

Contents

<i>Foreword</i>	ix
<i>Preface</i>	xii
<i>Acknowledgements</i>	xv
1 Regulatory competition: what it is and what remains to be explored	1
1 Introduction	1
2 Regulatory competition from Tiebout to corporate charters and beyond	2
3 Different forms of competition	12
4 Measuring the 'outcome' of regulatory competition	20
5 The actors of competition and their incentives	30
6 Conclusions and the subject of further inquiry	50
2 Regulatory competition in European company law	55
1 Introduction	55
2 Economic theories on regulation and regulatory competition in company law	55
3 The channels of competitive interaction	69
4 Current forms of competitive interaction in European company law	85
5 A theoretical inquiry: how would different forms of regulatory competition work in company law?	106
6 Conclusions	119
3 Regulatory competition in European securities law	124
1 Introduction	124
2 What are securities markets and why regulate them?	124
3 Identifying the legal actors – allocation of competences	148
4 The scope for divergence in the current regulatory landscape	160
5 Channels of competition present in EU securities law	168

6	A theoretical inquiry: what is the optimal design of regulatory competition in securities law?	177
7	Conclusions	184
4	Regulatory competition in EU competition law	190
1	Introduction: legal framework and regulatory competition in competition law	190
2	Which channels of competitive interaction are available?	196
3	Network governance and legal actors' interaction	206
4	Potential competitive pressures in private enforcement	224
5	A theoretical inquiry: how would regulatory competition work in competition law?	245
6	Conclusions on legal competition in competition law	254
5	Regulatory competition in the Internal Market	256
1	Introduction	256
2	Regulatees' role in regulatory competition	257
3	Legal actors' role in shaping regulatory competition	264
4	The outcome of regulatory competition	273
5	Regulatory competition and the Internal Market: the legal framework	276
6	Regulatory competition within the Internal Market: some recent trends and general observations	292
7	Conclusions	297
	<i>Bibliography</i>	306
	<i>Index</i>	329