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The Oxford Handbook Of Regulation The Oxford Handbook Of Regulation

**Roger Brownsword, Eloise
Scotford, Karen Yeung**



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The Oxford Handbook of Regulation Robert Baldwin, Martin Cave, Martin Lodge, 2010-09-09 This Handbook provides a clear and authoritative discussion of the major trends and issues in regulation over the last thirty years together with an outline of prospective developments It brings together contributions from leading scholars from a range of disciplines and countries

The Oxford Handbook of Financial Regulation Niamh Moloney, Eilís Ferran, Jennifer Payne, 2015-08-27 The financial system and its regulation have undergone exponential growth and dramatic reform over the last thirty years This period has witnessed major developments in the nature and intensity of financial markets as well as repeated cycles of regulatory reform and development often linked to crisis conditions The recent financial crisis has led to unparalleled interest in financial regulation from policymakers economists legal practitioners and the academic community and has prompted large scale regulatory reform The Oxford Handbook of Financial Regulation is the first comprehensive authoritative and state of the art account of the nature of financial regulation Written by an international team of leading scholars in the field it takes a contextual and comparative approach to examine scholarly policy and regulatory developments in the past three decades The first three parts of the Handbook address the underpinning horizontal themes which arise in financial regulation financial systems and regulation the organization of financial system regulation including regional examples from the EU and the US and the delivery of outcomes and regulatory techniques The final three Parts address the perennial objectives of financial regulation widely regarded as the anchors of financial regulation internationally financial stability market efficiency integrity and transparency and consumer protection The Oxford Handbook of Financial Regulation is an invaluable resource for scholars and students of financial regulation economists policy makers and regulators

The Oxford Handbook of Law, Regulation and Technology Roger Brownsword, Eloise Scotford, Karen Yeung, 2017-07-24 The variety pace and power of technological innovations that have emerged in the 21st Century have been breathtaking These technological developments which include advances in networked information and communications biotechnology neurotechnology nanotechnology robotics and environmental engineering technology have raised a number of vital and complex questions Although these technologies have the potential to generate positive transformation and help address grand societal challenges the novelty associated with technological innovation has also been accompanied by anxieties about their risks and destabilizing effects Is there a potential harm to human health or the environment What are the ethical implications Do these innovations erode or antagonize values such as human dignity privacy democracy or other norms underpinning existing bodies of law and regulation These technological developments have therefore spawned a nascent but growing body of law and technology scholarship broadly concerned with exploring the legal social and ethical dimensions of technological innovation This handbook collates the many and varied strands of this scholarship focusing broadly across a range of new and emerging technology and a vast array of social and policy sectors through which leading scholars in the

field interrogate the interfaces between law emerging technology and regulation Structured in five parts the handbook I establishes the collection of essays within existing scholarship concerned with law and technology as well as regulatory governance II explores the relationship between technology development by focusing on core concepts and values which technological developments implicate III studies the challenges for law in responding to the emergence of new technologies examining how legal norms doctrine and institutions have been shaped challenged and destabilized by technology and even how technologies have been shaped by legal regimes IV provides a critical exploration of the implications of technological innovation examining the ways in which technological innovation has generated challenges for regulators in the governance of technological development and the implications of employing new technologies as an instrument of regulatory governance V explores various interfaces between law regulatory governance and new technologies across a range of key social domains

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Transnational Policy Innovation Fabrizio De Francesco,2024-10-31 This book analyses the role of the OECD in diffusing policy innovations Through the study of regulatory impact analysis RIA it shows how transnational networks affect national policy process De Francesco s analytical framework encompasses the institutional features as well as internal and international determinants of a policy innovation such as RIA Drawing on original data sets three empirical analyses assess to what extent government decisions to adopt implement and evaluate RIA were driven by the OECD Transnational Policy Innovation argues that concepts of policy innovation diffusion provide a useful framework for understanding the dynamics of transnational governance It shows that the OECD has been successful in framing and diffusing a template of evidence based decision making However downplaying RIA as an instrument of political control has limited the influence of the OECD s peer review and comparative indicators on the administrative and institutional setting

