# Asset Management and Investor Protection

An International Analysis



Julian Franks, Colin Mayer, and Luis Correia da Silva

# <u>Asset Management And Investor Protection An</u> <u>International Analysis</u>

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# **Asset Management And Investor Protection An International Analysis:**

Asset Management and Investor Protection Julian Franks, Colin Mayer, Luis Correia da Silva, 2003-01-16 Asset management is a major industry playing an increasingly important role in economic activity around the world Asset managers provide services to individuals governments public agencies banks pension funds insurance companies and charities to name a few Traditionally asset management has been primarily associated with the stock market economies of the UK and the USA but as this book shows some of the most spectacular growth in activity of recent years has occurred in Continental Europe This has presented opportunities and challenges New forms of financial instruments and institutions have emerged in countries that have traditionally relied on debt and non market forms of intermediation Competition has intensified and entry has occurred both within and across national markets However this growth has been accompanied by potential problems while investors enjoy a wider range of products and services they face more complex instruments and transactions Therefore the potential for failures such as misdealing and fraud may have increased The natural response is to strengthen regulation but there is a fine balance to be struck between inadequate and excessive regulation of asset managers This is particularly complicated in the context of European capital markets European countries have traditionally had very different financial systems and asset management businesses therefore it is no surprise to discover many different approaches to regulating asset managers How should the European Commission respond to this diversity Should it seek to create greater uniformity via common regulatory rules The particular focus of this book is financial resource requirements There is currently an active debate about the role capital requirements should play in asset management particularly in the European context In order to address this issue the authors argue that it is necessary to understand the nature of the asset management business in different countries and the risks that it faces They therefore discuss how the asset management business operates how it is organized the nature and size of risks in the business who bears them and how they are financed and what the alternative forms of investor protection are together with their associated costs and benefits Management and Investor Protection Julian R. Franks, Colin P. Mayer, Luis Correia Da Silva, 2003 Asset management is a major industry playing an increasingly important role in economic activity around the world Asset managers provide services to individuals governments public agencies banks pension funds insurance companies and charities to name a few Traditionally assetmanagement has been primarily associated with the stock market economies of the UK and the USA but as this book shows some of the most spectacular growth in activity of recent years has occurred in Continental Europe This has presented opportunities and challenges New forms of financial instruments and institutions have emerged in countries that have traditionally relied on debt and non market forms of intermediation Competition has intensified and entry has occurred both within and across national markets However this growth has been accompanied by potential problems while investors enjoy a wider range of products and services they face more complex instruments and transactions Therefore the potential

for failures such as misdealing and fraud may have increased The natural response is tostrengthen regulation but there is a fine balance to be struck between inadequate and excessive regulation of asset managers. This is particularly complicated in the context of European capital markets European countries have traditionally had very different financial systems and asset management businesses therefore it is no surprise to discover many different approaches to regulating asset managers How should the European Commission respond to this diversity Should it seek to create greater uniformity via common regulatory rules The particular focus of this book is financial resource requirements There is currently an active debate about the role capital requirements should play in asset management particularly in the European context In order to address this issue the authors argue that it is necessary to understandthe nature of the asset management business in different countries and the risks that it faces They therefore discuss how the asset management business operates how it is organized the nature and size of risks in the business who bears them and how they are financed and what the alternativeforms of investor protection are together with their associated costs and benefits **How to Protect Investors** Niamh Moloney, 2010-01-21 A critical comparative and contextual examination of how to protect retail or household investors which considers the financial crisis s implications Principles of Financial Regulation John Armour, Dan Awrey, Paul Davies, Luca Enriques, Jeffrey N. Gordon, Colin Mayer, Jennifer Payne, 2016-08-04 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 purposive 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 Islamic Finance Rifaat Ahmed Abdel Karim, Simon Archer, 2013-04-17 From the world's foremost authorities on the subject the number one guide to Islamic finance revised and updated for a post crisis world Because it is entirely equity based rather than credit based Islamic finance is immune to the speculative bubbles and runaway volatility typical of Western finance Especially now in the wake of the global financial crisis this has made them increasingly attractive to institutional investors asset managers and hedge funds in search of more stable alternatives to conventional financial products With interest in Islamic finance swiftly spreading beyond the Muslim world the need among finance and investment professionals has never been greater for timely and authoritative information about the rules governing Islamic finance This thoroughly updated and revised second edition

