

Weber on Creditor Protection in International Civil Procedure

Johannes Weber, a research fellow at the Max Planck Institute for Comparative and International Law in Hamburg, has written a book on “Gesellschaftsrecht und Gläubigerschutz im Internationalen Zivilverfahrensrecht. Die Internationale Zuständigkeit bei Klagen gegen Gesellschafter und Gesellschaftsorgane vor und in der Insolvenz” [Corporate Law and Creditor Protection in International Civil Procedure. The International Jurisdiction for Actions against Shareholders and Directors before and during Insolvency]. Here is an English abstract:

Creditor protection in respect of limited liability corporations is a topic assuming an increasingly central role in corporate law and private international law. Whereas the scholarly discussion has primarily focused on substantive law issues and the appropriate connecting factors from a private international law perspective, the question of international civil procedure has thus far received relatively little attention. In his work “Gesellschaftsrecht und Gläubigerschutz im Internationalen Zivilverfahrensrecht” (Corporate Law and Creditor Protection in International Civil Procedure), Dr. Johannes Weber, research fellow at the Max Planck Institute for Comparative and International Private Law, addresses the question of which court may claim international jurisdiction when it comes to the enforcement of creditor protection in respect of corporations. Analyzing the question in the context of EU international civil procedure, Weber’s analysis offers in particular a comparison of German and English substantive law. Revealing a number of significant substantive contrasts between the two distinct legal traditions, the inquiry is also of considerable relevance in light of the number of business entities incorporated under British law. Each chapter of the work concludes with a discussion on the perspectives for future legal reform.

More information is available on the publisher’s website.