

The Economics Of Harmonizing European Law

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The Economics of Harmonizing European Law Alain Marciano 2002 One of the effects of the process of European integration is the growing importance of transnational institutions and the accompanying legal harmonisation. This book looks at the challenges arising from the consequential shifts in power.

The Harmonization of Civil and Commercial Law in Europe Gian Antonio Benacchio 2005-10-10 The "Europeanization" of European private law has recently received much scrutiny and attention. Harmonizing European systems of law represents one of the greatest challenges of the 21st century. In effect, it is the adaptation of national laws into a new supra-national law, a process that signifies the beginning of a new age in Europe. This volume seeks to frame the creation of a new European Common Law in the context of recent events in European integration. Engaged in timely and cutting edge research, the authors cast into fine relief the building of a European Common Law. The work is envisioned as a guide and written in a research friendly style that includes text inserts and an extensive bibliography. In particular, this book seeks to orient lawmakers, as well as those individuals interested in EU law, in the intricacies of consumer protection, contractual law, timesharing, and other important aspects in the harmonization of domestic and EU law books. The detailed analysis and research this volume accomplishes is invaluable to those scholars and lawmakers who are the next generation of European leaders.

The Social Construction of Free Trade Francesco Duina 2007-08-26 Francesco Duina argues that economic integration is a profoundly social process and a distinctive endeavour in different regions of the world. He challenges our understanding of globalisation, the nature of markets and the spread of neoliberalism.

A Common Law for Europe Gian Antonio Benacchio 2005-01-01 The "Europeanization"

of European private law has recently received much scrutiny and attention. Harmonizing European systems of law represents one of the greatest challenges of the 21st century. In effect, it is the adaptation of national laws into a new supra-national law, a process that signifies the beginning of a new age in Europe. This volume seeks to frame the creation of a new European Common Law in the context of recent events in European integration. The work is envisioned as a guide and written in a research friendly style that includes text inserts and an extensive bibliography. The detailed analysis and research this volume accomplishes is invaluable to those scholars and lawmakers who are the next generation of European leaders.

Towards a European Civil Code Christian von Bar 2011 Since its original publication in 1994, *Towards a European Civil Code* has become an international classic. This fourth edition of the book reflects the current state of the debate on the future of European private law and provides materials for academic teaching in this field. The Chapters of the book, written by a large number of experts on European private law, address the main topics of debate, taking into account the laws of the European Member States, the *acquis communautaire* in the area of private law and sets of model rules, such as the Principles of European Contract Law and the Principles of European Tort Law. Moreover, in this fourth edition of the volume, authors pay particular attention to recent developments regarding the drafting of a Common Frame of Reference for European private law. With few exceptions, the existing Chapters have been updated, and new contributions have been included on: and• private regulation; and• the influence of primary EU law on private law; and• competition and contract law; and• proceduralisation of private law; and• the legislative competence of the EU in the field of private law; and• constitutional aspects of a European Civil Code; and• the notion of damage; and• the law and economics of harmonizing European private law; and• defects of consent in contract law; and• hardship and modification of the contract; and• financial services; and• suretyships by private persons; and• vicarious liability; and• liability for land and structures; and and• good faith acquisition of movables. Thus, this new, revised and expanded edition of *Towards a European Civil Code* forms a primary point of reference for policy makers, practitioners, academics and students engaged in matters of European private law.

Uses and Misuses of International Economic Law Moritz J. K. Blenk 2022-09-12 Standardization is a classic form of rulemaking. Nonetheless, it is notoriously diffuse and gives rise to questions and debate; in particular over the standards' normativity, legitimacy and nature - whether public or private, national or international. Moritz J. K. Blenk applies a policy-orientated approach to international law to comparatively analyze the role of private rulemaking within the context of international economic integration in the World Trade Organization and the European Union. He thereby aims to elucidate the opaque phenomenon of private standardization from a legal perspective and, more profoundly, shed new light on economic integration.

