
MINORITY SHAREHOLDERS

Law, Practice, and Procedure

THIRD EDITION

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OXFORD

Minority Shareholders Law Practice And Procedure

Hans-Christoph Hirt



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Minority Shareholders Victor Joffe Kc, David Drake, Giles Richardson Kc, Daniel Lightman KC, Tim Collingwood KC, Thomas Elias, Zahler Bryan, 2024-02-22 This well established and authoritative work now in its seventh edition is the most detailed reference source on the law relating to minority shareholders As more and more legal emphasis is put on corporate governance and as the influence of shareholder activism continues to grow this book is the leading resource for practitioners requiring up to date detailed information on the rights and remedies available to minority shareholders The book provides detailed and incisive coverage of section 994 petitions derivative claims just and equitable winding up petitions and the foreign aspects of shareholder disputes as well as shareholders personal claims against companies and the rights conferred on them by the Companies Act 2006 The seventh edition examines all significant recent case law from the UK including *Sevilleja v Marex Financial Ltd* on reflective loss and *Loveridge v Loveridge Re Westshield Ltd* and *UTB plc v Sheffield Utd* on unfair prejudice The work also considers case law from courts of other jurisdictions with analogous shareholder provisions in particular Hong Kong Singapore and the Caribbean

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National Company Law Tribunal and National Company Law Appellate Tribunal - Law, Practice & Procedure Prachi Manekar Wazalwar,2021-09-20 About the book This book will equip professionals with necessary knowledge tools to practice in NCLT NCLAT acting as their non verbal guide Whether it is oppression and mismanagement cases or winding up liquidation matters mergers de mergers or class actions or an insolvency case this book helps find answers to most practical problems For a new practitioner this book provides the necessary hand holding to understanding the law practice and procedure for dealing with various types of cases in NCLT NCLAT For professionals already practicing corporate laws this book will prove to be invaluable in analysing the evolution of the insolvency code understanding applicability of old case laws resolving transitional issues arising out of transfer abatement of existing cases incisive analysis of new legal provisions and detailed comparison with the 1956 Act Key Features Covers discussion on Insolvency and Bankruptcy Code 2016 IBC and related Rules and Regulations with commentary thereof w r t corporate persons Includes case digest of Supreme Court NCLAT and NCLT under IBC and Companies Act 2013 Commentary on all areas of practice including mergers amalgamation oppression and mismanagement winding up class action investigation Explores new areas of practice for chartered accountants company secretaries cost accountants and corporate lawyers Detailed comparison of provisions of 1956 Act with 2013 Act Ready reference table containing summary of all the powers of NCLT Includes updated NCLT and NCLAT Rules

Enforcement of Corporate and Securities Law Robin Hui Huang,Nicholas Calcina Howson,2017-09-28 This book assembles the world s most authoritative specialists for a comparative analysis of the enforcement of corporate and securities laws in thirteen national jurisdictions It examines the enforcement of corporate and securities laws across the globe and across different legal and political systems from an in depth comparative perspective

Shareholder Protection Reconsidered Georgios Zouridakis,2019-11-26 This book examines the role and potential of derivative actions in shareholder protection in public limited companies Derivative actions have been a focal point of legislators agendas on shareholder protection in the past few decades throughout Europe and beyond Nevertheless there remain jurisdictions such as Greece which are still devoid of this remedy Against this backdrop this book examines whether and how the derivative action may improve shareholder protection constituting thus a

mechanism that justifies legislative attention It does so in three parts First it analyses the desirable role derivative actions assume in protecting shareholder property monitoring corporate management and mitigating agency costs alongside their economic implications introducing the reader to the contemporary international debate on the topic Having set the desiderata the second part proceeds with the comparative analysis of Greek German and UK law jurisdictions that have recently reformed their provisions on shareholder protection examining not only the law on derivative actions and their Greek counterpart remedy but also mechanisms of shareholder protection that do or could assume functions similar to those of the derivative action By critically assessing the merits and failures of the respective UK German and Greek shareholder protection laws the book then proceeds to offer in Part III a model framework of shareholders derivative litigation for jurisdictions considering reform Written in an accessible format it will be an invaluable resource for anyone interested in this important aspect of company law and corporate governance

Comparative Company Law O. Nwafor, 2020-07-01 Topics discussed in this book are deliberately comparative and show the different levels of the ground rules for the regulation of corporate operations in the different jurisdictions The United Kingdom Nigeria and South Africa are primarily chosen simply on the common law background upon which the statutory provisions in those countries are founded There are also references to Canada Australia and India on case by case basis to illustrate the differences in the application of the relevant legal principles and statutory interpretations The insights gained should facilitate statutory amendments and effective adjustment in the operations of the regulatory agencies and business organizations The book is written as an invaluable study material for students at the tertiary level Illuminating the concepts from divergent perspectives avails the reader a broad range of explanations for a better understanding of the subject Legal practitioners and the judiciary should also find in this work a good source of legal information on company law especially whenever the need arises to seek persuasive guidance from the opinions of courts and writers on similar developments in cognate jurisdictions to give meaning to those difficult and uncharted courses in the discharge of their daily responsibilities of interpreting and applying the law as judicial officers The book should be a handy material for those running the affairs of a company in understanding the rules of their engagement

