

Hong Kong Company Law 13th Edition

The first comprehensive textbook on contract law for more than ten years. 16 chapters cover all basic contract concepts with particular emphasis placed on what makes Hong Kong law different from other common law jurisdictions.

Provides an accessible guide to company law in Hong Kong. The text is based on the latest provisions of the Companies Ordinance and cases decided since the summer of 1998, in both the Hong Kong and English jurisdictions.

Small jurisdictions have become significant players in cross-border corporate and financial services. Their nature, legal status, and market roles, however, remain under-theorized. Lacking a sufficiently nuanced framework to describe their functions in cross-border finance - and the peculiar strengths of those achieving global dominance in the marketplace - it remains impossible to evaluate their impacts in a comprehensive manner. This book advances a new conceptual framework to refine the analysis and direct it toward more productive inquiries. Bruner canvasses extant theoretical frameworks used to describe and evaluate the roles of small jurisdictions in cross-border finance. He then proposes a new concept that better captures the characteristics, competitive strategies, and market roles of those achieving global dominance in the marketplace - the "market-dominant small jurisdiction" (MDSJ). Bruner identifies the central features giving rise to such jurisdictions' competitive strengths - some reflect historical, cultural, and geographic circumstances, while others reflect development strategies pursued in light of those circumstances. Through this lens, he evaluates a range of small jurisdictions that have achieved global dominance in specialized areas of cross-

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border finance, including Bermuda, Dubai, Singapore, Hong Kong, Switzerland, and Delaware. Bruner further tests the MDSJ concept's explanatory power through a broader comparative analysis, and he concludes that the MDSJs' significance will likely continue to grow - as will the need for a more effective means of theorizing their roles in cross-border finance and the global dynamics generated by their ascendance.

Using detailed case studies of the first nine mainland Chinese companies to be listed on the Hong Kong stock exchange (1993-94), Alice de Jonge examines the evolution of corporate governance law and culture in China's H-share market. A story emerges not of tensions between ideas of corporate governance from two different legal systems Hong Kong vs. mainland Chinese nor about legal convergence as China adopts concepts from Anglo-American jurisdictions. Rather, it is a story of individual firms being pragmatic in mediating the different agendas of state-agencies that own or control them. *Corporate Governance and China's H-Share Market* looks at corporate governance in a cross-border context is unique in providing a detailed understanding of China's H-share market reveals why a beer company was the first ever Chinese firm to be listed overseas. This fascinating work will appeal to postgraduate students and scholars of corporate governance, Asian law and legal systems and Asian business, as well as Chinese scholars more generally. Professionals such as law practitioners working in Chinese law will also find the book of interest.

This revised and expanded second edition of *Contract Law in Hong Kong* is the most comprehensive contemporary textbook on Hong Kong contract law written primarily for law students. The 16 chapters of the book cover all basic contract concepts in a reader-friendly style and make ample use of case illustrations. The book deals with all the core areas of

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Contract Law. The first two chapters introduce the major themes and explain the multiple sources of law in Hong Kong. The subsequent thirteen chapters cover the formation of a valid contract, its contents, "vitiating" elements, the consequences of illegality, the termination of contracts and remedies for breach of contract. The book concludes with an explanation of the doctrine of privity and proposals for reform of the operation of privity in Hong Kong. Particular attention is given to what makes Hong Kong law different from other common law jurisdictions, and to the continuing significance of English case law in Hong Kong and the theoretical and practical reasons for this. The book is intended primarily as a readable but comprehensive and authoritative text for Hong Kong law students. Practising lawyers and professionals who need to acquire knowledge on the topic, however, will also find this book useful and accessible.

First published in 1999, this volume provides an overview of company laws in South East Asia, North East Asia and the Pacific. The chapters adopt a standard format to allow for comparisons to be made as well as highlighting key features of company laws in each jurisdiction. The contributors are experts in their fields and present practical and policy related insights. The book also contains some useful overviews of company law themes in Asia.

A challenging and provocative book that contests the liberal assumption that the rule of law will go hand in hand with a transition to market-based economies and even democracy in East Asia. Using case studies from Hong Kong, China, Indonesia, Malaysia, Taiwan, Japan and Vietnam, the authors argue that the rule of law is in fact more likely to provide political elites with the means closely to control civil society. It is essential, therefore, to locate conceptions of judicial independence and the rule of law more generally within the ideological vocabulary of the state.

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Offers an accessible overview of Hong Kong's legal system and guides first-year law students in legal research and methods.

The showing of sophisticated modern weapons during the fiftieth anniversary of the Chinese Communist Party heralded China's emergence as a great power in the arena of politics. At the same time, China was finally admitted to the World Trade Organization after thirteen years' negotiation. With its two-digit GNP annual growth rate, China seemed poised to become the second-largest economy in the world. Many analysts argue that China will play an increasingly important role in the future, whether in politics or economics. China Review 2000 features a review of overall changes in the political, economic, social and business environments during the past twenty years of reform, along with perspectives on major issues confronting the People's Republic in the new millennium.

