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Collective Rights and Digital Content The Legal Framework of the Modern Company The Legal Framework of the Constitution The Legal Framework of the Modern Company A Legal Framework from Emerging Business Models Civil Society in China Internet Commerce The Legal Framework of English Feudalism Towards Reforming the Legal Framework for Secured Transactions in Nigeria Legal Framework for the Admission of FDI Legal Protection Insurance and Legal Technology Constitutional and Legal Framework for the Enforcement of County Laws in Kenya. Challenges and Proposals Mediation and Commercial Contract Law The New Legal Framework for E-Commerce in Europe An International Legal Framework for Geoengineering Enterprise reform in China : the evolving legal framework Truth and Transitional Justice A Legal Framework for Caring The Legal Framework Applicable to the Single Supervisory Mechanism Sustainable Commodity Use Transnational Corporations Common Legal Framework for Takeover Bids in Europe Legal Framework The Legal Framework of the Modern Company Corporate Legal Framework The Global Legal Framework for Narcotics and Prohibitive Substances Designing Legal Frameworks for Public Debt Management The Legal Framework of the OSCE A New Legal Framework for Managing the World's Shared Groundwaters Internet Commerce Legal Frameworks for the Built Environment The Legal Framework of EU-China Investment Relations Legal Framework of Criminal Sanctions Private Roads Legal Framework (This Title Has Been Superseded) Takeovers and the European Legal Framework Corporate Governance EU Legal Framework for Safeguarding Air Passenger Rights Environmental Protection Enabling legal frameworks for sustainable land-use investments in Tanzania: Legal assessment report

Collective Rights and Digital Content

2015-03-09

this book starts with an exercise proposing a theoretical reflection on the technological path that over time has transformed the ways we produce consume and manage intellectual content subject to copyright protection this lays the groundwork for a further analysis of the main legal aspects of the new european directive its improvements its tendencies and its points of controversy with special and more concrete attention to how it proposes to address the issues of competition transparency and multi territorial licensing digital technologies networks and communication have boosted the production and distribution of intellectual content these activities are based on a renewable and infinite resource creativity which turns this content into strategic artistic cultural social economic and informational assets managing the rights and obligations that emerge in this system has never been an easy task managing them collectively which is more often than not the case adds even more complexity the european directive on collective management of copyright and related rights and multi territorial licensing of rights in musical works for online use in the internal market is a policy initiative that seeks to establish an adequate legal framework for the collective management of authors rights in a digital environment recognizing this goal as crucial to achieving a fully integrated single market part of the digital agenda for europe it is an effort to promote simplification and to enhance the efficiency of collective rights management by tackling three of the main issues that are currently undermining the business model of collecting societies competition transparency and multi territorial licensing the book is intended to support students academics and practitioners by enhancing their general and legal grasp of these phenomena while also encouraging their collaboration with policymakers and other interested parties in the ongoing task of transposing the directive into concrete national legislation

The Legal Framework of the Modern Company

2013-01-11

there has been a substantial growth in the application of company law partly due to the prevailing economic and general business environment this book examines issues such as company securities capital and insider dealing

The Legal Framework of the Constitution

1997

the law relating to the british constitution is both complex and far reaching with future reforms having an increasing effect on every person living in britain this book aims to promote better understanding of a complex subject and to cover administrative law and judicial review

The Legal Framework of the Modern Company

1992

there has been a substantial growth in the application of company law partly due to the prevailing economic and general business environment this book examines issues such as company securities capital and insider dealing

