

COMPARATIVE CORPORATE LAW AND GOVERNANCE SPEAKER SERIES

The Enforcement of Directors' Duty of Care: Empirical Evidence from China

Speaker: Associate Professor Lin Shaowei
Southwest University of Political Science and Law

Chairperson: Assistant Professor Lin Lin, NUS Law

Monday, 29 July 2019, 5.30 pm to 6.45 pm (Registration starts at 5.00 pm)
Lee Sheridan Conference Room, Eu Tong Sen Building Level 1, NUS Law (Bukit Timah Campus)

ABOUT THE SEMINAR

It has been long recognized that directors are at the center of attention in corporate governance and their role is increasingly becoming significant following the financial crisis in 2008. However, the problem for legislating directors' duties is that making directors potentially liable may also deter talented and diligent people from taking directorial positions. This is particularly true when it comes to the duty of care as there is a clear gap between the stringent standards of conduct and the more lenient standards of review in legal regulation. The PRC Company Law 2005 formally adopts the duty of care for directors. Although such provisions are considered as making much progress from historical perspective, certain defects do exist therein, the two major problems of which are the improper emphasis on the duty of loyalty rather than the duty of care and the lack of enforceable standards thereof. As a result, it gives the purpose to discuss the enforcement of duty of care prescribed in PRC Company Law in practice by empirical research, with a view to obtaining a theoretical reflection on the potential institutional disadvantages and problems and offering corresponding solutions.

ABOUT THE SPEAKER



Lin Shaowei is an Associate Professor at Southwest University of Political Science and Law, Chongqing, China. After obtaining his LL.B. and Master of Laws (MA in Law) from Southwest University of Political Science and Law, he completed his LL.M. at King's College London and received his PhD from University of Edinburgh. His main research interests are company law, comparative law, law and finance, securities law, trust law, charity law, equity law and commercial law. Some of his recent publications are Corporate Ownership and Control (Law Press, 2018) (translation), Lectures on Jurisprudence (China People's University Press, 2017) (translation), "How AI Affects Company Law: Challenges and Responses" (2018), 4 The Journal of East China University of Political Science and Law, "The Empirical Studies of China's Enterprise Bankruptcy Law: Problems and Improvements" (2018), 27(1), International Insolvency Review. He has held visiting appointments at The University of Hong Kong, The University of British Columbia and Martin-Luther-University Halle-Wittenberg.

REGISTRATION

There is no registration fee for this seminar but seats are limited. Light refreshment will be provided on a first-come, first-served basis.

Please register by **Tuesday, 23 July 2019, 12 noon**

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For enquiries, please contact Alexandria Chan at rescle@nus.edu.sg

