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## REPORT FROM THE COMMERCIAL LAW AND ECONOMIC LAW SECTION ON THE INTERNATIONAL SCIENTIFIC CONFERENCE BRATISLAVA LEGAL FORUM 2022 (BRATISLAVA, 12 – 13 SEPTEMBER 2022)/ Mária Patakyová & Barbora Grambličková

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International scientific conference Bratislava Legal Forum took place from 12-13  
September 2022 at the Faculty of Law of the Comenius University in Bratislava with the  
main theme on "*Rule of Law and Academia in the Turbulences of 100 years*". This year's  
conference was more significant because it was part of the celebrations of the 100th  
anniversary of the founding of the Faculty of Law of Comenius University in Bratislava.

The conference had sixteen sections focusing on different topics connected to the main theme. Section of the Commercial law and Economic law was dedicated to the topic: *"Recodification of company law - sources of inspiration and expected solutions to the challenges of the third millennium"*. Twenty-one international and national speakers participated in this section with various challenging presentations. Section was moderated by Professor Mária Patakyová and Associate Professor Jana Duračinská, as the section was supported by the project VEGA 1/0349/22 *"Restructuring as a preventive tool for dealing with the threat of bankruptcy"*.

The topic of the section's discussion was inspired by the ongoing recodification of company law in the Slovak Republic. The focal points of the debate were inspirations on which the proposed legislation is based. International speakers brought key elements to the section as they reported on the experiences with the company law reforms and other contemporary challenges in their home jurisdictions.

The Commercial law and Economic law section was opened by Professor Patakyová from the Faculty of Law of the Comenius University in Bratislava, who is a member of the advisory board of the recodification of company law in the Slovak Republic, with a topic: *"Slovak company law over time"*. This contribution was important for contextual and historical understanding of the Slovak company law in connection with the ongoing process of recodification.

Following, Professor Hans De Wulf from the Faculty of Law of the Ghent University in Belgium presented to the audience the Belgian experience with the recodification of company law. The key elements of the Belgian reform of the company law were elimination of "gold plating", increase in flexibility of the company law and creation of open company law. Professor Iris Barsan from the Université Paris-Est Créteil (UPEC) in France focused in her presentation on recent tendencies in development of the French corporate law with emphasis on the introduction of CSR-related topics into French corporate legislation. Professor Barsan highlighted the challenges and anticipated impacts on member states' company laws by the Proposal of a Directive on Corporate Sustainability Due Diligence as well. Professor Krzysztof Oplustil from the Jagiellonian University Cracow in Poland presented recent developments in Polish company law with focus on the regulation of corporate groups, as this issue is still a very controversial legal transplant from German and French law. Professor Tibor Tajti from the Central European University (CEU) in Vienna, Austria rounded the panel with contribution on control and contemporary company law problems. Professor Tajti focused his presentation on the aspects of group of companies, power of the executive directors and inter-generational transfer of SMEs. The first panel was closed by Associate Professor Jana Duračinská from the Faculty of Law of the Comenius University in Bratislava with a presentation on the preventive restructuring and its impact on Slovak company law, as this issue cannot be omitted from the recodification process of company law.

The first panel was followed by contributions of Associate Professor Lucia Žitňanská and Associate Professor Kristián Csach from the Faculty of Law of the University in Trnava, Slovakia. Both of them lead the recodification process of the company law in the Slovak Republic under the Ministry of Justice of the Slovak Republic. Associate Professor Kristián Csach opened the second panel with contribution on the topic: *"Which examples to follow in the recodification of corporate law?"* Following, Associate Professor Lucia Žitňanská elaborated on the conceptual issues of responsibility of members of corporate bodies as a one of the fundamental topics of the recodification process of the company law. Dr. Andrea Moravčíková, Vice-president of the Supreme Court of the Slovak Republic, tackled the proposed changes of the procedural law in connection the company law recodification. In this panel, Associate Professor

Kateřina Eichlerov from the Faculty of Law of the Charles University in Prague, commented on the concepts of representation in companies proposed in the Slovak recodification process. The experience from the Czech Republic is of a specific value as they have experience from more than five years of application of the new regulation in private law relations.

Following these two panels, the Commercial law and Economic law section continued with various presentations on company law topics pointing out challenges that shall be addressed in the recodification process by speakers from the Faculty of Law of the Comenius University in Bratislava and other universities as well.

To sum up, the Commercial law and Economic law section on the conference Bratislava Legal Forum 2022 with focus on the company law recodification process in the Slovak Republic brought vivid discussions fuelled by valuable experiences from foreign colleagues and highlighted challenges by national speakers. These discussions may serve as sources of inspiration for new regulation as the recodification process must necessarily confront the challenges of contemporary corporate law.