A Legal Framework from Emerging Business Models

2012

the last two decades have witnessed the growth of new forms of entrepreneurial cooperation such as dynamic networks like virtual enterprises and enterprise pools these business forms are often hybrid having elements of both contract based organizations and corporate forms in particular partnership this book examines the relative utility of contract and partnership law in fostering and maintaining these emerging business models focusing on dynamic networks the book analyses how dynamic networks are organized and set up through very often collaborative contracts and how the behaviour of their member firms is regulated good faith and fair dealing as a behavioural criterion in contractual and partnership relations is an important theme of this work the background and preconditions for the emergence and growth of such business forms is also investigated the book contains case studies of such networks from different countries in particular germany austria switzerland england and norway it examines relevant legal rules in a number of jurisdictions such as england norway germany italy france and the us this detailed book will appeal to postgraduate students and academics in the fields of contract law comparative law partnership law and business commercial law academics in other disciplines such as economics sociology and business management will also find much to interest them in this study

Civil Society in China

2013-03-22

this is the definitive book on the legal and fiscal framework for civil society organizations csos in china from earliest times to the present day civil society in china traces the ways in which laws and regulations have shaped civil society over the 5 000 years of china s history and looks at ways in which social and economic history have affected the legal changes that have occurred over the millennia this book provides an historical and current analysis of the legal framework for civil society and citizen participation in china focusing not merely on legal analysis but also on the ways in which the legal framework influenced and was influenced in turn by social and economic developments the principal emphasis is on ways in which the chinese people as opposed to high ranking officials or cadres have been able to play a part in the social and economic development of china through the associations in which they participate civil society in china sums up this rather complex journey through chinese legal social and political history by assessing the ways in which social economic and legal system reforms in today s china

are bound to have an impact on civil society the changes that have occurred in china s civil society since the late 1980 s and most especially since the late 1990 s are nothing short of remarkable this volume is an essential guide for lawyers and scholars seeking an in depth understanding of social life in china written by one of its leading experts

Internet Commerce

2008-08-15

this book supplements the main text of radin rothchild reese and silverman s internet commerce the emerging legal framework 2d

The Legal Framework of English Feudalism

1976-08-05

professor milson works out a fresh view of the beginnings of the common law concerning land the received picture depends upon progressive assumptions key words began with their later meanings the law began with abstract ideas of property a tenant s title to his tenement was never subject to his lord s control the lord had no discretion only the power to decide disputes according to external criteria jurisdiction in that sense was all the lord lost as royal remedies developed and all the tenant gained was better protection of unaltered rights it is a picture of procedural changes taking place against an unchanging background with the feudal structure at the beginning almost as insubstantial as it was to be at the end

Towards Reforming the Legal Framework for Secured Transactions in Nigeria

2016-08-16

this book offers a valuable guide to one of the most challenging areas of commercial law now frequently referred to as secured transactions with a focus on nigerian canadian and united states perspectives a debtor s ability to provide collateral influences not only the cost of the money borrowed but also in many cases whether secured lenders are willing to offer credit at all the book proposes that increasing access to and indeed lowering the cost of credit could tremendously boost economic development while at the same time arguing that this would best be achieved if the legal framework for secured transactions in nigeria and of course any other country with similar experiences were designed to allow the use of personal property and fixtures to secure credit similarly the creation priority perfection and enforcement of security interests in personal property should be simplified and supported by a framework that ensures that neither the interests of secured lenders nor debtors are hampered so as to guarantee the continuous availability of affordable credit as well as debtors willingness to borrow and do business the book further argues that in addition to the obvious preference for real property over personal property by secured lenders due to the unreformed secured transactions legal framework in nigeria its compartmentalized nature has also resulted in

unpredictability in commerce and the concomitant effects of poor access to credit through the comparative research conducted in this book utilizing the ucc article 9 and ontario ppsa as benchmarks the author provides reformers with a repository of tested secured transactions law solutions which law reformers in the commonwealth countries in africa and beyond as well as the business community will find valuable in dealing with issues that stem from secured transactions