Public and Private Enforcement of Securities Laws Michael Legg,2022-02-10 This book undertakes unique case studies including interviews with participants as well as empirical analysis of public and private enforcement of Australian securities laws addressing continuous disclosure Enforcement of laws is crucial to effective regulation Historically enforcement was the province of a government regulator with significant discretion public enforcement However more and more citizens are being expected to take action themselves

private enforcement Consistent with regulatory pluralism public and private enforcement exist in parallel with the capacity to both help and hinder each other and the achievement of the goals of enforcement in a range of areas of regulation The rise of the shareholder class action in Australia backed by litigation funding or lawyers has given rise to enforcement overlapping with that of the government regulator the Australian Securities and Investments Commission The ramifications of overlapping enforcement are explained based on detailed analysis The analysis is further bolstered by the regulator's approach to enforcement changing from a compliance orientation to a Why not litigate approach The analysis and ramifications of the Australian case studies involve matters of regulatory theory and practice that apply across jurisdictions The book will appeal to practitioners regulators and academics interested in regulatory policy and enforcement and the operation of regulators and class actions including their interaction

The EU and Nanotechnologies Tanja Ehnert, 2017-08-10 This book investigates the role of law in confronting major societal transformations embodied by the emergence of nanotechnologies Taking the case of the European Union it explores who the key decision makers in the regulation of nanotechnologies are and how they take decisions The questions are explored through two distinct case studies the food and chemicals sectors The book charts an incremental retreat of the European Union to its executive powers including soft law measures such as agencies guidelines or implementing measures This the author argues results in the Union's fundamental democratic control mechanisms the EU legislature and the Court of Justice of the EU being circumvented The book recommends several immediate proposals to reform EU risk regulation advocating a greater reliance on the European Parliament and outlining measures to increase the transparency of guidance drafting by EU agencies This important work provides a timely examination of how emerging technologies pose both regulatory and democratic challenges

Regulation and Governance of Mutual Funds Mohammed Khair Alshaleel, 2022-08-12 This book provides a detailed analysis of mutual fund regulations and governance in the UK from the investor protection perspective It comprehensively describes mutual funds by their function social utility and legal attributes examining the level of protection provided to retail investors under existing regulations Mutual funds are externally managed with fund ownership separated out from their management which carries a potential conflict of interest between the self interests of the fund management and each fund's investors The book provides an in depth analysis of this agency problem in the mutual fund industry comparing the competing governance models in the UK and the US and the supervision of management activities In the UK it investigates the main governance mechanisms including disclosure the effectiveness of voting rights and the role of the Financial Conduct Authority in protecting investors It also considers the role of prudential regulations in protecting mutual fund investors with a particular focus on risk management and mutual fund liquidity crisis The book further investigates the impact of the withdrawal of the UK from the European Union Brexit on the industry and what this means for the future of the undertakings for collective investment in transferable securities UCITS in the UK The concept of mutual funds is still not clearly

understood so this book will clearly define the different legal and practical aspects of mutual funds It will be the first substantial study of mutual fund governance mechanisms under the existing mutual fund laws and regulations in the UK

The Digital Republic Jamie Susskind,2022-07-05 From one of the leading intellectuals of the digital age The Digital Republic is the definitive guide to the great political question of our time how can freedom and democracy survive in a world of powerful digital technologies A Financial Times Book to Read in 2022 Not long ago the tech industry was widely admired and the internet was regarded as a tonic for freedom and democracy Not anymore Every day the headlines blaze with reports of racist algorithms data leaks and social media platforms festering with falsehood and hate In The Digital Republic acclaimed author Jamie Susskind argues that these problems are not the fault of a few bad apples at the top of the industry They are the result of our failure to govern technology properly The Digital Republic charts a new course It offers a plan for the digital age new legal standards new public bodies and institutions new duties on platforms new rights and regulators new codes of conduct for people in the tech industry Inspired by the great political essays of the past and steeped in the traditions of republican thought it offers a vision of a different type of society a digital republic in which human and technological flourishing go hand in hand

