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Tomasic, 2016-05-23 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 **Practitioner's Handbook on International Commercial Arbitration** Frank-Bernd

Weigand, 2009-12-24 The Practitioner's Handbook on International Commercial Arbitration provides concise country reports on important jurisdictions for international arbitral proceedings as well as commentaries on well known arbitration rules which are frequently incorporated in international legal agreements Most international commercial contracts now include an arbitration clause as an alternative to resolving disputes in the state courts This second edition of the Practitioner's Handbook includes newly updated country chapters expanded international coverage and commentary on the most important arbitration rules worldwide It is written by world leading arbitration practitioners and academics and combines a practical approach with in depth legal research and analysis of important national and international case law The book is unique in its coverage providing uniformly designed country reports and thorough commentaries on internationally recognized arbitration rules in just one volume There are individual chapters for the following countries Austria Belgium China and provides details of national arbitration laws arbitral institutions in the jurisdiction model arbitration clauses and a bibliography including a list of key judicial decisions The first edition was reviewed as an outstanding book and an extremely useful tool The work is an indispensable one stop reference point for lawyers drafting international arbitration clauses or handling arbitration proceedings in different countries Cross-Border Insolvency Neil Hannan, 2017-08-21 This book examines the effect of the

adoption of the United Nations Committee on International Trade Law UNCITRAL Model Law on Cross Border Insolvency in five common law jurisdictions namely Australia Canada New Zealand the United Kingdom and the United States of America It

examines how each of those states has adopted interpreted and applied the provisions of the Model Law and highlights the effects of inconsistencies by examining jurisprudence in each of these countries specifically how the Model Law affects existing principles of recognition of insolvency proceedings The book examines how the UNCITRAL Guide to enactment of the Model Law has affected the interpretation of each of its articles and in turn the courts ability to interpret and hence give effect to the purposes of the Model Law It also considers the ability of courts to refer to amendments made to the Guide after enactment of the Model Law in a state thereby questioning whether the current inconsistencies in interpretation can be overcome by UNCITRAL amending the Guide

The Future of Cross-Border Insolvency Irit Mevorach, 2018-03-01 A fresh and insightful guide to post financial crisis cross border insolvency this book interrogates the current regime and sets out a framework for improving its future In recent decades and especially since the global financial crisis a number of important initiatives have focused on developing the mechanisms for managing the insolvency of multinational enterprises and financial institutions The book considers the effectiveness of the current system and identifies the gaps that could be bridged by adopting certain strategies and tools to improve the system further The book first discusses the theoretical debate regarding cross border insolvency and surveys the strengths and weaknesses of the prevailing method modified universalism in its application to both commercial entities and financial institutions consequently identifying a single set of emerging norms The book argues that adhering to these norms more robustly would enhance global welfare and produce the best outcomes for businesses and institutions By drawing upon sources from international law as well as behavioural and economic theory the book offers a blueprint for meeting the demands of future cross border insolvencies It considers how to translate modified universalism into binding international law and how to choose the right instrument for cross border insolvency as well as the impact that instrument design has on decisions and choices It explores how to encourage compliance and proposes mechanisms that could potentially overcome or at least take into account behavioural biases in decision making

The International Lawyer's Deskbook Lucinda A. Low, Patrick M. Norton, Daniel M. Drory, 1996

Germain's Transnational Law Research Claire M. Germain, 1991

Insolvency Proceedings and Commercial Arbitration Vesna Lazić, 1998-11-18 Throughout the work introductions and conclusions serve as overviews of particular components of the study and set out the observations drawn An overall summary and conclusion section crystallizes the points made

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