Legal Framework for the Admission of FDI

2006

the law on foreign direct investment fdi belongs to the fastest changing legal field in international law investors and the host state have long left behind a relationship dominated by the host state s desire to screen and choose fdi in the current market for fdi both parties try to assert influence but in the end the scarcity of fdi is the decisive factor this book provides an in depth study of the legal framework for the admission of fdi and presents insights into the pros and cons of various admission models its goal is to identify legal and policy options that serve the host state s and investor s common needs the book is a comprehensive easy reference handbook that is of interest to lawyers academics and policy makers

Legal Protection Insurance and Legal Technology

2022-12-01

this book addresses the legal protection insurance market and continues the collection and analysis of data carried out by legal protection international aisbl at the time the international association of legal protection insurance in recent years its first part covers the fundamentals of and recent advances in the legal protection insurance market while the second presents a study on the relevant legal framework for offering legal technology services as a legal protection insurer in germany in this context the study also defines the term legal technology categorises legal technology services application oriented categorisation analyses the relevant european legal framework and highlights the connections to the upcoming european artificial intelligence act

Constitutional and Legal Framework for the Enforcement of County Laws in Kenya. Challenges and Proposals

2020-05-04

there is an urgent need to better understand the legal issues pertaining to alternative dispute resolution adr particularly in relation to mediation clauses despite the promotion of mediation by dispute resolution providers policy makers and judges use of mediation remains low in particular problems arise when parties lack certainty regarding the legal effect of a mediation clause and the potential uncertainty

regarding the binding nature of agreements to pursue mediation is problematic and threatens the growth of adr this book closely examines the importance and complexity of mediation clauses in commercial contracts to remedy this persistent uncertainty using comparative law methods and detailed empirical research it explores the creation of a comprehensive framework for the mediation clause providing valuable insight into the process of adr and mediation this book will be of interest to academics law makers law students in house council lawyers as well as parties interesting in drafting enforceable mediation clauses

Mediation and Commercial Contract Law

2020-12-10

this collection of essays by well known specialists in e commerce and internet law drawn from both academe and practice analyses recent crucial legislation which has created for the first time a legal regime governing european electronic commerce the central focus is on the european electronic commerce directive and its implementation in the uk since august 2002 the e commerce directive develops a distinctive european strategy for regulating and promoting on line business and the information society areas of the directive analysed include contracting on line internet service provider liability consumer privacy including spam and cookies country of origin regulation and on line alternative dispute resolution odr further chapters move beyond the directive to discuss other important new laws in this domain including the privacy and electronic communications directive the distance selling directives the electronic money directive the lawful business regulations on employee surveillance the disability discrimination rules affecting websites and the extension of vat to on line transactions both the european framework and the rules as implemented in the uk are examined and critiqued for how well they meet the needs of business and consumers

The New Legal Framework for E-Commerce in Europe

2005-12-19

geoengineering provides new possibilities for humans to deal with dangerous climate change and its effects but at the same time creates new risks to the planet this book responds to the challenges geoengineering poses to international law by identifying and developing the rules and principles that are aimed at controlling the risks to the environment and human health arising from geoengineering activities without neglecting the contribution that geoengineering could make in preventing dangerous climate change and its impacts it argues first that the employment of geoengineering should not cause significant environmental harm to the areas beyond the jurisdiction of the state of origin or the global commons and the risk of causing such harm should be minimized or controlled second the potential of geoengineering in contributing to preventing dangerous climate change should not be downplayed