The Oxford Handbook of European Union Law Anthony Arnall 2015 Since its formation the European Union has expanded beyond all expectations, and this expansion seems set to continue as more countries seek accession and the scope of EU law expands, touching more and more aspects of its citizens' lives. The EU has never been stronger and yet it now appears to be reaching a crisis point, beset on all sides by conflict and challenges to its legitimacy. Nationalist sentiment is on the rise and the Eurozone crisis has had a deep and lasting impact. EU law, always controversial, continues to perplex, not least because it remains difficult to analyse. What is the EU? An international organization, or a federation? Should its legal concepts be measured against national standards, or another norm? The Oxford Handbook of EU Law illuminates the richness and complexity of the debates surrounding the law and policies of the EU. Comprising eight sections, it examines how we are to conceptualize EU law; the architecture of EU law; making and administering EU law; the economic constitution and the citizen; regulation of the market place; economic, monetary, and fiscal union; the Area of Freedom, Security, and Justice; and what lies beyond the regulatory state. Each chapter summarizes, analyses, and reflects on the state of play in a given area, and suggests how it is likely to develop in the foreseeable future. Written by an international team of leading commentators, this Oxford Handbook creates a vivid and provocative tapestry of the key issues shaping the laws of the European Union.

Complying with Europe Gerda Falkner 2005-05-26 What does EU law truly mean for the member states? This book presents the first encompassing and in-depth empirical study of the effects of 'voluntaristic' and (partly) 'soft' EU policies in all 15 member states. The authors examine 90 case studies across a range of EU Directives and shed light on burning contemporary issues in political science, integration theory, and social policy. They reveal that there are major implementation failures and that, to date, the European Commission has not been able adequately to perform its control function.

Cross-Border Mergers Thomas Papadopoulos 2019-09-28 This edited volume focuses on specific, crucially important structural measures that foster corporate change, namely cross-border mergers. Such cross-border transactions play a key role in business reality, economic theory and corporate, financial and capital markets law. Since the adoption of the Cross-border Mergers Directive, these mergers have been regulated by specific legal provisions in EU member states. This book analyzes various aspects of the directive, closely examining this harmonized area of EU company law and critically evaluating cross-border mergers as a method of corporate restructuring in order to gain insights into their fundamental mechanisms. It comprehensively discusses the practicalities of EU harmonization of cross-border mergers, linking it to corporate restructuring in general, while also taking the transposition of the directive into account. Exploring specific angles of the Cross-border Mergers Directive in the light of European and national company law, the book is divided into three sections: the first section focuses on EU and comparative aspects of the Cross-border Mergers Directive, while the second examines the interaction of the directive with other areas of law (capital markets law, competition law,

employment law, tax law, civil procedure). Lastly, the third section describes the various member states' experiences of implementing the Cross-border Mergers Directive.

Regulatory Competition in Company Law in the European Community Stefano Lombardo 2002 The work challenges the commonly accepted idea that the European single market needs a harmonized company law as a precondition for its correct functioning, on the basis of a law and economics comparison with the American situation. The study critically analyzes the two major reasons advanced to justify harmonization - the race to the bottom argument and the standardization argument - on the basis of the regulatory competition paradigm and concludes that they are basically wrong. Instead of pursuing harmonization of substantive company law, the proposal is to adjust conflict of law rules in favor of the incorporation theory as ruled by the European Court of Justice in its important Centros-decision of March 1999. Companies should be granted freedom of establishment and free movement among jurisdictions in the European Union.

From Single Market to Economic Union: Essays in Memory of John A. Usher Niamh Nic Shuibhne 2012-06-14 The path from single market to economic union is a continuing, and controversial, story; raising questions about the present and future regulation, structures, and purpose of economic union within the broader objectives of the EU legal and political order. This collection focuses on the evolution and regulation of the EU as an economic union, in tribute to the scholarship of the late Professor John A Usher. The process of treaty reform within the EU has now reached fruition and attention is being re-focused on substantive aspects of EU law and policy. The essays in the collection consider the EU internal market in its broadest sense: the fundamental free movement provisions remain at the core, but the concept of the transnational market must also accommodate competing interests to which the EU is committed but the implications of which can nonetheless distort, and thus need to be carefully balanced within, the basic free trade framework (for example, intellectual property rights and the protection of innovation, and also the implementation of social policy objectives). The collection also situates the market in its broader politico-economic context. The global economic climate remains precarious and questions about optimal financial and fiscal regulation, and monetary stability, remain critically significant, especially in a transnational context given the degree of inter-dependency generated by the EU integration project. The essays in the collection offer in-depth reflections on different 'parts' of this evolving transnational economic union, linked together as a whole by cross-cutting thematic concerns about competence and regulation, and about where and how the economic law of the EU fits within the broader integration narrative. Together, these different elements of the proposed collection demonstrate the different facets of EU economic law and its regulation; and this approach, in turn, reflects the extraordinary breadth of John Usher's remarkable contribution to scholarship.

