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**RISK, REGULATION
AND INVESTOR
PROTECTION**

The case of investment management

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Risk Regulation And Investor Protection

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Risk Regulation And Investor Protection:

Risk, Regulation, and Investor Protection Julian R. Franks, Colin P. Mayer, 1989 This authoritative study of the investment management business focuses on the use of capital requirements for investment managers as a means of investor protection Commissioned by the Investment Management Regulatory Organization and drawing on extensive discussions with investment managers it provides a comprehensive account of how the investment management business is organized and identifies its inherent risks The authors examine the cause and incidence of market failures as well as the dangers to investors through mismanagement and malpractice and provide an extensive treatment of fraud with a full listing of British fraud cases since the early 1970s The report concludes with a summary of the risks faced by investors and recommendations for appropriate forms of protection and on the basis of existing regulatory structures in the United Kingdom and the United States proposes an alternative structure in accordance with the authors analysis Enhancing Investor Protection and the Regulation of Securities Markets-Part II, S. Hrg. 111-144, March 26, 2009, 111-1 Hearing, *, 2010 *Enhancing Investor Protection and the Regulation of Securities Markets, Part II* United States. Congress. Senate. Committee on Banking, Housing, and Urban Affairs, 2009 **Capitalmarkets in the Age** Ferrarini, 2002-03-28 28 authors discuss the current and future issues affecting investment conduct of business rules stock exchanges trading and company law Includes conflict of law issues on line trading clearing and settlement systems takeovers and relevant soft law **Establishing a Framework for Systemic Risk Regulation** United States. Congress. Senate. Committee on Banking, Housing, and Urban Affairs, 2010

Law and Finance Christoph Trixl, 2001-12-30 Seminar paper from the year 2001 in the subject Business economics Investment and Finance grade 1 7 A European Business School International University Schlo Reichartshausen Oestrich Winkel Banking Finance course Bank und Finanzmanagement language English abstract The discussion of laws in the financial area and the relationship between law and finance originates back to Ronald Coase 1960 The Coase Theorem proposes that problems between issuers and investors are resolved through private contracting with the consequence of efficient markets The past shows that the Coase Theorem in its purest form which abandons transaction costs is not applicable to investor issuer relationships because the existence of transaction costs makes the enforcement of private contracts inefficient Therefore judicially enforced and government enforced laws regulations have developed in order to make contracting and thus the financial market more efficient The aim of this paper is to explain to the reader the interdependencies that exist between law and finance by explaining law and finance issues on a theoretical basis and by finally showing the influence of globalization on these law and finance issues Important developments are presently happening in the law and finance area of global corporations aiming at a further convergence of both law and finance Although these developments are to a large extent driven by capital market needs they will also have consequences for the accounting area in general regulatory issues and for companies which have not yet decided to turn to the capital markets in

order to satisfy their need for capital *International Contracts and National Economic Regulation:Dispute Resolution Through International Commercial Arbitration* Mahmood Bagheri,2000-12-06 The growth of national economic regulation and the process of globalisation increasingly expose international transactions to an array of regulations from different jurisdictions These developments often contribute to widespread international contractual failures when parties claim the incompatibility of their contractual obligations with regulatory laws The author challenges conventional means of dispute resolution and argues for an interdisciplinary approach whereby disciplines such as international economic law conflict of laws contract law and economic regulations are functionally united to resolve international and multifaceted regulatory disputes He identifies the normative foundation of contract law as an important determinant in this process contending that contract law is essentially neutral and underpinned by the concept of corrective justice while economic regulations are mainly prompted by distributive justice Applying this corrective distributive justice dichotomy to international contracts the author critically assesses major conflict of laws approaches such as proper law the Rome Convention and governmental interest analysis which could disregard either public interest or private rights The author taking these theories into account proposes an alternative two dimensional interest analysis approach He tests the viability of this approach with reference to arbitral awards and court decisions in various jurisdictions and concludes that it uniquely fits into the structure of international commercial arbitration In adopting this approach arbitrators would take into account both corrective and distributive justice and to the extent that corrective justice prevails would be able to avert a total failure of the contract

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Latin America Proceedings ,1999 Energy and Environmental Project Finance Law and Taxation Andrea Kramer,Peter Fusaro,2010-12-09 *Energy and Environmental Project Finance Law and Taxation New Investment Techniques* provides practitioners with a useful and comprehensive discussion of energy and environmental project finance as it is developing and where it is going in light of new legal and tax rules This is the first time that internationally recognized lawyers and economists share their knowledge expertise and insights in this important and growing industry *Energy and Environmental Project Finance Law and Taxation* examines cutting edge techniques and analyses the recent tax and legal developments coming out of Washington all of which are revolutionizing the investment in and financing of energy and environmental projects Written for practitioners and laymen alike *Energy and Environmental Project Finance Law and Taxation* arms the reader with crucial knowledge about structuring and financing conventional renewable green financing and alternative energy projects It addresses carbon financing green power and traditional and new technologies including nuclear power wind photovoltaic solar geothermal biomass and the new generation of nuclear power This book also addresses the risks involved in structuring and financing these new technologies ways to hedge these risks and how to monetize the tax credits available for renewable energy projects *The Law of Finance* Alastair Hudson,2009 *The Law of Finance* aims for the first time in a single volume to account for the whole of international finance as understood in English law The volume is divided into two halves with section one considering the principles of the law of finance and section two considering the full range of modern financial techniques in their legal context Denver University Law Review ,1995 The Law of Conflicts and of International Economic Relations Ferenc Mádl,Lajos Vékás,1998 **Transnational Business Law** Rumu Sarkar,2003 In developing countries because of economic development pressures that deeply pervade all aspects of enterprise international business transactions give rise to crucial issues that practitioners cannot afford to ignore In this new book Rumu Sarkar whose *Development Law and International Finance* has quickly taken its place as the preeminent theoretical analysis of the new legal discipline of development law at last gives busy lawyers engaged in international business as practical a text as they could desire *Transnational Business Law* shows that the decisions and strategies of lawyers involved in the hectic daily routines of creating and executing cross border transactions can serve the best interests not only of their businesses but of economic development as well In essence this is a classic international business transactions handbook with the overarching dimension of development law added It offers detailed principles for structuring transactions negotiating the underlying finance and related documents and navigating dispute resolution mechanisms It provides annotated forms negotiating exercises hypothetical examples and actual case summaries and analyses It presents economic development issues as they arise in such areas of activity as the following cross border financing of goods and services technology transfers and intellectual capital structuring cross border transactions through private equity corporate debt and multilateral development bank financing managing commercial risks negotiating debt work outs for non performing loans mitigating non commercial

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