

MODERN FINANCIAL REGULATION

FINANCIAL REGULATION PRINCIPLES OF FINANCIAL REGULATION GLOBAL FINANCIAL REGULATION FINANCIAL REGULATION INDUSTRY CHANGES PROMPT NEED TO RECONSIDER U.S. REGULATORY STRUCTURE : REPORT TO THE CHAIRMAN, COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS, U.S. SENATE. FINANCIAL REGULATION FINANCIAL REGULATION THE UK AND MULTI-LEVEL FINANCIAL REGULATION FINANCIAL REGULATION, GOVERNANCE, AND STABILITY THE FUTURE OF FINANCIAL REGULATION STRATEGIES OF FINANCIAL REGULATION THE FOUNDATIONS AND FUTURE OF FINANCIAL REGULATION EUROPEAN FINANCIAL REGULATION MERGERS, ACQUISITIONS AND INTERNATIONAL FINANCIAL REGULATION COMPARATIVE FINANCIAL REGULATION RESEARCH HANDBOOK ON INTERNATIONAL FINANCIAL REGULATION FINANCIAL REGULATION IN CRISIS? INTERNATIONAL LAW IN FINANCIAL REGULATION AND MONETARY AFFAIRS KNOWLEDGE CAPTURE IN FINANCIAL REGULATION TRANSNATIONAL FINANCIAL REGULATION AFTER THE CRISIS THE EUROPEAN UNION AND GLOBAL FINANCIAL REGULATION CHARLES GOODHART JOHN ARMOUR HOWARD DAVIES UNITED STATES. CONGRESS. SENATE. COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS DIMITRI VITTAS SCOTT JAMES IBRAHIM NANDOM YAKUBU IAIN G MACNEIL JUNGHOON KIM MAD S ANDENAS VEERLE COLAERT DANIELE D'ALVIA ALESSIO M. PACCES KERN ALEXANDER JOANNA GRAY THOMAS COTTIER EVA BECKER TONY PORTER LUCIA QUAGLIA

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FINANCIAL REGULATION PRESENTS AN IMPORTANT RESTATEMENT OF THE PURPOSES AND OBJECTIVES OF FINANCIAL REGULATION THE AUTHORS PROVIDE DETAILS AND DATA ON THE SCALE NATURE AND COSTS OF REGULATORY PROBLEMS AROUND THE WORLD AND LOOK AT WHAT SORT OF COUNTRIES AND SECTORS REQUIRE SPECIAL ATTENTION AND POLICIES KEY TOPICS COVERED INCLUDE THE NEED TO RECAST THE FORM OF REGULATION INCENTIVE STRUCTURES FOR FINANCIAL REGULATION PROPORTIONALITY NEW TECHNIQUES FOR RISK MANAGEMENT REGULATION IN EMERGING COUNTRIES CRISIS MANAGEMENT PROSPECTS FOR FINANCIAL REGULATION IN THE FUTURE

THE FINANCIAL CRISIS OF 2007 9 REVEALED SERIOUS FAILINGS IN THE REGULATION OF FINANCIAL INSTITUTIONS AND MARKETS AND PROMPTED A FUNDAMENTAL RECONSIDERATION OF THE DESIGN OF FINANCIAL REGULATION AS THE FINANCIAL SYSTEM HAS BECOME EVER MORE COMPLEX AND INTERCONNECTED THE PACE OF EVOLUTION CONTINUES TO ACCELERATE IT IS NOW CLEAR THAT REGULATION MUST FOCUS ON THE FINANCIAL SYSTEM AS A WHOLE BUT THIS POSES SIGNIFICANT CHALLENGES FOR REGULATORS PRINCIPLES OF FINANCIAL REGULATION DESCRIBES HOW TO ADDRESS THOSE CHALLENGES EXAMINING THE SUBJECT FROM A HOLISTIC AND MULTIDISCIPLINARY PERSPECTIVE PRINCIPLES OF FINANCIAL REGULATION CONSIDERS THE UNDERLYING POLICIES AND THE OBJECTIVES OF REGULATION BY DRAWING ON ECONOMICS FINANCE AND LAW METHODOLOGIES THE VOLUME EXAMINES REGULATION IN A PURPOSEFUL AND DYNAMIC WAY BY FRAMING THE BOOK IN TERMS OF WHAT THE FINANCIAL SYSTEM DOES RATHER THAN WHAT FINANCIAL REGULATION IS BY ANALYSING SPECIFIC REGULATORY MEASURES THE BOOK PROVIDES READERS TO THE OPPORTUNITY TO ASSESS REGULATORY CHOICES ON SPECIFIC POLICY ISSUES AND