Eu Economic Law in a Time of Crisis Harri Kalimo 2016-02-26 'This book will be of interest to all those concerned with the EU, whether from the perspective of

political science, law or economics. Under the shadow of the financial crisis, studies with a broad research perspective and contributors from diverse backg

International Harmonization of Economic Regulation Junji Nakagawa 2011 1: Introduction 2: International Harmonization of Tariff-related Rules 3: International Harmonization of Trade Remedy Rules 4: International Harmonization of Standards and Accreditation 5: International Harmonization of Intellectual Property Rights 6: International Harmonization of Labor Standards 7: International Harmonization of Competition Law and Policy 8: International Harmonization of Financial Regulation 9: International Harmonization of International Economic Crime Control 10: Summing up and Prospects.

The Theory of Enterprise Law and the Harmonization of the Rules on the Annual Accounts and on Consolidated Accounts in the European Communities Thomas Raiser 1985

Economic Law as an Economic Good Karl M. Meessen 2009-07-29 Governments, or at least the clever ones among them, are aware of the factors guiding business activities. In the course of adopting and enforcing economic legislation, they seek to attract business activities in order to increase national income (and fiscal revenues), generate employment opportunities and, very generally, please voters. Hence economic law may be considered an economic good, as suggested by the title of this book. That function, which most rules of economic law have in the competition of systems, was strengthened by the worldwide liberalization of trade. Today, it is of greater significance than ever before. Lawyers and economists, academics and practitioners from inside and outside Germany have taken a look at the facts and discussed approaches to conceptualizing them. The resulting thirty essays collected in this volume contribute to the interpretation of existing, and the making of new, economic law.

The European Union Kristin Archick 2019-09-15 The European Union (EU) is a political and economic partnership that represents a unique form of cooperation among sovereign countries. The EU is the latest stage in a process of integration begun after World War II, initially by six Western European countries, to foster interdependence and make another war in Europe unthinkable. The EU currently consists of 28 member states, including most of the countries of Central and Eastern Europe, and has helped to promote peace, stability, and economic prosperity throughout the European continent. The EU has been built through a series of binding treaties. Over the years, EU member states have sought to harmonize laws and adopt common policies on an increasing number of economic, social, and political issues. EU member states share a customs union; a single market in which capital, goods, services, and people move freely; a common trade policy; and a common agricultural policy. Nineteen EU member states use a common currency (the euro), and 22 member states participate in the Schengen area of free movement in which internal border controls have been eliminated. In addition, the EU has been developing a Common Foreign and Security Policy (CFSP), which includes a Common Security and Defense Policy (CSDP), and pursuing cooperation in the area of Justice and Home

Affairs (JHA) to forge common internal security measures. Member states work together through several EU institutions to set policy and to promote their collective interests. In recent years, however, the EU has faced a number of internal and external crises. Most notably, in a June 2016 public referendum, voters in the United Kingdom (UK) backed leaving the EU. The pending British exit from the EU (dubbed "Brexit") comes amid multiple other challenges, including the rise of populist and to some extent anti-EU political parties, concerns about democratic backsliding in some member states (including Poland and Hungary), ongoing pressures related to migration, a heightened terrorism threat, and a resurgent Russia. The United States has supported the European integration project since its inception in the 1950s as a means to prevent another catastrophic conflict on the European continent and foster democratic allies and strong trading partners. Today, the United States and the EU have a dynamic political partnership and share a huge trade and investment relationship. Despite periodic tensions in U.S.-EU relations over the years, U.S. and EU policymakers alike have viewed the partnership as serving both sides' overall strategic and economic interests. EU leaders are anxious about the Trump Administration's commitment to the EU project, the transatlantic partnership, and an open international trading system-especially amid the Administration's imposition of tariffs on EU steel and aluminum products since 2018 and the prospects of future auto tariffs. In July 2018, President Trump reportedly called the EU a "foe" on trade but the Administration subsequently sought to de-escalate U.S.-EU tensions and signaled its intention to launch new U.S.-EU trade negotiations. Concerns also linger in Brussels about the implications of the Trump Administration's "America First" foreign policy and its positions on a range of international issues, including Russia, Iran, the Israeli-Palestinian conflict, climate change, and the role of multilateral institutions. This report serves as a primer on the EU. Despite the UK's vote to leave the EU, the UK remains a full member of the bloc until it officially exits the EU (which is scheduled to occur by October 31, 2019, but may be further delayed). As such, this report largely addresses the EU and its institutions as they currently exist. It also briefly describes U.S.-EU political and economic relations that may be of interest.

