

**CENTRE FOR BANKING AND FINANCE LAW
AND CONTINUING LEGAL EDUCATION PROGRAMME**

SEMINAR ON UNDUE INFLUENCE IN GUARANTEES AND SECURITY INTERESTS

BY

Professor Mindy Chen-Wishart
NUS, Faculty of Law

18 SEPTEMBER 2013, WEDNESDAY
4.30PM – 6.30PM (REGISTRATION FROM 4PM)
SEMINAR ROOM 3, LEVEL 3, BLK B
NUS, FACULTY OF LAW (BUKIT TIMAH CAMPUS)

ABOUT THE SEMINAR

Personal and business loans are commonly advanced by banks against guarantees or other security provided by family members of the primary debtor. The situation triggers a potential claim of undue influence or misrepresentation by the family member, which may render the bank's guarantee or security unenforceable. The seminar will:

- (1) examine the nature of undue influence and modern restatements of the doctrine;
- (2) show how the doctrine has been applied in family guarantee situations in the UK;
- (3) discuss why, despite the professed adoption of this law in Singapore, its interpretation and application has been so at odds with that in the UK; and
- (4) highlight how banks and lending institutions should conduct themselves in this situation.

ABOUT THE SPEAKER

Professor Mindy Chen-Wishart has taught at Oxford University for 20 years. More recently, she has held a simultaneous fractional appointment at the NUS. Mindy was Director of Undergraduate Studies at Oxford and has taught for Law Faculties in Germany, New Zealand, Hong Kong, Taiwan and the US. She has written extensively on contract law, and the law of restitution. She was an Editor of the Principles of Asian Contract Law (PACL) Project and is an editor of the series, Studies in the Contract Laws of Asia. She is a member of the Advisory Group on the *A Restatement of the English Law of Contract* project, is the author of *Contract Law* now in its 4th edition,

a contributing editor in *Ius Communitatis Case Books on the Common Law of Europe: Unjust Enrichment*, and author of numerous articles including most recently: "The Nature of Vitiating Factors" in *Philosophical Foundations of Contract Law*, eds P Saprai, G Letsas, G Glass, (OUP 2014) forthcoming; "Termination, Price Reduction and Damages" with U Magnus, in *The Common European Sales Law in Context: Interaction with English and German Law*, eds G Dannemann and S Vogenaur, (OUP 2013) 647; "Legal transplant of undue influence: Lost in translation or a working misunderstanding?" (2013) 62 *International Comparative Law Quarterly*, 1; "Transparency and Fairness in Bank Charges" (2010) 126 *Law Quarterly Review*, 157; "Bank Charges: A Lesson in Interpreting EC Law" [2009] *Law Quarterly Review*, 389

PROGRAMME OUTLINE

4.00pm – 4.30pm: Registration and Tea

4.30pm – 6.15pm: Presentation

6.15pm - 6.30pm: Q & A



**Practice Area: Banking and Finance,
Corporate/Commercial and Family**
Training Level: General

CPD hours awarded based on 100% attendance: 2

REGISTRATION FORM

Seminar on Undue Influence in Guarantees and Security Interests

Closing date: 11 September 2013, Wednesday

Registration fees per person: S\$149.80
(includes 7% GST, refreshment and materials)

Registration will be confirmed via email upon receipt of the full payment. The organiser reserves the right to cancel the seminar and in that event, a full refund of fee will be given. Please note that no refund will be given upon cancellation by the registrant. For enquiries, please contact Ms Poova at tel no. (65) 6516 3644 or email clemail@nus.edu.sg

Please fax to 6779 0979 or send the Registration Form together with cheque payment payable to "National University of Singapore"

Attn: Ms Poova
National University of Singapore, Faculty of Law
Eu Tong Sen Building, 469G Bukit Timah Road, Singapore 259776

Directions to the law school may be found at http://www.law.nus.edu.sg/about_us/location.html

Company Name: _____

Mailing Address: _____

Contact Person: _____ Tel: _____ Email: _____

Participant 1: (Mr/Mrs/Miss): _____ Tel: _____

NRIC No / Other identification no *(for verification during registration)*: _____

Email: _____ AAS number: _____ *(compulsory if you want to claim CPD Points)*

Participant 2: (Mr/Mrs/Miss): _____ Tel: _____

NRIC No / Other identification no *(for verification during registration)*: _____

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MODE OF PAYMENT *(Please complete this section)*

BY BILLING (Attention to: _____ Dept: _____)

BY CHEQUE

Cheque No. _____ Issuing Bank _____ Amount: _____

BY CREDIT CARD

I authorize National University of Singapore to deduct the fee of **SGD** _____ from my

Visa MasterCard

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Expiry Date : MM/YYYY