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The Due Diligence Handbook

Due Diligence Handbook: Corporate Governance, Risk Management and Business Planning. Linda S. Spedding. This book brings together practical information on legislation, primary sources, codes and best practice guidance in one volume. A practical handbook for business directors who wish to minimise financial, legal and reputational risks.

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A recent case of due diligence scuppering a major acquisition highlights for me one of the core issues of corporate governance (and why corporate governance is important): the separation of ownership and control. But this time I put the spotlight on the investor companies not the businesses being acquired.

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Description. This book brings together practical information on legislation, primary sources, codes and best practice guidance in one volume. A practical handbook for business directors who wish to minimise financial, legal and reputational risks. It combines all matters concerning corporate governance with due diligence issues and in doing so provides you with the information and tools you need to help you protect your business when under taking due diligence, particularly when making ...

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Due Diligence Handbook provides business directors with a practical and authoritative guidance to minimising financial and legal risks, as well as risks to reputation. The book brings together practical information on relevant legislation, regulations, codes and best practice guidance in one volume. The book provides clear guidance and case studies to help understand the complexity of due diligence issues, and to demonstrate the detailed work that is necessary to ensure that the benefits of an acquisition can be realised and that there are no unexpected problems.

Due Diligence and Corporate Governance is a general guide to a subject of growing importance. This handbook shows you how due diligence is used to assess the risk of any transaction, customer or investor for all businesses regardless of size or location. There are three main reasons for the rise in the profile and uses of due diligence: . Companies are now doing deals all over the world and must be increasingly vigilant about the individuals and companies they are dealing with . Investors, consumers and the media are putting pressure on companies to avoid dealing with ethically, environmentally or socially irresponsible organisations . Internal controls must address the increasing regulatory requirements introduced in response to corporate scandals and the terrorist threat Due diligence allows companies to profile the companies and individuals they are thinking of dealing with before any commitment is made, providing an effective safeguard against criminal activity, reputational damage, or breaches of legislation. With its diverse coverage and focus on the practical uses of due diligence, combined with explanations and illustrations of best practice by case studies, diagrams and checklists, this handbook is the essential guide for all those involved in corporate transactions and risk management. The handbook: . Provides a broad introductory guide to due diligence . Examines due diligence in the context of risk management and corporate governance . Is straightforward, comprehensive and practical . Uses case studies to illustrate business users . Includes checklists to monitor risk management . Provides insights into comparative corporate governance framework

This book brings together practical information on legislation, primary sources, codes and best practice guidance in one volume. A practical handbook for business directors who wish to minimise financial, legal and reputational risks. It combines all matters concerning corporate governance with due diligence issues and in doing so provides you with the information and tools you need to help you protect your business when under taking due diligence, particularly when making international acquisitions. The book provides clear guidance and case studies to help all involved understand the complexity of issues and to demonstrate the detailed work that is necessary both to ensure that the benefits of an acquisition can be realised and that there are no unexpected problems, for example through damage to corporate reputation that more that offsets the targeted benefits. As high profile business failures tarnish the reputation of international business it is essential that business responds by having the policies and practices in place in day-to-day operations and in particular, as this book demonstrates, when a major business development such as an acquisition is being implemented. Following the initial era of codes in the UK and regulation in the USA and major debates as regards the best approach to corporate governance in the common law countries, controversy has developed over which approach is really more appropriate for business planning purposes and risk management. Given the trend for many UK companies listed on the US market to de-list in favour of the more British approach to corporate governance and in light of more European corporate scandals this book provides a comparative analysis of the European frameworks for governance. The EU approach and the individual jurisdictions of Germany, Italy, the Netherlands and France, in terms of their practical success or failure (with case studies)is covered. With the debate over an EU Constitution and the political stance of Germany (under the Merkel leadership) during its Presidency to revive the Constitution the book assesses the EU approach generally at a time when the competitiveness of companies and key business sectors must consider the thriving economies of India and China in particular. The link with competitiveness is an increasingly crucial matter. In connection with due diligence, the book provides an update of the business world in light of the world's economy and links corporate governance, risk management and business planning to reflect such business, political and regulatory trends and changes. In recent years there has been much comment and feedback on the effectiveness of the Sarbanes-Oxley approach to corporate governance and many updates on business ethics and sustainability issues, which this book also covers in the context of due diligence. In addition, since there has been a major shift in business awareness to develop, or be seen to develop, a more enlightened approach to climate change coverage of this area is include in the book in the appropriate context of governance, risk management and business planning, as well as the trends in different parts of the world (USA (and some others v many others!). There are case studies within the book on how business is operating in order to respond to this issue with an international dimension and comparison. The whole debate over being carbon neutral has impacted on the airline industry in particular and has relevance to how industry sectors should balance the interests of the different stakeholders and cope with rather fast attitude changes of the media and public (and the regulators). The importance of energy security has raised key competitiveness issues of major interest and commercial significance. Moreover the angle of fraud in this sector has become more evident. The area of energy security within this book is tied into ethical accounting, fraud, risk etc. and economic crime. These new areas can be set against the background issue of how much of this comes into play with due diligence. How far is this now part of risk management in today's business world. New legislation is covered in terms of developments with the UK Companies Act and Directors' duties with an increasing need to understand reputational concerns and off balance sheet values since the withdrawal of OFR. * The only book that looks at due diligence how it's used and how to get it right in the context of Corporate Governance, Reputational Risk Management and Business Planning * A practical guide with case studies and checklists illustrating key business drivers which enable you to monitor risk management effectively * Covers the latest regulatory UK and EU framework for due diligence, and doing business across international boundaries, India, China, USA etc.

