Securities Law in Canada: Cases and Commentary, 2nd Edition

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Description
Securities Law in Canada 2nd Edition gives students a solid grounding in the basic principles and practical operation of securities law and guides them through legal developments in this area within the broader debate about the role played by securities markets, and regulation of those markets, in the economy and society more generally.

The new edition responds to the rapid pace of change in the securities law field by providing a timely, accurate, and comprehensive account of the current governing principles therein. It makes a significant contribution by providing contemporary commentary on emerging legal issues not yet canvassed in the academic literature in Canada.

Three major themes of the casebook are (1) an assessment of the level of harmonization or divergence of provincial securities law across Canada, in view of the intense interest in the topic of harmonization at the present time; (2) reflection on the increasing significance of norms and rules of securities regulation to corporate governance in Canada; and (3) discussion of the broad scope of the regulatory power to administer law in this area. The casebook will be of interest to students of securities law, advanced corporate law, and, indeed, administrative law.

The second edition covers recent amendments relating to exemptions, corporate governance, civil liability, and take-over bids. It also examines recent cases such as Kerr v. Danier (SCC), R v. Felderhof and the Rankin line of cases.

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Comments

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Case law is made up of the written decisions of judges in court cases and tribunals. Case law comes from all levels of courts in Canada. In the common law in Canada, judges must follow the principle of stare decisis, which requires that judges follow the previous rulings (i.e. precedents) of other judges in higher courts in their province or territory and the Supreme Court of Canada on the same issue. Decisions from the same level of court or other provinces or jurisdictions may assist judges in reaching a decision. In Canada decisions of the Supreme Court are binding on all other Canadian courts unless distinguished. The use of stare decisis and precedent in Canadian law promotes the principle that the law should be applied consistently throughout Canadian Courts.