JOURNALS



European Review

A Journal of the Academia Europaea

Editor

Theo D'haen, Leuven University, Belgium

journals.cambridge.org/erw

The *European Review* is a unique interdisciplinary international journal covering a wide range of subjects. It has a strong emphasis on Europe and on economics, history, social science, and general aspects of the sciences.

The 2009 individual subscription price has now been cut to only: £30 / \$80 (previously £46 / \$80).

If you are a member of the Academia Europaea, why not recommend to your friends and colleagues that they subscribe at the new lower rate?

Further information can be found on the journal's homepage. Orders can be placed by email at: journals@cambridge.org



EUROPEAN BUSINESS ORGANIZATION LAW REVIEW

http://journals.cambridge.org/EBR

European Business Organization Law Review is published in cooperation with the T.M.C. Asser Instituut, Institute for Private and Public International Law, International Commercial Arbitration and European Law, The Hague, The Netherlands. The T.M.C. Asser Instituut is responsible for the promotion of research and education in international law, particularly by carrying out research programmes and setting up documentation. European Business Organization Law Review is indexed in Index to Foreign Legal Periodicals, International Bibliography of the Social Sciences and Legal Journals Index and in the following Thomson Reuters products and services: Social Sciences Citation Index, Social Sciences and Journal Citation Reports / Social Sciences Edition.

PUBLISHER AND DISTRIBUTION

European Business Organization Law Review is published by T.M.C.ASSER PRESS, P.O.Box 16163, 2500 BD The Hague, The Netherlands. Phone: +31 (70) 342 0800, Fax: +31 (70) 342 0801, E-mail: press@asser.nl and website www.asserpress.nl. It is distributed for T.M.C.ASSER PRESS by Cambridge University Press, Cambridge, UK.

From 2004 on the *European Business Organization Law Review* is also available online through the Cambridge Journals Online service. This service can be found at http://journals.cambridge.org/EBR>.

Subscription rates and sample copies

Subscription to European Business Organization Law Review includes 4 issues a year. Annual subscription 2009 (Volume 10): Print + online: GBP 202.00 / USD 342.00 / EUR 306.00; Print only: GBP 193.00 / USD 324.00 / EUR 290.00; Online only: GBP 180.00 / USD 304.00 / EUR 272.00. Subscription orders and requests for specimen copies should be sent to Cambridge University Press, The Edinburgh Building, Shaftesbury Road, Cambridge CB2 2RU, UK.

Advertising: To advertise in the journal please contact the relevant Cambridge University Press Advertising Promoter for your area: in the USA, Canada or Mexico: journals_advertising@ cup.org or telephone +1 (212) 337 5053; in the UK, Europe or rest of the world: ad_sales@ cambridge.org or telephone +44 (1223) 325757.

Photocopying: This journal is registered with the Copyright Clearance Center, 222 Rosewood Drive, Danvers, MA 01923, USA. Organizations in the USA who are also registered with the C.C.C. may, therefore copy material (beyond the limits permitted by sections 107 and 108 of US Copyright law) subject to payment to the C.C.C. of the per copy fee of \$15.00. This consent does not extend to multiple copying for promotional or commercial purposes. Code 1566-7529/09. ISI Tear Sheet Service, 3501 Market Street, Philadelphia, PA 19104, USA, is authorized to supply single copies of separate articles for private use only. Organizations authorized by the Copyright Licensing Agency may also copy material subject to the usual conditions. For all other use, permission should be sought from the copyright owner. Please apply to the Editorial Office of the *European Business Organization Law Review* (see inside front cover).

RECOMMENDED CITATION: EBOR

 ${\color{blue} ISSN~1566-7529}\\ ©~2009,~\text{t.m.c.} Asser~\text{press},~\text{The Hague},~\text{The Netherlands}.$

Cover: Bert Arts BNO
Lay-out: AETS
Printing and binding: Krips bv, Meppel, The Netherlands

EUROPEAN BUSINESS ORGANIZATION LAW REVIEW VOL. 10 2009/1

CONTENTS

A	\mathbf{R}^{r}	ГΤ	CI	æ	C

Horst Eidenmüller, Andreas Engert and Lars Hornuf, Incorporating under European Law: The <i>Societas Europaea</i> as a Vehicle for Legal Arbitrage	1
Stefano Lombardo and Piero Pasotti, Disintegrating the Regulation of the Business Corporation as a Nexus of Contracts: Regulatory Competition vs. Unification of Law	35
Jesper Lau Hansen, The Danish Green Paper on Company Law Reform – Modernising Company Law in the 21st Century	73
STEEN THOMSEN, Should Private Equity Be Regulated?	97
DIRK ZETZSCHE, Hidden Ownership in Europe: BAFin's Decision in Schaeffler v. Continental	115
WERNHARD MÖSCHEL, The Future Regulatory Framework for Telecommunications: General Competition Law instead of Sector-Specific Regulation – A German Perspective	149
Books Received	
Rooks Received and Available for Review	165

Distributed by:



Cambridge Journals Online journals.cambridge.org



1566-7529(2009)10:1;1-A