

OXFORD SOCIO-LEGAL STUDIES

RESPONSIVE REGULATION

*Transcending the
Deregulation
Debate*

IAN AYRES
JOHN BRAITHWAITE

Responsive Regulation Transcending The Deregulation Debate

Sharon Oded



Responsive Regulation Transcending The Deregulation Debate:

Responsive Regulation Ian Ayres, John Braithwaite, 1995-02-16 This book transcends current debate on government regulation by lucidly outlining how regulations can be a fruitful combination of persuasion and sanctions The regulation of business by the United States government is often ineffective despite being more adversarial in tone than in other nations The authors draw on both empirical studies of regulation from around the world and modern game theory to illustrate innovative solutions to this problem Their ideas include an argument for the empowerment of private and public interest groups in the regulatory process and a provocative discussion of how the government can support and encourage industry self regulation

Schienenoberflächen-Messdraisine, 1979

Regulation and Supervision of the OTC Derivatives Market Ligia Catherine Arias-Barrera, 2018-05-11 The over the counter OTC derivatives market has captured the attention of regulators after the Global Financial Crisis due to the risk it poses to financial stability Under the post crisis regulatory reform the concentration of business and risks among a few major players is changed by the concentration of a large portion of transactions in the new market infrastructures the Central Counterparties CCPs This book for the first time analyses the regulatory response of the United Kingdom and the United States the two largest centres of OTC derivatives transactions and highlights their shortcomings The book uses a normative risk based approach to regulation as a methodological lens to analyse the UK regime of CCPs in the OTC derivatives market It specifically focuses on prudential supervision and conduct of business rules governing OTC derivatives transactions and the move towards enhancing the use of central clearing The resulting analysis from a normative risk based approach suggests that the UK regime for CCPs does not fulfil what would be expected if a coherent risk based approach was taken Our comments on the Dodd Frank Act highlight that the incoherent adoption of risk based approach to regulation affects the effectiveness of the US regime for CCPs Such a regime does not follow the pace of events of innovation risk in particular the foreseeable changes FinTech will bring to the OTCDM and central clearing services The second inadequacy of the US regime concerns the dual regulatory structure of the CFTC and the SEC and the inadequate adoption of different and not well coordinated regulatory strategies We also analyse the cross border implications of the US regime for non US CCPs that provide clearing services to US market participants Finally we study the negative effects of the absence of a clearly defined resolution regime for CCPs

Corporate Compliance Sharon Oded, 2013-01-01 How to induce corporate compliance with regulations Harsh punishments will cause companies to disguise violations and mild punishments will cause companies to report their violations and make weak efforts to avoid them In this book Sharon Oded canvasses the history of thinking about corporate compliance and he proposes his own candidate for the best law This is a sophisticated account of legal incentives that will repay any reader interested in corporate compliance

Robert Cooter University of California Berkeley US The effective control of corporate misconduct is a vital but elusive task for regulators given the complexity of organization structures and the need to find the right balance between deterrent and

cooperative based enforcement policies In this powerful and comprehensive study Sharon Oded argues for combining different approaches and boldly advocates in particular the use of third party independent corporate monitoring firms to implement self policing strategies This will be essential reading for those involved in the theory or practice of regulatory corporate enforcement Anthony Ogus University of Manchester UK and University of Rotterdam The Netherlands This book considers how a regulatory enforcement policy should be designed to efficiently induce proactive corporate compliance It first explores two major schools of thought regarding law enforcement both the deterrence and cooperative approaches and shows that neither of these represents an optimal regulatory enforcement paradigm from a social welfare perspective It provides a critical analysis of recent developments in US Federal corporate liability regimes and proposes a generic framework that better tailors sanction schemes and monitoring systems to regulatee performance The proposed framework efficiently induces corporate proactive compliance while maintaining an optimal level of deterrence This insightful book will appeal to academics in law and economics behavioral economics criminology and business as well as to practitioners and policymakers

Legal Regulation of Corporate Social Responsibility Mia Mahmudur Rahim, 2013-11-27 Even though Corporate Social Responsibility CSR has become a widely accepted concept promoted by different stakeholders business corporations internal strategies known as corporate self regulation in most of the weak economies respond poorly to this responsibility Major laws relating to corporate regulation and responsibilities of these economies do not possess adequate ongoing influence to insist on corporate self regulation to create a socially responsible corporate culture This book describes how the laws relating to CSR could contribute to the inclusion of CSR principles at the core of the corporate self regulation of these economies in general without being intrusive in normal business practice It formulates a meta regulation approach to law particularly by converging patterns of private ordering and state control in contemporary corporate law from the perspective of a weak economy It proposes that this approach is suitable for alleviating regulators limited access to information and expertise inherent limitations of prescriptive rules ensuring corporate commitment and enhance the self regulatory capacity of companies This book describes various meta regulation strategies for laws to link social values to economic incentives and disincentives and to indirectly influence companies to incorporate CSR principles at the core of their self regulation strategies It investigates this phenomenon using Bangladesh as a case study