As a result of resumption of sovereignty over Hong Kong and Macao as well as the uncertain relationship between the Mainland and Taiwan, China has become a country composed of peculiar political compounds, resulting in four independent jurisdictions. This makes inter-regional legal cooperation a complicated yet compelling topic. Divided into five parts, this book considers possible solutions to problems in China's inter-regional cross-border insolvency cooperation. These solutions are developed on the basis of two groups of comparative studies, including comparison among the cross-border insolvency systems of the four independent jurisdictions in China and comparison between EU Insolvency Regulation and the UNCITRAL Model Law. The author discusses the advantages and disadvantages of the two systems and presents original recommendations for the way forward. The book will be a valuable resource for

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academics and policy makers in insolvency law, Asian law and comparative law.

Insolvency law reform has become a subject of public urgency in many countries in the past two decades and particularly in much of Asia over the last ten years. This volume provides an overview of insolvency laws and related rules and procedures in the countries of East Asia. The book comprises two introductory chapters dealing with issues such as legal culture and cross-border insolvency, before examining the fourteen principal jurisdictions in the region. Each chapter addresses the key themes of different insolvency regimes, such as: the legal system and culture; personal insolvency laws; corporate insolvency rules; court-based schemes of arrangement; winding-up procedures; liquidators; enforcement; and offences. This title will be an invaluable guide to academics, practitioners and policy makers working in the areas of comparative and commercial law.

The business corporation is one of the greatest organizational inventions, but it creates risks both for shareholders and for third parties. To mitigate these risks, legislators, judges, and corporate lawyers have tried to learn from foreign experiences and adapt their regulatory regimes to them. In the last three decades, this approach has led to a stream of corporate and capital market law reforms unseen before. Corporate governance, the system by which companies are directed and controlled, is today a key topic for legislation, practice, and academia all over the world. Corporate scandals and financial crises have repeatedly highlighted the need to better understand the economic, social, political, and legal determinants of corporate governance in individual countries. Comparative Corporate Governance furthers this goal by bringing together current scholarship in law and economics with the expertise of local corporate governance specialists

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from twenty-three countries.

Hong Kong Offshore Tax Guide

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.

Company Law 3e provides an in-depth, sophisticated but readable account of the major topics commonly studied in Company Law courses. Hannigan captures the dynamism of the subject, highlights its relevance and topicality and, above all, helps students master its intricacies.

An historical, empirical, doctrinal and comparative case study of how a former British colony became China's international financial centre.

While much international attention has been focused on China's developing economy, dramatic changes are also taking place in its legal system. This book is a groundbreaking, comprehensive introduction to China's legal system, covering the major areas of both civil and criminal law. The authors present fascinating cases and balanced accounts of controversial issues, from copyright law to punishment. By letting Chinese lawyers and judges speak for themselves, the authors also allow readers a surprisingly candid insider's view of real life legal practice.

2011 Updated Reprint. Updated Annually. Hong Kong Starting Business (Incorporating) in Hong Kong Guide

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The Routledge Handbook of Corporate Law provides an accessible overview of current research in the field, from an international and comparative perspective. In recent years there has been an explosion of corporate law research, as this area of law continues to develop rapidly throughout the world. Traditionally, Anglo–American corporate law theory has dominated debates and publications; however, this handbook readdresses the balance by exploring the treatment of corporate law in both Europe and Asia, as well developments in the US and UK. Bringing together a wide range of key thinkers in the field, this volume is divided into three main parts: Thinking about corporate law Corporate law principles and governance Some cross-cultural comparisons Providing up-to-date and authoritative articles covering all the key aspects of corporate law, this reference work is essential reading for advanced students, scholars and practitioners in the field.

Uses an interdisciplinary and empirical approach to analyze the process of institutionalizing alternative dispute resolution for shareholder disputes in Hong Kong.

The current volume of the Comparative Law Yearbook of International Business addresses a variety of issues relating to the regulation of business entities and investment, as well as a range of general issues. In the fields of business entities and investment, practitioners from Panama, Brazil, Chile, Russia, Gibraltar, Canada, Singapore, Romania, Indonesia, and Hong Kong examine protection of minority shareholders, antitrust and competition law, securities regulation, corporate taxation, fund administration and management, joint ventures, protection of foreign investment, regulation of mutual funds, and corporate governance. Commentators from Nigeria, the United States, Japan, Spain, and The Netherlands also review issues relating to copyright and trade mark protection, court jurisdiction, insolvency, and telecommunications.

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Understanding of the philosophy and theory behind the law is significance to law makers, legal practitioners, academicians and laymen. The rationales are to have some understanding of public policy and the real aim of the laws that made up particular practices or the root of practices. Therefore, this book highlight selected philosophy and theory of laws in the area of commercial, financial and corporate law; medical law; constitutional and administrative law and lastly human resource law. The massive information and knowledge in this book will benefits law makers, legal practitioners, academicians, universities students in understanding the philosophy and theory of the law first, before appreciating and applying the substantive law in their profession and life.

