

# **Securities Regulation: Selected Statutes, Rules, and Forms, 2021 Edition (Supplements)**

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Robert W. Hillman  
Donald C. Langevoort  
Ann M. Lipton**

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*Federal Securities Law, Selected Statutes, Rules and Forms* Richard W. Jennings, Harold Jr Marsh, 1999

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What makes capital markets efficient and how can accounting create effective protection for investors Jens Wustemann systematizes and assesses the accounting system in the USA basing his analysis on the theoretical foundation of institutional economics and giving a comparison of investor protection in the USA and in Germany He focuses on the institutional design of accounting and disclosure rules in international capital markets In doing so he develops general principles of information which can be seen as a model for the reorganization of the German accounting system German description Als Voraussetzung für funktionierende internationale Kapitalmärkte sind funktionsgerechte Rechnungslegungsordnungen unerlässlich Jens Wustemann systematisiert die relevanten Informationsregeln und Institutionen mit dem Ziel aus sinnvollen Informationszwecken adäquate Informationsinhalte abzuleiten Er entwickelt aus dem Strukturkern der ökonomischen Modellbildung eine Systematik zur Beschreibung und Bewertung von internationalen Rechnungslegungsregeln und Rechnungslegungsordnungen wobei ihm die Institutionenökonomik als Grundlage dient Dazu werden zunächst aus dem Prinzip der rationalen Entscheidungsorientierung Informationsinteressen der Rechnungslegungsadressaten abgeleitet Eine effiziente informationelle Kapitalmarktregulierung erfordert aber weitere institutionelle Gestaltungen wie etwa die allgemeine Markt und Unternehmensverfassung Hierbei ergeben sich Wechselwirkungen zwischen dem Finanzsystem und der jeweiligen Rechnungslegungsordnung denn nur aufeinander abgestimmte Teilsysteme sind als vorteilhaft anzusehen Ausgehend von dem so gewonnenen System zur Beschreibung und Bewertung von Informationspflichten und relevanten Institutionen entwickelt Jens Wustemann anhand der US amerikanischen informationellen Kapitalmarktregulierung den Prototyp einer auf Offenlegung von Informationen basierenden Rechnungslegungsordnung Mit Mitteln der ökonomischen Analyse werden die Ziele einer vollständigen Offenlegung relativiert und die ungelösten Wertungskonflikte herausgearbeitet

### **Securities Regulation** ,2008      *Federal Securities Laws* ,2004      Erwerb eigener Aktien Ralf

Koschmieder, 2000-05-03 Inhaltsangabe Einleitung Der Erwerb eigener Aktien ist in Deutschland von einer wechsellvollen Geschichte geprägt Mit der Notverordnung aus dem Jahre 1931 kam es zu einem fast lückenlosen Verbot des Erwerbs eigener Aktien was in der Folgezeit als wichtige Errungenschaft des modernen Rechts der Kapitalgesellschaft angesehen wurde Auch bei der Umsetzung der Kapitalmarkttrichtlinie im Jahre 1978 kam es zu keiner Lockerung des Verbots obwohl Art 19 I der Richtlinie Spielraum für eine Liberalisierung gibt Begründet wurde dies damit dass schon wegen des zweifelhaften Wertes den die Möglichkeit des Erwerbs eigener Aktien ganz allgemein hat von dieser Möglichkeit der Richtlinie im deutschen Recht nicht Gebrauch gemacht werden sollte In der Folgezeit beschäftigte man sich vor allem im juristischen Schrifttum verstärkt mit dem Erwerbsverbot wobei die bisherige gesetzliche Regelung in zunehmenden Maße kritisiert wurde und man eine

begrenzte Erlaubnis des Erwerbs anregte Die betriebswirtschaftliche Literatur schenkte diesem Thema bislang wenig Aufmerksamkeit was auf die bisherige Bedeutungslosigkeit auf Grund des Verbotes zur ckzuf hren sein mag Dies nderte sich mit der Liberalisierung des Aktienr ckerwerbs durch das Inkrafttreten des Gesetzes zur Kontrolle und Transparenz im Unternehmensbereich KonTraG am 27 April 1998 Der Schwerpunkt der Arbeiten konzentrierte sich jedoch vorwiegend auf die steuerlichen und bilanziellen Auswirkungen des Erwerbs Die vorliegende Diplomarbeit untersucht die Probleme Verfahren und Auswirkungen des Erwerbs eigener Aktien Zur Erkenntnisgewinnung bedient sich der Verfasser der Arbeit des Vergleichs der amerikanischen und der deutschen Finanzierungspraxis Die Wahl des amerikanischen Systems geschah dabei vor folgendem Hintergrund Die amerikanische Finanzierungspraxis beherrscht die internationalen Finanzm rkte auf welche deutsche Aktiengesellschaften immer mehr angewiesen sind In den USA gibt es umfangreiche empirische Untersuchungen welche die Auswirkungen des Erwerbs eigener Aktien beschreiben Weltweit werden in keiner Region mehr eigene Aktien als in den Vereinigten Staaten erworben Gang der Untersuchung Theoretische und empirische Untersuchungsergebnisse welche sich auf den amerikanischen Markt beziehen lassen sich jedoch nicht problemlos auf Deutschland übertragen Die Arbeit ist deshalb so aufgebaut da im ersten Teil die wirtschaftlichen und rechtlichen Rahmenbedingungen der beiden US-Recht für Geschäftsleute Wayne J. Carroll, 2003-07-16 Wer Geschfte mit den USA abschließen will muss darüber informiert sein wie die rechtliche Situation vor Ort ist Unternehmer und Manager müssen verstehen worum es geht selbst wenn zur tatsächlichen Vertragsverhandlung ein Anwalt hinzugezogen wird Der Autor erlutert die typischen Fehlerquellen zwischen Geschäftsleuten aus Deutschland sterreich sowie der Schweiz und ihren Geschäftspartnern in den USA Er erklärt die verschiedenen Gesellschaftstypen bei Firmengründungen erlutert Haftung aktienrechtliche Aspekte und Gefahren für deutsche Unternehmen aus dem US Wertpapierrecht Unternehmer können sich hier über die Registrierungspflichten für ausländische Investoren Joint Ventures und kartellrechtliche Aspekte sachkundig machen Das Buch enthält Informationen zum Vertragsrecht zu Prozessen und außergerichtlichen Streitigkeiten Gewappnet mit diesem Wegweiser flit es Unternehmern und Managern leichter amerikanische Geschäftspartner zu verstehen und typische Missverständnisse zu vermeiden **Research in Accounting Regulation** Gary Previts, 2000-12-20 The scope of service provided by professional accountants is influenced by legislation and case law as well as the dictates of a variety of government and private sector agencies including State Boards of Accountancy Academic Accreditation Bodies the United States Securities and Exchange Commission independent standard setting bodies such as the Federal Accounting Standards Advisory Board US the Financial Accounting Standards Board US and self regulatory organizations such as State Societies of CPAs and the American Institute of Certified Public Accountants There are equivalent and emerging national bodies that exist in most developed and developing countries and further there are emerging global coordinating entities as well which attempt to coordinate the activities among nations It is important for academics students practitioners regulators and

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