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EXPULSION OF A MEMBER FROM A CORPORATION WITH LIMITED LIABILITY IN THE LAW OF THE FEDERATION OF BOSNA AND HERCEGOVINA AND IN THE COMPARATIVE LAW

Review

Abstract

Expulsion of a member from a corporation is a legal action by which a corporation coercively excludes a member and thus he loses his membership. The idea is protecting the corporation from the member whose conduct endagers it. Apart from the expulsion on account of the unpayment of the basic share (caducing), which is regulated in a special way, ZGD regulates another way of expulsion-on the basic of the contract or statute. Unlike the comparative law which regulates the expulsion of a member by a constitutional indictment to the relevant court, when there is a good reason regulated by law, ZGD does not regulate this way of expulsion at all.

Keywords: expulsion of a member from a corporation, reasons for expulsion, procedure of expulsion, consequences of expulsion, lawsuit over expulsion, fate of the share, share value, legal gap in the law, comparative legislature, membership suspension, recompensation to the expelled member.