

Professor Mads Andenas

JUS5880 – Financial Market Law and Regulation

JUR1880 – Financial Market Law and Regulation

Outline

The title of the course is «Financial Market Law and Regulation». Financial markets play a key role in the economy, which is reflected by a the extensive regulation in different legal disciplines, including international standard setting, EU law and domestic public and private law. The relationship between these disciplines is one of the cross-cutting challenges to scholarship, regulation and legal practice.

The emphasis of the course is on the *principles* that the regulation and regulatory regimes build on. It covers the rules of banks, insurance companies and investment institutions, their products and the markets these are offered in with securities regulation, prudential supervision, and the law of financial services contracts. The course covers requirements for various types of financial enterprises, including licensing/authorisation, organization of institutions and markets and conduct of business rules with investor protection.

The course includes contracts between different types of financial enterprises and investors or customers.

International and European sources and the interplay between national and European rules and supervisory authorities are the main focus for the discussion of the application of the principles.

SCHEDULE with topics

Lectures take place either in

DM Auditorium 5

OR

O23 Room 212, see schedule

for dates and times see

<https://www.uio.no/studier/emner/jus/jus/JUS5880/h18/timeplan/index.html>

The first lecture will provide an overview of the course and the learning outcomes. Then there will be four main topics which will each cover one of the four parts of Andenas and Chiu, *The Foundations and Future of Financial Regulation* (Routledge 2014). Another topic, private law, will cover Andenas and Della Negra, 'Between Contract Law and Financial

Regulation: Towards the Europeanisation of General Contract Law' (2017) 28 European Business Law Review 499–521.

1. Introduction to the course and overview.
2. Objectives and governance Part 1, Andenas and Chiu, *The Foundations and Future of Financial Regulation* (Routledge 2014).
3. Investor protection, Part 2, Andenas and Chiu, *The Foundations and Future of Financial Regulation* (Routledge 2014).
4. Private law, Andenas and Della Negra, 'Between Contract Law and Financial Regulation: Towards the Europeanisation of General Contract Law' (2017) 28 European Business Law Review 499–521.
5. Macro-prudential supervision, Part 4, Andenas and Chiu, *The Foundations and Future of Financial Regulation* (Routledge 2014).
6. Institutional issues and EU's Internal Financial Market, Andenas, "Regulating and Supervising European Financial Markets. More Risks than Achievements", in *Regulating and Supervising European Financial Markets. More Risks than Achievements* (Kluwer 2017) 1 – 12, Andenæs, "Harmonising and Regulating Financial Markets", in M. Andenæs and C.B.Andersen: *Theory and Practice of Harmonisation* (Edward Elgar 2012) 1-29