An International Legal Framework for Geoengineering

2017-10-18

with a unique transitional justice perspective on the arab spring this book assesses the relocation of transitional justice from the international paradigm to islamic legal systems the arab uprisings and new and old conflicts in the middle east north africa and other contexts where islam is a prominent religion have sparked an interest in localising transitional justice in the legal systems of muslim majority communities to uncover the truth about past abuse and ensure accountability for widespread human rights violations this raises pressing questions around how the international paradigm of transitional justice and in particular its truth seeking aims might be implemented and adapted to local settings characterised by muslim majority populations and at the same time drawing from relevant norms and principles of islamic law this book offers a critical analysis of the relocation of transitional justice from the international paradigm to the legal systems of muslim majority societies in light of the inherently pluralistic realities of these contexts it also investigates synergies between international law and islamic law in furthering truth seeking the formation of collective memories and the victims right to know the truth as key aims of the international paradigm of transitional justice and broadly supported by the shari ah this book will be a useful reference for scholars practitioners and policymakers seeking to better understand the normative underpinnings of potential transitional truth seeking initiatives in the legal systems of muslim majority societies at the same time it also proposes a more critical and creative way of thinking about the challenges and opportunities of localising transitional justice in contexts where the principles and ideas of islamic law carry different meanings

Enterprise reform in China : the evolving legal framework

1993

there is now considerable anxiety amongst nurses and allied health professionals as to how they should negotiate the potential minefield of legal niceties professional dictates and diminishing resources in today s health service practitioners and students need a comprehensible introduction to legal and professional issues which is rooted in the realities of everyday practice this book is a direct response to that need with its clear exposition practice based case studies and an examination of the various codes of professional practice

Truth and Transitional Justice

2022-02-24

the legal framework applicable to the single supervisory mechanism provides an in depth analysis of the legal framework applicable to the single supervisory mechanism ssm with particular reference to the interaction between european and national law in this innovative book a leading expert directly involved in the development and implementation of the framework compellingly demonstrates the necessity of removing differences in banking legislation across national borders within the banking union the book analyses all the cases where the

European Central Bank (ECB) is required to apply national legislation in accordance with the country of establishment of the credit institutions under its direct supervision within the SSM drawing on the case law of the European Court of Justice concerning the transposition of EU directives. The book also develops an analytical methodology to assess the derivation of national legislation from EU law with application to several concrete cases. What is in this book is an in-depth analysis of the complex legal environment in which the ECB as prudential supervisory authority has been operating. The author thoroughly answers the following questions: what are the supervisory tasks and powers of the ECB in the micro and macroprudential spheres; when is the ECB required to apply national legislation; what are the direct and the indirect supervisory powers of the ECB vis-à-vis significant supervised entities; what are the options and discretions available in EU law; what are the most important prudential options the ECB has exercised for significant supervised entities; what are the main legal obstacles to the establishment of a truly single supervisory jurisdiction within the Euroarea with actual fungibility of capital and liquidity for cross-border banking groups. The focus of the book is on the interaction between European banking legislation and national legislative provisions. How this will help you: the legal analysis in this book supports with great authority the demands for a leap forward in the full harmonisation of key prudential requirements within the Banking Union. Legal and banking practitioners, officials in national and European authorities, banking law scholars and policymakers will benefit enormously from the lessons it contains for the way forward of the Banking Union and more generally the future of the European Union itself.

A Legal Framework for Caring

1999-11-11

This open access book examines the governance and legal landscape of the global commodity sector. For that purpose, the author conceptualises both global commodity governance (GCG) as well as transnational commodity law (TCL). He defines the key terms of global commodity governance, delineates the underlying legal framework of transnational commodity law, and assesses the effectiveness of transnational commodity law in fostering a functional commodity sector. Sustainable commodity use is based on a comprehensive analysis of over 250 international agreements, standards, and guiding documents. The author distils the main findings into a conceptualisation of transnational commodity law and provides the reader with a succinct overview of its normative configurations as well as regulatory gaps. Moreover, he elaborates a taxonomy of international commodity agreements. In addition, an outline of the normative substance of transnational commodity law features in an appendix to the main text. The author concludes by making concrete suggestions on how rules regulating commodity activities *de lege ferenda* could and should be designed to improve the effectiveness of law regulating transnational commodity activity. In doing so, he demonstrates the application of the sustainable use principle as the overall objective and purpose of transnational commodity law and discusses international commodity agreements as future regulatory instruments. This book may assist lawmakers, practitioners, civil society advocates, and academics worldwide in developing a legal framework for sustainable global commodity activity.