Asian Data Privacy Laws Graham Greenleaf, 2014-10-16 The first work to examine data privacy laws across Asia covering all 26 countries and separate jurisdictions and with in depth analysis of the 14 which have specialised data privacy laws Professor Greenleaf demonstrates the increasing world wide significance of data privacy and the international context of the development of national data privacy laws as well as assessing the laws their powers and their enforcement against international standards The book also contains a web link to an update to mid 2017

Governing through Regulation Eric Windholz, 2017-06-26 Over the past forty years numerous theoretical advances have been made From Ayres and Braithwaite s ground breaking work on

responsive regulation we have seen models of smart regulation regulatory governance and regulatory capitalism emerge to capture the growing prevalence and importance of regulation in modern liberal Western capitalist societies Important advances also have been made in the practice of regulation with regulators evolving from traditional enforcement focussed command and control models to being modern regulators with a suite of diverse and innovative regulatory tools at their disposal The book presents and critically examines these theoretical and practical developments from the perspective of governments who design regulations and the regulators that deploy them In doing so the book examines the various forces and interests that influence and shape the regulatory endeavour and the practical challenges facing governments and regulators when deciding whether and how to regulate This volume is a study of regulation in context in the context of the public policy it is designed to deliver the law that enables shapes and holds it to account and the evolving societal and institutional frameworks within which it takes place Aimed to provide innovative cross disciplinary conceptual frameworks that regulators regulatees those whom regulation is intended to benefit and academics might employ to better understand and undertake the regulatory endeavour This will be of great interest to researchers educators advanced students and practitioners working in the fields of political science public management and administration and public policy

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

Juvenile Delinquency, Victimization, and Justice in Chinese Societies Yue Zhuo, Hua Zhong, 2025-07-31 Exploring the pressing issues of juvenile delinquency victimization and justice in Chinese societies this book showcases contemporary research on these critical topics The collections provide a comprehensive examination of youth related challenges and justice systems across mainland China Hong Kong Macau and Taiwan Featuring contributions from top scholars in the field the book is presented in three thematic sections the nature and correlates of juvenile delinquency the nature and correlates of juvenile victimization and juvenile justice in Chinese societies The chapters applying a variety of mainstream criminological theories address both persistent and emerging challenges facing Chinese adolescents

such as drug use sexual offenses cyberbullying and victimization among left behind children The book enhances the theoretical and empirical understanding of youth delinquency victimization and justice within Chinese societies while advancing the knowledge base in the field and offering valuable insights for future international and comparative research Contributing to the apprehension of both the applicability and limitation of Western based criminological theories in the Chinese context as well as providing a holistic lens to understand the juvenile justice system in China this book will be of great interest to students and scholars of Criminology Criminal Justice Chinese Studies Asian Studies Sociology Social Work and Law

Market-Based Governance John D. Donahue, Joseph S. Nye, 2004-05-26 A Brookings Institution Press and Visions of Governance for the 21st Century publication The latest in a series exploring twenty first century governance this new volume examines the use of market means to pursue public goals Market based governance includes both the delegation of traditionally governmental functions to private players and the importation into government of market style management approaches and mechanisms of accountability The contributors all from Harvard University assess market based governance from four perspectives The demand side deals with new revised or newly important forms of interaction between government and the market where the public sector is the customer Chapters in this section include Steve Kelman on federal procurement reform Karen Eggleston and Richard Zeckhauser on contracting for health care and Peter Frumkin The supply side section deals with unsettled questions about government's role as a provider rather than a purchaser within the market system Contributors include Georges de Menil Frederick Schauer and Virginia Wise A third section explores experiments with market based arrangements for orchestrating accountability outside government by altering the incentives that operate inside market institutions Chapters include Robert Stavins on market based environmental policy Archon Fung on social markets and Cary Coglianese and David Lazer The final section examines both the upside and the downside of the market based approach to improving governance Contributors include Elaine Kamarck John D Donahue Mark Moore and Robert Behn An introduction by John D Donahue frames market based governance as an effort to engineer into public work some of the intensive accountability that characterizes markets without surrendering the extensive accountability of conventional government A preface by Joseph S Nye Jr sets the book in the context of a larger inquiry into the future of governance

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web jun 24 2022 the transmission range sensor trs is responsible for telling your mustang s powertrain control module pcm or transmission control module tcm what gear the vehicle is in for this article we will use pcm as the preferred term perhaps the most common fix for p0705 is a new trs