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Selected Statutes, Rules and Forms



Thomas Lee Hazen

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David L. Ratner, Thomas Lee Hazen



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The Advantage of Competitive Federalism for Securities Regulation Roberta Romano,2002 In this analysis of securities regulation the author demonstrates that the current approach toward U S regulation exclusive jurisdiction of the Securities and Exchange Commission is misguided and should be revamped by implementing a regime of competitive

federalism Under such a system firms would select their regulator from among the states the SEC or other nations The author asserts that competitive federalism harnesses the high powered incentives of markets to the regulatory state to produce regulatory arrangements most compatible with investors preferences The author contends that the empirical evidence does not indicate that the SEC is effective in achieving its stated objectives The commission s expansions of disclosure requirements over the years have not significantly enhanced investors wealth In addition she asserts evidence from institutional equity and debt markets and cross country listing practices demonstrates that firms voluntarily disclose substantial information beyond mandatory requirements to provide the information investors demand The author concludes that under competitive federalism the aspects of the SEC s regime that are valuable to investors will be retained those that are not will be discarded and the resulting securities regime will better meet investors needs than the present one

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