European Company Law in Accelerated Progress Steef M. Bartman 2006-01-01 As a penetrating evaluation of the EU's capability to improve its corporate regulatory infrastructure and thereby attract more investors and business activities within its territory as a whole, this book offers insights to those interested in the field, from economic policymakers at every level of government to business persons and their counsel.

Modernising and Harmonising Consumer Contract Law Geraint G. Howells 2009 In October 2008, the European Commission published the Proposal for a Consumer Rights Directive - a proposal that suggests far-reaching changes to the core of consumer contract law. Four current directives are replaced by a new overarching piece of legislation. In doing so, full harmonization should, for the most part, take the place of the minimum standard presently in force in the EU. Although a welcomed initiative, the extent and possible effects of the

Proposals have certainly brought a number of issues to the fore. In January 2009, legal experts - from universities, legal practices, and the civil service - met at Manchester University to address the issues raised by the Proposal and to address the question of the extent to which the Proposal can indeed contribute to the modernization and harmonization of European consumer contract law. This book contains the proceedings of the conference, and includes papers that analyze, criticize, and suggest improvements for the Proposal.

Step towards harmonization - Implementation of the EU Copyright Law into Georgian Legislation George Meskhi 2011-11-30 Master's Thesis from the year 2010 in the subject Law - Media, Multimedia Law, Copyright, Bucerius Law School in Hamburg, course: Master of Law and Business (MLB)-Copyright Law, language: English, abstract: Copyright law is considered to be one of the most dynamically developing fields of the law. This dynamic character of development has been mentioned in the European Copyright legislation as well. Although the significant challenges to this legislation have already been successfully overcome, the critics show that it still has the long way to go, before reaching more complete and advanced level of harmonization. Together with the positive evaluations, the actual process of harmonizing European Copyright law has deserved some critics as well. Therefore, while implementing the norms of that law into the national legislation, especially in the countries not belonging to the European Union, the legislators have to take into account both - the positive and negative aspects observed in the European level, in order to guarantee the successful realization of the European Copyright law implementation. Georgian example has been provided, in order to acknowledge the challenges of European Copyright law implementation into the legislation of the country, which does not belong to the European Union. However, the process of harmonizing Georgian Copyright legislation with that of the European Union has been activated during slightly more than a decade. This period has been characterized by the high level of dynamic developments, reflected in the changes and amendments. The main characteristics of development of the Georgian Copyright law up until now have to be taken into account for the process of future harmonization. The process of European Copyright law implementation has its own challenges as well. An abstract desire of harmonizing the European law should not be enough to overcome these challenges. Rather, the legislator has to take into consideration not only the European law which has to be implemented, but the existing reality and the logic of development in the national law as well. Similarly, during the implementation, balance has to be found between the general interests of harmonization and national interests of the existing legislation. In our opinion, this kind of 'balance-based' approach would lead to the successful realization of the European Copyright law harmonization into the Georgian legislation.

The Average Consumer in Confusion-based Disputes in European Trademark Law and Similar Fictions Rasmus Dalgaard Laustsen 2019-11-06 This book contends that, with regard to the likelihood of confusion standard, European trademark law applies the average consumer incoherently and inconsistently. To test this proposal, it presents an analysis of the horizontal and vertical level of

harmonization of the average consumer. The horizontal part focuses on similar fictions in areas of law adjacent to European trademark law (and in economics), and the average consumer in unfair competition law. The vertical part focuses on European trademark law, represented mainly by EU trademark law, and the trademark laws of the UK, Sweden, Denmark and Norway. The book provides readers with a better understanding of key aspects of European trademark law (the average consumer applied as part of the likelihood of confusion standard) and combines relevant law and practices with theoretical content and other related areas of law (and economics). Accordingly, it is an asset for policymakers and practitioners, as well as general readers with an interest in intellectual property law and theory.

