

Fiduciary Duties Directors And Employees Second Edition

Directors' Duties in Canada Duties and Responsibilities of Directors and Company Secretaries in New Zealand (4th edition) Fiduciary Duties Duties and Responsibilities of Directors and Officers Rights and Duties of Directors The Director's Handbook Duties and Responsibilities of Directors and Company Secretaries in New Zealand Directors' Duties Directors' Duties and Liabilities Rights and Duties of Directors Duties and Responsibilities of Company Directors and Officers Directors' Duties Company Law and Directors' Duties in Sub-Saharan Africa Fund Governance: Legal Duties of Investment Company Directors Directors' Duties and Corporate Anti-Corruption Compliance The Company Director Lender Liability and Banking Litigation Directors' Duties and Shareholder Litigation in the Wake of the Financial Crisis A Director's Guide to Duties Corporations Law in Australia Barry J. Reiter Silvana Schenone Andrew Stafford Robert Baxt Martha Bruce (FCIS.) Institute of Directors Silvana Schenone Deirdre Ahern Paul J. Omar Martha Bruce (FCIS.) Bob Baxt Andrew R. Keay Oludara Akanmidu Robert A. Robertson Patrick J. O'Malley Peter Loose Edward F. Mannino Joan Loughrey Michael Griffiths Roman Tomasic

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it has never been more important for directors and management to have a clear understanding of directors duties not only do we have a new empowered regulator in the form of the financial markets authority but the courts are generating new case law in the wake of the global financial crisis and finance company failures this new edition of duties and responsibilities of directors and company secretaries in new zealand sets out in a clear and concise manner the duties imposed by law on directors and includes new commentary on the evolution of the interpretation by the courts and the regulators of these matters comprehensive indexes cases and statute tables ensure relevant information is easily located

this second edition draws together the uk law relating to fiduciary duties and analyzes both its historical origins and its modern application by the courts fiduciary duties have historically defied easy characterization this area of law as it relates to the uk s directors and employees is developing and complex directors and employees of companies acting out of self interest have generated an increasing number of claims alleging breach of fiduciary duty the law relating to the fiduciary duties owed by directors and employees to companies is complex and involves several overlapping areas of law it is however a relatively commonplace cause of action individuals in positions of trust within a company are often tempted to abuse their position in order to steal company secrets set up in competition and poach staff and customers the book contains commentary on a number of new uk cases alongside further commentary and analysis on the developing jurisprudence in relation to the fiduciary duties of llp members and joint ventures in addition discussion is conducted regarding the court of appeal decisions relating to bolckiah information barriers in an employment context together with evaluation of the relevant commonwealth jurisprudence as it bears upon issues also arising under english law as a result this new edition will be an essential research reference for anyone practicing in this area of the law

this work covers the most important aspects of a director s duties and responsibilities p ix

the director s handbook first published in 2005 filled a gap in the market by providing a practical guide

to key issues facing board directors and senior business decision makers in the uk now with far reaching changes in directors duties and other principles of company law this new edition updates and explains the laws which affect the way every director does their job it deals with all aspects of a company director s role duties responsibilities and liabilities within the context of the current law and good practice written by leading experts and fully supported by research findings this 3rd edition also contains case studies from companies of varying sizes and sectors plus new chapters on the role of the company secretary plus the latest legal developments in the health and safety arena the director s handbook is the essential reference and source of advice for all new and existing directors as well as those who aspire to this position

