

JERSEY / JUDGMENT

FG Hemisphere v D.R. Congo

[2011] JLR 486 (14 July 2011)

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Administrative Law-organ of state-test-company separate from but wholly owned by state is organ of state (and liable to state's creditors) if (a) constitutional position; or (b) under government control and exercises governmental functions-government control indicates more than mere ownership by state but less than company having no meaningful independent existence-satisfied if company has no strategic control, even if some day-to-day freedom-functions requirement satisfied if, in whole context, principal functions and activities broadly governmental-engaging in trade or commerce not determinative-burden of proof on party seeking to prove exercise of governmental functions The document you wish to view is available to registered users or can be purchased as a PDF. To purchase this document in PDF format or alternatively to Register to purchase membership go to the Jersey Law website via this link: 2011 JLR 486 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII URL: <https://www.bailii.org/je/cases/JLR/2011/JLR110486.html>

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