

## 2003 Index of Articles

Reforming the Financial Assistance Provision in the Second Company Law Directive: A Danish Perspective <i>Søren Friis Hansen and Karsten Engsig Sørensen</i>	3
Soft Law in the Field of EU Competition Policy <i>Håkon A. Cosma and Richard Whish</i>	25
Is it Useful – or even Possible – to Distinguish Primary from Secondary Liabilities arising from Contractual Obligation? <i>Aurelien Jolly</i>	57
Economic Crime and the Challenge of Globalisation <i>Creon Butler</i>	69
The New German Takeover Act <i>Frank Wooldridge</i>	75
The SE Company – A New Common European Company from 8 October 2004 <i>Erik Werlauff</i>	85
Book Review: <i>German Telecommunication Law and the New European Regulatory Framework</i> (Edited by Hermann-Josef Piepenbrock and Fabian Schuster) <i>Christian Koenig and Jens-Daniel Braun</i>	105
EU Blacklisting: The Renaissance of Imperial Power, but on a Global Scale <i>Torbojörn Andersson, Iain Cameron and Kenneth Nordback</i>	111
Anti-Suit Injunctions in Support of Arbitration <i>Louis Flannery</i>	143
European Tax Policy and Characteristics of EU Secondary Tax Law <i>Kirsten Borgsmidt</i>	161
The European Company and the Level Playing Field of the Community <i>Sabine Ebert</i>	183
<i>Shneider/Legrand and Tetra Laval/Sidel</i> : Fast Track towards Merger Reform? <i>Alessandro Nucara</i>	193

The New German Law of Obligations <i>Markus Krajewski</i>	201
The Political Economy of Basle II <i>Avinash Persaud</i>	219
Überseering: Freedom of Establishment of Companies Affirmed <i>Frank Wooldridge</i>	227
Consumer Law, Commercial Law, Private Law: How can the Sales Directive and the Sales Convention be so Similar? <i>Stefan Grundmann</i>	237
The English Courts and ADR – Policy and Practice since April 1999 <i>Dominic Spenser Underhill</i>	259
The FSA as an Institutional Model for the Emergence of a Single (Unified) European Financial Services Regulator <i>Vasiliki an. Galanopoulou</i>	277
Challenging the Biotechnology Directive <i>Robert N. Weekes</i>	325
Domestic and Foreign Commerce as a Pathfinder for Unification of Commercial Laws of Nation-States in the 20th Century <i>Arnald J. Kanning</i>	351
European Private Law: Results, Projects and Hopes <i>Guido Alpa</i>	379
Enhancing the Legal Protection of the European Consumer <i>Giovanni Aquaro</i>	405
Responsibilities deriving from the Informative Document [ID] and the Safeguard of Investors: Differences between the Italian and German Systems <i>Giovanna D'Alfonso</i>	415
The Rights of Notifying Parties and Third Parties during the Preliminary Investigation Procedures under the ECMR <i>Michael Kekelekis</i>	429
Vote-Trading in Corporate America <i>Ettore Scimemi</i>	445
Book Review: <i>The Law of State Immunity</i> (Hazel Fox QC) <i>Andrew Dickinson</i>	467

Corporate Governance, Culture and Convergence: Corporations American Style or with a European Touch? <i>Jeswald W. Salacuse</i>	471
The Advocate General's Submission in <i>Kamer Van Koophandel</i> : Further Emphasis on the Right of Establishment <i>Frank Wooldridge</i>	497
Free movement of Pharmaceutical Products: An Overdose of Cheap Drugs? <i>Jukka Snell</i>	507
The Duty of Loyalty between Shareholders in respect of the Company's Decision to Litigate against Wrongdoing Directors in Germany: Lessons for Britain? <i>Hans-Christoph Hirt</i>	523
Is the Principle of Proportionality the European Approach?: A Review and Analysis of Trade and Environment Cases before the European Court of Justice <i>Junko Ueda</i>	557
Legislative Responses in Times of Financial Crisis- New Deal Securities Legislation, Sarbanes-Oxley Act And their Impact on Future German and EU Regulation <i>Kai-Alexander Heeren and Oliver Rieckers</i>	595
The Incorporation Theory – The United Kingdom <i>Dan Prentice</i>	631
Tort Liability of Financial Regulators: A Comparative Study of Italian and English Law in a European Context <i>Filippo Rossi</i>	643
Pensions Integration in the EU and Tax Harmonisation: The ECJ to the Rescue? <i>James Hanlon</i>	673
The European Judicial Harmonization of Contractual Law: Observations on the German Law Reform and 'Europeanization of the BGB' <i>Giovanna D'Alfonso</i>	689
Plus Size Fits All? – Why Unitary Standards of Disclosure for Prospectuses under the Draft Prospectus Proposal by the European Commission should be Reconsidered <i>Hse-Yu Chiu</i>	727

Vertical Agreements and Concerted Practices in the Motor Vehicle Sector under EC Competition Law – Implications for European Consumers <i>Eugene Buttigieg</i>	743
Surveillance and Data Protection: Regulatory Approaches in the EU and Member States <i>Mads Andenas and Stefan Zleptnig</i>	765
The EC Merger Regulation and the Meaning of “Community Dimension” <i>Richard Burnley</i>	815