ENCOURAGES CRITICAL REFLECTION ON THE DESIGN OF REGULATION

AS INTERNATIONAL FINANCIAL MARKETS HAVE BECOME MORE COMPLEX SO HAS THE REGULATORY SYSTEM WHICH OVERSEES THEM THE BASEL COMMITTEE IS JUST ONE OF A PLETHORA OF INTERNATIONAL BODIES AND GROUPINGS WHICH NOW SET STANDARDS FOR FINANCIAL ACTIVITY AROUND THE WORLD IN THE INTERESTS OF PROTECTING SAVERS AND INVESTORS AND MAINTAINING FINANCIAL STABILITY THESE GROUPINGS AND THEIR DECISIONS HAVE A MAJOR IMPACT ON MARKETS IN DEVELOPED AND DEVELOPING COUNTRIES AND ON COMPETITION BETWEEN FINANCIAL FIRMS YET THEIR WORKINGS ARE SHROUDED IN MYSTERY AND THEIR LEGITIMACY IS UNCERTAIN HERE FOR THE FIRST TIME TWO MEN WHO HAVE WORKED WITHIN THE SYSTEM DESCRIBE ITS ORIGINS AND DEVELOPMENT IN CLEAR AND ACCESSIBLE TERMS HOWARD DAVIES WAS THE FIRST CHAIRMAN OF THE UK'S FINANCIAL SERVICES AUTHORITY THE SINGLE REGULATOR FOR THE WHOLE OF BRITAIN'S FINANCIAL SECTOR DAVID GREEN WAS HEAD OF INTERNATIONAL POLICY AT THE FSA AFTER SPENDING THIRTY YEARS IN THE BANK OF ENGLAND AND HAS BEEN CLOSELY ASSOCIATED WITH THE DEVELOPMENT OF THE CURRENT EUROPEAN REGULATORY ARRANGEMENTS NOW WITH A REVISED AND UPDATED INTRODUCTION WHICH CATALOGUES THE CHANGES MADE SINCE THE CREDIT CRISIS ERUPTED THIS GUIDE TO THE INTERNATIONAL SYSTEM WILL BE INVALUABLE FOR REGULATORS FINANCIAL MARKET PRACTITIONERS AND FOR STUDENTS OF THE GLOBAL FINANCIAL SYSTEM WHEREVER THEY ARE LOCATED THE BOOK SHOWS HOW THE SYSTEM HAS BEEN CHALLENGED BY NEW FINANCIAL INSTRUMENTS AND BY NEW TYPES OF INSTITUTIONS SUCH AS HEDGE FUNDS AND PRIVATE EQUITY FURTHERMORE THE GROWTH IN IMPORTANCE OF MAJOR DEVELOPING COUNTRIES WHO WERE EXCLUDED FOR FAR TOO LONG FROM THE KEY DECISION MAKING FOR A HAS LED TO A MAJOR OVERHAUL THE GUIDE IS ESSENTIAL READING FOR ALL THOSE INTERESTED IN THE DEVELOPMENT OF FINANCIAL MARKETS AND THE WAY THEY ARE REGULATED THE REVISED VERSION IS ONLY AVAILABLE IN PAPERBACK

THIS STUDY DISCUSSES WAYS OF EVALUATING FINANCIAL REGULATIONS AND THEIR EFFECT ON MACROECONOMIC ALLOCATIVE PROTECTIVE AND OTHER FINANCIAL SYSTEMS IT IS A HANDY GUIDEBOOK TO REGULATORY CHANGES FACED BY BANKING AND NONBANKING MARKETS ALIKE

