

Companies in Private International Law

Abstract

Globalisation has bust international trade and businesses operating beyond national borders. Consequently, the demand for efficient private international law has increased as more businesses face complex legal relationships involving a foreign element, leading to conflicts between the laws of different states. Corporate relationships are no exception, as many companies do not fit in just one state's legal system.

One of the most crucial challenges in private international law is determining the applicable law for companies (*lex societatis*). The accurate determination of the applicable law holds immense significance for dispute resolution and directly affects a company's legal capacity and personality. Legal uncertainties arising from conflicts of laws can hinder cross-border business relationships, posing risks to the interests of companies, their members, creditors, and states.

This research employs a comprehensive approach, combining doctrinal analysis, historical research, and a comparative examination of legislation across various countries. The focus is on delving into the issue of determining the applicable law to companies and questions arising from that.

The research is structured into five parts: 'The Concept of Private International Law', 'The Concept of Company in Private International Law', 'The Concept of Lex Societatis and its Scope in Private International Law', 'Theories of Determining the Law Applicable to Companies', and 'Cross-border Conversions in European Union Law'.

In conclusion, this research offers valuable insights into the field of private international law, where legal relationships involve a foreign element. The findings contribute to the development of new theories and approaches in private international law. The practical implications of this study extend to legal scholars, practitioners, policymakers, and companies involved in cross-border activities. It fosters the adaptation of legal regulations to the evolving landscape of international trade, intending to create effective and consistent regulations that promote international business operations, safeguard stakeholders' interests, and stimulate both national and global economic growth.

Key words: Private International Law, Applicable Law, Companies