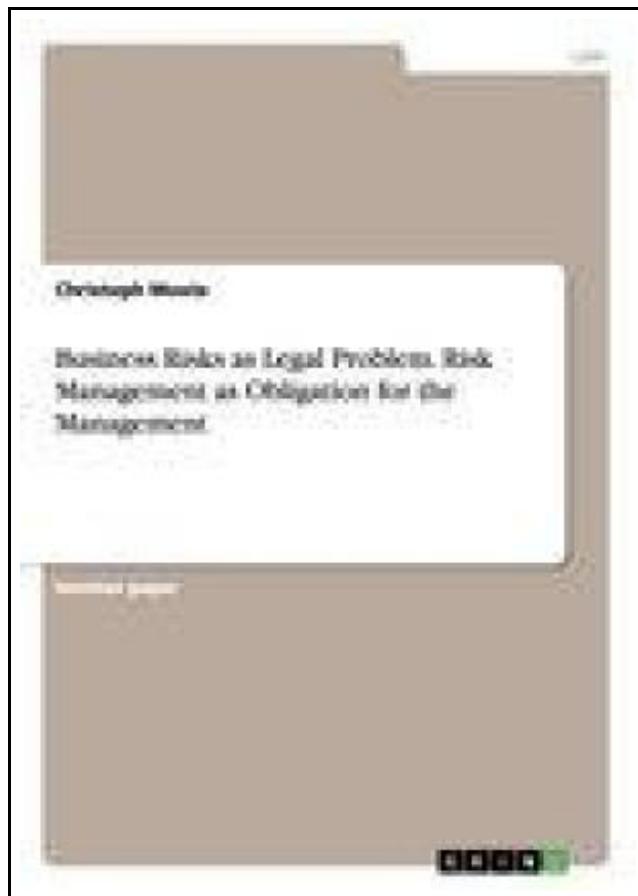


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GRIN Verlag Feb 2014, 2014. Taschenbuch. Book Condition: Neu. 210x148x2 mm. This item is printed on demand - Print on Demand Neuware - Seminar paper from the year 2004 in the subject Law - Civil / Private / Trade / Anti Trust Law / Business Law, grade: 1,7 (A-), Technical University of Darmstadt (jurisprudence, law), language: English, abstract: In the strict reflection there is no difference regarding the legal basis of risk management between now and yesterday, also according to the old law the management was obligated to recognize developments which were threatening to the existence of the company is the comment of the minister of justice to the debate of the Gesetz zur Kontrolle und Transparenz im Unternehmensbereich (KonTraG) . Due to the raising rate of insolvencies, increasing number of company crises and because of the corporate governance discussion, the legislator recognized the need to develop a new law. The KontraG was introduced at the 5th of March 1998, which mainly influenced the Aktien- and Handelsgesetzbuch . The consequences of this law are discussed highly controversial by experts. There is no general opinion, particularly in terms of the commitment of the introduction of a risk management according to the 91 Abs.2 AktG. The following analysis of the legal basis specifies the de facto obligations of a stock corporation management in regards to risk management. Chapter 2 gives a theoretical and historical introduction into the topic of risk management. It is essential to understand the meaning of risk management in terms of how a manager, opposed to a lawyer, would define it. Chapter 3 discusses the legal foundation of risk management. In order to understand the different obligations required by the new law, the chapter is separated into the analysis of the old legal foundation then the new. 32 pp....



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