ground breaking discussions of the questions raised above At the same time it contains a more reflexive strand of argument about the intellectual resources available to feminist thinkers and the advantages and dangers of borrowing from non feminist traditions of thought It thus provides an

exceptionally rich examination of contemporary legal and political feminist theory      **The Legal Status, Privileges and Immunities of the Specialized Agencies of the United Nations and Certain Other International Organizations** Kuljit Ahluwalia,2012-12-06 The past century has been a period of revolutionary change in many fields of human activity in institutions and in thought This period has seen the need of adjustment of state institutions and legal concepts to the needs of greater international cooperation During the half century preceding the First World War cooperation by governments outside the traditional diplomatic channels and procedures was largely limited to highly technical organizations commonly referred

to as public international unions dealing with such matters as the improvement of postal communications and the control of contagious diseases With the establishment of the League of Nations and the International Labor Organization at the end of the First World War organized international cooperation assumed greater importance and the need was recognized of giving to the instruments of such cooperation legal status and rights which would facilitate the effective performance of their functions This proved to be a difficult adjustment for legal theory to make since the enjoyment of special privileges and immunities had been based in traditional international law on the fiction of state sovereignty The new international organizations while performing functions of the kind performed by national governments were far from possessing the powers of such governments The failure of the League of Nations to achieve its major purpose did not signify any permanent decline in the role of organized international cooperation *Cases and Materials in Company Law* L. S. Sealy, 1971-08-31

**The Meanings of Rights** Costas Douzinas, Conor Gearty, 2014-05 Questioning some of the repetitive and narrow theoretical writings on rights a group of leading intellectuals examine human rights from philosophical theological historical literary and political perspectives The Structure of United Nations Economic-Aid to Underdeveloped Countries U. Kirdar, 2013-11-27 It is becoming increasingly evident that the existence together in a diminishing world of rich nations and very poor nations is the critical problem of our time and indeed other questions of international relations are rapidly taking on the appearance of being merely aspects of this central crux According to some authorities it may only be a matter of a few years before the food and population question takes on such alarming proportions as to make our present troubles on the international scene seem slight by comparison It is only against this background that we can fully appreciate the significance of the United Nations institutions and procedures for the mediation of aid whether financial or technical to developing countries and indeed also for the flow of credit and skills between countries generally for few nations or none belong wholly to one side in this matter and the whole question is one that vitally affects the immediate futures of every one of the members of the international community **Research Handbook on Corporate Legal Responsibility** Stephen Tully, 2005 What I liked in particular about the Handbook was that each chapter identified the issues within a theoretical context and then gave the historical perspective with an accurate account of the current legal position and set down clear markers on the issues likely to influence future developments in corporate responsibility Phillip Taylor The Barrister This book has drawn together a distinguished and international group of writers to provide a wide ranging discussion of the responsibility of corporations to society in general including discussion of the role of companies in promoting human rights accomplishing sustainable development and restoring and keeping public trust The contributors put calls for Corporate Social Responsibility into its legal framework and provide a wide range of possible solutions to perceived weaknesses in the law The authors are to be congratulated for adhering to the editorial mandate to provide information in a succinct style which is comprehensible to the lay person as much as the well informed This work is an indispensable tool for anyone engaged in the globalisation debate It