THE UK AND MULTI LEVEL FINANCIAL REGULATION EXAMINES THE ROLE OF THE UNITED KINGDOM UK IN SHAPING POST CRISIS FINANCIAL REGULATORY REFORM AND ASSESSES THE IMPLICATIONS OF THE UK'S WITHDRAWAL FROM THE EUROPEAN UNION EU IT DEVELOPS A DOMESTIC POLITICAL ECONOMY APPROACH TO EXAMINE HOW THE INTERACTION OF THREE DOMESTIC GROUPS ELECTED OFFICIALS FINANCIAL REGULATORS AND THE FINANCIAL INDUSTRY SHAPED UK PREFERENCES STRATEGY AND INFLUENCE IN INTERNATIONAL AND EU LEVEL REGULATORY NEGOTIATIONS THE FRAMEWORK IS APPLIED TO FIVE CASE STUDIES BANK CAPITAL AND LIQUIDITY REQUIREMENTS BANK RECOVERY AND RESOLUTION RULES BANK STRUCTURAL REFORMS HEDGE FUND REGULATION AND THE REGULATION OF OVER THE COUNTER DERIVATIVES IT CONCLUDES BY REFLECTING ON THE FUTURE OF UK FINANCIAL REGULATION AFTER BREXIT THE BOOK ARGUES THAT UK REGULATORS PURSUED MORE STRINGENT REGULATION WHEN THEY HAD STRONG POLITICAL SUPPORT TO RESIST FINANCIAL INDUSTRY LOBBYING UK REGULATORS PROMOTED INTERNATIONAL HARMONISATION OF RULES WHEN THIS PROTECTED THE COMPETITIVENESS OF INDUSTRY OR ENABLED CROSS BORDER EXTERNALITIES TO BE MANAGED MORE EFFECTIVELY BUT WERE OFTEN MORE RESISTANT TO NEW EU RULES WHEN THESE THREATENED UK INTERESTS CONSEQUENTLY THE UK WAS MORE SUCCESSFUL AT SHAPING INTERNATIONAL STANDARDS BY LEVERAGING ITS MARKET POWER REGULATORY CAPACITY AND ALLIANCE BUILDING WITH THE US BUT IT OFTEN MET WITH GREATER POLITICAL RESISTANCE AT THE EU LEVEL FORCING IT TO USE LEGAL CHALLENGES TO BLOCK REFORM OR SECURE EXEMPTIONS THE BOOK CONCLUDES THAT POLITICAL AND REGULATORY PRESSURE WAS PIVOTAL IN DEFINING THE UK'S HARD BREXIT POSITION AND SO THE FUTURE UK EU RELATIONSHIP IN FINANCE WILL MOST LIKELY BE BASED ON A FRAMEWORK OF REGULATORY EQUIVALENCE

THE COVID 19 PANDEMIC SIGNIFICANTLY DISRUPTED GLOBAL FINANCIAL SYSTEMS EXPOSING VULNERABILITIES IN REGULATORY FRAMEWORKS AND GOVERNANCE STRUCTURES AS ECONOMIES STRUGGLED TO RECOVER IT BECAME CLEAR THAT NEW APPROACHES WERE NEEDED TO ENSURE STABILITY AND MITIGATE FUTURE RISKS IN ADDITION THE CRISIS EXACERBATED EXISTING INEQUALITIES HIGHLIGHTING THE NEED FOR MORE INCLUSIVE FINANCIAL SYSTEMS THAT CAN SERVE ALL SEGMENTS OF SOCIETY PARTICULARLY VULNERABLE POPULATIONS THIS BOOK CRITICALLY EXAMINES THE EVOLUTION OF FINANCIAL REGULATION AND GOVERNANCE IN RESPONSE TO THE CHALLENGES POSED BY THE PANDEMIC IT PROVIDES AN IN DEPTH ANALYSIS OF HOW GOVERNMENTS FINANCIAL INSTITUTIONS AND POLICYMAKERS ADAPTED TO THE UNPRECEDENTED CRISIS IDENTIFYING KEY REGULATORY SHIFTS AND POLICY RESPONSES THAT HAVE SHAPED THE CURRENT FINANCIAL ENVIRONMENT IT EXPLORES STRATEGIES FOR ENHANCING STABILITY IMPROVING MARKET OVERSIGHT AND ENSURING EQUITABLE ACCESS TO FINANCIAL SERVICES FURTHER IT EXPLORES THE ROLE OF REGTECH FINTECH AND CENTRAL BANK DIGITAL CURRENCIES IN ENHANCING REGULATORY EFFICIENCY AND PROMOTING FINANCIAL INCLUSION THIS BOOK SYNTHESIZES RESEARCH ACROSS DISCIPLINES AND PRESENTS CASE STUDIES THAT HIGHLIGHT BOTH SUCCESSES AND SHORTCOMINGS

