



SINGAPORE ACADEMY OF LAW

- IPAS CPD: 5 hrs
- ICPAS CPE: 5 hrs
(Competency B8)

Legal Education

Cross Border Insolvency and Insolvency of Financial Institutions

11 Nov 2009, 9.30am – 5.00pm, Supreme Court Auditorium

The present economic slowdown has highlighted difficulties that may arise in recoveries especially where there are cross border issues. What has started largely as difficulties for certain banks and financial institutions has now affected the wider economy. The slowdown presents an opportunity to review the rules of the game. Even before the crisis, work was undertaken and is continuing towards the enactment of an omnibus insolvency legislation for Singapore by 2011.

This conference gathers experts from various jurisdictions on selected issues relating to cross border insolvency and the insolvency of banks and financial institutions.

Key speaker Sir Gavin Lightman, QC will discuss from the perspective of English law the important topic of cooperation in cross border insolvency, including the issue of cross border recognition and judicial cooperation. An understanding of the English regimes would also provide an indication of some trends in the European Union and to a lesser extent globally in terms of cross border cooperation in insolvency matters.

Nick Segal will deal with the UK experience with financial institutions in difficulty including the use of special insolvency regimes. This talk traces the problems from developments from the time of the Northern Rock crisis, the subsequent developments in the law and practice to deal with such difficulties and also provides an indication of what the future may hold.

Ronald DeKoven will discuss American jurisprudence regarding insolvencies of international financial institutions. The talk will discuss the American insolvency regimes with references to insolvencies such as those involving Herstatt, BCCI, Bear Stearns and Lehman. There would also be discussion of where things may be moving to from where they currently are.

Lee Eng Beng SC would then give the Singapore perspectives on the insolvency regime affecting banks and financial institutions and the cross-border issues which might be encountered, topics which he is well placed to speak on.

To round up the Conference, Judge of Appeal VK Rajah will chair a panel discussion where the speakers will be panellist together with Malcolm Tan from the Insolvency and Public Trustees Office (who is coordinating the efforts to come up with the proposed omnibus Insolvency Act), Peter Chay of KPMG (who has been very involved with the Lehman insolvency, being liquidator of several of the Lehman entities in Singapore) and Andrew Chan. This promises to be an interesting discussion with the range and diversity of views and experience that the panel would bring to the table.

Highly Recommended for

- Insolvency Practitioners
- Commercial Lawyers
- Corporate Counsel
- Wealth Managers
- Treasury Officers
- Bankers
- Auditors
- Fund Managers

Programme

9:00am	Registration
9:30am	Presentation I + Q&A
10:45am	Morning Tea
11:15am	Presentation II + Q&A
12:30pm	Lunch
2:00pm	Presentation III + Q&A
3:15pm	Afternoon Tea
3:45pm	Panel Discussion
5:00pm	End

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Speakers

Key Speaker



Sir Gavin Lightman, QC, in 1961, obtained a First Class Honours Degree in Law at University College London (of which he was elected a Fellow in 2002). He was then awarded a Fulbright and an Exchange Scholarship to the University of Michigan

where he obtained a LL.M. He was called to the bar by Lincoln's Inn, which awarded him its then highest scholarship, the Cassell. He had a very substantial practice as a Junior and took Silk in 1980. As a Silk he had a very wide and extensive practice within the United Kingdom and the Commonwealth, and in particular in Singapore, Hong Kong and the West Indies.

He was appointed a High Court Judge assigned to the Chancery Division in 1994 and in addition in 1996 designated a Judge of what is now the Administrative Court and in 1997, of what is now the Competition Appeal Tribunal. On the 10 January 2008, he retired as a Judge to resume private practice as an arbitrator, mediator and consultant. He has been for a number of years a member of the Board of GEMME, the association of European judges committed to mediation. He was accredited by CEDR as a mediator in September 2007. He was elected a Bencher of Lincoln's Inn in 1989 and as Treasurer for the year 2008-09.

Sir Gavin has written and lectured extensively on a variety of topics including insolvency, legal practice and procedure, mediation and the law of trust. Amongst his work is the leading textbook *Lightman & Moss: The Law of Administrators and Receivers of Companies*, now in its 4th edition. He is a regular speaker at international conferences. In 2007 he gave a keynote address in Singapore on the inauguration of IPAS.



Mr Ronald DeKoven is a barrister specialising in Insolvency and Commercial law. He was called to the Bar by Lincoln's Inn and is one of the very few barristers dual qualified in New York and England and Wales. He is a member of 3-4 South Square Chambers, and is of Counsel to Jenner & Block.



Mr Nick Segal is a partner with Freshfields Bruckhaus Deringer in London.

Nick is qualified in England and New York and specialises in finance, restructuring, insolvency and litigation work much of it with an international element. Recently he has worked on the Northern Rock restructuring and the restructuring and bankruptcies of banks in London, advising the Bank of England in some cases and the bank administrators in others.



Mr Lee Eng Beng SC has been a partner in Rajah & Tann LLP since 1998 and was appointed Senior Counsel in 2008. He headed the firm's Business Finance and Insolvency Practice Group from 2003 to 2009 and was appointed the firm's Deputy Managing Director in 2009. His practice focuses on debt restructuring, insolvency and banking litigation, as well as commercial litigation and arbitration.

Conference Chairman



Mr Andrew Chan, a partner of Allen & Gledhill LLP, is the Deputy Chairman of the Insolvency Practitioners Association of Singapore. Andrew is recognised by various publications as a leading insolvency practitioner, has edited and co-authored several leading insolvency publications and is actively involved in insolvency law reform.

Registration Form

(Closing date: 6 Nov 2009)

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 - online by logging on to www.sal.org.sg
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 - by fax to: (65) 6334 4940
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- Registration received on or before the closing date are confirmed unless otherwise notified.
- A sum of **S\$21.40 (inclusive of 7% GST)** will be levied for administrative charges for any cancellation received in writing on or before the closing date.
- For enquiries, please call Tel: (65) 6332 4149 or email les@sal.org.sg
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For students' registrations, please include a copy of the matriculation card. Registrations only accepted via fax, post or email.

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