

Financial Law Institute

Working Paper Series

WP 1999-15

October 1999

*Centros: A landmark decision in
European Company Law*

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Abstract

The 'Centros' judgment of the European Court of Justice is provoking great waves of unrest on the continent: interpretations vary from a breakthrough of the incorporation doctrine, the opponent philosophy, the seat doctrine having been thrown overboard, while the introduction of the Delaware rule in Europe would entail the much dreaded "race to the bottom". The Centros case will stir legal debate in several directions.

After an analysis of the Centros-judgment, this paper looks into the possible implications of the ruling on the 'seat doctrine', the transborder transfer of the company seat and the prospects for harmonisation and regulatory competition in company law.

Published in:

***Th. BAUMS, K.J. HOPT & N. HORN (eds.),
Corporations, Capital Markets and Business in the Law,
Kluwer Law International, 2000, 629-654.***

As this working paper has been published in the abovementioned book, it is no longer available in working paper format. Readers are kindly referred to the published article.

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