directors duties law and practice comprehensively addresses the legal obligations of company directors in ireland it is a detailed examination of the practical application of the common law and equitable duties of directors as interpreted by the courts as well as key statutory obligations under the companies acts 1963 to 2009 with which directors must comply in depth coverage it offers in depth coverage of the role responsibilities and liabilities of company directors disqualification and restriction of directors remedies for breach of directors duties individual consideration is given to the various types of directors executive directors non executive directors de facto directors shadow directors and nominee directors not just topical and timely this new title is unique it is the only title devoted exclusively to the duties of directors ensures you have the right information at hand to advise clients on company law issues is a practical book that covers all elements of practice and procedure can help you speed up the work involved when preparing or defending applications for example the disqualification applications who will find this book useful barristers solicitors accountants financial service institutions financial advisors liquidators company directors and company secretaries author details dr deirdre ahern is a lecturer in commercial law and company law in trinity college dublin she is also a member of the law society s business law committee she formerly practised as a solicitor in a l goodbody and kpmg specialising in company law commercial law and competition law and was a principal officer in the law reform commission

this title was first published in 2000 the law relating to directors duties has fundamental implications

across the business environment and yet few areas of business law have received so little detailed examination this text provides fresh and incisive insights to the rules applying in ten major economic jurisdictions within europe with respect to directors legal obligations and liabilities written by the foremost figures in the field each contribution outlines the statutory provisions that affect the work of company directors in each jurisdiction including general legislation and specific laws covering the status of incorporated bodies fully illustrated with case law examples the book provides a guide to the range of measures which national courts may provide for participants in corporate life seeking remedies for unsatisfactory governance of companies it also features guidance on the specific bases for criminal and civil liabilities and examples of the range of penalties to which directors might be subject the result is a work of unprecedented detail which will be welcomed by practitioners in the corporate sector academics and researchers alike

a practical explanation of the rights and powers of directors and a discussion area by area of their specific duties as prescribed by company law and other legislation these include financial responsibilities duties to shareholders the board and the community and the director and insolvency

fresh examination of directors duties explaining their role in corporate governance

this book provides a critical analysis of the enforcement regime for breach of directors duties in sub saharan africa focusing on nigeria kenya ghana and tanzania it interrogates the current state of play regarding the enforcement of directors duties in sub saharan african countries the book examines the effectiveness of enforcement the reasons for its successes or failures and how it might be improved in these countries finally taking into consideration the specific socio cultural context of the countries in question it offers persuasive and practical avenues for reform this book will be of interest to scholars and practitioners of comparative corporate law and corporate governance in africa

fund governance legal duties of investment company directors is a comprehensive authoritative and practical treatment of the legal obligations of mutual fund and closed end fund directors the special duties of independent directors and fund governance best practices this treatise provides detailed

coverage of a fund board's legal duties under the federal securities laws and state corporate and trust law it examines the impact of statutes and regulations SEC guidance court cases and best practices in the context of fiduciary duty requirements board structure and operations audit committees advisory and distribution arrangements affiliated transactions and other aspects of fund management it also addresses the special requirements for closed end fund and money market fund directors as well as director indemnification and insurance issues filled with insight and featuring more than 30 forms and charts fund governance legal duties of investment company directors looks closely at challenging questions that often arise

this discerning book examines good governance developments concerning anti bribery efforts in the US and the UK recognising that with each new major case of corporate malfeasance the parameters of directors' duties change and expand taking this expansion of roles and expectations into account and acknowledging the respective increase in exposure to civil criminal and reputational liabilities Patrick J O Malley compares the fundamental national compliance experiences of the US and UK investigating anti bribery corporate and securities law and guidance this engaging book explores systemic expectations of directors executive officers and compliance personnel in public and private companies

the passing of the Companies Act 2006 has made it even vital that directors are fully aware of the extent of their responsibilities and the serious pitfalls which await those who are unprepared the company director is essential reading for all company directors company secretaries and their advisers it provides comprehensive coverage in a single volume of the powers legal obligations and responsibilities of executive and non executive company directors the complex relationships of directors with fellow directors with the company its employees and shareholders are fully explained the 9th edition of this well respected and established work has been thoroughly updated to take account of the substantial changes introduced by the 2006 act and the almost complete restatement of the previous acts which it contains combined with the other changes which have occurred since the last edition in 2000 the new material includes auditors powers and directors duties service agreements and indemnities corporate governance relations and shareholders and s459 narrative reporting liabilities including wrongful and fraudulent trading takeovers financial assistance capital secretaries constitution directors duties derivative