IN THE GLOBAL RESPONSE TO FINANCIAL INSTABILITY ADDITIONALLY IT OFFERS INSIGHTS INTO FUTURE TRENDS WITH A FOCUS ON FOSTERING RESILIENT INCLUSIVE AND SUSTAINABLE FINANCIAL SYSTEMS WORLDWIDE AND EMPHASIZES THE IMPORTANCE OF ADAPTIVE REGULATORY FRAMEWORKS AND COLLABORATIVE EFFORTS AMONG STAKEHOLDERS TO ADDRESS ONGOING CHALLENGES IN THE POST COVID FINANCIAL LANDSCAPE THIS BOOK IS IDEAL FOR A BROAD AUDIENCE INCLUDING POLICYMAKERS RESEARCHERS AND FINANCIAL INDUSTRY PROFESSIONALS AS WELL AS THOSE INTERESTED IN UNDERSTANDING THE INTERSECTION OF FINANCIAL REGULATION GOVERNANCE AND SOCIAL EQUITY IN A POST PANDEMIC WORLD

THE FUTURE OF FINANCIAL REGULATION IS AN EDITED COLLECTION OF PAPERS PRESENTED AT A MAJOR CONFERENCE AT THE UNIVERSITY OF GLASGOW IN SPRING 2009 CO SPONSORED BY THE ECONOMIC AND SOCIAL RESEARCH COUNCIL WORLD ECONOMY AND FINANCE PROGRAMME AND THE THE AUSTRALIAN RESEARCH COUNCIL GOVERNANCE RESEARCH NETWORK IT DRAWS TOGETHER A VARIETY OF DIFFERENT PERSPECTIVES ON THE INTERNATIONAL FINANCIAL CRISIS WHICH BEGAN IN AUGUST 2007 AND LATER TURNED INTO A MORE WIDESPREAD ECONOMIC CRISIS FOLLOWING THE COLLAPSE OF LEHMAN BROTHERS IN THE AUTUMN OF 2008 SPRING 2009 WAS IN MANY RESPECTS THE NADIR SINCE VALUATIONS IN FINANCIAL MARKETS HAD REACHED THEIR LOW POINT AND CRISIS MANAGEMENT RATHER THAN REGULATORY REFORM WAS THE MAIN FOCUS OF ATTENTION THE CONFERENCE AND BOOK WERE DELIBERATELY FRAMED AS AN ATTEMPT TO RE FOCUS ATTENTION FROM THE FORMER TO THE LATTER THE FIRST PART OF THE BOOK FOCUSES ON THE CONTEXT OF THE CRISIS DISCUSSING THE GENERAL CHARACTERISTICS OF FINANCIAL CRISES AND THE SPECIFIC INFLUENCES THAT WERE AT WORK THIS TIME ROUND THE SECOND PART FOCUSES MORE SPECIFICALLY ON REGULATORY TECHNIQUES AND PRACTICES IMPLICATED IN THE CRISIS NOTING IN PARTICULAR AN OVER RELIANCE ON THE CAPACITY OF REGULATORS AND FINANCIAL INSTITUTIONS TO MANAGE RISK AND ON THE CAPACITY OF MARKETS TO SELF CORRECT THE THIRD PART FOCUSES ON THE ROLE OF GOVERNANCE AND ETHICS IN THE CRISIS AND IN PARTICULAR THE NEED FOR A COMMON ETHICAL FRAMEWORK TO UNDERPIN GOVERNANCE PRACTICES AND TO PROVIDE GREATER CLARITY IN THE DESIGN OF ACCOUNTABILITY MECHANISMS THE FINAL PART FOCUSES ON THE TRAJECTORY OF REGULATORY REFORM NOTING THE CONSIDERABLE POTENTIAL FOR CHANGE AS A RESULT OF THE ROLE OF THE STATE IN THE RESCUE AND RECUPERATION OF THE FINANCIAL SYSTEM AND STRESSING THE NEED FOR FUNDAMENTAL RE APPRAISAL OF BUSINESS AND REGULATORY MODELS

