

Company Law and Sustainability

Legal Barriers and Opportunities

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Timothy Cadman, Tapan Sarker



Company Law And Sustainability Legal Barriers And Opportunities:

Company Law and Sustainability Beate Sjøfjell, 2015 Advances an innovative multi jurisdictional argument for the necessity of company law reform to reorient companies towards environmental sustainability *Company Law and Sustainability* Beate Sjøfjell, Benjamin J. Richardson, 2015 *Company Law and Sustainability* Beate Sjøfjell, Benjamin J. Richardson, 2015-05-21 This book advances an innovative multi jurisdictional argument for the necessity of company law reform to reorient companies towards environmental sustainability **The Palgrave Handbook of ESG and Corporate Governance** Paulo Câmara, Filipe Morais, 2022-06-28 Since the 2008 Global Financial Crisis the prevailing economic development model based on an assumption of unlimited resources and therefore unlimited growth has been increasingly put into question by academics policy making agencies and even industry leaders themselves Climate change general environmental and natural resource degradation widespread inequalities and systemic governance failures are pressing capitalism to renew itself to deliver sustainable outcomes for a broader base of stakeholders This has become known in more practical terms as the ESG Environmental Social and Governance and responsible investment movements The pressure to change how we organise ourselves as societies and economies has implications for how large and small corporations public or private are governed and to the benefit of whom This Handbook offers a rare combination of pluralistic and multidisciplinary perspectives from law economics finance and management as well as an interesting mix of latest academic thinking and practical recommendations on ESG for boards and executive teams Should companies be governed and managed for the benefit of their shareholders alone Can companies be governed to deliver for shareholders as well as the broader stakeholder base How can investors allocate capital to advance sustainability Part I provides a pluralistic discussion of some of these fundamental questions besetting academics and practitioners alike while Part II examines recent regulatory developments and assesses what may need to change in terms of law and regulation to both hold companies to account for sustainability while enabling them to continue to provide vital goods and services Part III of the book discusses how the different types of companies and investors are currently facing the sustainability imperative and incorporating ESG factors on how they operate and invest The concluding chapter provides an overview of the key regulatory ecosystem and board level gaps that require urgent and decisive action **The Oxford Handbook of Transnational Law** Peer Zumbansen, 2021-04-30 The Oxford Handbook of Transnational Law offers a comprehensive compendium for the field of Transnational Law by providing a unique and unparalleled treatment and presentation in an area that has become one of the most intriguing and innovative developments in legal doctrine scholarship theory as well as practice today With a considerable contribution from and engagement with social sciences the Handbook features numerous reflections on the relationship between transnational law and legal practice [De Gruyter Handbook of Sustainable Development and Finance](#) Timothy Cadman, Tapan Sarker, 2022-09-20 The De Gruyter Handbook of Sustainable Development and Finance explores the

difficult and challenging issues confronting society and the environment in the contexts of unprecedented climate change biodiversity loss and the global pandemic In this seminal text exploring a wide range of topics and in the devastating wake of COVID 19 scholars and practitioners analyse the effectiveness of current and proposed actions to build a sustainable future and the public and private finance necessary to prevent an impending planetary catastrophe The first section of the handbook introduces readers to the origins and evolution of sustainable development An examination of public and private finance follows in the next two sections presented from the perspectives of authors from both developed and developing countries Climate change one of the largest sectors of finance for sustainable development is investigated in detail as is the new and emerging development frontier the blue economy of the world's oceans Suitable for students policymakers and the public at large the handbook highlights the lessons learned and points the way forward for sustainable development and finance in the wake of the global pandemic and the challenges to come

A Research Agenda for Corporate Law Christopher M. Bruner, Marc Moore, 2023-11-03 Outlining significant dynamics that may pave the way for future evolution in the field of corporate law this timely Research Agenda explores provocative and cutting edge developments to identify new directions for scholarly inquiry Bringing together a diverse group of scholars the book evaluates doctrinal and normative issues in corporate law from a range of contextual and interdisciplinary viewpoints

The Limits and Logic of Agency Theory in Company Law Jonathan Hardman, 2024-09-12 Agency theory is ubiquitous in company law This book explores the limits of such deployment and the logic of how to deploy it The book makes five linked arguments in respect of the limits of agency theory in company law First it argues that agency theory has become so broad that it can be used to analyse most human relationships Such breadth though comes at the expense of legal clarity as agency relationships cover such a broad range of relationships there are no normative legal conclusions that can be drawn merely from identifying such a relationship Second it argues that we need to differentiate more specific concepts with clearer legal implications such as externalities and the particular manifestation of moral hazard that appears in insurance dynamics Third it argues that considerable amounts of existing company law theory which is ostensibly built from agency theory is in fact based on a series of hidden value judgments at each stage of the analysis Fourth it argues that company law theory should use agency theory less to rebalance the discipline agency theory has become hegemonic which is dangerous for the discipline obscures company law's role in establishing incentives undermines accountability and reduces company law's autonomy The book then moves to the logic of agency theory and makes three arguments First it argues that we need to factor in the company only apply agency theory to voluntary interactions and foreground our value judgments when identifying agency relations to do it properly Second it argues that it is rational to incur agency costs when we perceive the benefits of doing so to outweigh the costs meaning that agency costs can be facilitative and we should look to front end them rather than universally minimise them Third it argues that this needs to be undertaken through mandatory laws Exploring the external limits and internal logic of agency cost

analysis this book will be of interest to academics students and researchers of corporate and company law **Critical Company Law** Lorraine Talbot, 2015-08-11 The second edition of Critical Company Law provides a framework in which to understand how the company functions in society and a thorough grounding in modern legal doctrine It shows how modern company law is shaped by a multi layered history of politics ideology economics and power Through the lens of political economic theory the book shows how the company becomes the mechanism through which the state makes political choices about distributing societies wealth and through which it responds to economic crises The current law reflects an economy marked by a disjuncture between the low profits of the productive economy and the high profits of the finance economy Critical Company Law examines areas of company law to show how they reflect a fragile economy inexorably drawn to social and economic inequality and short termism These include The Doctrine of Separate Corporate Personality Groups of Companies and Tort Liabilities Company Formation and the Constitution Directors Duties and Authority Corporate Capacity Shares and Shareholders Raising and Maintaining Capital Minority Protection In this uniquely hybrid book the legal topics are treated with detail and clarity providing an engaging introduction to the key topics required for a student of company law

Research Handbook on Environment and Investment Law Kate Miles, 2019 The Research Handbook on Environment and Investment Law examines one of the most dynamic areas of international law the interaction between international investment law and environmental law and policy The Research Handbook takes a thematic approach analysing key issues in the environment investment nexus such as freshwater resources climate biodiversity biotechnology and sustainable development It also includes sections which explore regional experiences and address practice and procedure and offers innovative approaches and critical perspectives including the interface between foreign investment and the environment with human rights gender indigenous peoples and economics

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