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Regulating The Financial Services Sector Studies In Comparative Corporate And Financial Law Volume 6

**Dalvinder Singh, Cristina Elena Popa
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Regulating The Financial Services Sector Studies In Comparative Corporate And Financial Law Volume 6:

Principles of Financial Regulation John Armour, Daniel Awrey, Paul Lyndon Davies, Luca Enriques, Jeffrey Neil Gordon, Colin P. Mayer, Jennifer Payne, 2016 Examining the subject from a holistic and multidisciplinary perspective Principles of Financial Regulation considers the underlying policies and the objectives of financial regulation

Comparative Law of Security Interests and Title Finance Philip R. Wood, 2007 W Green has brought together leading figures from both academia and domestic and international practice to write this book which features a comprehensive commentary on the Arbitration Scotland Act 2010 *Dalhuisen on Transnational and Comparative Commercial, Financial and Trade Law Volume 6* Jan H Dalhuisen, 2022-06-16 a wide ranging historically and comparatively very deep and comprehensive commentary but which is also very contemporary and forward looking on many or most of the issues relevant in modern transnational commercial contract and financial transactions International and Comparative Law Quarterly Volume 6 of this new edition deals with financial regulation of banks and banking activities and products It critically reviews micro prudential regulation the need for macro prudential supervision and an independent macro prudential supervisor the role of resolution authorities the operation of the shadow banking system and the extraterritorial reach and international recognition of financial regulation The volume considers in particular the fallout from the 2008 financial crisis and the subsequent regulatory responses in the US and Europe The complete set in this magisterial work is made up of 6 volumes Used independently each volume allows the reader to delve into a particular topic Alternatively all volumes can be read together for a comprehensive overview of transnational comparative commercial financial and trade law

Looking for New Paths in Comparative and International Law Dalvinder Singh, Cristina Elena Popa Tache, Cătălin-Silviu Săraru, 2021-09-10 This volume contains the scientific papers presented at the Conference on Comparative and International Law that was held on 25 June 2021 online on Zoom This is an international conference The conference is organized every year by the Society of Juridical and Administrative Sciences together with the Faculty of Law of the Bucharest University of Economic Studies More information about the conference can be found on the official website www.comparativelawconference.eu The scientific studies included in this volume are grouped into two chapters Inspirational analyzes in comparative law Seeking the brilliance of international law This volume is aimed at practitioners researchers students and PhD candidates in juridical sciences who are interested in recent developments and prospects for development in the field of comparative and international law

Reinsurance Regulation: A Contemporary and Comparative Study Wallace Wang, 2003-01-01 We seem to be living at a time when insurance is strained to the breaking point From hurricanes and earthquakes to terrorist attacks and threats of nuclear devastation enormous risks to life and property and accompanying liabilities proliferate on an unprecedented scale Insurer insolvency is not yet common but it is not unusual either And at the root of such failures often lies the compound failure of uncollectable reinsurance This important book

proposes that a significant part of the emerging insurance crisis results from inadequate regulation of reinsurance. In a detailed and cogent analysis of what an effective regulatory regime for reinsurance must entail, the author examines such factors as the following: direct supervision of reinsurers versus supervision of reinsurance policies; models from developed countries (US, UK, EU) and international organisations (Organization for Economic Cooperation and Development, International Association of Insurance Supervisors); the importance of taking legal and economic differences into account while applying models; the problem of local protectionism, especially in developing countries; the dismantling of trade barriers in the reinsurance industry; global harmonization of reinsurance regulation; the role of reinsurance intermediaries; finite risk reinsurance; insurance-linked securities. The author's concluding chapter presents an essential legal infrastructure that allows for efficiency, security, and individual market characteristics. Professor Wang then applies this framework to the Taiwanese insurance market, demonstrating convincingly how his proposed regime can solve specific problems while respecting Taiwan's distinct market environment. As a meticulously considered appraisal of and solution to a world problem that is growing quickly and uncontrollably, Reinsurance Regulation will be of immense value to lawyers, professors, academics, and officials who deal with any facet of economic law.

