

1. Record Nr.	UNINA9910483186603321
Autore	Reinhard-DeRoo Matthias
Titolo	Beneficial Ownership : Basic and Federal Indian Law Aspects of a Concept // by Matthias Reinhard-DeRoo
Pubbl/distr/stampa	Cham : , : Springer International Publishing : , : Imprint : Springer, , 2014
ISBN	3-319-01686-5
Edizione	[1st ed. 2014.]
Descrizione fisica	1 online resource (178 p.)
Disciplina	301 340 340.1 340.2
Soggetti	Private international law Conflict of laws Law—Philosophy Law Anthropology Cultural heritage Private International Law, International & Foreign Law, Comparative Law Theories of Law, Philosophy of Law, Legal History Cultural Heritage
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di bibliografia	Includes bibliographical references.
Nota di contenuto	Introduction -- The Term Beneficial Ownership -- Beneficial Ownership as a Concept -- Common Law, Equity and Beneficial Ownership -- Beneficial Ownership Used in U.S. Supreme Court Decisions -- Fundamental Aspects of Federal Indian Law -- The Beneficial Ownership Concept Applied in Federal Indian Law -- Epilogue.
Sommario/riassunto	The hunt for beneficial owners is on. Like an elephant, the beneficial owner hides in the jungle of complex legal structures, waiting to be discovered by eager prosecutors. But what lies behind this metaphor? What is a Beneficial Owner? Is beneficial ownership a right? What does this right encompass? What is the value of this right compared to other

rights? And if beneficial ownership is not a right, is it still a legally relevant relation? How do courts, namely the U.S. Supreme Court deal with the concept? When do Anglo-American judges and European scholars resort to the concept? This book approaches these questions from two perspectives: legal fundamentals and the field of U.S. federal Indian law. Both legal theories and case law are scrutinized with the aim to find a better understanding of the basic conception and characteristics of beneficial ownership. Federal Indian law has been chosen for the study of the concrete implications of the beneficial ownership concept in what Roscoe Pound referred to as “the law in action.” To some, this choice of legal field might seem somewhat unusual. What answers could federal Indian law possibly offer with regard to pressing questions from the financial industry? As always, there is a short and a long answer. The short answer is that the analysis of an equally sophisticated field of law can open new perspectives on a given field of law. For example, not only potential criminals and tax evaders but also members of an older civilization are beneficial owners. The long answer can be found in this very book.

---