gives valuable international multi faceted insights on the current situation on work in progress to create change and of the theoretical perspectives which inform both Janet Dine Queen Mary College University of London UK Finally a book that explores the legal considerations related to corporate responsibility and does so from a global perspective with strong underpinnings of ethics This book should prove a useful guide for those academics and managers interested in the historical and emerging legal framework that guides corporate decision making around responsibility Sandra Waddock Boston College US This volume provides an invaluable collection of essays that consider diverse perspectives on the social responsibility of corporations As such it provides a very satisfying and balanced combination of contributions that should be useful to any serious student either in practice or academe of the role of corporations in society David Crowther London Metropolitan University UK The ever important topic of corporate legal responsibility is deconstructed into many multifaceted components in this fascinating Handbook which systematically examines each in turn and describes the contemporary legal position The Research Handbook on Corporate Legal Responsibility considers general theory and basic concepts such as corporate legal personality the doctrine of attribution corporate governance and directors duties and reviews the range of individuals to which corporations may be held responsible particularly employees suppliers shareholders stakeholders and women The substantive grounds for corporate responsibility under civil and criminal law within the North American and Commonwealth jurisdictions are evaluated and mechanisms of accountability such as novel regulatory processes interactive regulation codes of conduct and social reporting risk management and the significant role of non governmental organisations are identified The thought provoking chapters contained within this Handbook go on to present perspectives on topical international questions corruption labour standards human rights environmental protection and sustainable development including an analysis of recent initiatives from several international organisations Bringing together the work of around thirty leading academics practitioners campaigners and policymakers from North America Europe and Australia each chapter locates these issues within a theoretical context giving an overview of its historical evolution providing an accurate account of the current legal position and identifying policy issues likely to influence future developments

**Forensics in Telecommunications, Information and Multimedia** Matthew Sorell, 2009-05-26 The Second International Conference on Forensic Applications and Techniques in Telecommunications Information and Multimedia e Forensics 2009 took place in Adelaide South Australia during January 19 21 2009 at the Australian National Wine Centre University of Adelaide In addition to the peer reviewed academic papers presented in this volume the c ference featured a significant number of plenary contributions from recognized tional and international leaders in digital forensic investigation Keynote speaker Andy Jones head of security research at British Telecom outlined the emerging challenges of investigation as new devices enter the market These clude the impact of solid state memory ultra portable devices and distributed storage also known as cloud computing The plenary session on Digital Forensics Practice included Troy O Malley Que sland Police Service who outlined the paperless case file

system now in use in Queensland noting that efficiency and efficacy gains in using the system have now meant that police can arrive at a suspect's home before the suspect Joseph Razik representing Patrick Perrot of the Institut de Recherche Criminelle de la Gendarmerie Nationale France summarized research activities in speech image video and multimedia at the IRCGN The plenary session on The Interaction Between Technology and Law brought a legal perspective to the technological challenges of digital forensic investigation

**Law's Meaning of Life** Ngaire Naffine, 2009-01-06 The perennial question posed by the philosophically inclined lawyer is What is law or perhaps What is the nature of law This book poses an associated but no less fundamental question about law which has received much less attention in the legal literature It is Who is law for Whenever people go to law they are judged for their suitability as legal persons They are given or refused rights and duties on the basis of ideas about who matters These ideas are basic to legal decision making they form the intellectual and moral underpinning of legal thought They help to determine whether law is essentially for rational human beings or whether it also speaks to and for human infants adults with impaired reasoning the comatose fetuses and even animals Are these the right kind of beings to enter legal relationships and so become legal persons Are they for example sufficiently rational or sacred or simply human Is law meant for them This book reveals and evaluates the type of thinking that goes into these fundamental legal and metaphysical determinations about who should be capable of bearing legal rights and duties It identifies and analyses four influential ways of thinking about law's person each with its own metaphysical suppositions One approach derives from rationalist philosophy a second from religion a third from evolutionary biology while the fourth is strictly legalistic and so endeavours to eschew metaphysics altogether The book offers a clear coherent and critical account of these complex moral and intellectual processes entailed in the making of legal persons