The Foundations and Future of Financial Regulation Mads Andenas, Iris H-Y Chiu, 2013-11-20. Financial regulation has entered into a new era as many foundational economic theories and policies supporting the existing infrastructure have been and are being questioned following the financial crisis. Goodhart et al.'s seminal monograph *Financial Regulation: Why, How, and Where Now?* (Routledge, 1998) took stock of the extent of financial innovation and the maturity of the financial services industry at that time and mapped out a new regulatory roadmap. This book offers a timely exploration of the Why, How, and Where Now of financial regulation in the aftermath of the crisis in order to map out the future trajectory of financial regulation in an age where financial stability is being emphasised as a key regulatory objective. The book is split into four sections: the objectives and regulatory landscape of financial regulation; the regulatory regime for investor protection; the regulatory regime for financial institutional safety and soundness; and macro-prudential regulation. The discussion ranges from theoretical and policy perspectives to comprehensive and critical consideration of financial regulation in the specifics. The focus of the book is on the substantive regulation of the UK and the EU, as critical examination is made of the unravelling and the future of financial regulation with comparative insights offered where relevant, especially from the US. Running throughout the book is consideration of the relationship between financial regulation, financial stability, and the responsibility of various actors in governance. This book offers an important contribution to continuing reflections on the role of financial regulation, market discipline, and corporate responsibility in the financial sector, and upon the roles of regulatory authorities, markets, and firms in ensuring the financial health and security of all in the future.

Legal Aspects of Combating Corruption: The Case of Zambia, **Corporate Structure and Banking Resolution** Marcelo J. Sheppard Gelsi, 2024-06-06. This book provides a legal analysis of the regulation of bank-based

financial conglomerates from a structural commercial and regulatory perspective It includes a comparative analysis of the regulation of bank based financial conglomerates from the standpoint of the three jurisdictions that established a distinct regulatory model i e Germany the UK and the US At the same time it analyses which banking resolution strategy is most appropriate for different models taking into account four factors applicable to bank insolvency The book further examines the types of capital structure associated with each model and in particular how BBFCs have influenced industry developments in Germany the United Kingdom the United States and the EU While there are several books that focus on the regulation of banks insurance companies and securities firms this book will include the first analysis of BBFC from a structural commercial and resolution standpoint analysing not only the three major jurisdictions but three different BBFC models and will be of particular interest to students researchers and professors of banking and financial institutions **Global Governance and the Quest for Justice - Volume III** Peter Odell,Chris Willett,2008-11-24 This book one in the four volume set Global Governance and the Quest for Justice focuses on themes of citizen organisation and empowerment set in the context of globalising legal processes Chapter One sets the scene Chapters Two Three and Four focus on various challenges that globalisation poses for private law How does substantive contract and tort doctrine that has been developed mainly for use within national legal systems adapt to more globalised dealings and wrongdoings Should the source of regulation be private international law harmonised national law international accords or some combination Chapters Five Six and Seven focus on issues relating to access to justice as a mode of empowerment and its impact on the functioning of civil society These chapters highlight a variety of procedural professional and institutional challenges for access to justice in a globalised world Chapter Eight considers how we are to reconcile the competing visions of the basis on which essential services are to be provided In a global marketplace is there any room for local values or for values other than those of free market thinking Finally Chapter Nine focuses on the question of democracy in a globalised world If civil society is to retain its political vitality how are citizens to remain engaged and enfranchised as a new global politico legal order takes shape The European Banking Regulation Handbook, Volume I Christos V. Gortsos,2023-06-10 In two volumes this book covers in a comprehensive internally balanced systematic and detailed way the field of European Union EU banking law and regulation In three parts Volume I offers a brief introduction to the role of banks in the contemporary financial system and the theory of banking regulation a thorough analysis of international financial standards which are contained in the sources of public international banking law and of public international financial law in general a detailed presentation of the gradual evolution and the sources of EU banking law as well as a precise analysis of the law making process and the key institutional aspects of this branch of EU economic law The standards and rules adopted and the institutions created in the aftermath of the 2007 2009 global financial crisis and the subsequent euro area fiscal crisis as well as during the current pandemic crisis are discussed as appropriate A detailed analysis of the substantive aspects of EU banking law will follow in Volume II *The Governance*

of Macprudential Policy Tracy C Maguze, 2024-01-11 This book critically examines the theoretical foundations and legal framework for macroprudential policy its tools and governance in the UK the US and the EU It goes deeper into a normative discussion of the legitimacy of macroprudential policy in these jurisdictions where the mandate for maintaining financial stability has been delegated to independent authorities The Global Financial Crisis of 2007 2008 reopened debates regarding legitimacy of the independent regulatory state given its democratic deficit The response to a perceived legitimacy gap has been to increase political oversight in financial policymaking and regulation The book posits that the real problem is not a lack of democracy but rather a lack of social justice Across the globe there is growing dissatisfaction with a financial system and regulatory process that appear depersonalised and perpetuate inequalities Citizens are calling for more socially just systems of governance and the future success of financial policymakers and regulators will hinge on this Given the marked distributional effects that have been noted in some macroprudential policy tools the book questions whether macroprudential policy should be solely based on highly rationalised and strongly quantitative reasons By proposing that macroprudential policymakers should have a social justice mandate alongside their financial stability mandate as well as legal mechanisms for operationalising the added authority the book contributes to the growing discourse on the role of social justice in public policy