THIS BOOK ANALYSES DIFFERENT STRATEGIES AND THEIR RESULTS IN IMPLEMENTING FINANCIAL REGULATION IN TERMS OF RULE MAKING PUBLIC ENFORCEMENT AND PRIVATE ENFORCEMENT THE ANALYSIS IS BASED ON A COMPARATIVE STUDY OF CONDUCT OF BUSINESS REGULATION ON MIS SELLING OF FINANCIAL INSTRUMENTS IN THE UK AND SOUTH KOREA IT EXTENDS INTO LIQUIDITY REGULATION IN THE BANKING SECTOR AND CREDIT RATING AGENCY REGULATION THE BOOK CONCLUDES THAT IN RULE MAKING PURPOSIVE RULES ARE MORE EFFECTIVE FOR ACHIEVING REGULATORY GOALS WITH MINIMAL UNDESIRABLE RESULTS BUT A RULE MAKING SYSTEM WITH PURPOSIVE RULES CAN ONLY WORK ON A FOUNDATION OF TRUST AMONG RULE MAKERS ENFORCERS AND THE REGULATES THAT WITH RESPECT TO PUBLIC ENFORCEMENT THE ENFORCEMENT STRATEGIES SHOULD COMBINE THE COMPLIANCE ORIENTED AND DETERRENCE ORIENTED APPROACHES AND BE CONTINUOUSLY ADJUSTED BASED ON CLOSE MONITORING OF THE REGULATORY OUTCOMES AND THAT IN PRIVATE ENFORCEMENT REGULATION SHOULD BE INSTITUTED AS THE MINIMUM REQUIREMENT IN PRIVATE LAW

FINANCIAL REGULATION HAS ENTERED INTO A NEW ERA AS MANY FOUNDATIONAL ECONOMIC THEORIES AND POLICIES SUPPORTING THE EXISTING INFRASTRUCTURE HAVE BEEN AND ARE BEING QUESTIONED FOLLOWING THE FINANCIAL CRISIS GOODHART ET AL S SEMINAL MONOGRAPH FINANCIAL REGULATION WHY HOW AND WHERE NOW ROUTLEDGE 1998 TOOK STOCK OF THE EXTENT OF FINANCIAL INNOVATION AND THE MATURITY OF THE FINANCIAL SERVICES INDUSTRY AT THAT TIME AND MAPPED OUT A NEW REGULATORY ROADMAP THIS BOOK OFFERS A TIMELY EXPLORATION OF THE WHY HOW AND WHERE NOW OF FINANCIAL REGULATION IN THE AFTERMATH OF THE CRISIS IN ORDER TO MAP OUT THE FUTURE TRAJECTORY OF FINANCIAL REGULATION IN AN AGE WHERE FINANCIAL STABILITY IS BEING EMPHASISED AS A KEY REGULATORY OBJECTIVE THE BOOK IS SPLIT INTO FOUR SECTIONS THE OBJECTIVES AND REGULATORY LANDSCAPE OF FINANCIAL REGULATION THE REGULATORY REGIME FOR INVESTOR PROTECTION THE REGULATORY REGIME FOR FINANCIAL INSTITUTIONAL SAFETY AND SOUNDNESS AND MACRO PRUDENTIAL REGULATION THE DISCUSSION RANGES FROM THEORETICAL AND POLICY PERSPECTIVES TO COMPREHENSIVE AND CRITICAL CONSIDERATION OF FINANCIAL REGULATION IN THE SPECIFICS THE FOCUS OF THE BOOK IS ON THE SUBSTANTIVE REGULATION OF THE UK AND THE EU AS CRITICAL EXAMINATION IS MADE OF THE UNRAVELLING AND THE FUTURE OF FINANCIAL REGULATION WITH COMPARATIVE INSIGHTS OFFERED WHERE RELEVANT ESPECIALLY FROM THE US RUNNING THROUGHOUT THE BOOK IS CONSIDERATION OF THE RELATIONSHIP BETWEEN FINANCIAL REGULATION FINANCIAL STABILITY AND THE RESPONSIBILITY OF VARIOUS ACTORS IN GOVERNANCE THIS BOOK OFFERS AN IMPORTANT CONTRIBUTION TO CONTINUING REFLECTIONS ON THE ROLE OF FINANCIAL REGULATION MARKET DISCIPLINE AND CORPORATE RESPONSIBILITY IN THE FINANCIAL SECTOR AND UPON THE ROLES OF REGULATORY AUTHORITIES MARKETS AND FIRMS IN ENSURING THE FINANCIAL HEALTH AND SECURITY OF ALL IN THE FUTURE

