

Isle of Man Conference

Tuesday, 10th May 2022

Empress Hotel, Douglas, Isle of Man | Registration from 2pm – Canapé Reception from 6pm

This conference is free for Isle of Man practitioners but booking is essential. [Please click here to book](#)

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| 2pm | Registration & Coffee | |
| 2.20pm | Welcome from Conference Chair: Lesley Anderson QC, Gatehouse Chambers & Kings Chambers | |
| 2.30-3.10pm | Panel Session: | |
| | <p>James Pickering QC & Samuel Hodge, Enterprise Chambers</p> <p>Marc Delehanty, Littleton Chambers</p> | <p>Commercial Fraud in England and the Isle of Man</p> <ul style="list-style-type: none"> • Obtaining equitable compensation against those who dishonestly assist: how equitable is it? • Backwards tracing: a backwards step? • Paying the price for bribery: civil liability and remedies for making, taking, and facilitating corrupt payments. |
| 3.10-3.50pm | Junior Panel Session: | |
| | Zachary Kell , Five Paper Buildings | <ul style="list-style-type: none"> • The future of the economic torts following <i>Secretary of State for Health v Server Laboratories Ltd</i> [2021] UKSC 24: a discussion of the limits that have been restated and clarified for the tort of causing loss by unlawful means, and what that may mean for other economic torts such as conspiracy, with practical guidance for bringing such claims. |
| | James Saunders , New Square Chambers | <ul style="list-style-type: none"> • Re <i>Klimt Invest SA</i> [2022] EWHC 596 (Ch): an analysis of the first successful winding up of a public company for loss of purpose/substratum, and its implications for English and Manx company law, as well as for the concept of substratum in the law of trusts. |
| | Oscar Schonfeld , One Essex Court | <ul style="list-style-type: none"> • <i>JP SPC4 and JP SPC 1 v Royal Bank of Scotland International Limited</i>: insights on the currently awaited decision of the Privy Council (on appeal from the Isle of Man) concerning the question whether or not banks owe duties to the beneficial owners of funds in an account rather than just to the bank's immediate customer, and its potential consequences for the banking industry and claims against banks by defrauded beneficiaries. |
| 3.50-4.10pm | Talk: | |
| | Iain Quirk QC , Essex Court Chambers | <p>Reflective loss in the Isle of Man: a controversial rule</p> <ul style="list-style-type: none"> • The 'no reflective loss' rule and its origins • <i>Marex v Sevilleja</i> in the Supreme Court, and the principles emerging from that case • Post Marex and the approach in offshore jurisdictions • The Manx angle |

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| 4.10-4.40pm Afternoon tea | | | |
| 4.40-5.00pm | Joint Talk: | | |
| | Matthew Morrison & Zahler Bryan , Serle Court | Cross-Border Insolvency in England and the Isle of Man | <ul style="list-style-type: none"> • Foreign insolvency proceedings assistance in England and the Isle of Man at common law: how far have the Manx and English Courts retreated from modified universalism? • Requesting assistance from the English courts under s.426 of the Insolvency Act 1986 • The rules relating to immovable property: the significance of the English Court of Appeal's decision in <i>Kireeva v Bedzhamov</i> [2022] EWCA Civ 35 |
| 5.00-5.30pm Panel Session: | | | |
| | Edward Cumming QC , XXIV Old Buildings Maxim Cardew , Maitland Chambers | Trustees, investments, and ethics | <ul style="list-style-type: none"> • What impact will climate change and other environmental, social and governance considerations have on investment decisions by trustees of private trusts? • Is the position different for trusts with charitable purposes? |
| 5.30-6pm | Lecture: | | |
| | Rose Fetherstonhaugh , 5 Stone Buildings | Protectors: who guards the guards? | <ul style="list-style-type: none"> • When is a protector a fiduciary and how much does it matter? • The extent of protector powers of veto • How easy are they to remove? |
| 6pm Drinks and Canapé Reception | | | |