Centros and European Company Law: Twenty Years of Living Dangerously

3rd Annual Conference of the Oxford Business Law Blog

Oxford | 15 March 2019, 8:30am
Mordan Hall, St Hugh's College, University of Oxford

Conference Overview

March 2019 will mark the twentieth anniversary of the *Centros* case (C-212/97), without doubt the most influential judgment rendered by the (then) Court of Justice in the field of European company law. Along with *Überseering* (2002) and *Inspire Art* (2003), *Centros* (1999) eased the cross-border mobility of corporations in the European Union, inducing fear of forum-shopping within the borders of the single-market, and prompting calls for a top-down harmonisation of corporate standards.

Against this backdrop, the editors of the Oxford Business Law Blog have selected '*Centros* and European Company Law: Twenty Years of Living Dangerously' as the theme of its third annual conference. Two weeks before Brexit becomes effective, the conference provides an appropriate forum to discuss the present and future of European Company Law.

In addition, the theme invites a broader reflection on the dynamics of regulatory arbitrage and competition within the European continent and beyond, both in company law and adjacent areas. Amongst other pressing issues, we will address the following questions: to what extent does the rise of technology redefine corporate mobility and fuel regulatory arbitrage? What is the legacy of *Centros* in insolvency law?

Conference Participation

This event is by invitation only. For any enquiries, please email oblb@law.ox.ac.uk

Programme

8:30 - Registration and Coffee

Session 1

9:00 - *Centros* and EU Free Movement rules

Anne-Lise Sibony
Université Catholique de Louvain

Discussant: Andreas Engert
University of Mannheim and ECGI

9:45 - Centros, California's "Women on Boards" Statute and the Scope of the Internal Affairs Doctrine

Jill Fisch
University of Pennsylvania and ECGI

Discussant: Tobias Troeger
Goethe University Frankfurt and ECGI

10:30 - Coffee Break

Session 2

11:00 - Revisiting Legal Capital

Eilis Ferran
University of Cambridge and ECGI

Discussant: Gerard Hertig
ETH Zurich and ECGI

11:45 - The Illusion of Motion: Corporate (Im-)Mobility and the Failed Promise of Centros

Carsten Gerner-Beuerle
UCL and ECGI

Discussant: Georg Ringe
University of Hamburg and ECGI

12:30 - Lunch Break

Session 3

1:30 - Defensive Regulatory Competition and its Effects

Martin Gelter
Fordham Law School and ECGI

Discussant: Steven Davidoff Solomon
Berkeley Law, California

2:15 - Tech, Regulatory Arbitrage, and Limits

Elizabeth Pollman
Loyola Law School, Los Angeles

Discussant: Luca Enriques
University of Oxford and ECGI

3:00 - Coffee Break

Session 4

3:30 - Business Restructurings in Europe 20 years after *Centros*

Horst Eidenmüller
University of Oxford and ECGI

Discussant: Sarah Paterson
London School of Economics

Roundtable

4:15 - The Legacy of *Centros* and the Future of Regulatory Arbitrage in Business Law

John Armour
University of Oxford and ECGI

Marco Becht
Solvay Business School and ECGI

Jenny Payne
University of Oxford and ECGI

Paul Davies
University of Oxford and ECGI

5:15 - Wrap-up

About the Oxford Business Law Blog

The Oxford Business Law Blog is a forum for the exchange of ideas and the reporting of new developments in all aspects of business law, broadly defined. Its editorial board is comprised of Luca Enriques, Dan Awrey, Genevieve Helleringer, Horst Eindenmüller, Kristin van Zwieten, Umakanth Varottil and Andreas Engert. They are assisted by Roderic Kermarec, Vaclav Janecek, Jonathan Chan, Felix Pflücke, Bojana Vitanova, Leah Grolman and Jason Fu.

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