of the premier guide to regulatory issues in Islamic finance satisfies that need Addresses the need for banks to develop common Islamic based international accounting and auditing standards Clearly explains the key differences between Shari ah rulings standardization of acceptable banking practices and the development of standardized financial products Explores the role of the Shari ah Boards in establishing common rules regarding the permissibility of financial instruments and markets Offers guidance for regulators seeking to adapt their regulatory frameworks to the needs of the fast growing Islamic finance The Export of Tradeable Services in Mauritius Percy S. Mistry, Nikhil Treebhoohun, 2009 Looks at the pattern of economic transformation for Mauritius and makes specific recommendations for improvements in infrastructure human resource capacity and the regulatory environment based on four service sectors financial services information and communication technologies health care services and human resources services **Islamic Finance** Simon Archer, Rifaat Ahmed Abdel Karim, 2007-03-16 Islamic Finance The Regulatory Challenge is therefore timely and a truly welcome addition to the growing literature on this subject I congratulate the two professors for their fine contribution to the evolving art and science of the regulation of Islamic finance Dr Zeti Akhtar Aziz Governor Bank Negara Malaysia The World's financial regulators have taken too long to appreciate the importance of adapting their regulatory frameworks to the needs of the fast growing Islamic finance sector Simon Archer and Rifaat Ahmed the leaders in the field have put together a fascinating collection of essays which show just what has to be done It is a very timely book indeed Howard Davies Director London School of Economics The emergence of Islamic finance as a major force in the world financial system has focused attention on regulatory issues This book edited by Professor Archer and Professor Rifaat two of the most respected figures in the field is an important point of reference for those who have to deal with these issues whether in regulatory authorities or in the financial institutions themselves Professor William Blair QC Grays Inn London There is now great interest both in financial and legal circles in reliable and authoritative texts on Islamic finance I have no doubt that the availability of Islamic Finance The Regulatory Challenge will be warmly welcomed by those who provide financial and legal services The work will be of great assistance to them The Rt Hon the Lord Woolf of Barnes Law Lord and former Lord Chief Justice of England Wales

Socially Responsible Investment Law Benjamin J Richardson, 2008-06-30 Environmental harm is commonly associated with companies that extract consume and pollute our shared natural resources Rarely are the unseen polluters the financiers that sponsor and profit from eco damaging corporations placed at the forefront of the environmental debate By focusing on these unseen polluters Benjamin Richardson provides a comprehensive examination of socially responsible investment SRI and offers a guide to possible reform Richardson proposes that greater regulatory supervision of SRI will help ensure that the financial sector prioritizes ethically based investments In Socially Responsible Investment Law he suggests that new governmental reforms should encourage companies to participate in socially responsible investments by providing a better mix of standards and incentives for SRI through measures that include redefining the fiduciary responsibilities of institutional

investors to incorporate environmental concerns By doing so Richardson posits that corporate financiers including banks hedge funds and pension plans will become more accountable to the goals of ensuring sustainable development the Global Leadership-Lab Aynur Doğan, Sander Schroevers, Isabella Venter, Offbra Apoc, 2016-12-24 This third issue in our leadership series provides you with a comprehensive analysis of management practices in Argentina China Georgia Germany Greece Hungary India Israel Italy Japan Kazakhstan Lebanon Malaysia Russia and Singapore This book shows how domestic leadership conventions often differ significantly from those in other countries Comparative desk research focus interviews with and online polling of C level professionals in the aforementioned countries made us realise how much cultural factors can affect leadership strategies accross the globe This book provides a reference for those aiming at a cross border career or interested in international management issues Conflicts of Interest Luc Thévenoz, Rashid Bahar, 2007-01-01 Conflicts of interest arise naturally in all walks of life particularly in business life As general and indeed inevitable phenomena conflicts of interest should not be prohibited but properly managed This book presents indepth analysis of such management in three areas of corporate governance where the conflict of interest problems are particularly acute executive compensation financial analysis and asset management Conflicts of Interest presents the results of a two year long research project bringing together academics and practitioners in both law and finance from Europe and the

Reviewing **Asset Management And Investor Protection An International Analysis**: Unlocking the Spellbinding Force of Linguistics

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