The Legal Framework Applicable to the Single Supervisory Mechanism

2019-02-14

an examination of the general principles applicable to takeover bids in the european union and the european economic area

Sustainable Commodity Use

2021-12-07

sustainable public debt has gained renewed attention as countries implement fiscal consolidation measures in the aftermath of the global financial crisis sound public debt policies and debt management practices require robust legal underpinnings complex legal issues however arise in the design of the legal framework and tradeoffs are required in many instances this paper analyzes key features of modern public debt management legal frameworks drawing from examples in advanced emerging and frontier markets it aims to provide guidance for countries that seek to review and strengthen their public debt management legal frameworks

Transnational Corporations

1994

the organization for security and cooperation in europe osce the world s largest regional security organisation possesses most of the attributes traditionally ascribed to an international organisation but lacks a constitutive treaty and an established international legal personality moreover osce decisions are considered mere political commitments and thus not legally binding as such it seems to correspond to the general zeitgeist in which new less formal actors and forms of international cooperation gain prominence while traditional actors and instruments of international law are in stagnation however an increasing number of voices including the osce participating states have been advocating for more formal and autonomous osce institutional structures for international legal personality or even for the adoption of a constitutive treaty the book analyses why and how these demands have emerged critically analyses the reform proposals and provides new arguments for revisiting the osce legal framework

Common Legal Framework for Takeover Bids in Europe

2008

what are the rules of international water law that govern the use of the transboundary aquifers shared by palestine and israel this book addresses this issue through an interdisciplinary approach identifying first the special problems tied to the management of shared

groundwater and next critically analysing the applicable rules of international law the innovative contribution of this work is its attempt to devise and suggest the means to implement a progressive framework for cooperation in the development and management of these shared waters a solid review of hydro politics supported by current up to date information and rigorous examination of the evolution of the relevant rules of international law makes this book an important contribution to this very problematic area dr fadia diabetes murad was awarded the edberg award 2005 presented at a special awards ceremony in stockholm the award recognised her contribution to peace in the middle east through her work on water law including using water as a catalyst for peace in the middle east

Legal Framework

1992

this book supplements the main text of radin rothchild reese and silverman s internet commerce the emerging legal framework 2d

The Legal Framework of the Modern Company

2017

law is a complex subject and has major impacts on the built environment and all those working in it law is seen as one of the strongest interdisciplinary links between the various professions it is essential to have a clear understanding of how both statute and common law as well as the legislative frameworks statutory controls policy and procedures affect all the roles areas throughout the built environment this book will provide students with a broad understanding of the law and its applications from disputes to land use

Corporate Legal Framework

1979

eu investment in china has increased dramatically since the early 1990s and is poised to increase further in light of chinas recent accession to the world trade organisation this book explores and critically appraises the existing legal framework governing eu china investment relations particularly eu investment in china the current legal framework is composed of chinese law eu law and applicable international law but the chinese law is unsystematic and hard to discover and the eu has acquired only shared external investment competence which is vaguely defined the applicable internationa

The Global Legal Framework for Narcotics and Prohibitive Substances

2015-07-02

since the implementation of the european directive on takeover bids a european common legal framework governs regulation of takeovers in eu members states the european directive on takeover bids was adopted in april 2004 and implemented in the uk and in other member states on 20th may 2006 the directive seeks to regulate takeovers by way of protecting investors and harmonising takeover laws in europe in facilitating the restructuring of companies through takeovers the directive aims at reinforcing the free movement of capital takeovers and the european legal framework studies the european community directive on takeover bids in order to provide greater understanding of both the impact and effect of the european legal framework of takeover regulation it firstly looks at the directive from a british perspective focusing on the impact of the transposition of the takeover directive into the uk the book examines the provisions of the city code on takeovers and mergers and discusses the takeover provisions in the companies act 2006 that implement the takeover directive in the uk arguing that the directive will provide a new basis for uk takeover regulation and that the system will work well jonathan mukwiri goes on to consider the directive in relation to the eu arguing that despite its deficiencies in that member states are free to opt to restrict takeovers the directive provides a useful legal framework by which takeovers are regulated in different jurisdictions mukwiri highlights how the freedoms of the ec treaty and eu directives interact and the effects of the takeover directive on political considerations in the law making process in european community moreover he argues that the future of eu takeover regulation is likely to follow the lead of the uk making this book relevant to a wide range of policy makers and academics across europe