actions reviews the chapters on powers and duties are however essential reading whilst the book will provide an authoritative source of reference on other questions company accountant one of the vital sources of reference for directors accountancy age this comprehensive guide should be an essential part of a secretary's library administrator an impressive volume which skilfully examines the law in clear language without losing sight of the practical difficulties facing directors across a whole range of issues the journal of the law society of scotland the guide is an accessible reference book for directors looks set to become one of the vital sources of reference for directors accountancy age

this book analyzes theories of liability and provides in depth discussion of rico planning budgeting and monitoring banking lender litigation from the perspective of inside counsel and more

Ôthis book takes us back to the financial crisis and asks should the directors of the financial institutions that caused the crisis be held responsible to their investors loughrey's and her contributors's analysis of that question and the suggestions to implement their proposals are insightful and timely this is a must read book for those of us who are still trying to determine how to avoid the next financial crisis Ô Ð randall thomas vanderbilt law school us the financial crisis revealed failings at board level at many financial institutions but despite calls for bank boards to be held to account there has been a remarkable paucity of litigation against bank directors for breach of their duties this book assesses whether the law relating to directors's duties and shareholder litigation has contributed to this taking into account the changes to both that were introduced by the companies act 2006 with contributions from leading academics and practitioners the book examines the director's duty of care and skill the s 172 duty reporting obligations under s 417 of the companies act 2006 and shareholder litigation including the derivative action and just and equitable winding up it concludes that neither the common law nor the statutory duties and derivative action under the companies act 2006 function effectively to hold directors to account and analyses why this is so this detailed book will appeal to academics in company law and corporate governance as well as commercial law practitioners particularly those who specialize in company litigation

in the uk whether an individual is personally setting up a company joining a corporate board or reaching

director level via an internal promotion one will need to be aware of the legal implications that are attached to the role as a company director these are known as directors duties some of which are codified in the uk s companies act 2006 however these codified duties are merely the tip of the legal iceberg of which directors have to be aware there are numerous other duties ranging from maintaining proper accounts making returns to the uk s registrar of companies and not trading the company after the point where an insolvent liquidation beckons this book distills the rules into layman s language by looking at the role of the company director it uses a question and answer format such as i ve just been appointed as a director what legal formalities do i need to comply with or i want to borrow money from my company to buy myself a new car can i do this and if so how or i want to defer my dividend how do i do this contents include incorporation appointment and formalities people who cannot be directors the contract of employment termination of a directorship the capitalization of the company articles and shareholder agreements what does the board do rights of members directors dealings with their companies the codified duties of directors corporate governance meetings cyber security subject company law

the second edition of this text incorporates the latest changes to australian corporations law up to and including the corporations act 2001 and the financial services reform act 2001 like the 1st edition this text is written particularly for undergraduate law students the book introduces students to australian corporate law in a way that is informed by theory and policy throughout the book the authors draw upon materials from fields such as economics sociology and politics to provide a contextually relevant account of modern corporate law ample references and pointers are provided to policy debates contemporary issues and to further reading the authors bring considerable experience in interdisciplinary corporate law teaching and research the authors aim to stimulate the reader into further critical analysis of corporate law issues and to equip them with the capacity to respond in an informed way to future changes and developments the book also encourages the reader to independently pursue further research in areas of corporate law each of the 25 chapters has been revised and updated the book deals with introduction the history of corporate law and key themes and perspectives corporate structures and regulation including the structure of australian corporate law ASIC s role and powers and the role of auditors corporate obligations including corporate capacity contractual and criminal liability corporate

governance membership and meetings directors duties shareholders rights corporate finance including share and debt capital the managed investments act 1998 and fundraising securities and takeovers corporate rescues and winding up

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