

# Lipton Herzberg Understanding Company Law

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Understanding Chinese Company Law  
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with the commencement of economic reform in china and the subsequent dramatic growth in its economy and of private enterprise both chinese and foreign the company law of china has become of great importance in this pioneering and comprehensive study gu minkang provides a clear picture of the major topics of china s company law based on his wide knowledge of chinese american and european union law he adopts a comparative approach to enhance his analysis and to strengthen his readers understanding book jacket

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of adelaide language english abstract a corporate rescue generally speaking the corporate rescue process and the liquidation procedure form the two basic columns of a modern insolvency regime 2 whereas the australian legislator expressly implemented these two procedures the german legislator codified a uniform insolvency process an effective corporate rescue procedure is a cornerstone of a prospering economy economical value is closely connected to the risk of economic loss therefore economic growth will only be sustainable if investments are supported by safeguards donated by effective insolvency regimes not only focussing on a fast liquidation but also on the reorganisation or rescue of a company only the careful balance of creditors rights and the entrepreneurial spirit of the debtors ensure attractiveness for investments 3 b comparative approach this essay is focussed on the administrator as point of comparison because his role in the process significantly reflects the principles of the underlying corporate rescue regime in both countries australia and germany the administrator is a relatively influential organ the essay will show that the role of the german administrator is much more influenced by the court than in australia the essay s goal is to examine selected issues concerning the australian and german administrator after presenting the different roles in the australian and german corporate rescue process the essay will critically review the role of the administrator in both regimes in order to examine the effectiveness of the process from a comparative point of view 2 see united nations commission on international trade law legislative guide on insolvency law 2005 14 recommendation 2 3 united nations commission on international trade law see above n 1 11

china s company and commercial law is still in formation but its emerging patterns contain many practical elements that can be of immediate use to business people and their counsel this detailed guide presents not only the current disposition of such elements but also authoritative analysis by two outstanding chinese legal scholars with us uk and canadian experience of likely developments in the years to come as well as providing a rich understanding of the legal issues affecting transactions in china this book offers systematic treatment of such business factors as procedural aspects of setting up a business in china business incentives and restrictions contracts competition taxation property rights protection of creditors regulation of foreign trade and investment regulation of financial markets insolvency and intellectual property rights the authors expert analysis of the ongoing reform of state owned enterprises and its impact on the law of business associations provides valuable insight into the present and future development of chinese commercial law

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this book provides a comprehensive and up to date description of the financial system of hong kong a system which has undergone immense changes in recent years the book written by scholars and profesionales in the finance sector covers all aspects of the financial system commercial banking and non depository institutions the major financial markets monetary policy international financial relations and information technology

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