Designing Legal Frameworks for Public Debt Management

2019-05-30

written for directors of companies large and small corporate governance helps readers become familiar with the principles and practice of good governance appropriate to their businesses

The Legal Framework of the OSCE

2005-11-01

this book presents a thorough analysis of the eu provisions and legal framework of passenger rights in the civil aviation field it provides both a theoretical and practical view of the initiatives that have been taken in this field this includes initiatives taken by the european commission ec with the aim to improve the protection of passengers and by the european court of justice ecj with regard to jurisprudence the book points out the goals that have been obtained so far as well as the goals that still need to be pursued particular attention is paid to eu institutions that have been created ad hoc to supervise aviation safety and harmonize the various safety procedures of the eu member states recent and

upcoming packages of important safety and security measures are examined in detail the book gives examples of current applications of legislative instruments and presents readers with the tools to gain a deeper understanding of the legal practical and theoretical aspects of this important topic in aviation

A New Legal Framework for Managing the World's Shared Groundwaters

2007-08-01

this book provides an examination of environmental law focusing on programs that developed in the 1970s the book begins with a history of environmental law the author dedicates a chapter to the national environmental policy act of 1969 in the following chapters the book discusses the many programs related to the various environmental issues including air and noise pollution water pollution hazardous and solid waste toxic waste and pesticides the book contains a chapter on the diverse environmental planning programs the book also provides discussion of state environmental programs the author includes a chapter that discusses the interaction between economics energy resources and the environment the author concludes with a summary of the environmental issues of the 1970s and a look into the future of environmental law

Internet Commerce

2013-12-16

the international development law organization idlo and the center for international forestry research cifor assessed the legal frameworks that govern land use activities and investments in tanzania the policy institutional and legal frameworks are well developed although implementation and enforcement remains weak due to ambiguities in the law and a general lack of supportive incentives this legal assessment report for tanzania examines four key challenges to the attainment of sustainable land use investments these comprise enforcement of environmental and social safeguards tanzania has made progress in implementing the environmental management act by ensuring greater compliance with the environmental impact assessment regulations although exceptions exist in the construction sector and mining legislation that often enables the government to circumvent important land tenure safeguards incentives for sustainable investments in the legal framework a lack of incentives exists despite the creation of the tanzania investment centre the adoption of an investment guide in 2013 and the incorporation of sustainability considerations into laws and policies governing investments in the agriculture energy and forestry and mining sectors land tenure security tanzania s land law framework now includes formal recognition of customary title and the reservation of land under the category of village land exclusively for tanzanians although improvements are still needed in terms of processes of consultation and compensation public awareness and lack of access to information awareness of natural resources and investment policies legislation and regulations is generally low amongst rural communities as well as ward executive officers village leaders and village land committee members rural radio represents their most important source of information

Legal Frameworks for the Built Environment

2005

The Legal Framework of EU-China Investment Relations

1992-10-01

Legal Framework of Criminal Sanctions

1997

Private Roads

2009-05-07

Legal Framework (This Title Has Been Superseded)

2008

Takeovers and the European Legal Framework

2014-10-10

Corporate Governance

1981

EU Legal Framework for Safeguarding Air Passenger Rights

2015-10-08

Environmental Protection

Enabling legal frameworks for sustainable land-use investments in Tanzania: Legal assessment report

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