

28. March 2018

LOSS OF PROCEDURAL CAPACITY OF A PRIVATE COMPANY LIMITED BY SHARES SUED IN GERMANY

BY ORDER OF 19 JANUARY 2017 (FILE REFERENCE: VII ZR 112/14), THE FEDERAL COURT OF JUSTICE [*BUNDESGERICHTSHOF - BGH*] DECLARED A PRIVATE COMPANY LIMITED BY SHARES SUED IN GERMANY WHICH WAS REMOVED FROM THE COMPANIES REGISTER IN ENGLAND (FOUNDATION STATE) INCAPABLE OF BEING A PARTY TO PROCEEDINGS. THE ORDER ALSO GIVES OCCASION TO ANALYZE THE FATE OF THE COMPANY FORM OF PRIVATE COMPANIES LIMITED BY SHARES AND THE POSSIBLE CONSEQUENCES UNDER CORPORATE AND TAX LAW AFTER THE UK'S WITHDRAWAL FROM THE EUROPEAN UNION. ([more...](#))