

— THE JOURNAL OF —
BUSINESS
LAW

ISSUE 6 2016

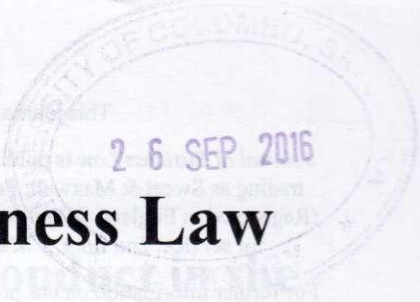
The Role of Codes of Conduct in the Assessment of Unfair Commercial Practices

Anthony Bochon & Arnaud Van Waeyenberge This article provides an in-depth analysis of the role of codes of conduct in the assessment of unfair commercial practices established by Directive 2005/29 of 11 May 2005 concerning unfair business-to-consumer practices in the internal market and its current reception in Member States case law.

Regulatory Duties for Directors in the Financial Services Sector and Directors' Duties in Company Law: Bifurcation and Interfaces

Iris H-Y. Chiu Many query why directors of failed banks in the global financial crisis have not been called to account under the company law directors' duties regime, and one of the responses following the perceived weakness of the directors' duties regime is the enactment of individual responsibility regimes under financial regulation by the UK Prudential Regulation and Financial Conduct Authorities. This article examines the interface between private enforcement under the company law directors' duties regime and the new regulatory framework. It argues that the company law regime serves a different purpose from the regulatory regime, and the redress called for in the wake of the global financial crisis is not best met by private law enforcement under company law. However, there are interfaces between the two regimes that will affect how directors conduct themselves.

SWEET & MAXWELL



Journal of Business Law

Issue 6 2016

Table of Contents

Articles

The Role of Codes of Conduct in the Assessment of Unfair Commercial Practices <i>Anthony Bochon & Arnaud Van Waeyenberge</i>	451
Regulatory Duties for Directors in the Financial Services Sector and Directors' Duties in Company Law: Bifurcation and Interfaces <i>Iris H-Y. Chiu</i>	465
Competition Regimes in Singapore and Hong Kong: A Product of Idiosyncratic Attributes of Small Asian Economies? <i>Deborah Healey</i>	491
Mis-selling Financial Products: When can the Customer Claim in Negligence? <i>Victoria Stace</i>	517