

The Single Economic Entity Doctrine And Corporate Group Responsibility In European Antitrust Law International Competition Law Series

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' All Rise — A Judicial Memoir ' - Justice Dikgang Moseneke Foreword to The Gulag Archipelago: 50th Anniversary Charles S. Peirce - How to Make Our Ideas Clear [Philosophy Audiobook] Where Do We Go From Here? The Single Economic Entity Doctrine

what an undertaking and the single economic entity doctrine mean. The Single Economic Entity Doctrine To prevent grammatical interpretation and application and also to create a more detailed explanation for undertakings, the Single Economic Entity doctrine was developed. Pursuant to that doctrine, distinct legal personalities are not obstacles for belonging to the

THE CONCEPT OF SINGLE ECONOMIC ENTITY Introduction

A. Doctrine of the Single Economic Entity 1 A relevant topic that has been addressed by the ECJ is whether or not different companies or entities can constitute only one legal entity from an economical point of view. The typical example of this discussion is the case of a parent company and one or more subsidiary companies.

Doctrine of Single Economic Entity - OnComment - Wikis der ...

The ' single economic entity ' concept relied upon by Manuchar was conceptually difficult to reconcile with the established doctrine of separate legal personality and the narrow exceptions for the piercing of the corporate veil.

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The single economic entity concept | International ...

The single economic entity doctrine lays down that, irrespective of their legal status, two or more enterprises can be said to form a single economic unit for the purposes of competition law. The implications of the doctrine seem to be threefold.

Application of the Single Economic Entity Doctrine to ...

In other words, several persons comprising of a single economic entity form a single undertaking for the application of competition rules. The single economic entity doctrine has been attributed various purposes in order to address different issues in competition law, and therefore it has far-reaching consequences.

The Single Economic Entity Doctrine: Is There a Common ...

Single Economic Entity doctrine entails that a single economic unit acts as one in a marketplace, regardless of its corporate form. Therefore, it ought to be treated as a single unit for antitrust law and policy (for instance, a parent company and its subsidiaries cannot collude with each other).

Single Economic Entity Doctrine in India by Chirayu Jain ...

3.2.2 The U.S. single entity doctrine provides business units with a defence against the imposition of antitrust penalties. The notion of single entity was most explicitly evinced in the U.S. Supreme Court ' s decision in 1984 in the Copperweld case. There the Supreme Court held that a parent corporation and its wholly owned subsidiary constituted a single entity.

WSG Article: Single Economic Entity and Corporate ...

An undertaking has been defined as an economic unit.¹An economic unit may comprise several natural or legal persons, together referred to as a “ single economic entity ” .²It is commonly thought that the grouping of several natural or legal persons into a single economic entity can have both favourable and unfavourable consequences for those persons.³Three particular consequences

THE SINGLE ECONOMIC ENTITY DOCTRINE IN EU COMPETITION LAW

The single economic entity doctrine means that the transfer of a business or part of a business from one entity to another within a corporate group would not constitute a merger between ‘ firms ’ . The obvious upshot of this would be that the merger control requirements stipulated in competition law would not apply to the transaction.

THE SINGLE ECONOMIC ENTITY DOCTRINE IN SOUTH AFRICA AND ...

"Single economic unit" theory It is an axiomatic principle of English company law that a company is an entity separate and distinct from its members, who are liable only to the extent that they have contributed to the company's capital: *Salomon v Salomon*.

Piercing the corporate veil - Wikipedia

4. A Two-stage Sequence of Single Entity tests. The single entity case law proposes a number of single entity tests, some of which have proven to be more robust

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than others. (22) Some of these candidate tests stumble around "control" and could be subsumed in a larger test of economic unity. Other tests focus on efficiencies and can be subsumed within a larger efficiencies test or "actual or potential competitors" test.

Organization, Control And The Single Entity Defense In ...

The Single Economic Entity Doctrine in Competition Law Competition law is concerned with the behaviour of economic operators. A common question that arises in assessing the conduct of economic operators is whether several distinct legal entities can constitute a single economic entity (" SEE ") for competition law purposes.

The Single Economic Entity Doctrine in Competition Law

The grouping of several natural or legal persons into a single economic entity raises the questions of whether persons that form part of a single economic entity are able to enter into agreements amongst themselves that are contrary to Article 101; and also which of the constituent legal entities may be held liable...

The single economic entity doctrine in EU competition law ...

The " single economic entity " doctrine – consistently followed by competition authorities worldwide – lays down that elements within a single economic entity are not separate undertakings or enterprises and thus any agreements between them cannot be considered as " agreements between distinct undertakings/enterprises " .

Does competition law apply to intra-group agreements ...

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The Single Economic Entity Doctrine and Corporate Group ...

The single economic entity doctrine The idea of an economic entity The EU Courts have held that the concept of undertaking must be understood as an "economic entity".¹⁹ The first task is to explain why EU competition law is not simply applied to legal entities but instead requires the concept of an economic entity.

The single economic entity doctrine in EU competition law ...

3.2.2 The U.S. single entity doctrine provides business units with a defence against the imposition of antitrust penalties. The notion of single entity was most explicitly evinced in the U.S. Supreme Court's decision in 1984 in the Copperweld case.⁶

Single Economic Entity And Corporate Separatedness ...

One solution to this problem developed in the major jurisdictions is the doctrine of substantial consolidation. This doctrine enables the adjudicating authority to merge the assets and liabilities of all such individual entities in a common pool which can then go into a common corporate insolvency resolution process (CIRP).

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