The Welsh Language Commissioner in Context Diarmait Mac Golla Chríost,2016-07-20 it is the first book on the subject much of the research data provides a unique insight to the development of government policy and is exclusive to this book several of the research results are quite striking and will be of great interest to academics and policy actors alike

From Chasing Violations to Managing Risks Florentin Blanc,2018-09-28 Florentin Blanc focuses specifically on regulatory inspections and enforcement their historical development contrasted approaches and methods and their relative effectiveness in achieving regulatory objectives Inspections aimed at verifying compliance with regulations are one of the most significant activities of modern states in terms of the number of staff employed or of people affected and one of the most visible ones but have long remained relatively under researched or at least not considered as such

Regulating Dispute Resolution Felix Steffek,Hannes Unberath,Hazel Genn,Reinhard Greger,Carrie Menkel-Meadow,2014-07-04 This book proposes a principled approach to the regulation of dispute resolution It covers dispute resolution mechanisms in all their varieties including negotiation mediation conciliation expert opinion mini trial ombud procedures arbitration and court adjudication The authors present a transnational Guide for Regulating Dispute Resolution GRDR The regulatory principles contained in this Guide are based on a functional taxonomy of dispute resolution mechanisms an open normative framework and a modular structure of regulatory topics The Guide for Regulating Dispute Resolution is formulated and commented upon in a concise manner to assist legislators policy makers professional associations practitioners and academics in thinking about which solutions best suit local and regional circumstances The aim of this book is to contribute to the understanding and development of the legal framework governing national and international dispute resolution Theory empirical research and regulatory models have been taken from the wealth of experience in 12 jurisdictions Austria Belgium Denmark England

and Wales France Germany Italy Japan the Netherlands Norway Switzerland and the United States of America Experts with a background in academia practice and law making describe and analyse the regulatory framework and social reality of dispute resolution in these countries On this basis the authors draw conclusions about policy choices regulatory strategies and the practice of conflict resolution This title is included in Bloomsbury Professional's International Arbitration online service

The Transformation of Private Law - Principles of Contract and Tort as European and International Law Maren Heidemann, 2024-04-20 Eminent lawyers from academia international judiciary and legal practice join up to honour Professor Mads Andenas KC Hon Contributions form a cutting edge volume across legal disciplines led by an advisory editorial committee including Prof Guido Alpa Prof Carl Baudenbacher Prof Eirik Bjorge Prof Giuseppe Conte and Prof Duncan Fairgrieve The general private law of tort and delict is subject to a transformation where the traditional national framework is becoming gradually less relevant Much of the modernisation of private law takes place not at the domestic level but at a European or international level such as in international commercial conventions or EU consumer protection legislation Remedies in regulatory law are becoming ever more important The role of the European Court of Justice in developing general principles of contract and tort is ever increasing Tort liability is an important subject of international conventions with the caselaw of the International Court of Justice developing general principles of tort liability in public international law

Resource Security and Governance Xinting Jia, Roman Tomasic, 2017-11-28 China's phenomenal economic growth in the past 30 years has witnessed the rise of its global natural resources companies At the same time the emerging of a middle class in China and their desire to improve living standards including better dwelling conditions better health and nutrition has driven strong demand in mineral resources energy and quality food The so called socialist market economy in China has seen this growing demand being met partially by companies with national significance In the resources sector these companies are represented by companies listed in stock exchanges in China as well as globally such as in New York and London at the same time most of these companies are also controlled by the Chinese government China's resources companies have expanded overseas in search of new acquisition targets whilst seeking to extend their global reach with a focus on resource rich countries The expansion of these companies internationally and the unique ownership structure of these companies has posed challenges for regulators trading partners of these companies investors and other interested parties seeking to understand how these companies are governed and the implications of government ownership for resource security globally **Resource Security and Governance The Globalisation of China's Natural Resources Companies** contains case studies of the global expansion efforts of Chinese global natural resources companies it reviews the governance structures of these companies and analyses how these have affected the inter relationship between these companies and their trading partners governments regulators in targeted countries and investors globally In addition this book examines how the unique structure of these companies may affect resource security globally and touches on other related matters such as climate