MIRRORING THE LONG ESTABLISHED STRUCTURE OF THE FINANCIAL INDUSTRY EU FINANCIAL REGULATION AS WE KNOW IT TODAY APPROACHES BANKING INSURANCE AND INVESTMENT SERVICES SEPARATELY AND OFTEN DIVERGENTLY IN RECENT DECADES HOWEVER THE CLEAR SEPARATION BETWEEN FINANCIAL SECTORS HAS GRADUALLY EVAPORATED AS BUSINESS LINES HAVE CONVERGED ACROSS SECTORS AND FINTECH SOLUTIONS HAVE EMERGED WHICH DO NOT FIT TRADITIONAL SECTOR BOUNDARIES AS THE CONTOURS OF THE TRADITIONAL TRIPARTITION IN THE FINANCIAL INDUSTRY HAVE FADED THE DIVERGING REGULATORY AND SUPERVISORY TREATMENT OF THESE SECTORS HAS BECOME INCREASINGLY AT ODDS WITH ECONOMIC REALITY THIS BOOK BRINGS TOGETHER INSIGHTS DEVELOPED BY DISTINGUISHED RESEARCHERS AND INDUSTRY PROFESSIONALS IN A SERIES OF ARTICLES ANALYSING THE MAIN AREAS OF EU FINANCIAL REGULATION FROM A CROSS SECTORAL PERSPECTIVE FOR EACH SPECIFIC RESEARCH THEME INCLUDING PRUDENTIAL REGULATION CORPORATE GOVERNANCE AND CONDUCT OF BUSINESS RULES THE SIMILARITIES AS WELL AS GAPS OVERLAPS AND UNJUSTIFIABLE DIFFERENCES BETWEEN BANKING SECURITIES AND INSURANCE REGULATION ARE CLEARLY PRESENTED AND DISCUSSED THIS INNOVATIVE RESEARCH APPROACH IS AIMED AT INFORMING LAWMAKERS AND POLICYMAKERS ON POTENTIAL IMPROVEMENTS TO EU FINANCIAL REGULATION WHILST ALSO SUPPORTING LEGAL AND COMPLIANCE PROFESSIONALS APPLYING THE CURRENT FRAMEWORK OR LOOKING TO STREAMLINE COMPLIANCE PROCESSES

THIS IS A MUCH NEEDED WORK IN THE FINANCIAL LITERATURE AND IT IS THE FIRST BOOK EVER TO ANALYSE THE USE OF SPECIAL PURPOSE ACQUISITION COMPANIES SPACS FROM A THEORETICAL AND PRACTICAL PERSPECTIVE BY THE END OF 2020 MORE THAN 240 SPACS WERE LISTED IN THE US ON NASDAQ OR THE NYSE RAISING A RECORD 83 BILLION THE SPAC CRAZE HAS BEEN SHAKING THE US FOR MONTHS MAINLY BECAUSE OF ITS SIMPLICITY A BUNCH OF INVESTORS DECIDES TO BUY SHARES AT A FIXED PRICE IN A COMPANY THAT INITIALLY HAS NO ASSETS IN THIS WAY A SPAC ALSO KNOWN AS A BLANK CHECK COMPANY IS CREATED AS AN EMPTY SHELL WITH LOTS OF MONEY TO SPEND ON A CORPORATE SHOPPING SPREE COULD THE TREND BE HERE TO STAY ARE SPACS THE NEW LEGITIMATE PATH TO TRADITIONAL IPO THIS BOOK TACKLES THOSE QUESTIONS AND MORE THE AUTHOR PROVIDES A THOROUGH ANALYSIS OF SPACS INCLUDING THEIR LEGAL FRAMEWORK AND HOW THEY ARE USED AS A RISK MITIGATION TOOL TO STRUCTURE TRANSACTIONS THE MAIN OBJECTIVES OF THE BOOK ARE FOCUSED ON FINDING A WORKING DEFINITION FOR SPACS AND THEORISING ON THEIR ORIGINS DEFINITION AND EVOLUTION IDENTIFYING THE OBJECTIVES OF FINANCIAL REGULATION WITHIN THE CONTEXT OF THE RECENT FINANCIAL CRISIS 2007 2010 AND THE ONE THAT IS CURRENTLY UNFOLDING COVID 19 AND ALSO DESCRIBING PRACTICAL EXAMPLES OF SPACS THROUGH A COMPARATIVE STUDY THAT FOR THE FIRST TIME OUTLINES EVERY MAJOR CAPITAL MARKET ON WHICH SPACS ARE LISTED IN ORDER TO IDENTIFY A POSSIBLE INTERNATIONAL STANDARD OF REGULATION THE BOOK IS RELEVANT TO ACADEMICS AS WELL AS POLICYMAKERS INTERNATIONAL FINANCIAL REGULATORS CORPORATE FINANCE LAWYERS AS WELL AS TO THE FINANCIAL INDUSTRY TOUT COURT