Law and the State Alain Marciano 2005-01-01 Law and the State provides a political economy analysis of the legal functioning of a democratic state, illustrating how it builds on informational and legal constraints. It explains, in an organised and thematic fashion, how competitive information enhances democracy while strategic information endangers it, and discusses how legal constraints stress the dilemma of independence versus discretion for judges as well as the elusive role of administrators and experts. Throughout the book, empirical evidence and comparative studies illuminate sometimes provocative theoretical views on issues such as: the place of the rule of law in constitutional and banking systems; regulation of copyright, art and heritage; innovations and technologies of communication and information; terrorism and media manipulation. Both private and public law, applied and theoretical issues are covered comprehensively. Academics and researchers of law and economics and public choice will find much to challenge and inform them within this book.

The Internal Market as a Legal Concept Stephen Weatherill 2017 1: The Internal Market as a Legal Concept 2: Finding the Internal Market in the Treaty 3: The Law, Politics, and Economics of the Internal Market 4: Principal Themes and Structure 5: The Internal Market 6: The Internal Market 7: The Personal Scope 8: Justification 9: Creativity in the Gap Between Negative and Positive Law: The Principle of Conferral Unleashed 10: Abuse 11: Fundamental Rights and National Identity in the Internal Market 12: The Internal Market as a Site of Diversity 13: The Legislative Dimension: Harmonization 14: Legislative Competence More Broadly 15: Pre-emption 16: Conclusion.

Harmonizing European Copyright Law Mireille M. M. van Eechoud 2009-01-01 The European concern with copyright and related rights -- Object, subject, and duration of protection -- Exclusive rights and limitations -- Rights management information and technological protection measures -- Term extension for sound recordings -- Term calculation for co-written musical works -- Orphan works -- The blessings and curses of harmonization -- The last frontier : territoriality.

Economic Analysis of the DCFR Filomena Chirico 2010-03-12 The Economic Impact Group (EIG) was created to support the work on the DCFR with insights from law and economics. It brings together a number of leading European law and

economics scholars. The Group looked at the main elements of the DCFR with two questions in mind: from an economic perspective, is it sensible to harmonize private law across Europe for this specific element, and is the solution chosen in the DCFR optimal? This book presents the outcome of the work of the EIG. It deals with key issues such as the function of contract law, contract formation, good faith, non-discrimination, specific performance versus damages, standard contractual terms and consumer protection in contract law. The EIG complements the work of the drafters of the DCFR with insightful and critical assessments, based on the well-established law and economics literature.

Encyclopedia of Law and Economics Jürgen Georg Backhaus 2018-02-15 Law and Economics deals with the economic analysis of legal relations, legal provisions, laws and regulations and is a research field which has a long tradition in economics. It was lost after the expulsion of some of the leading economists from Germany during 1933 to 1938, but then revived in Chicago. Both the subject of Law of Economics and the need for a concise Encyclopedia is particularly relevant in Europe today. Currently in the European Union there are several different legal cultures: the Anglo-Saxon legal framework, the German legal framework, which for example also includes Greece, and the Roman legal family—three jurisdictions which have to be covered with one and the same theory. In the EU, the task of the European Commission to interact with the various European jurisdictions means different legal cultures collaborating and some degree of harmonization is necessary. The result is an immediate need, if only for the science, to show how a given problem is solved in each legal tradition and jurisdiction. This Encyclopedia provides both a common language and precise definitions in the field, which will be useful in the future to avoid misunderstandings during harmonization of EU Law

