

Lecture given by Prof. Hans-Friedrich Müller from Trier
University of Germany

By Ms Tang Huizhi, postgraduate student of law school

On 3 May, Prof. Hans-Friedrich Mueller from Trier University of Germany gave a lecture on "Transactions between Joint-stock Companies and Their Affiliates under German Law and EU Law" for teachers and students at Tongji Law School, which was chaired by Prof. Gao Xujun, Director of the Department of International Law Education and Research and of the Sino-German International Economic Law Institute. Dr. Peter Ganea, German Co-Director of the same institute, also attended the lecture.



Prof. Mueller first emphasized the necessity of uniform regulation of transactions between joint stock companies and their affiliates at the level of European Union law. He then defined the core concepts of “related person” and “related transaction” and introduced the corresponding legal provisions in Germany. He furthermore discussed the European Commission's previous draft of a new Shareholder Rights Directive, which had been primarily based on the British legal tradition, and the final Directive of 2017, which also adopts the views of Germany, France and other Continental European countries. He finally offered his view on the potential benefits of the new legal regime for companies, shareholders and creditors.



The lecture was given in German and lasted more than an hour. In a subsequent Q & A session, Prof. Mueller drew on his profound academic knowledge to answer numerous questions, e.g., on the differences between German/European and Chinese legal regimes, thereby helping students to deepen their understanding of the transaction between joint stock companies and their affiliates under German and European Union law.