COMPARATIVE FINANCIAL REGULATION INVESTIGATES THE KEY DRIVERS OF DIVERGENCE AND CONVERGENCE IN FINANCIAL REGULATION AND ANALYSES THE CONSEQUENCES IN TERMS OF MARKET EFFICIENCY INVESTOR PROTECTION AND FINANCIAL STABILITY IT ADOPTS A BROAD VIEW OF THE FINANCIAL SYSTEM AND PROMOTES A FUNCTIONAL UNDERSTANDING OF THE REGULATION OF SECURITIES MARKETS BANKS DERIVATIVES AND PAYMENTS

THE GLOBALISATION OF FINANCIAL MARKETS HAS ATTRACTED MUCH ACADEMIC AND POLICYMAKING COMMENTARY IN RECENT YEARS ESPECIALLY WITH THE GROWING NUMBER OF BANKING AND FINANCIAL CRISES AND THE CURRENT CREDIT CRISIS THAT HAS THREATENED THE STABILITY OF THE GLOBAL FINANCIAL SYSTEM THIS MAJOR NEW RESEARCH HANDBOOK SETS OUT TO ADDRESS SOME OF THE FUNDAMENTAL ISSUES IN FINANCIAL REGULATION FROM A COMPARATIVE AND INTERNATIONAL PERSPECTIVE AND TO IDENTIFY SOME OF THE MAIN RESEARCH THEMES AND APPROACHES THAT COMBINE ECONOMIC LEGAL AND INSTITUTIONAL ANALYSIS OF FINANCIAL MARKETS SPECIALLY COMMISSIONED CONTRIBUTIONS REPRESENT DIVERSE VIEWPOINTS ON THE FINANCIAL REGULATION DEBATE AND COVER A NUMBER OF NEW AND CONTROVERSIAL TOPICS NOT YET ADEQUATELY ADDRESSED IN THE LITERATURE SPECIFICALLY THESE INCLUDE FINANCIAL INNOVATION PARTICULARLY IN THE CONTEXT OF THE CREDIT RISK TRANSFER MARKET SECURITIZATION AND THE SYSTEMIC IMPORTANCE OF THE OVER THE COUNTER TRADING MARKETS THE INSTITUTIONAL STRUCTURE OF INTERNATIONAL FINANCIAL REGULATION AND RISK MANAGEMENT AND CORPORATE GOVERNANCE OF FINANCIAL INSTITUTIONS THIS HANDBOOK WILL PROVIDE A UNIQUE AND FULLY UP TO DATE RESOURCE FOR ALL THOSE WITH AN INTEREST IN THIS CRITICAL ISSUE INCLUDING ACADEMIC RESEARCHERS IN FINANCE AND REGULATION PRACTITIONERS WORKING IN THE INDUSTRY AND THOSE INVOLVED WITH REGULATION AND POLICY

THE DEPOSITOR RUN ON THE NORTHERN ROCK BANK IN SEPTEMBER 2007 WHICH LED TO THE BANK'S SUBSEQUENT NATIONALIZATION WAS THE FIRST RUN ON A UK BANK FOR NEARLY 150 YEARS AND WAS A SEMINAL MOMENT IN THE UNFOLDING GLOBAL FINANCIAL CRISIS THIS BOOK PROVIDES A DETAILED LEGAL ANALYSIS OF THE ROLE PLAYED BY FINANCIAL LAW AND REGULATION DURING THIS EVENT AND THE

IMPACT THE EPISODE MADE ON THE LAW THE CONTRIBUTORS TO THE BOOK EXPLORE AND ELABORATE UPON THE LEGAL TECHNIQUE OF SECURITIZATION AND HOW NORTHERN ROCK ITSELF CREATED AND EMPLOYED SECURITIZED FINANCIAL ASSETS THERE IS ALSO IN DEPTH DISCUSSION AND ANALYSIS OF THE ORIGIN OF THE PROBLEMS EXPERIENCED IN THE WHOLESALE INTERBANK MARKETS SURROUNDING THE NORTHERN ROCK CRISIS CHAPTERS FOCUS ON RISK BASED FINANCIAL REGULATION DEPOSITOR PROTECTION AND BANK RESCUE AND RESOLUTION MECHANISMS IN THE UK BEFORE AND AFTER THE NORTHERN ROCK CRISIS STATE AID IMPLICATIONS OF THE NATIONALIZATION OF NORTHERN ROCK AND THE FUTURE OF FINANCIAL REGULATION ARE ALSO CONSIDERED THIS TIMELY NEW BOOK WILL APPEAL TO ACADEMICS POSTGRADUATE AND UNDERGRADUATE STUDENTS IN LAW AND BUSINESS SCHOOLS AS WELL AS PRACTITIONERS REGULATORS AND LAWMAKERS

