

# Programme

1.15 - 1.45pm *Registration & Coffee*

1.45 - 1.50pm **Welcome**

1.50 - 2.00pm **Keynote Address**

2.00 - 2.30 pm **Fiduciary duty vs social conscience?  
A changing climate for trustees and investments**

- *Trustees' powers and duties in relation to investments*
- *Charities, the Bishop of Oxford case, and legislative reform*
- *Contemporary practical challenges facing trustees (with a particular focus on potential issues arising regarding climate change)*

2.30 - 3.15 pm **Company and Insolvency Law Issues:  
Developments for the 2020s**

**Good Faith in the context of relationships  
between shareholders**

- *When does an obligation of 'Good Faith' arise in this context, and what is the content of the duty?*
- *Have long-term and 'relational contracts' evolved into a separate category? *Yam Seng v ITC (2013)*; *Bates v Post Office (No. 3) (2019)**
- *Express contractual obligations of Good Faith - advantages and disadvantages.*

**Latest developments in security for costs  
and other matters**

- *ATE policies - how they may help - how to avoid pitfalls*
- *Cross-undertakings - a shield or a counter-attack?*
- *Stifling - how to walk the tightrope*
- *The decision in *Manolete* - progress or a step backwards?*

**The turnaround toolkit for ailing companies:  
recent developments in restructuring and  
voluntary arrangements**

- *Attempting rescue: what tools are in the kit?*
- *Restructuring plans: learnings from recent cases*
- *CVAs and challenges: *Re Regis UK Ltd [2021] EWHC 1294 (Ch)* and others*

**Amanda Hardy QC**  
Chair of the Chancery  
Bar Association

**Chief Justice  
Anthony Dudley**

**Edward Cumming QC**  
XXIV Old Buildings  
**Maxim Cardew**  
Maitland Chambers

**David Eaton Turner**  
New Square Chambers

**James Pickering QC**  
Enterprise Chambers

**David Mohyuddin QC**  
Radcliffe Chambers

[Continued over](#)

3.15 - 3.55 pm **Junior Chancery Bar Panel**

The Chancery Brief - recent developments

- **Matthew v Sedman [2021] UKSC 19:** *When does time start to run in "midnight deadline" cases against trustees in respect of trust property? Can a limitation deadline occur partway through a day?*
- **Re Fox Street Village Ltd (in administration) [2020] EWHC 2541 (Ch):** *What powers does the Court have to order the sale of development property free from security interests over it, including those of an off-plan purchaser under a purchaser's lien, when the developer has gone into administration? How will it exercise those powers and what are the effects of it exercising those powers?*
- **Sevilleja v Marex [2020] UKSC 31:** *What is the reflective loss principle and when is it engaged? Does the principle affect non-shareholder claims?*
- **Manchester Building Society v Grant Thornton [2021] UKSC 20 & Khan v Meadows [2021] UKSC 21:** *Which losses can be recovered from a negligent professional? How does the Supreme Court apply its new statement of the principles in SAAMCO?*

**Francesca Perselli**  
 Maitland Chambers

**Evelyn Barden**  
 Landmark Chambers

**James MacDougald**  
 Ten Old Square

**Alicia Tew**  
 Hailsham Chambers

3.55 - 4.20pm **Afternoon tea**

4.20 - 4.50pm **Mutual, Mirror & Joint Wills - a Case of Smoke and Mirrors**

- *Mutual, mirror and joint wills – a fertile source of confusion and risk*
- *The future for mutual wills – reform, codification or abolish them altogether?*
- *The view from Gibraltar*

**Jonathan Arkush**  
 Enterprise Chambers  
**Moshe Levy**  
 Hassans

4.50 - 5.20pm **Lehtimaki v TCI Fund Foundation**

- *Should the Court be concerned with whether the member (if it is a trustee) is acting/voting in breach of trust?*
- *Does it make a difference if the company of which the trustee is a member has charitable objects?*

**Ian Clarke QC**  
 Selborne Chambers  
**Julia Beer**  
 Selborne Chambers

5.20 - 5.40pm **Arbitrator bias after Halliburton**

- *Analysis of the UK Supreme Court's judgment on arbitrator bias in Halliburton Company v Chubb Bermuda Insurance Ltd [2020] UKSC 48*
- *Practical implications*
- *Unresolved issues*

**Charles Banner QC**  
 Keating Chambers

5.40 - 6.00pm **Putting an NFT into DeFi and sending them both to the Chancery Bar**

- *Potted introduction to NFTs and DeFi*
- *How they can and do work together*
- *What litigating about them might look like*

**Leigh Sagar**  
 New Square Chambers

6.00 - 6.05pm **In Conclusion**

**Michael Gibbon QC**  
 Chair of the International Subcommittee

6.05 - 8.00pm **Champagne reception – Wheelhouse Deck**

**This conference is free for Gibraltar practitioners, but booking is essential – [please click here](#)**

The Association reserves the right to alter the programme without notice.