The Economics of European Integration: System Competition versus Harmonization Nils De Rop 2004-02-04 Seminar paper from the year 2002 in the subject Economics - International Economic Relations, grade: 1,3 (A), University of Göttingen (Economics Seminar), course: European Integration and EU-Enlargement, 17 entries in the bibliography, language: English, abstract: The process of European Integration, especially the economic perspective of these fascinating developments is the main issue of this seminar paper. The decisive questions leading through the analysis are the following: which approaches to economic integration exist, which one of them has been, is and will be dominant in the respective European Integration process and whether the current framework is appropriate for the future, always in mind the further enlargement towards a European Union of 25 or even 27 member states. I structure my analysis into mainly three parts, namely the underlying theory, an empirical analysis and an outlook for the future. The emphasis is clearly on the first two parts, which are based on an economical perspective of integration processes. I present the underlying theory of economic integration, namely the two approaches to it, System Competition and Harmonization at first. Afterwards, an overview of the process of European Integration is provided, always in mind the perspective of economic integration and therefore the ongoing battle of the two approaches to gain more importance in the process. While doing so, I analyse phases or stages

in which one of these approaches has been increasingly dominant in the integration process and try to analyse why this special pattern has occurred. At the end of my paper, I combine the economic perspective to integration with a more general, but interesting concept to integration processes, which could help to overcome the increasing stagnation tendencies in European Integration that is one of the main findings of my earlier analysis. Although this Concept, named Differentiated Integration provides one with extensive measures to reform the integration process, I limit the perspective to mostly the changes and proposals with importance to economic integration as this is the core issue of this paper. Thus, the final presentation of reform proposals is less focused on how the European Union as a final Political Union could look like in the far future, but more on how to overcome stagnation tendencies and gain dynamic impulses again with more technically orientated middle-term actions.

The Europeanization of Intellectual Property Law Justine Pila 2013-11 Written by senior judges, QCs and academics, this is the first work to consider the Europeanization of intellectual property law, drawing lessons from the experiences of IP for general private law and helping to develop a European legal methodology.

Maximum harmonization by directives themselves Fabian Junge 2011-09-12 Seminar paper from the year 2011 in the subject Law - European and International Law, Intellectual Properties, grade: 1,3, Carl von Ossietzky University of Oldenburg, language: English, abstract: The subject of harmonization and especially the seemingly never-ending discussion about its intensity and ways of achievement have been recurring topics within the history and development of various legal systems all over the world. Since the Middle Ages the notion is found that peace-keeping and an improvement of social and economic criteria can be reached through integration and approximation of various national legal systems.¹ The European Union is herein no exception as it will be discussed in section B. As a logical conclusion of this long term development, it is obvious that the issue of harmonization includes a broad variety of difficult legal aspects that has been and will be examined by a large number of lawyers and courts. This paper will put the focus on maximum harmonization by directives themselves. But what is meant by the term maximum harmonization? In order to answer this question, there will be given a short overview of the general idea behind harmonization. Furthermore, the paper will provide an introduction to the theoretical concept of maximum harmonization. As one might observe during the analysis of the first part, the bulk of the problems arise around the relationship between the competences of the European legislator and the different national legislators. The pivotal question of this work therefore is: "How much leeway is left to the Member States of the European Union by implementing a European maximum harmonizing directive into the national legal order in case of doubt?" The research will be rooted in the field of unfair competition law and in particular with comparative advertising, which is currently a highly controversial field regarding the aspects of harmonization due to the fact that there is a multiplicity of regulatory approaches in the Member States. ²To point out the cruxes of the question with reference to the

chosen field of law and to illustrate the concept of maximum harmonization, a relatively recent case between O2 Holdings Ltd. and Hutchison 3G UK Limited³ will serve as object of investigation. In the end, there will be some final remarks on the topic of harmonization in the European Union in general.

European Business Law Richard M. Buxbaum 1991-01-01

From Economic to Legal Competition Alain Marciano 2003 The idea of legal competition as a decentralized market process of law provision in which legal clubs compete, has earned an indisputable legitimacy among economists. This book presents a debate concerning the merits of and conditions for a competitive provision of law, with a special focus on institutions in Europe. The authors analyse three major aspects of the competitive provision of legal rules. First, the conditions under which citizens and firms arbitrate between the different legal orders are investigated. The book then goes on to analyse the supply aspect of the legal market and the consequences of the competitive pressures on the behaviour of the lawmakers. Finally, the conditions under which the State may efficiently control the process of law provision are discussed and justifications to its intervention are presented. A comprehensive study encompassing both private and public law, and applied and theoretical issues, this book will provide lively discussion and up-to-date research for students of law and economics, and an authoritative source of information for practitioners in the field of legal competition - in particular those specializing in European issues.

