

**Summary of Key Issues Discussed at
INSOL International Board Directors' Meeting
held at the Renaissance Chancery Court, London 20-21 November 2009**

1. INSOL Dubai

INSOL Dubai Conference is scheduled for 21-23 February 2010. Hope to have approximately 200 delegates attend.

2. Seminars

INSOL continues to run 1 day seminars in various jurisdictions as a means of interacting with individual member associations. 2009 seminar held in Cayman Islands was extremely successful and next one is scheduled to be held in Mexico.

3. Membership

INSOL membership in 2009 totalled 9,342. The HKICPA represents the 8th largest member association with 443 members. The largest member association is R3 (UK) with 2,036 individual members. The Bankruptcy Law and Restructuring Research Centre, China University of Politics and Law (China) has 37 members. INSOL is proactively seeking ways of increasing its membership in Mainland China.

4. INSOL Fellowship

INSOL continues to administer the Global Insolvency Practice Course providing an advanced educational qualification focusing on international insolvency. The qualification will bestow a Fellowship from INSOL International. The 2009/2010 course has 12 participants.

5. INSOL World

INSOL publishes its journal "INSOL World" four times a year which is distributed free to members. Cosmetic changes to the journal are proposed for 2010.

6. Committees

INSOL continues to oversee a number of committees including the following:

- i) Small practice – A special marketing package has been approved for small practitioners as a means of encouraging interaction between smaller member firms, particularly, sole practitioners.
- ii) Website – The content of the website is managed in-house.
- iii) Younger Member's Committee – Younger members will be invited with new members to a drinks reception at the Dubai Conference.
- iv) Technical Research – Consideration is being given to the production of a survey on creditor's rights in various jurisdictions and a project on Sharia Law / Islamic Financing.
- v) Electronic Newsletter – In addition to INSOL World, INSOL continues to produce a regular electronic newsletter distributed to all members.
- vi) BRIC (Brazil, Russia, India, China) – INSOL continues to proactively develop membership in these jurisdictions.
- vii) Global Insolvency Website – This is a joint project with the American Bankruptcy Institute and provides a central repository for key international court decisions and related material or research papers and insolvency news. Bruno Arboit represents the HKICPA on the editorial board.
- viii) Academics – The Academics Steering Committee has put together a survey that has been sent to all members and results to be distributed to members soon.

7. Finance

INSOL draws its revenue from three main sources, namely, profit from conferences / seminars; sponsorship (G36) and donations and membership subscription. Estimated net income for 2009 is GBP221k approximately. The Executive is currently investigating whether to ask all member associations to pay subscription fees in sterling.

8. World Bank

INSOL continues to work with the World Bank and the IFC in helping develop insolvency frameworks and developing rules for out of court workouts. INSOL has joined the World Bank Insolvency Advisory Panel.

9. Projects

a) MENA (Middle East and North Africa)

The Forum on insolvency in MENA region (FIRM) was announced in Dubai in November by the INSOL President on behalf of the FIRM Steering Committee, which includes INSOL, OECD, UNCITRAL, World Bank and Hawkamah as its members. Islamic and African development banks and institutions will be invited to join. The first meeting of FIRM will take place at INSOL Dubai on 24th February. The meeting will be attended by representatives of the MENA countries and regulators. An agenda is being drafted.

At the Dubai conference the Survey on Insolvency Systems in the Middle East & North Africa by Hawkamah/World Bank/OECD/INSOL International was launched. The soft copy of the survey will be made available to members on the INSOL website.

b) EBRD (European Bank for Reconstruction and Development)

INSOL has been undertaking preparatory work with the EBRD and the Russian Government with regard to developing the insolvency framework. A meeting will take place in Russia on 8th February; representation will be from Germany, Netherlands, UK and India. INSOL Europe is providing the German resource. On 9th February there will be an open conference. The long-term plan is to hold a judicial meeting in Russia in 2011 with the Ministry of Economic Development.

c) FAIR (Forum in Asian Insolvency Reform)

A Steering Committee has been created to organise future FAIR meetings. The government of Australia and INSOL are providing the secretarial support. Whichever government hosts the meeting will provide the on site facilities required. INSOL is asked to provide technical support. The meeting is due to take place in India in April 2010.

d) India Judicial Training

This has been deferred until next April 2010.

10. UNCITRAL (United Nations Commission on International Trade Law)

Working Group V has completed its report on Corporate Groups. The Report will be presented to the Commission for approval next year. INSOL is currently considering what topics may be of interest as a new project for the future.

11. IAIR (International Association of Insolvency Regulators)

The President was invited to give the key note speech at the IAIR meeting in Johannesburg. The IAIR appreciated the work INSOL undertook particularly in Asia and the Middle East and Africa.

12. Past Presidents' Committee

Once the INSOL Principles of Professional Conduct are drafted they will be circulated to the member associations for input and support. They should form an international benchmark. Cross-border issues should be covered in these best practice guideline.

13. Membership Task Force

A full report of the findings of the Committee had been circulated.

The Board agreed to freeze the compulsory fee for one year. The new increase is just coming in 2010 so 2011 subscription fees will be held at £29.

INSOL will visit and engage with our top member associations and work to grow the membership.

14. Strategic Discussion

(i) Discussion took place on various strategies issues. Some key points arising follow:

It was agreed that INSOL's mission and goals are very clear but we need to communicate them effectively and regularly to the member associations.

Member associations hear from some small practitioners about the lack of relevance of INSOL to them. In the past, cross-border issues may not have been of importance to smaller practitioners but increasingly they face cross-border issues and INSOL becomes more relevant to them.

INSOL needs to focus on the members whilst working with the member associations.

INSOL should offer to each member association to write in their regular newsletters/journals updating their membership on INSOL activities and what it means to them.

The Quarterly Report should go out to all the membership. Annual Report with the audited results could be distributed.

The President addressing a conference has a lot of impact as opposed to a newsletter. This was particularly the case in South Africa.

(ii) Reaching out to small practitioners

The Group is self-defining. Some firms may be considered large in their country/market but internationally are small.

It was agreed to review the previous survey, develop a new set of questions and get some feedback from the members. It was agreed that the Small Practice Committee would draft the new survey.

A small practitioner

- Does not have a network
- Is only in one country

We need them to tell us about themselves and what they want us to do for them.

The survey should again help us to define a smaller practitioner. Once we have the survey we need to get the results back out to the members.

It was suggested a student might be employed to research each member to find out if they are a small practitioner if the survey results were insufficient and/or did not bring out sufficient information or data.

15. Any Other Business

Investigations to be undertaken into the costs and logistics of offering webinars.

Nottingham Trent University ("NTU")

David Burdette of NTU had put a proposal forward to set up an emerging markets long distance learning course in association with INSOL. The Executive had sought the views of a wider group of international academics who were all supportive of an entry level course. This may also be suitable for smaller practitioners wanting to understand more about cross-border issues. The Board agreed that such a course was an excellent opportunity. It was agreed to discuss the proposal further with David and a formal detailed proposal to be presented to the Board.