*Human Rights, Inc.* Joseph R. Slaughter, 2009-08-25 In this timely study of the historical ideological and formal interdependencies of the novel and human rights Joseph Slaughter demonstrates that the twentieth century rise of world literature and international human rights law are related phenomena Slaughter argues that international law shares with the modern novel a particular conception of the human individual The Bildungsroman the novel of coming of age fills out this image offering a conceptual vocabulary a humanist social vision and a narrative grammar for what the Universal Declaration of Human Rights and early literary theorists both call the free and full development of the human personality Revising our received understanding of the relationship between law and literature Slaughter suggests that this narrative form has acted as a cultural surrogate for the weak executive authority of international law naturalizing the assumptions and conditions that make human rights appear commonsensical As a kind of novelistic correlative to human rights law the Bildungsroman has thus been doing some of the sociocultural work of enforcement that the law cannot do for itself This analysis of the cultural work of law and of the social work of literature challenges traditional Eurocentric histories of both international law and the dissemination of the novel Taking his point of departure in Goethe's Wilhelm Meister Slaughter focuses on recent postcolonial versions of the coming of age story to show how the promise of

human rights becomes legible in narrative and how the novel and the law are complicit in contemporary projects of globalization in colonialism neoimperialism humanitarianism and the spread of multinational consumer capitalism Slaughter raises important practical and ethical questions that we must confront in advocating for human rights and reading world literature imperatives that today more than ever are intertwined A Legal Theory for Autonomous Artificial Agents Samir Chopra, Laurence F. White, 2011-07-18 What legal status should be granted to artificial agents **Jurisprudence, Or, The Theory of the Law** Sir John William Salmond, 1907 The International Legal System as a System of Knowledge Linderfalk, Ulf, 2022-10-25 International law is an underdeveloped branch of legal research researchers still disagree over the proper understanding of several of its most fundamental issues and genuinely so This book helps to explain why It brings clarity that will no doubt make international legal research more rational which in turn vouches for a more productive legal discourse

**Sealy & Worthington's Cases and Materials in Company Law** Len Sealy, Sarah Worthington, 2013-08-15 Sealy Worthington's Cases Materials is well established as one of the foremost casebooks on company law The authors expertise in the subject area ensures that vital case extracts are supplemented by sophisticated commentary and well chosen notes and questions taking into account the most recent developments in this crucial area Redirecting Human Rights A. Grear, 2010-04-09 Against the backdrop of globalization and mounting evidence of the corporate subversion of the Universal Declaration of Human Rights paradigm Anna Grear interrogates the complex tendencies within law that are implicated in the emergence of corporate humanity Grear presents a critical account of legal subjectivity linking it with law's intimate relationship with liberal capitalism in order to suggest law's special receptivity to the corporate form She argues that in the field of human rights law particularly within the Universal Declaration of Human Rights paradigm human embodied vulnerability should be understood as the foundation of human rights and as a key qualifying characteristic of the human rights subject The need to redirect human rights in order to resist their colonization by powerful economic global actors could scarcely be more urgent **States, Firms, and their Legal Fictions** Melissa J. Durkee, 2024-03-07 Corporations and states are creatures of law that claim rights trade roles and avoid responsibility based on legal concepts in international and domestic law Using the concept of attribution as a touchstone this cross disciplinary book explores the law's diverse ways of constructing the identities and responsibilities of firms and states **Law's Judgement** William Lucy, 2017-07-27 Law's Judgement elucidates and defends a feature of contemporary law that is currently either overlooked or too glibly dismissed as morally troublesome or historically anachronistic That feature is the abstract nature of law's judgement and its three components show that when law judges us it often does so in ignorance of our particular characters and abilities on the one hand and in ignorance of our context and circumstances on the other Law's judgement is thus insensitive to all or much that makes us the particular people we are The book explores various connections between this mode of judgement and some of our most important legal and political values It shows that law's abstract judgement is closely related to important juristic

conceptions of personhood responsibility and impartiality and that these notions are not without moral significance The book also examines the connections between modern law s judgement and three of our most important political values namely dignity equality and community It argues that if we value particular conceptions of dignity equality and community then we must also value law s judgement Illuminating these connections therefore serves a double purpose first it makes a case against those who counsel liberation from law s abstract judgement and second it redirects attention to the task of morally evaluating law s abstract judgement in its own terms



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