Research Handbook on International Financial Regulation Kern Alexander, Rahul Dhumale, 2012 The globalisation of financial markets has attracted much academic and policymaking commentary in recent years especially with the growing number of banking and financial crises and the current credit crisis that has threatened the stability of the global financial system This major new Research Handbook sets out to address some of the fundamental issues in financial regulation from a comparative and international perspective and to identify some of the main research themes and approaches that combine economic legal and institutional analysis of financial markets Specially commissioned contributions represent diverse viewpoints on the financial regulation debate and cover a number of new and controversial topics not yet adequately addressed in the literature Specifically these include financial innovation particularly in the context of the credit risk transfer market securitization and the systemic importance of the over the counter trading markets the institutional structure of international financial regulation and risk management and corporate governance of financial institutions This Handbook will provide a unique and fully up to date resource for all those with an interest in this critical issue including academic researchers in finance and regulation practitioners working in the industry and those involved with regulation and policy

The Legal History of the European Banking Union Pedro Gustavo Teixeira, 2020-12-24 How was the Banking Union the most advanced legal and institutional integration in the single market created How does European law impact European integration To answer these questions this book provides a sweeping account of the evolution of European law It identifies five integration periods of the single financial market intertwined with the development of global finance from its origins through its expansion and crisis to the Banking Union Each period is defined by innovations to deepen integration such as

the single passport for financial services soft governance and comitology agencies or a single rulebook Providing a far reaching explanation of the legal and institutional rationality of the European Banking Union this book demonstrates that the Banking Union is not an accident of history or simply the product of the existential crisis of the Monetary Union It has deep roots in the evolutionary process of European law and its drive towards supranational integration

Islamic Finance, Governance and Regulation Hakimah Yaacob, Razali Mat Zin, Qaisar Ali, 2024-11-12 Islamic financial institutions IFIs are often criticized due to insufficient regulatory provision thus lowering clients confidence in them Additionally few countries have well established legislation relating to the Islamic finance industry while others are only now developing preliminary regulations to incorporate Islamic finance within their own financial systems This book offers a comprehensive understanding of Islamic financial regulation outlining the regulatory landscape in various jurisdictions examining how it supports the development and foundation of IFIs and addressing the regulation and supervision of IFIs from a global perspective The book begins by introducing Islamic finance and its current position in the international banking system then goes on to review the historical developments of the field It discusses the key financial regulators their functions and the regulations that have been implemented to foster the growth of Islamic finance It includes cases from both Eastern and Western countries It thoroughly examines how Shariah principles are integrated into the regulatory framework of Islamic finance Specifically the book examines the laws and arrangements established in different countries regarding the governance of the Islamic finance industry as well as the legal criteria for setting up and governing IFIs The focus is on exploring diverging laws and their impact on developing Islamic Finance This will serve as an academic and practitioner guide to understanding the preliminary regulations required for the establishment governance and management of IFIs Also it offers practical insights and guidance for professionals working in the Islamic finance industry including bankers lawyers regulators and policymakers

Rethinking Corporate Governance Alessio Paces, 2013-01-17 The standard approach to the legal foundations of corporate governance is based on the view that corporate law promotes separation of ownership and control by protecting non controlling shareholders from expropriation This book takes a broader perspective by showing that investor protection is a necessary but not sufficient legal condition for the efficient separation of ownership and control Supporting the control powers of managers or controlling shareholders is as important as protecting investors from the abuse of these powers Rethinking Corporate Governance reappraises the existing framework for the economic analysis of corporate law based on three categories of private benefits of control Some of these benefits are not necessarily bad for corporate governance The areas of law mainly affecting private benefits of control including the distribution of corporate powers self dealing and takeover regulation are analyzed in five jurisdictions namely the US the UK Italy Sweden and the Netherlands Not only does this approach to corporate law explain separation of ownership and control better than just investor protection it also suggests that the law can improve the efficiency of corporate governance by allowing non controlling shareholders to be less

