CONCLUDING CONFERENCE | 26 SEPTEMBER 2019 BRUSSELS
Cross-border Corporate Mobility in Europe

Maastricht University Campus Brussels
Avenue de Tervueren 153, 1150 Brussels, Belgium

This project is financially supported by the European Commission through an Erasmus+ Jean Monnet Project Grant (EAC/A03/2016)
Harnessing empirical data to explore the impact of corporate mobility in Europe.

The topic of cross-border company mobility has been on the EU legislator’s agenda for several decades. However, only in the last decade through the creation of European company law forms such as the European Company (Societas Europaea, SE) or the European Cooperative Society (SCE), legislation on cross-border mergers such as the Cross-Border Mergers Directive (‘CBMD’), as codified in Directive (EU) 2017/1132, and case law of the Court of Justice of the European Union (‘CJEU’) has EU integration accelerated in this area.

When considering new legislation and the protection of different stakeholders in corporate mobility transactions, such as shareholders, creditors or employees, a crucial question is: to what extent do companies use cross-border mobility mechanisms? In practice, these mechanisms include cross-border mergers, cross-border seat transfers, cross-border divisions or the activities of SE/SCE companies. This is of importance in the current policy debate on the company law package published by the European Commission on 25 April 2018, especially relating to the proposal for a Directive amending Directive (EU) 2017/1132 as regards cross-border conversions, mergers and divisions.

Different studies and research endeavours have been undertaken in this area, yet none has been able to provide a full picture as to the extent of corporate mobility in the EU.

In 2017, Thomas Biermeyer and Marcus Meyer started a project titled ‘Cross-border Corporate Mobility in the EU’ (CbCM), with the financial support of the European Trade Union Institute. The project attempted to continue the collection of data in areas in which data previously has already been gathered (SEs, cross-border mergers) and aimed to shed light on new areas such as cross-border transfers of the registered office of a company (seat transfer) or cross-border divisions.

The conference is a concluding chapter of this project, which looks at corporate mobility from different angles. Being able to rely on empirical data, a main topic for the conference, its speakers and participants will be to focus on the challenges and opportunities of corporate mobility in Europe. Such topic includes the examination of identifiable trends, reasons for such corporate mobility to take place and the impact of the applicable legal framework.

A second topic to be examined in the conference is corporate mobility from a national perspective, along with the evaluation of topics that, although important in the area of corporate mobility, have yet to be harmonized at EU level. To name only two of them: the importance of and reciprocity with the topic of international private law and the regulatory competition between EU/EEA Member States due the possibility for companies to move between countries. In order to provide an external and differentiated point of view on this topic, a high-level key-note speaker will be invited to provide an input on the topic considered from a US perspective.
Programme

09.30-10.15  Registration

10.15-10.30  Opening
Mieke Olaerts (Professor - Maastricht University)

10.30-11.15  Introduction: Presentation of results from Corporate Mobility Study
Marcus Meyer (Assistant Professor - Maastricht University)

11.15-12.45  Panel I: Corporate Mobility: Opportunity or Challenge
Evelyn Regner (MEP - European Parliament)
Susanne Knöfel (Deputy Head of Unit Company Law - DG Justice - European Commission)
Isabelle Schömann (Confederal Secretary - ETUC)
Dirk van Gerven (Partner - NautaDutilh, Chairman Supervisory Board - FSMA, CEPANI)
Catherine Cathiard (Director - Wildgen)

Moderator: Steef Bartman (Professor - Maastricht University, Leiden University)

12.45-13.45  Lunch

13.45-15.15  Panel II: Corporate Mobility from a national perspective
Mathias Siems (Professor - Durham University, European University Institute)
Aline Hoffmann (Head of Unit Europeanisation Industrial Relations - European Trade Union Institute)
Thomas Papadopoulos (Assistant Professor - University of Cyprus, Visiting Professor - International Hellenic University)
Stephan Rammeloos (Associate Professor - Maastricht University)

Moderator: Federico Mucciarelli (Reader - SOAS University of London)

15.15-15.45  Closing: The end of history of corporate mobility?
Thomas Biermeyer (Assistant Professor - Maastricht University, Senior Associate - Wildgen)

15.45-17.30  Reception
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Faculty of Law
Thomas Biermeyer and Marcus Meyer
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The Netherlands

www.maastrichtuniversity.nl/law

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