Since the 2008 Global Financial Crisis the prevailing economic development model based on an assumption of unlimited resources and, therefore, unlimited growth has been increasingly put into question by academics, policy-making agencies and even industry leaders themselves. Climate change, general environmental and natural resource degradation, widespread inequalities, and systemic governance failures are pressing capitalism to renew itself to deliver sustainable outcomes for a broader base of stakeholders. This has become known in more practical terms as the ESG (Environmental, Social and Governance) and responsible investment movements. The pressure to change how we organise ourselves as societies and economies has implications for how large and small corporations, public or private, are governed and to the benefit of whom. This Handbook offers a rare combination of pluralistic and multidisciplinary perspectives from law, economics, finance and management, as well as an interesting mix of latest academic thinking and practical recommendations on ESG for boards and executive teams. Should companies be governed and managed for the benefit of their shareholders alone? Can companies be governed to deliver for shareholders as well as the broader stakeholder base? How can investors allocate capital to advance sustainability? Part I provides a pluralistic discussion of some of these fundamental questions besetting academics and practitioners alike while Part II examines recent regulatory developments and assesses what may need to change in terms of law and regulation to both hold companies to account for sustainability while enabling them to continue to provide vital goods and services. Part III of the book discusses how the different types of companies and investors are currently facing the sustainability imperative and incorporating ESG factors on how they operate and invest. The concluding chapter provides an overview of the key regulatory, ecosystem and board-level gaps that require urgent and decisive action.

Corporate Risk and Governance addresses corporate risk management and governance requirements affecting large organizations in all industry sectors and countries. The book strongly advocates implementation of Corporate Governance Codes, ISO 31000 Risk Management, ISO 22301 Business Continuity Management and PAS 200 Crisis Management but warns against treating any standard or model slavishly, as if it can offer easy salvation or a simple route to a risk nirvana. Alan Waring challenges many hallowed beliefs, attitudes and practices that continue to hamper the delivery of effective Enterprise Risk Management (ERM) and thereby good governance. Those boardroom and corporate cultures that are complacent about risk exposures and risk management or, worse, encourage 'chancers' and a 'what can we get away with' attitude, are examined in depth along with what is required to embed a culture of responsible risk-taking. Some 75 cases from around the world provide graphic examples and lessons to be learned. Although the text includes some summary practical guidance, this book is designed primarily as a thinking aid rather than a risk management cookbook. It is something to encourage better informed risk-decision making; a more informed view of enterprise risk exposures, control and mitigation issues and an awareness of boardroom and corporate culture issues and their impact on effective ERM.

Aimed at the senior managers of SMEs who are looking to sell all or part of the business. This book shows how to implement Corporate Governance procedures to add both perceived and real value to a business. Implementing

CG procedures before sale of the business is likely to add a premium to the price, increase the pool of buyers at the asking price and bring a business to the top of the acquisition shopping list. The book is in two sections. The first addresses the basic theory underpinning Corporate Governance to help the reader understand and decide which compliance issues are immediately useful to their business, and which can wait. Prioritisation is key. The second section explains the Code, section by section. It indicates clearly what is being asked for with a "translation into plain English. It explains what needs to be done and provides a series of check-lists. CG standards are here to stay and the demands are rising. This book is a guide to voluntarily adopting CG to demonstrate the pedigree and worth of any business - and to let that business stand out from the rest. * Shows how to maximise the sale value of Small and Medium Enterprise * Illustrates which actions to prioritise * Provides a plain English translation of the Code and checklists to aid compliance

The aim of this book is to provide a practice-oriented overview of risk management issues, with particular reference to approaches which may be adopted in identifying and measuring risks, and, therefore, how action to address those risks may be prioritised.

The emerging field of corporate law, corporate governance and sustainability is one of the most dynamic and significant areas of law and policy in light of the convergence of environmental, social and economic crises that we face as a global society. Understanding the impact of the corporation on society and realizing its potential for contributing to sustainability is vital for the future of humanity. This Handbook comprehensively assesses the state-of-the-art in this field through in-depth discussion of sustainability-related problems, numerous case studies on regulatory responses implemented by jurisdictions around the world, and analyses of predominant strategies and potential drivers of change. This Handbook will be an essential reference for scholars, students, practitioners, policymakers, and general readers interested in how corporate law and governance have exacerbated global society's most pressing challenges, and how reforms to these fields can help us resolve those challenges and achieve sustainability.

The ebook will be Open Access and made available on publication. Being a good board member is not about knowing everything; it is about asking the right questions and challenging appropriately. Effective Directors: The Right Questions To Ask (QTA) is a reference book for board members and executives globally to support them in their work. With chapters written by senior company board members and respected figures in corporate governance, the questions have been drawn together to offer food for thought and useful prompts that take boards beyond operational discussions. The book clearly presents key areas to be considered by the board (there are over 50 in total) and range from board composition, to data security, diversity and inclusion, and succession planning. The questions are ones that boards, in any organisation, should be asking themselves, their fellow board members, service providers, executives, and other stakeholders to ensure that the right issues are raised, transparency and effective oversight are achieved, and the board is fulfilling its role in governing the organisation. In addition to being invaluable for board members, the book is also a very useful tool for executives in understanding the kind of questions their board members are likely to ask, and the kind of questions that should be asked and discussed in the boardroom.

The book highlights emerging topics in key areas of corporate governance with special emphasis on traditionally unexplored issues. It also aims to stimulate thinking and debate on vital aspects of practice and approaches to corporate governance. The topics covered in this book deal with timely subjects, written by eminent academics and renowned professionals with outstanding expertise in their respective fields, who bring to fore the latest theories and provide an up-to-date overview of the extant literature on each topic. More importantly, they draw readers attention to implications for future research and developments. The book not only contributes to the academic literature but also improves the decision making of regulators and investors.

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