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Common Legal Framework for Takeover Bids in Europe: Volume 2 Dirk Van Gerven, 2010-01-28 The Council Directive of 21 April 2004 on takeover bids sets forth the general principles applicable to takeover bids and clarifies certain minimum rules with respect to the procedure for a takeover bid the obligation to make a mandatory bid in the event a minimum threshold is crossed and the majority shareholder's squeeze out right as well as the minority shareholders sell out right Furthermore the Directive defines the authority which is competent to approve offer documents and supervise takeover bids and provides for optional restrictions on the actions of the target company's management and on defence mechanisms This book discusses the Takeover Directive and its implementing rules in each Member State of the European Union and the European Economic Area providing companies and their advisors with useful insight into the legal framework and principles applicable to takeover bids in the region

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parties with interests in Slovenia will welcome this very useful guide and academics and researchers will appreciate its value in the study of comparative business law

Corporate Governance as a Limited Legal Concept Cornelis de Groot, 2009-01-01 The concept of corporate governance has come under intense public scrutiny in recent years Business people everywhere are asking What exactly does and goodand corporate governance entail Which aspects of it are legally binding and in what ways is it merely a set of expectations on how corporations should be organized ideally Nowhere are these important questions answered more precisely nowhere are the lines more clearly drawn than in the insightful synthesis of statutory law case law and organizational theory presented in this book Recognizing that the concept of and goodand corporate governance is not dramatically different from one jurisdiction to another but represents an international phenomenon that has to a reasonable extent the same characteristics everywhere the author proceeds with detailed analysis through a series of issues that he shows make up the brunt of corporate governance Each of these issues in turn gives rise to such specific problem areas as the following board compensation and executive compensation unitary and dual board structures monitoring management legal parameters of and mismanagementand the and supervisory gapand audit selection and appointment and remuneration committees director tenure and retirement policy risk management and risk reporting corporate safety culture conflicts of interest whistleblower arrangements aims of the regulation of public takeover bids and defensive tactics in case of a hostile public takeover bid These problems and many others are examined in the light of corporate governance codes and guidelines and of reports and judgments that deal with specific instances where investigators or courts were asked to analyze corporate governance issues in concrete cases Each of the ten chapters includes in depth analysis of such cases A special feature of the book is a set of model corporate governance guidelines based on US corporate practice Corporate Governance as a Limited Legal Concept is remarkable for its very thorough characterization and definition of corporate governance as a legal concept as a code of conduct and as an organizational structure The authorand s clearly reasoned analysis of the legal limits of corporate governance will be of great interest and practical value to business people and their counsel in any jurisdiction

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