

CHANCERY BAR ASSOCIATION

Jersey Conference

Pomme d'Or Hotel - St Helier, Jersey - Thursday, 7th November 2018

Registration from 1.45pm – Canapé Reception from 6pm

1.45 pm *Registration & Coffee*

2.10 pm **Welcome from Conference Chair:**

Michael Gibbon QC
Maitland Chambers

2.15 - 3.00 pm **The Wobling Fund: A crypto case study**

A short case study exploring the regulatory and legal position of a Jersey based investment fund in trouble, looking at:

- *The recent Primeo and Weaving Privy Council decisions re Cayman fund collapses and preferential payments;*
- *The Guernsey decision Liang v RBC Trustees on trustees and proceeds of crime;*
- *The lessons to be learned from the Woodford fund situation in England; and*
- *Bitcoin/crypto assets as a source of risk.*

Peter Dodge
Radcliffe Chambers
Thomas Fletcher
Maitland Chambers
Mark Hubbard
New Square Chambers

3.00 - 3.40 pm **Directors' duties in the face of insolvency & corporate responsibility for delinquent directors' acts**

- *Directors' duty to consider creditors and what the duty requires.*
- *When the duty is triggered and how the test is applied after BTI v Sequana and Burnden Holdings*
- *Attribution in the light of Singularis Holdings Ltd v Daiwa Capital Markets Europe Ltd.*
- *Company directors: authority & agency.*

Andrew de Mestre QC
4 Stone Buildings
James Potts QC
Erskine Chambers
Albert Sampson
4 Stone Buildings
Andrew Thompson QC
Erskine Chambers

3.40 - 4.00 pm **Worldwide freezing orders: Recent developments**

- *The duty of full and frank disclosure, with particular reference to Fundo Soberano and PJSC Bank v Kolomisky*
- *Post judgment freezing orders, with particular reference to MWP v Emmott and Markham v O'Hara.*
- *The Angel Bell exception, with particular reference to Koza v Ackil.*

Sarah Tulip
3VB

4.00 - 4.30 pm *Afternoon tea*

Continued over

4.30 - 5.00 pm

Shareholder Spats: The recent approach of the English Court to minority discounts and offers to purchase shares in unfair prejudice petitions

- *Minority Discounts: When will the court order a share purchase with a minority discount? Considering the Court's approach post Re Blue Index*
- *Offers to Purchase Minority Shares: a question of substance, form or circumstance? Examining what constitutes a fair offer in light of the Court of Appeal's guidance in Re Sprintroom and considering when an offer can provide a defence to liability.*

Rebecca Page
Maitland Chambers

5.00 - 5.20pm

UK Tax update for Jersey Practitioners

- *Minority Discounts: When will the court order a share purchase with a minority discount? Considering the Court's approach post Re Blue Index*
- *Offers to Purchase Minority Shares: a question of substance, form or circumstance? Examining what constitutes a fair offer in light of the Court of Appeal's guidance in Re Sprintroom and considering when an offer can provide a defence to liability.*

Amanda Hardy QC
5 Stone Buildings
Oliver Marre
5 Stone Buildings

5.20 - 6.00pm

Trustees under pressure: departure, indemnity and insolvency

- *Dislodging unsatisfactory trustees is not always easy or cheap – both in and out of court.*
- *Protection against liabilities; rules vary from jurisdiction to jurisdiction, so the proper law will be important.*
- *The priority scramble - Re Z Trusts in Jersey.*

Nicholas Le Poidevin QC
New Square Chambers
Alexander Learmonth
New Square Chambers

6.00 - 8.00pm

Drinks and Canapé Reception

The Conference is free but **BOOKING IS ESSENTIAL** - [Please click here](#)
3hrs CPD