A Comparative Study of Funding Shareholder Litigation Wenjing Chen, 2017-04-25 This book studies the funding problems with shareholder litigation through a functionally comparative way In fact funding problems with shareholder lawsuits may largely discourage potential shareholder litigants who bear high financial risk in pursuing such a claim but on the other hand they may not have much to gain Considering the lack of incentives for potential shareholder claimants effective funding techniques should be in place to make shareholder actions function as a corporate governance tool and discipline corporate management The book analyzes among others the practice of funding shareholder litigation in the Australia Canada the UK the US and Israel and covers all of the typical approaches being used in financing shareholder litigation in the current world For instance Israel and Canada Quebec and Ontario are probably unique in having a public

funding mechanism for derivative actions and class actions while Australia is the country where third party litigation funding is originated and is growing rapidly Based on this comparative research the last part of this book discusses how to fund shareholder litigation in China in context of its social and legal background and what kind of problems need to be solved if certain funding techniques are used

Advanced Introduction to Corporate Governance Law and Regulation Brian R. Cheffins, 2024-10-03 The Advanced Introduction to Corporate Governance Law and Regulation provides a key overview of the various facets of corporate law essential to the governance of publicly traded companies Brian R Cheffins deploys a robust theoretical and multijurisdictional framework through which he analyses the elements of corporate law crucial for governance offering incisive insights into both corporate law and corporate governance

Unlocking Company Law Sue McLaughlin, 2013-04-26 Company law is a vibrant and fast moving area of the legal system Unlocking Company Law will ensure that you grasp the main concepts with ease providing you with an essential foundation to company law The book explains in detailed yet straightforward terms Legal Structures of Business Organisations The Company as a Distinct Legal Person Company Formation and Linked Issues The Constitution of the Company Financing a Company Shareholders shares and share capital Capital Maintenance and Distributions Governance of the Company Legally Binding the Company Directors duties Rescuing Troubled Companies and Takeovers Winding up and Dissolution Transparency This second edition is fully up to date with the latest developments in the law including all significant new cases It also contains new material on rescuing troubled companies and takeovers The Unlocking the Law series is designed specifically to make the law accessible Each chapter opens with a list of aims and objectives contains activities such as quick quizzes and self test questions key facts charts to consolidate your knowledge and diagrams to aid learning Cases and judgments are prominently displayed as are primary source quotations Summaries help check your understanding of each chapter there is a glossary of legal terminology The popular website www.unlockingthelaw.co.uk has been improved and updated It provides free resources such as multiple choice questions key questions and answers revision mp3s and cases and materials exercises

Company Law and Directors' Duties in Sub-Saharan Africa Oludara Akanmidu, 2024-04-02 This book provides a critical analysis of the enforcement regime for breach of directors duties in sub Saharan Africa Focusing on Nigeria Kenya Ghana and Tanzania it interrogates the current state of play regarding the enforcement of directors duties in sub Saharan African countries The book examines the effectiveness of enforcement the reasons for its successes or failures and how it might be improved in these countries Finally taking into consideration the specific socio cultural context of the countries in question it offers persuasive and practical avenues for reform This book will be of interest to scholars and practitioners of comparative corporate law and corporate governance in Africa

Compendium of Key Issues Under Corporate Law, 1e Dr. K. R. Chandratre, 2021-03-15 About the Book With the rapid change in statutory environment Corporate Law has also been evolving at faster pace from past several decades The complexities in the laws have also been rising which poses constant

challenge to practising professionals There also exist a lot of issues which perhaps may not be addressed by legislation and delegated legislation some of which are addressed by the judiciary The present book is a Compendium of Key Issues under Corporate Laws covering a wide spectrum of subjects in Corporate Laws in five Volumes This book brings out issues in Corporate Law covering aspects that professionals face in practice It also brings out a lot of aspects that readers should be aware of Legislation and case laws from other jurisdictions have been analysed to provide insight into the issues Key Features Topic wise detailed analysis of various Corporate Law issues Various issues organised under topic heads addressing the key issues concerning the topic Detailed analysis of statutory provisions along with relevant judicial pronouncements and provisions of allied laws wherever applicable for each topic has been provided e g SEBI Act and various Regulations issued by the SEBI Analysis of certain landmark judicial pronouncements Comparative position of various topics between Companies Act 2013 and Companies Act 1956 Certain new concepts of Companies Act 2013 explained in detail Rules of interpretation of statutes have been discussed wherever necessary

The Foundations of International Investment Law Zachary Douglas, Joost Pauwelyn, Jorge E. Viñuales, 2014-02 Bringing together conceptual theories of international investment law with the practical application of the law in treaty arbitration this book investigates the key controversies in the field It provides a detailed examination of how a different theoretical approach would have led to a different outcome in a number of important arbitral awards

Shareholders' Claims for Reflective Loss in International Investment Law Lukas Vanhonnaeker, 2020-07-16 This book studies shareholders claims for reflective loss and explains why they are justified in international investment law

Pettet, Lowry & Reisberg's Company Law Arad Reisberg, Anna Donovan, 2018

EU Law and the Harmonization of Takeovers in the Internal Market Thomas Papadopoulos, 2010-01-01 Although some provisions of the Directive are obligatory for all Member States two key provisions have been made optional the non frustration rule which requires the board to obtain the prior authorization of the general meeting of shareholders before taking any action that could result in the frustration of the bid and the breakthrough rule restricting significant transfer and voting rights during the time allowed for acceptance of the bid Other relevant legal issues covered in the course of the analysis include the following A the right of establishment as a right of legal persons A vertical vs

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