European Private Law Mauro Bussani 2009 This handbook analyzes private law as it evolves in an increasingly integrated Europe. Volume II includes essays on special aspects of contract and tort law, including the law of sales, as well as essays on (unfair) competition, environmental liability, corporate law, and the law of trusts. The second volume further includes a chapter on private law justice in the European legal system and another one on the economic analysis of the harmonization of European private law. All essays touch upon policy issues related to the harmonization of private law in Europe. They are designed not only to offer a comprehensive overview of the different topics, but also to contribute to and nourish current controversial debates.

The Human Right to Water and International Economic Law Roberta Greco 2022-05-06 This book discusses the international right to water and the liberalization of water services. It is concerned with the harmonization of the right to water with the legal systems under which liberalization of water services has taken or may take place. It assesses paths of harmonization between international human rights law and international economic law in this specific field. The issue of the compatibility between the fulfilment of the right to water and the liberalization of water services has been at the heart of a passionate public debate between opponents and advocates of the privatization of the utility. The book provides an unbiased analysis of different international legal regimes under which the liberalization of water services has occurred or is likely to occur, notably international investment

law, international trade law and European Union law, in order to assess whether the main features of the right to water can be guaranteed under each of these systems of law and whether there is space for prospective harmonization. The work will be an invaluable resource for academics, researchers and policy-makers working in the areas of International Human Rights Law, International Economic Law, International Water Law, International Trade Law and EU Law.

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.

Harmonization of European Company Laws Eric Stein 1971

The Law of the European Union and the European Communities Paul Joan George Kapteyn 2008 Kapteyn & VerLoren van Themaat The Law of the European Union and the European Communities- with reference to changes to be made by the Lisbon Treaty, 4th edition This newest edition of the classic standard Introduction to the Law of the European Communities (paperback) provides under a new title the most comprehensive and systematic account available of the law of the EC and the EU - including (unusual for surveys of European law) detailed description and commentary on the Economic and Monetary Union. The new edition covers developments up to the beginning of 2008, and each chapter includes some indication of the major changes which will take place if and when the Treaty of Lisbon enters into force. The Fourth Edition embraces many new, ongoing and emerging European legal issues. All the topics constantly debated in European legal theory and practice are touched on here in ways that are both fundamental and enlightening, including: ; the European 'constitution,' accession, citizenship; the principles of equality, loyalty, subsidiarity and proportionality; powers of the Council, Commission and European Parliament; decision-making, legal instruments, harmonization, finances; role of the European Court of Justice, relationship between Community law and national law; free movement of persons, goods, services and capital; cartels, abuse of dominant position, merger control, State aids; EMU, social policy, equal pay and equal treatment; environmental policy, consumer protection, public health, cultural policy, education; agriculture, transport, energy; external relations. The many practitioners and scholars who have relied on the predecessors of this definitive work for years will welcome this extensively revised and updated edition. Those coming to the field for the first time will instantly recognize that they are in the presence of a masterwork that can always be turned to with profit.

Company Law and Economic Protectionism Wolf-Georg W. Ringe 2010-12-23 A collection of essays examining the conflict between EU law and company law, covering a broad range of topics including takeovers, mergers and restructuring, sovereign wealth funds, and proportionality of ownership and control.

European Private Law - Current Status and Perspectives Reiner Schulze 2011-03-30 Business law and labour law are driving forces and core areas of European private law. New concepts and approaches are thus required that are not limited to civil law and that are different from those traditionally embraced by national private law. These new challenges regarding the current status and perspectives of European private law are discussed in this volume by sixteen highly reputed researchers from across Europe. The contributions concern various areas of European private law, including contract, property, company, competition and labour law. This book will be an invaluable source for all those working on European law and private law within Europe.

Regional Trade Agreements and the WTO Legal System Lorand Bartels 2006 'Regional Trade Agreements and the WTO Legal System' introduces the economic & political underpinnings of regional trade agreements, their constitutional functions, & their role as a locus for integrating trade & human rights.

Legal Harmonization and the Business Enterprise Richard M. Buxbaum 2013-08-26

European Economic and Business Law Richard M. Buxbaum 1996-01-01