

DROIT FINANCIER

Les changements terminologiques – on ne parle plus de droit boursier, mais désormais de droit financier – traduisent des changements fondamentaux. Ceux ayant affecté les marchés financiers, dont la régulation et la supervision ont profondément évolué depuis la fin des années 1980, la construction européenne et la crise de 2008 ayant eu incontestablement une incidence qui dépasse d'ailleurs les seuls marchés pour affecter la société française tout entière, ont été à cet égard considérables. Une observation similaire est exacte à propos des nouvelles technologies qui ont transformé les pratiques sur les marchés financiers.

L'ouvrage, qui prend en compte tant le contexte national que les contextes européen et international, a pour objectif de présenter les principales règles applicables aux autorités (AMF et ESMA), marchés (plates-formes de négociation, processus de marché), abus de marché (opérations d'initié et manipulations de cours), émetteurs et professionnels (PSI, chambres de compensation et dépositaires centraux), produits (titres financiers tels que les actions et les obligations ainsi que les jetons et les contrats financiers), information (prospectus), opérations (introduction en bourse, OPA, ICO et contrats de garantie financière), gestion collective (OPCVM et FIA) et fiscalité. La matière étant d'une complexité croissante en raison de la diversité (internationale, européenne et française) et du volume (des milliers de pages !) des sources, la démarche a été de hiérarchiser les notions exposées afin de faciliter son appréhension.

L'objectif a été également de donner un grand nombre d'informations et d'exprimer des positions afin que l'ouvrage puisse être utile tant aux professionnels qu'aux étudiants.

L'ouvrage est à jour des dernières réformes, en particulier du règlement (UE) 2023/1114 du Parlement européen et du Conseil du 31 mai 2023 sur les marchés de crypto-actifs, et modifiant les règlements (UE) n° 1093/2010 et (UE) n° 1095/2010, les directives 2013/36/UE et (UE) 2019/1937, et du règlement n° 2022/858 du 30 mai 2022 sur un régime pilote pour les infrastructures de marché reposant sur la technologie des registres distribués, ainsi que de l'ordonnance n° 2022-1229 du 14 septembre 2022 modifiant l'ordonnance n° 2021-1735 du 22 décembre 2021 modernisant le cadre relatif au financement participatif et l'ordonnance n° 2022-230 du 15 février 2022 relatif aux titres III à VIII de la partie législative du livre VIII du Code monétaire et financier.

Agrégés des facultés de droit, **Thierry BONNEAU**, **Pauline PAILLER**, **Anne-Claire ROUAUD**, **Adrien TEHRANI** et **Régis VABRES** sont professeurs des Universités (Paris-Panthéon-Assas, Paris Cité, Paris 1, Montpellier et Lyon III).



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Table of Contents Livre De Droit Financier

1. Understanding the eBook Livre De Droit Financier
 - The Rise of Digital Reading Livre De Droit Financier
 - Advantages of eBooks Over Traditional Books
2. Identifying Livre De Droit Financier
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Livre De Droit Financier
 - User-Friendly Interface
4. Exploring eBook Recommendations from Livre De Droit Financier
 - Personalized Recommendations

- Livre De Droit Financier User Reviews and Ratings
- Livre De Droit Financier and Bestseller Lists
- 5. Accessing Livre De Droit Financier Free and Paid eBooks
 - Livre De Droit Financier Public Domain eBooks
 - Livre De Droit Financier eBook Subscription Services
 - Livre De Droit Financier Budget-Friendly Options
- 6. Navigating Livre De Droit Financier eBook Formats
 - ePub, PDF, MOBI, and More
 - Livre De Droit Financier Compatibility with Devices
 - Livre De Droit Financier Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Livre De Droit Financier
 - Highlighting and Note-Taking Livre De Droit Financier
 - Interactive Elements Livre De Droit Financier
- 8. Staying Engaged with Livre De Droit Financier
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Livre De Droit Financier
- 9. Balancing eBooks and Physical Books Livre De Droit Financier
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Livre De Droit Financier
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Livre De Droit Financier
 - Setting Reading Goals Livre De Droit Financier
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Livre De Droit Financier
 - Fact-Checking eBook Content of Livre De Droit Financier

- Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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