



Is Bad-Faith the New Wilful Blindness?: The Company Directors Duty of Good Faith and Wilful Blindness Doctrine Under Common Law USA (Delaware) and UK (England): A Comparative Study (Paperback)

By Jo Bac

Trafford Publishing, 2017. Paperback. Condition: New. Language: English . Brand New Book ***** Print on Demand *****.This book focus is on one particular corporate governance risk that arises from the similarities between traditional elements of a wilful blindness cause of action, and those of company directors bad faith . An essential aspect of any consideration of corporate governance is the role played by the directors of companies who might have been facilitating the wrongdoing, in part, by remaining wilfully blind while falling foul of the good faith obligation. This study investigates cross application of the doctrines of good faith and wilful blindness in Delaware, USA Company Law in comparison with England, UK Company Law with relation to company directors conduct. Here is the argument that courts in both legal systems under a particular set of conditions and hearing cases of company directors falling foul of the good faith obligation should consider whether the wilful blindness doctrine sheds light on the interpretation of company directors alleged misconduct. A positive consideration of this approach could expand the courts horizons to include the most apparent individuals namely, the company directors to face liability concerns for corporate disasters.



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