change and air and water security in China **The Regulatory Aftermath of the Global Financial Crisis** Eilís Ferran, Niamh Moloney, Jennifer G. Hill, John C. Coffee, Jr, 2012-11-15 The EU and the US responded to the global financial crisis by changing the rules for the functioning of financial services and markets and by establishing new oversight bodies With the US Dodd Frank Act and numerous EU regulations and directives now in place this book provides a timely and thoughtful explanation of the key elements of the new regimes in both regions of the political processes which shaped their content and of their practical impact Insights from areas such as economics political science and financial history elucidate the significance of the reforms Australia's resilience during the financial crisis which contrasted sharply with the severe problems that were experienced in the EU and the US is also examined The comparison between the performances of these major economies in a period of such extreme stress tells us much about the complex regulatory and economic ecosystems of which financial markets are a part **Regulating (From) the Inside** Iris H-Y Chiu, 2015-11-05 This book examines a key aspect of the post financial crisis reform package in the EU and UK the ratcheting up of internal control in banks and financial institutions The legal framework for internal controls is an important part of prudential regulation and internal control also constitutes a form of internal gate keeping for financial firms so that compliance with laws and regulations can be secured This book argues that the legal framework for internal control which is a form of meta regulation is susceptible to weaknesses and such weaknesses are critically examined by adopting an interdisciplinary approach The book discusses whether post crisis reforms adequately address the weaknesses in regulating internal control and proposes an alternative strategy to enhance the governance effectiveness of internal control **We, the Robots?** Simon Chesterman, 2021-08-05 Should we regulate artificial intelligence Can we From self driving cars and high speed trading to algorithmic decision making the way we live work and play is increasingly dependent on AI systems that operate with diminishing human intervention These fast autonomous and opaque machines offer great benefits and pose significant risks This book examines how our laws are dealing with AI as well as what additional rules and institutions are needed including the role that AI might play in regulating itself Drawing on diverse technologies and examples from around the world the book offers lessons on how to manage risk draw red lines and preserve the legitimacy of public authority Though the prospect of AI pushing beyond the limits of the law may seem remote these measures are useful now and will be essential if it ever does **Re-Imagining Labour Law for Development** Diamond Ashiagbor, 2019-07-25 The aim of this book is to explore labour law's conceptual and normative narrative If labour law is informed by the wider political and economic landscape within which it operates then given the declining prevalence of the post war model of full employment within a formal welfare state regime what shape does or should labour law assume in response to the transformation of the political economy in countries of the global North Correspondingly what is the proper role to be played by labour law and labour relations institutions in the development process within industrialising countries of the global South where informal employment has long been and

remains the predominant form Drawing on the expertise of leading labour law scholars this collection addresses those questions by examining the growth and continued prevalence of informality Offering research that is both empirically grounded and doctrinally astute the book explores the changing character of labour law in the global North and South

The Future of Mental Health, Disability and Criminal Law Kay Wilson, Yvette Maker, Piers Gooding, Jamie Walvisch, 2023-09-15 This book brings together contributions from twenty three world leading scholars and commentators that address a range of contemporary and pressing international themes in mental health disability and criminal law The authors use the work of internationally renowned academic Emeritus Professor Bernadette McSherry as a springboard to reflect on recent developments in these areas of law and to anticipate the future directions they may take In doing so they aim to inform and inspire a new generation of mental health disability and criminal law scholars advocates and reformers The book is divided into four substantive sections reforming mental health and disability law regulating coercion and restrictive practices improving access to justice and the criminal law and transforming mental health law It also includes an introduction from the editors and an afterword from Emeritus Professor McSherry The book is aimed at regulators policymakers lawyers clinicians consumer advocates and academics who are interested in the urgent and contentious issues surrounding the reform and development of mental health disability and criminal law It will help them understand the key issues and problems and presents suggestions for reform The book is interdisciplinary and international in its focus Chapters 9 and 13 of this book are freely available as a downloadable Open Access PDF at <http://www.taylorfrancis.com> under a Creative Commons Attribution Non Commercial No Derivatives CC BY NC ND 4.0 license

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