ANALYSING THE EMERGING INTERNATIONAL LEGAL FRAMEWORK GOVERNING FINANCIAL INSTITUTIONS AND MARKETS INCLUDING MONETARY POLICIES AND MONETARY REGULATION THIS BOOK ADDRESSES THE CROSS BORDER ISSUES THAT ARISE WITHIN THIS AREA IT HIGHLIGHTS THE LACK OF FORMAL INTERNATIONAL LAW PRESENT AND SHOWS HOW THIS CONTRIBUTED TO THE GLOBAL FINANCIAL CRISIS

EVA BECKER ASSESSES THE US FINANCIAL CRISIS AS A CRISIS OF REGULATORY DATA INFORMATION AND KNOWLEDGE BASED ON THE FINANCIAL CRISIS INQUIRY COMMISSION S INTERVIEWS AS WELL HER OWN INTERVIEWS AND DRAWING ON CAPTURE THEORY AND RECENT REFORMULATIONS THEREOF SHE DEVELOPS KNOWLEDGE CAPTURE AS A THEORETIC FRAMEWORK TO ASSESS FINANCIAL REGULATION UNDER CONDITIONS OF 21ST CENTURY COMPLEXITY

THE GLOBAL FINANCIAL CRISIS THAT BEGAN IN 2007 WAS THE MOST DESTRUCTIVE SINCE THE 1930s THE RAPID SPREAD OF THE CRISIS ACROSS BORDERS AND THE COMPLEXITY OF THESE CROSS BORDER LINKAGES HIGHLIGHTED THE IMPORTANCE FOR AUTHORITIES OF WORKING TOGETHER IN RESPONDING TO THE CRISIS THIS BOOK EXAMINES THE TRANSNATIONAL RESPONSE THAT RELIED HEAVILY ON A SET OF RELATIVELY INFORMAL TRANSNATIONAL REGULATORY GROUPINGS THAT HAD BEEN CONSTRUCTED OVER PREVIOUS DECADES DURING THE CRISIS THESE ARRANGEMENTS WERE MADE STRONGER AND MORE INCLUSIVE BUT THEY REMAIN VERY COMPLEX THOUSANDS OF PAGES OF NEW RULES HAVE BEEN CREATED BY VARIOUS TRANSNATIONAL BODIES AND THE IMPLEMENTATION OF THESE RULES RELIES HEAVILY ON DOMESTIC LAW AND REGULATION AND PRIVATE RULES AND PRACTICES THIS BOOK ANALYSES THIS COMPLEX RESPONSE SHOWING THAT ITS OVERLY TECHNICAL AND INCREMENTAL CHARACTER THE PERSISTENCE OF TENSIONS BETWEEN TRANSNATIONAL PROCESSES AND STATE CENTRED POLITICS AND THE ONGOING POWER OF PRIVATE ACTORS HAVE MADE THE REGULATORY RESPONSE FALL SHORT OF WHAT IS NEEDED TRANSNATIONAL FINANCIAL REGULATION AFTER THE CRISIS PROVIDES NEW INSIGHTS THAT ARE RELEVANT FOR THEORY AND PRACTICE NOT ONLY FOR TRANSNATIONAL FINANCIAL REGULATION BUT FOR GLOBAL GOVERNANCE MORE GENERALLY

1 INTRODUCTION 2 THE STATE OF THE ART AND THE RESEARCH DESIGN 3 THE EU AND GLOBAL BANKING REGULATION 4 THE EU AND GLOBAL SECURITIES MARKETS REGULATION 5 THE EU AND GLOBAL INSURANCE REGULATION 6 THE EU AND INTERNATIONAL ACCOUNTING AND AUDITING STANDARDS 7 AN OVERALL CROSS SECTORAL ASSESSMENT OVER TIME 8 CONCLUSIONS

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