

**Prof. Dr. iur. Peter Forstmoser**

Partner, Attorney-at-law, LL.M., Professor emeritus (Private, Business and Capital Markets Law) at the Law Faculty of the University of Zurich

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Languages

German, English, French

## Expertise

Prof. Forstmoser specializes in Corporate Law (esp. Law of Stock Corporations, Limited Liability Companies and Cooperatives), Banking & Finance, Stock Exchange Law, Collective Investment Schemes Regulation and the Liability of Corporate Directors and Officers. He is working as advisor, legal expert and arbitrator and was and is member or chairman of the boards of several corporations (listed and non-listed) and foundations.

He devotes a substantial amount of time to advising corporations, issuers, sophisticated investors and state organisations in high profile transactions and issues of governance. He regularly advises clients on all aspects of Corporate, Takeover and Securities law.

Prof. Forstmoser was a member of various expert commissions in the legislative process and has a strong academic background.

Corporate / M&A

Capital Markets

Banking, Finance & Regulatory

## Academic Career

**Since 2008** Professor emeritus at the Faculty of Law of the University of Zurich

**1974** Tenured Professor (since 1974 ausserordentlicher, since 1978 ordentlicher Professor) for Civil, Business and Capital Markets Law at the Faculty of Law of the University of Zurich (Head 1988 – 1990)

**1971** Lecturer (Privatdozent) at the Faculty of Law of the University of Zurich

## Professional Career

Since 1975 Partner, Niederer Kraft Frey

Since 1975 Member, Chairman or Vice Chairman of the Board of various Swiss Corporations, among others:  
Schweizerische Rückversicherungsgesellschaft, Swiss Re, Zurich (1990–2009, chairman 2000–2009)  
Hesta AG, Zug (chairman since 1995)  
PSP Swiss Property (member and chairman of the audit committee 2010-2022)

## Education

1972 LL.M. Harvard Law School, Cambridge, USA

1971 Admission to the Bar (Rechtsanwalt)

1970 Doctor of Law (PhD) Zurich

## Experience

Counsel for numerous corporations (listed and non listed) on all questions of corporate and commercial law.

Preparing (in the capacity of chairman and advisor) start ups in the financial sector for an IPO and introducing a governance appropriate for a listed company; preparing another start up in the banking sector.

Party representative or advisor in court cases, judge in arbitration courts.

## Publications (selection)

- Peter Forstmoser, Marcel Küchler, Schweizerisches Aktienrecht 2020 (Bern 2022)
- Author of numerous books and scientific articles, in particular on topics of Company and Corporate Law, Capital Market Law, Principles of Law and on questions of Governance, Sustainability and Business Ethics
- Peter C. Honegger, Peter Forstmoser, Zeugnisverweigerungsrecht für Unternehmensjuristen – eine Notwendigkeit im internationalen Kontext, in: Anwalts Revue 4/2017, S. 151-153
- Peter Forstmoser, Die «Lex Minder» – ein Schuss in den Ofen?, in: FS von der Crone (Zürich 2017)
- Peter Forstmoser, Marcel Küchler, Die Aktienrechtsreform vor der letzten Etappe?, in: SJZ 2017, Hefte 4 und 7, S. 69 ff. und 81 ff.
- Peter Forstmoser, Schutz der Menschenrechte – eine Pflicht für multinationale Unternehmen?, in: Cavallo et al. (Hrsg.), Liber amicorum für Andreas Donatsch, Zürich 2012, 703 ff.
- Peter Forstmoser, Schweizerisches Gesellschaftsrecht, (until 8. A. in cooperation with Meier-Hayoz Arthur who is still named as co-author) Mit neuem Recht der GmbH, der Revision und der kollektiven Kapitalanlagen (12. A. Bern 2018, 13. A. in preparation) <http://www.schulthess.com/buchshop/detail/ISBN-9783727286803>
- Peter Forstmoser, Marcel Küchler, Aktionärbindungsverträge. Rechtliche Grundlagen und Umsetzung in der Praxis (Zürich 2015)
- Peter Forstmoser, Hans-Ueli Vogt, Einführung in das Recht, (5. A. Bern 2012) <http://www.schulthess.com/buchshop/detail/ISBN-9783727286759/>

