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Möglichkeiten und Grenzen bei der Regulierung von Derivaten

Eine Untersuchung zur Kapitalverkehrs- und Dienstleistungsfreiheit

[The Scope and Limitations of Derivative Regulation. A Study of the Free Movement of Capital and the Freedom to Provide Services.]

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The regulation of (over-the-counter) derivatives has been a corner stone in the post financial crisis attempt to build a more resilient financial system. However, EU primary law, namely the free movement of capital and the freedom to provide services, imposes certain limits on these regulatory efforts. This contribution examines if certain regulatory models are compatible with EU primary law.

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