

THE INTERFACE OF CONTRACT LAW AND INVESTOR PROTECTION

Professor Gerard McMeel KC
Professor of Law, University of Reading, UK
Peter Ellinger Visiting Professor, NUS Law



Professor Gerard McMeel KC is Professor of Commercial and Financial Law at the University of Reading, and was previously a Professor at Manchester and Bristol. He practises from Quadrant Chambers in London, and was appointed Queen's Counsel in 2020. Gerard practises in all areas of commercial dispute resolution, with a particular focus on banking and financial services litigation. Gerard's recent cases include the leading case on the meaning 'investment advice' in UK law, in *Adams v Options* [2021] Bus LR 1568, *Adactive Media v Ingrouille* [2022] 1 Lloyd's Rep 235 on an allegedly inconsistent choice of court agreement and arbitration clause, and *Dooley v Castle Trust* [2022] EWCA Civ 1569, which raised difficult issues at the interface of private international law and investor protection law. Perhaps his most famous investor client remains Alan Shearer: *Alan Shearer v Kevin Neal* [2020] EWHC 3272 (Comm). As an academic lawyer, Gerard specialises in contract law, unjust enrichment, commercial law, banking law and financial services law and regulation. He is the author of *McMeel on the Construction of Contracts - Interpretation, Implication and Rectification* (4th edn, 2023, forthcoming). He is a co-author of the leading practitioner text on personal property law.



Public CPD Points: 1.5
Training Level: General
Area: Banking and Finance

Tuesday, 29 August 2023 | 4.00PM TO 5.45PM

(Registration starts at 3.30PM)

Moot Court, NUS Law (Bukit Timah Campus)

ABOUT THE SEMINAR

This lecture addresses the connections between common law doctrines in the law of contract – including formation rules, incorporation of terms, and implied terms – and modern investment contracts, with their detailed standard provisions. It inquires as to when and how regulatory rules aimed at investor protection are integrated into the contractual framework, or when and how they override the contractual terms. It also addresses case law where, controversially, it has been held that investor protection standards are overridden or 'watered down' by contractual provisions. The common law was traditionally unafraid to set minimum standards for the supply of goods or their carriage, but has been less sure-footed with financial instruments. Recent case law on implied terms and claims by investors against on-line investment platforms – offering foreign exchange trading, spread betting, cryptoassets and other derivatives – will be surveyed.

PROGRAMME

3.30pm - Registration
4.00pm - Start of Seminar: Part I
4.45pm - Break
5.00pm - Start of Seminar: Part II
5.45pm - End of Seminar

WHO SHOULD ATTEND

Academics, finance lawyers, in-house bank counsel, policymakers

REGISTRATION

There is no registration fee for this event, but registration is compulsory.

Register at: <https://tinyurl.com/CBFLEPE20230829>
or scan the QR code

Closing date: **22 August 2023**

For enquiries, email cbfl@nus.edu.sg



Participants who wish to obtain CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. For this activity, this includes signing in on arrival and signing out at the conclusion of the activity in the manner required by the organiser, and not being absent from the entire activity for more than 15 minutes. Participants who do not comply with the Attendance Policy will not be able to obtain CPD Points for attending the activity. Please refer to <https://www.silecpdcentre.sg/> for more information.

ABOUT THE CENTRE FOR BANKING & FINANCE LAW

The Centre for Banking & Finance Law (CBFL) at the Faculty of Law, National University of Singapore, seeks to generate scholarship and promote thinking about the vibrancy, robustness and soundness of the banking sector, capital markets and other financial services. Through the research our scholars undertake and the events we organise, we seek to create and share knowledge, to engage stakeholders in an exchange of ideas, and to enhance the appreciation of legal and regulatory issues. We aim to bring greater theoretical and analytical clarity to these issues, to examine their policy impact, and to be a catalyst for ideas on how to improve banking and financial systems at the national, regional and global levels. Visit our website at <https://law.nus.edu.sg/cbfl/>.