## NIEDERER KRAFT FREY

- Peter Forstmoser, Organisation und Organisationsreglement der Aktiengesellschaft, in Zusammenarbeit mit Anwältinnen und Anwälten von Niederer Kraft & Frey Rechtliche Ordnung und Umsetzung in der Praxis (Zürich 2011) <http://www.schulthess.com/buchshop/detail/ISBN-9783725562244>
- Peter Forstmoser, Die «grosse» Aktienrechtsreform – Übersicht und Gesamtwürdigung, in: Rolf Watter (Hrsg.), Die «grosse» Schweizer Aktienrechtsrevision, Eine Standortbestimmung per Ende 2010, SSHW 300 (Zürich 2010), S. 1 ff. <http://www.schulthess.com/buchshop/detail/ISBN-9783037513071>
- Peter Forstmoser, Das externe Verwaltungsratsmitglied in einer Konzerntochtergesellschaft, in: Weber/Isler (Hrsg.), Verantwortlichkeit im Unternehmensrecht V, EIZ 104 (Zürich 2010), S. 5 ff.
- Peter Forstmoser, Stärkung der Aktionärsdemokratie – aber wie?, in: NZZ vom 29. Juli 2010, Nr. 173, S. 26
- Peter Forstmoser, Die Entschädigung der Mitglieder von Verwaltungsrat und Topmanagement, Binsenwahrheiten, Missverständnisse und ein konkreter Vorschlag, in: Trigo Trindade et al. (Hrsg.), Economie Environnement Ethique, De la responsabilité sociale et sociétale, Liber Amicorum Anne Petitpierre-Sauvain (Zürich 2009), S. 145 ff.
- Peter Forstmoser, Regina Ogorek, Benjamin Schindler, Juristisches Arbeiten, (6. A. Zürich 2018) <http://www.schulthess.com/buchshop/detail/ISBN-9783725555888>
- Peter Forstmoser, Wirtschaftsrecht im Wandel – Erfahrungen aus vier Jahrzehnten, Abschiedsvorlesung von Prof. Dr. Peter Forstmoser vom 14. Dezember 2007, in: SJZ 2008, S. 133 ff.
- Peter Forstmoser, Von der Schildkröte zum Hasen, Beschleunigung im schweizerischen Gesetzgebungsverfahren, in: Hotz/Mathis (Hrsg.), Recht, Moral und Faktizität, Festschrift für Walter Ott (Zürich 2008), S. 161 ff.
- Peter Forstmoser, Corporate Responsibility und Reputation, Zwei Schlüsselbegriffe an der Schnittstelle von Recht, Wirtschaft und Gesellschaft, in: Vogt et al. (Hrsg.), Unternehmen - Transaktion - Recht, Liber Amicorum für Rolf Watter zum 50. Geburtstag (Zürich 2008), S. 197 ff.
- Peter C. Honegger, Peter Forstmoser, Rebecca Brunner-Peters, Business Location Switzerland: Disadvantage for Legal Advice?, Inside Counsel Also Need a Right to Refuse Testimony, in: Swiss-American Chamber of Commerce, Yearbook 2007/2008, S. 1-3
- Peter Forstmoser, Thomas Sprecher, Gian Andri Töndury, Persönliche Haftung nach Schweizer Aktienrecht, Personal Liability according to Swiss Corporate Law, Zürich 2005

## Activities in the legislative process

Expert, member or chairman of committees preparing law reforms among others on topics such as privacy, stock exchange regulation, investment trusts, limited liability companies.

## Activities in non-profit organisations

**2010 - 2015** Member of the Board of Trustees of IISS International Institute for Strategic Studies

**2000 - 2010** Member of the Board of the Think-Tank “Avenir Suisse”

**2005 - 2009** Chairman of “The Sustainability Forum” (TSF) Zurich, an organisation of corporations, public and scientific bodies aiming at fostering principles of sustainability and corporate responsibility

**Since 2008** Member (since inception) of the Swiss Chapter of the Club of Rome

**1997 - 2007** Founder, chairman (1979 – 1999) and member (2000 – 2007) of the board of the Think-Tank “Liberales Institut”

## NIEDERER KRAFT FREY

- Since 1998** Chairman (since inception) of MASTEPE-Foundation Zurich, a Philanthropic foundation active primarily in education in developing countries
- 1997 - 2016** Vice-chairman (since inception) of Gebert RUF Stiftung (GRS), a foundation supporting scientific research and education in Switzerland

## Various

- 2010-2018** Chairman of the Steering Committee of the Business Law Institute University of Lucerne Major a.D., Swiss Army (batallion commander, Infantry)