## 2003 Index of Authors

ALPA, GUIDO European Private Law: Results, Projects and Hopes	379
ANDENAS, MADS AND ZLEPTNIG, STEFAN Surveillance and Data Protection: Regulatory Approaches in the EU and Member States	765
ANDERSSON, TORBOJÖRN; CAMERON, IAN AND NORDBACK, KENNETH EU Blacklisting: The Renaissance of Imperial Power, but on a Global Scale	111
AQUARO, GIOVANNI Enhancing the Legal Protection of the European Consumer	405
BORGSMIDT, KIRSTEN European Tax Policy and Characteristics of EU Secondary Tax Law	161
BURNLEY, RICHARD The EC Merger Regulation and the Meaning of “Community Dimension”	815
BUTLER, CREON Economic Crime and the Challenge of Globalisation	69
BUTTIGIEG, EUGENE Vertical Agreements and Concerted Practices in the Motor Vehicle Sector under EC Competition Law – Implications for European Consumers	743
COSMA, HÅKON A. AND WHISH, RICHARD Soft Law in the Field of EU Competition Policy	25
D’ALFONSO, GIOVANNA Responsibilities Deriving from the Informative Document [ID] and the Safeguard of Investors: Differences between the Italian and German Systems	415
D’ALFONSO, GIOVANNA The European Judicial Harmonization of Contractual Law: Observations on the German Law Reform and ‘Europeanization of the BGB’	689

EBERT, SABINE	
The European Company and the Level Playing Field of the Community	183
FLANNERY, LOUIS	
Anti-Suit Injunctions in Support of Arbitration	143
GALANOPOULOU, VASILIKI AN.	
The FSA as an Institutional Model for the Emergence of a Single (Unified) European Financial Services Regulator	277
GRUNDMANN, STEFAN	
Consumer Law, Commercial Law, Private Law: How can the Sales Directive and the Sales Convention be so Similar?	237
HANLON, JAMES	
Pensions Integration in the EU and Tax Harmonisation: The ECJ to the Rescue?	673
HANSEN, SØREN FRIIS AND SØRENSEN, KARSTEN ENGSIG	
Reforming the Financial Assistance Provision in the Second Company Law Directive: A Danish Perspective	3
HEEREN, KAI-ALEXANDER AND RIECKERS, OLIVER	
Legislative Responses in Times of Financial Crisis- New Deal Securities Legislation, Sarbanes-Oxley Act and their Impact on Future German and EU Regulation	595
HIRT, HANS-CHRISTOPH	
The Duty of Loyalty between Shareholders in respect of the Company's Decision to Litigate against Wrongdoing Directors in Germany: Lessons for Britain?	523
HSE-YU, CHIU	
Plus Size Fits All? – Why Unitary Standards of Disclosure for Prospectuses under the Draft Prospectus Proposal by the European Commission should be Reconsidered	727
JOLLY, AURELIEN	
Is it Useful – or even Possible – to Distinguish Primary from Secondary Liabilities arising from Contractual Obligation?	57
KANNING, ARNALD J.	
Domestic and Foreign Commerce as a Pathfinder for Unification of Commercial Laws of Nation-States in the 20th Century	351

2003 INDEX OF AUTHORS	[2003] EBLR	831
KEKELEKIS, MICHAEL		
The Rights of Notifying Parties and Third Parties during the Preliminary Investigation Procedures under the ECMR		429
KRAJEWSKI, MARKUS		
The New German Law of Obligations		201
NUCARA, ALESSANDRO		
<i>Shneider/Legrand and Tetra Laval/Sidel</i> : Fast Track towards Merger Reform?		193
PERSAUD, AVINASH		
The Political Economy of Basle II		219
PRENTICE, DAN		
The Incorporation Theory – The United Kingdom		631
ROSSI, FILIPPO		
Tort Liability of Financial Regulators: A Comparative Study of Italian and English Law in a European Context		643
SALACUSE, JESWALD W.		
Corporate Governance, Culture and Convergence: Corporations American Style or with a European Touch?		471
SCIMEMI, ETTORE		
Vote-Trading in Corporate America		445
SNELL, JUKKA		
Free Movement of Pharmaceutical Products: An Overdose of Cheap Drugs?		507
UEDA, JUNKO		
Is the Principle of Proportionality the European Approach?: A Review and Analysis of Trade and Environment Cases before the European Court of Justice		557
UNDERHILL, DOMINIC SPENSER		
The English Courts and ADR - Policy and Practice since April 1999		259
WEEKES, ROBERT N		
Challenging the Biotechnology Directive		325
WERLAUFF, ERIK		
The SE Company – A New Common European Company from 8 October 2004		85

WOOLDRIDGE, FRANK	
The New German Takeover Act	75
 WOOLDRIDGE, FRANK	
Überseering: Freedom of Establishment of Companies Affirmed	227
 WOOLDRIDGE, FRANK	
The Advocate General's Submission in <i>Kamer Van Koophandel</i> : Further Emphasis on the Right of Establishment	497
 DICKINSON, ANDREW	
Book Review: <i>The Law of State Immunity</i> (Hazel Fox QC)	467
 KOENIG, CHRISTIAN AND BRAUN, JENS-DANIEL	
Book Review: <i>German Telecommunication Law and the New European Regulatory Framework</i> (Edited by Hermann-Josef Piepenbrock and Fabian Schuster)	105