Contains papers examining issues concerning the effects of national and international institutional factors on corporate governance and performance. This volume focuses on the relevance of national business systems alongside industrial and institutional infrastructure to assess the efficacy of corporate governance regimes.

This book examines systematically the current systems of secured lending in China and Hong Kong, where companies or individuals offer personal property as security for credit advanced by a lender. Valid and enforceable security reduces the risk to the lender and so lowers the cost of credit to the borrower. However, the Hong Kong system, being largely derived from English law, is highly complex and in need of root-and-branch reform. The forces of inaction have triumphed and valuable opportunities to create a modern, rational and efficient system have been squandered. In China, on the other hand, a completely new system has been created in the last twenty years which, whilst it has various problems and defects, has some notable advantages over the common law equivalent found in Hong Kong.

Due Diligence and Corporate Governance is a general guide

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to a subject of growing importance. This handbook shows you how due diligence is used to assess the risk of any transaction, customer or investor for all businesses regardless of size or location. There are three main reasons for the rise in the profile and uses of due diligence: .

Companies are now doing deals all over the world and must be increasingly vigilant about the individuals and companies they are dealing with . Investors, consumers and the media are putting pressure on companies to avoid dealing with ethically, environmentally or socially irresponsible organisations . Internal controls must address the increasing regulatory requirements introduced in response to corporate scandals and the terrorist threat Due diligence allows companies to profile the companies and individuals they are thinking of dealing with before any commitment is made, providing an effective safeguard against criminal activity, reputational damage, or breaches of legislation. With its diverse coverage and focus on the practical uses of due diligence, combined with explanations and illustrations of best practice by case studies, diagrams and checklists, this handbook is the essential guide for all those involved in corporate transactions and risk management. The handbook: . Provides a broad introductory guide to due diligence . Examines due diligence in the context of risk management and corporate governance . Is straightforward, comprehensive and practical . Uses case studies to illustrate business users . Includes checklists to monitor risk management . Provides insights into comparative corporate governance framework

This book explores the role of institutions in economic growth, looking in particular at specific Asian countries and at particular cities within those countries. It considers a wide range of factors besides institutions, including the law, cultural factors and overall government arrangements. The

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differences between the countries studied are highlighted, and the impact of these differences assessed: the impact of English common law on arrangements in Hong Kong, Singapore and Malaysia; sharia law in Malaysia; the differing lengths of time of colonial rule; the extent to which Chinese family businesses control an economy. Also studied are the degree to which the law is effectively applied, and a range of other social, economic and cultural factors. The book's conclusions as to which factors have the greatest impact will be of considerable interest to economists of Asia and those interested in economic growth more widely.

The last Asian financial crisis, coupled with the western series of corporate scandals, has caused investors and citizens to doubt managers' ability to guarantee credible financial information about organizations. Consequently, legislators all over the world have come to realise the necessity of legislating in the area of corporate governance. This book explores several national corporate governance reform experiences from around the world (including Canada, China, the United States, and the European Union) and offers an explanatory theory with regard to national systems of corporate governance. It also underlines corporate governance as a management tool and principle. The author argues that each country should be encouraged to build its own system of corporate governance which should be harmonized with its history, culture and the level of its economic development.

Law and Language, the latest volume in the Current Legal Issues series, contains a broad range of essays by scholars interested in the interactions between law and language. This volume examines the themes of truth in language and the law, and the role of language in different areas of law, including contract and criminal law.

As Hong Kong enters its third year under Chinese rule, the

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prognosis for the common law remains uncertain. Can the improbable doctrine of 'one country, two systems' be made to work? Will the political controversies that continue to bedevil the territory undermine the rule of law and the integrity of the legal order? The 21 essays in this important new collection consider these, and many other, questions. The first part examines several problems that lie at the heart of the Basic Law's promise of legal continuity. Hong Kong's economic order and its legal buttresses are analysed in Part 2, while the essays in Part 3 trace the shifts in social values as reflected both in Chinese and Hong Kong law. Though they embrace a wide area, the contributions to this volume suggest that, while many problems lie ahead, Hong Kong's law and legal system seem adequately entrenched to endure well into the future. In China, the thirty-year economic reform reflects the process of moving from planned economy towards market economy. This could be seen From the changes in the 2005 Company Law, which recognizes the owners' property rights and gives more freedoms to them to decide various matters. In this new edition, besides offering a systemic the constitution of companies, the establishment of various companies, role and function of various parties in corporate governance, and corporate financing, Gu Minkang highlights the major changes in the 2005 Company Law, and addresses many new issues such as shareholders' derivative action, American limited liability company, and asset restructuring of listed companies. Another important feature is a comparison between the 1993 Company Law and the 2005 Company Law that will facilitate reading and understanding. This comprehensive and up-to-date presentation of Chinese company law will be of value to all who are involved in business with and in China and their legal advisors, and to students of Chinese company law.

Hong Kong Gaming Industry Law and Regulations Handbook

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