

COMPANY LAW - LECTURE NOTES

I. INTRODUCTION TO INCORPORATION

1. Definition of a "Company"

A company is a "corporation" - an artificial person created by law.

A human being is a "natural" person.

A company is a "legal" person.

A company thus has legal rights and obligations in the same way that a natural person

does.

2. Companies and Partnerships Compared

(a) A company can be created only by certain prescribed methods - most

commonly by registration under the Companies Act 1985. A partnership is

created by the express or implied agreement of the parties, and requires no

formalities, though it is common to have a written agreement.

(b) A company incurs greater expenses at formation, throughout its life and on

dissolution, though these need not be excessive.

Company Law Lecture Notes

Julia Bailey, Iain McCallum



Company Law Lecture Notes:

Law Notes Albert Gibson, Robert McLean, 1898 **The Weekly Notes** Frederick Pollock, 1904 **Comparative Company Law** O. Nwafor, 2020-07-01 Topics discussed in this book are deliberately comparative and show the different levels of the ground rules for the regulation of corporate operations in the different jurisdictions The United Kingdom Nigeria and South Africa are primarily chosen simply on the common law background upon which the statutory provisions in those countries are founded There are also references to Canada Australia and India on case by case basis to illustrate the differences in the application of the relevant legal principles and statutory interpretations The insights gained should facilitate statutory amendments and effective adjustment in the operations of the regulatory agencies and business organizations The book is written as an invaluable study material for students at the tertiary level Illuminating the concepts from divergent perspectives avails the reader a broad range of explanations for a better understanding of the subject Legal practitioners and the judiciary should also find in this work a good source of legal information on company law especially whenever the need arises to seek persuasive guidance from the opinions of courts and writers on similar developments in cognate jurisdictions to give meaning to those difficult and uncharted courses in the discharge of their daily responsibilities of interpreting and applying the law as judicial officers The book should be a handy material for those running the affairs of a company in understanding the rules of their engagement *Incorporated Accountants' Journal*, 1930 *The Summit Syndrome* Owen H. Dean, 2017-10-06 Alan Benedict a renowned copyright attorney in South Africa suffers a devastating personal tragedy For the next six months Alan unsuccessfully tries to perpetuate his previous existence After he tenders his resignation as partner of his firm Alan abandons his legal career and lifestyle and relocates to Cape Town to begin a new chapter Soon after he meets Toni Vaughn an emotionally scarred young woman he is reluctantly coerced out of reclusion to conduct a copyright case about a potentially plagiarized book After recruiting Toni as his assistant Alan leaves no stone unturned while attempting to prove his theory that the alleged source of the plagiaristic book is fraudulent and that the defence of the case is shrouded in a dangerous web of lies and deceit As their work draws Alan and Toni closer together everything including their relationship becomes linked to the outcome of the challenging case In this dramatic story of treachery betrayal love and an obsession to succeed a lawyer takes on a complex and bizarre copyright case while in a state of severe personal turmoil *Company Law* Julia Bailey, Iain McCallum, 1990 *The Incorporated Accountants' Journal*, 1906 Shaping the Corporate Landscape Nina Boeger, Charlotte Villiers, 2018-02-22 Currently there exists a distrust of corporate activity in the continuing aftermath of the financial crisis and with increasing recognition of the threats of climate change and global as well as national inequalities Despite efforts in the arena of corporate governance to address these we are still beset with corporate scandals and witness companies facing large fines for their environmental and cost cutting misdemeanours Recognising that the usual responses to dealing with these corporate problems are not effective this book

asks whether the traditional form of the joint stock corporation itself lies at the heart of these problems What are the features of the corporate form and how does its current regulation underscore these problems Identifying such features provides a basis for the discussion to develop towards suggesting more progressive regulatory developments around the corporate form More fundamentally this book investigates a diverse range of corporate governance models that are emerging as alternatives to the shareholder corporation including employee owned cooperative and social enterprises The contributors are leading scholars from various backgrounds including law management and organisation studies finance and accounting as well as experienced professionals and policy makers with expertise in social and cooperative business models and the role of employees in the corporation

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