

Companies Act

Kommentar

von

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Vorwort

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Der Kommentar zum Companies Act 2006 betritt in mehrfacher Hinsicht Neuland. Soweit ersichtlich wird erstmals ein umfassendes fremdsprachiges Gesetzeswerk des Auslandes originär in deutscher Sprache kommentiert. Dabei wird die bewährte Form des deutschen Kommentars auf einen Rechtskreis übertragen, in dem nicht nur diese Art der rechtswissenschaftlichen Literatur kaum Fuß gefasst hat, sondern wo sich die akademische Diskussion generell mit einer geringeren Bedeutung für die gelebte Praxis abfinden muss – entsprechend der dort leider verbreitet für richtig befundenen Devise „Those who can do, do – those who can’t, teach“. Zu guter Letzt ist der Companies Act als Gesetzeswerk zwar weitgehend „free-standing“. Dennoch kommt er als integraler Bestandteil des englischen Wirtschaftsrechts natürlich nicht ohne jegliche Querbezüge zum allgemeinen englischen Zivilrecht und Zivilprozessrecht aus – welche dann in konziser Form plausibel gemacht werden müssen, ohne zugleich eine allgemeine Einführung in das englische Rechtssystem leisten zu können.

Aufgrund all dessen stand das Autorenteam vor noch größeren Herausforderungen als das bei Erstauflagen wegen des „weißen Papiers“ ohnehin der Fall ist. So nimmt nicht wunder, dass von den ersten Planungen bis zum Druck des Werkes lange Jahre ins Land gezogen sind. Sie wurden erleichtert durch den ruhigen und vorbehaltlosen Rückhalt des Beck-Verlags. Geduld aufbringen mussten dabei vor allem diejenigen Mitautoren, die seit den Anfangstagen mit an Bord waren und ihre Passagen über die Zeit mehrfach aktualisieren mussten. Nicht minder wichtig war aber auch die Bereitschaft später hinzugetretener Autoren, weitere Passagen des Werkes mit engerem Zeitfenster zu übernehmen. Der Unterzeichner neigt sein Haupt in Dankbarkeit für ihrer aller wertvolle Beiträge, die das Erscheinen des Werks nun glücklichen Endes ermöglicht haben. Dem Urteil der Leser über unsere gemeinsamen Bemühungen stellen wir uns nun in gespannter Erwartung.

Hamburg, Januar 2014

Alexander Schall

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