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Master Thesis Defense

Entitled

*LEGAL ASPECTS FROM THE RELATIONSHIP OF THE HOLDING COMPANY WITH ITS
SUBSIDIARIES: A COMPARATIVE STUDY*

By

Ahmad M A H Al Kandari

Faculty Advisor

Dr. Ahmed Al Zaabi, Private Law Department
College of Law

Data & Venue

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Abstract

There is no doubt that the quotation of terminology from the comparative legislation is a function of establishing a legal regulation different from that followed in ordinary matters, It must be followed by the question of verifying the effect of launching this systematization on the most important bases contained in the operation and management of companies listed in the Commercial Companies Law, Which focuses on the issue of supervision in management and participation in capital. And this legal systematization of special character has emerged and its features were formed at the global level in the nineteenth century in the United States of America, After experienced various methods aimed to economic focus, By establishing giant economic entities that control large commercial sectors in the market, and the nature of the commercial environment, namely the need to keep pace with the development through the impact of any modern term that appears in the neighboring countries, which led the legislator in the United Arab Emirates to add the Holding Company as a special legal systematization, To continue the process of developing and improving the economic environment, to remain as an environment conducive to the work of companies and attractive to domestic and foreign capital. And through The study of this legal systematization of the holding company and its subsidiary within the legal texts contained in the UAE Commercial Companies Law No. 2 of 2015, and work on analyze these texts, to examine the jurisprudence studies dealt with in their articles, and to compare them with other legislations, to demonstrate the appropriateness of the very formulation they have legitimated for it, to be the purpose of this is to address the component of liability and to attach it to the person who caused the damage based on these legal texts, and the extent to which it is assisted by the relevant judicial awards. In assessing these legal texts in the subject of the holding company, it appears that they were not decisive for the component of liability and its attributed to those who caused the damage, as they did not clarify these texts the usefulness of the relationship between the holding company and its subsidiary, In the course of the progress of some other legislations in these issues, the UAE legislator must reassess these issues to take into consideration the purpose for which the legal systematization of the Holding Company was legitimated.

Keywords: Holding Company, Subsidiary company, Control, Company Form, Company Purposes, Liability, Limited Liability, Joint Liability, Commitments, Minority Shareholders, Observation, Capital.