
BUSINESS LAW 1

LARGE GROUP 7 Student Guide

Shareholders' Rights and Duties Transactions requiring the approval of members

Context

So far in this Module, you have considered the separation of power between the ownership and management of a company and seen that the articles of a company give directors extensive powers to run the company on a day-to-day basis. Because a company's directors have day to day control of the company and its assets, there is always a risk of directors abusing this position when there is a conflict of interest between them and the company. The Companies Act 2006 makes directors subject to a series of 'general duties' which are intended to address this danger. As well as the 'general duties' in the Companies Act, there are special procedural rules which apply when a company is entering into a transaction with a director or where a director has some other sort of interest in what is being done. These offer the company and its shareholders some protection, but there are situations where these protections may not be adequate. In this Large Group, you will be concentrating on four types of transaction where there is a particularly serious risk of directors abusing their position. In these situations, the Companies Act 2006 imposes extra procedural rules to protect the company, and these have to be complied with before the transaction can be entered into.

Outcomes

By the end of this Large Group you should be able to:

1. Identify some of the difficulties that the procedural restrictions on directors can cause and explain how to avoid them.
2. Explain the procedural rules imposed by the Companies Act 2006 in transactions where there is a particular risk of directors abusing their position
3. Explain how these procedural rules can also apply when the transaction is with someone who is "connected" with a director rather than with the director themselves
4. Explain the consequences of failure to comply with these procedural rules

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A Guide to Business Law in Asia Pitman B. Potter, Ljiljana Biukovic, 2008 **A Basic Guide to International Business Law** Harm Wevers, 2019-11-25 A Basic Guide to International Business Law is an introduction to those parts of European and international law that are relevant to business Having read this book students will come away with a broad understanding of the international rules of law within the EEC institutional rules of the European Union international contract law rules of competition and the four freedoms within the EEC The edition includes student friendly features such as summaries of statements and references to relevant case law making the book an ideal introduction for those on law and or business programmes **A Practical Guide to Software Licensing for Licensees and Licensors** H. Ward Classen, 2007 This new Second Edition updates its first edition published in 2005 by examining the fundamental issues that both licensors and licensees confront in the negotiation of a software license This resource is accompanied by and cross referenced to an annotated software license A detailed index and companion CD ROM is also included for customization of the software license and related forms **Kosovo Investment and Business Guide Volume 1 Strategic and Practical Information** IBP USA, 2013-08 Kosovo Investment and Business Guide Strategic and Practical Information **The Lawyer's Guide to Modern Payment Methods** Frederick H. Miller, 2007 Using a hypothetical example the author explains the applicable laws of fund wire transfers credit debit and charge cards checks and other payment methods including stored value PayPal Registered and others and then discusses those laws in the context of the hypothetical Each chapter includes several research resources for additional information as well as handy checklists forms and agreements The book is accompanied by a CD ROM of the checklists forms and agreements for easy customization **Foreign Exchange Control in China** Tu Hong, 2004-01-01 Foreign Exchange Control in China lays out comprehensively the compliance requirements procedures and documentation for the conduct of foreign exchange transactions in China Written in an easy to read format the book is designed to help readers understand and handle the various complicated aspects and requirements of foreign exchange control in China Compliance requirements for the current and capital accounts foreign exchange settlements use and administration of foreign exchange accounts foreign debts and guarantees import export service trade bonded zones and qualified foreign institutional investors are closely examined with a list of the procedures to follow and applicable documentation provided Contents are specially included to assist foreign investors deal with foreign exchange requirements whilst operating in China including those for capital movements and remittance of profits and dividends out of China Foreign Exchange Control in China is an indispensable guide to foreign investors and multinational companies as well as to lawyers financial accounting and tax professionals This title forms part of the Asia Business Law Series The Asia Business Law Series is published in cooperation with CCH Asia and provides updated and reliable practical guidelines legislation and case law in order to help practitioners policy makers and scholars understand how business is conducted in the rapidly growing Asian

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accountability as goals for business law It will be of great value to academics interested in business law competition law comparative law and legal theory students studying law business and economics and to policy makers and regulators

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Investment in Greater China Kluwer Law International (Firm), 2003-01-01 Investment in Greater China provides extensive and up to date information on the concepts governing foreign investments in China Hong Kong and Taiwan The book written by hands on experts in a pragmatic style explores the full spectrum of Greater China's investment laws and practices including legal system land tenure investment structure business regulation taxation import and export controls exchange control regulation of local finance labour and nationality law intellectual property movement of goods insurance and disputes settlement Features of this book include comprehensive coverage and sectional user friendly index to ensure speedy location of information Investors legal and tax practitioners corporate advisers management

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