powerful Mobile Payments, Consumer Policy, and the Law Nwanneka Ezechukwu, 2023-03-17 Mobile technology offers an innovative and cost effective channel for delivering a range of financial services including mobile payments In some jurisdictions mobile payments simply provide a convenient option for facilitating payment transactions In other jurisdictions mobile payments are viewed as potentially transformative because they present an opportunity to expand access to financial services However as with other innovations mobile payments raise consumer protection concerns and require robust regulatory mechanisms to address such concerns Against this backdrop the book adopts a typology of consumer policy tools which can be used to address the identified consumer concerns This typology guides the enquiry into the existing consumer protection frameworks applying to mobile payments in selected jurisdictions Canada Kenya and the United Kingdom The main objective of this endeavour is to identify best practices that national authorities seeking to leverage mobile payments and similar innovations can emulate This book will be of interest to policymakers regulators industry stakeholders students and scholars interested in the regulation of innovative financial services particularly from a consumer protection perspective

Neoliberalism 2.0: Regulating and Financing Globalizing Markets L. Nijs, 2016-01-26 In today s increasingly globalized environment many economic fundamentals need to be reconsidered in order to regain stability in the global marketplace One such consideration is the failing dynamics of the international tax infrastructure Neoliberalism 2 0 brings a 21st century assessment of the Pigovian taxes considering a completely new calibration of the international tax systems inspired by the historically developed Pigovian tax model The book considers the impact neoliberalism had and will have on regulatory infrastructure democracy in an era of globalization and reduced legitimation of the national state The Pigovian model brings home the often forgotten relationship between taxation as a part of the regulatory sphere macro economics and the political philosophical context in which law and economics emerge The model also takes into account the phenomena of globalization and financialization and is tested using the financial sector as an example This book addresses the many challenges a Pigovian shift would imply for the sovereign and its national economies Neoliberalism 2 0 demonstrates the ability to design a paradigm changing alternative to the current tax infrastructure while taking into account a low economic growth environment of the future the implications of globalization and the changing relationship between citizens and their state

Deposit Insurance in China Ningyao Ye, 2025-03-31 This book examines and compares the rationale design and implementation of deposit insurance in the US the UK and China with the aim of finding an effective solution for China s nascent deposit insurance scheme by learning from the US and UK models Deposit insurance a pillar of the financial safety net that protects insured deposits and serves as a guarantee against losses on insured accounts has become increasingly important in bank resolution Using a comparative and interdisciplinary approach this book examines the legal and regulatory issues surrounding deposit insurance schemes in three jurisdictions the US the UK and China It offers a timely analysis of the operating mechanisms and implications of deposit insurance during the global financial crisis It also provides an in depth

doctrinal analysis of the US the UK and China's deposit insurance laws Based on these discussions the author proposes suggestions for reforming China's deposit insurance system and practice The title will appeal to scholars and students of banking and banking law as well as legal and financial practitioners in the fields of commercial law and banking and financial regulation

Chinese Companies and the Hong Kong Stock Market Flora Xiao Huang, Horace Yeung, 2013-10-30
Listing by companies from one country on the stock market of another country is a device often used both to raise capital in and to increase bonding with the target country This book examines the listing by Chinese companies on the Hong Kong stock market It discusses the extent of the phenomenon compares the two different regulatory regimes and explores the motivations for the cross listing It argues that a key factor in addition to raising capital and bonding with the Hong Kong market is Chinese companies desire to encourage legal and regulatory reforms along Hong Kong lines in mainland China in order to develop and open up China's domestic capital markets

Handbook of Blockchain, Digital Finance, and Inclusion, Volume 3 David Lee Kuo Chuen, Robert H. Deng, 2025-04-25
Handbook of Blockchain Digital Finance and Inclusion Volume Three Web3 AI Privacy and Greentech presents the latest technological developments and innovations occurring in cryptocurrency The book explores the hottest topics in this fast moving area emphasizing the financial opportunities made possible by cryptocurrencies such as DePIN and decentralized finance while also presenting the theories and advances that have the potential to create additional opportunities in the convergence of blockchain with AI and privacy technology Users will find this to be an important resource that bridges the gap between practical usability and academic perspective This new volume continues the tradition of the first two focusing on the latest trends including Web3 Zero Knowledge Proof Machine learning Quantum Technologies the Internet of Things in ESG decentralized networks digitalization and more It will serve as a valuable reference to an international audience that wants to learn not only about their own fields of specialization but also related fields Explains the practical consequences of these technologies and their economics to a broad spectrum of readers Encompasses Web3 Zero Knowledge Proof Machine learning Quantum Technologies the Internet of Things in ESG decentralized networks and digitalization Provides sophisticated in depth summaries Explains how blockchain technology provides greater efficiency and reduced cost for financial services

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Introduction

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