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Alternative Systems for Capital Protection

H.E. Boschma, Prof. M.L. Lennarts, J.N. Schulte-Veenstra

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The purpose of the study is to establish whether the existing system of capital protection applicable to public companies and private companies in the Netherlands can be abolished and replaced with a different system without reducing the level of protection for creditors and shareholders. The reason for this is that the current capital protection provisions exceed their purpose (the protection of creditors and shareholders) and involve unnecessary costs for businesses. In connection with the review of the capital protection regime, part of the study considers whether the nominal value of shares should be abolished and no par value shares (NPV shares) should be introduced.

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