



Supporting organisation



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Seminar on “*The Statutory Derivative Action under the UK Companies Act 2016: Has it Made Any Difference Ten Years On?*” and “*Competition Law in the EU, UK and Hong Kong*”

14 March 2018 (Wednesday)

- Date : Wednesday, 14 March 2018
- Topic : Session 1 – The Statutory Derivative Action under the UK Companies Act 2016: Has it Made Any Difference Ten Years On?
Session 2 – Competition Law in the EU, UK and Hong Kong
- Time : Session 1 – 10.00 am – 12.00 noon (Registration at 9.45 am)
Session 2 – 2.00 pm – 4.00 pm (Registration at 1.45 pm)
- Presenters : Session 1 - **Professor Arad Reisberg**, Head of the Brunel Law School and Professor of Corporate Law and Finance, Brunel University London, UK

Session 2 – **Ms Suzanne Rab**, Barrister, Serle Court Chambers, UK
- Moderator : **Professor CK Low FCIS FCS**, Associate Professor in Corporate Law, CUHK Business School
- Level : Intermediate
- Language : English
- Venue : Admiralty Conference Centre, 1804A, Tower 1, Admiralty Centre, 18 Harcourt Road, Admiralty, Hong Kong
- Fee : **For members of the HKICS, HKICPA or Law Society of Hong Kong**
HK\$450 for the full-day seminar or HK\$250 per session

For non-members
HK\$810 for the full-day seminar or HK\$450 per session
- Accreditations : HKICS (4 ECPD points; 2 ECPD points per session)
HKICPA (4 CPD points; 2 CPD points per session)
The Law Society of Hong Kong (4 CPD points; 2 CPD points per session)

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About the Course

Session 1 – The Statutory Derivative Action under the UK Companies Act 2016: Has it Made Any Difference Ten Years On?

This seminar will look at the former common law rules and statutory rights of shareholders under the UK Companies Act 2016. It will assess whether reforms have made any changes to the law in practice and the obstacles that shareholders face on the way to taking an action. By highlighting salient issues over the past decade the speaker will allude to potential pitfalls for shareholders and the possible policy implications.

Session 2 – Competition Law in the EU, UK and Hong Kong

This session will provide an introduction to competition law, drawing on insights from the EU and UK experience. The *Competition Ordinance* 2012, which fully entered into force as of 14 December 2015, has implemented a new economy-wide competition law in Hong Kong. Despite the fact that competition law already applies in over 130 different jurisdictions, this is first time that an economy-wide competition law has been adopted in Hong Kong, replacing the previous regime that regulated solely the telecommunications and broadcasting sectors. The adoption of a generally applicable competition law in Hong Kong is, therefore, consistent with the global trend in competition law compliance and contains elements which have counterparts in other jurisdictions including in the EU and UK. In assessing and analysing the likely development of Hong Kong's competition law, it is appropriate to take an international comparative perspective, whilst at the same time recognising the relevance and limitations of international comparisons.

About the Presenters

Professor Arad Reisberg

Professor Arad Reisberg joined Brunel in May 2016 as the Head of the Brunel Law School and Professor of Corporate Law and Finance. Previously, he was a Reader in Corporate and Financial Law at UCL Faculty of Laws (2009-2016), and a Lecturer in Law (2006-2009). Arad acted as Director, *UCL Centre for Commercial Law* (2007-2016) and was UCL Laws Vice- Dean (Research) between 2009-2012.

Arad was formerly a Senior Arts Scholar (2001-2003) and a Tutor at Pembroke College Oxford, where he taught law at 6 colleges at Oxford University between 2001-2005. He has also been a Visiting Lecturer at Oxford University (2005), a Lecturer at Warwick Law School (2005-2006). More recently, Arad was a Visiting Professor of Law at Brooklyn Law School (teaching during Fall Tern 2012), a Visiting Scholar and the First Fellow at the Centre for Business Law, National University of Singapore (NUS) during March 2013 and a Visiting Professor of Law at NUS (teaching for the Faculty during August 2014). He is the recipient of numerous academic scholarships and awards and has written widely on shareholder remedies and directors' duties.

Arad is the author of *Derivative Actions and Corporate Governance* (Oxford University Press, 2007), the first book to provide a detailed and theoretical explanation of the law governing derivative actions and sits on the Editorial Boards of the Journal International Corporate Rescue and the Journal of Corporate Ownership and Control, and is a contributing author to *Annotated Companies Legislation* (Oxford University Press). He is currently the Consultant Editor, *Halsbury's Laws of England* (Companies Title).

Since July 2016 Arad has been a Member, Financial Markets Law Committee Advisory Group on Brexit at the Bank of England <http://www.fmlc.org/brexit.html> and an Invited Member, *Financial Markets Law Committee*, Radar Programme, Bank of England since 2014.

Ms Suzanne Rab

Ms Suzanne Rab is a barrister at Serle Court Chambers and has wide experience of EU law and competition law matters combining cartel regulation, commercial practices, IP exploitation, merger control, public procurement and State aid. Her practice has a particular focus on the interface between competition law and economic regulation. She advises governments, regulators and businesses across the regulated sectors including in the communications, energy, financial services, healthcare/ pharmaceuticals, TMT and water sectors.

Suzanne has significant experience of advising on the development, implementation and application of new competition laws and regulatory regimes in line with international best practices, including in emerging markets. In private practice as a solicitor for 15 years prior to joining the bar, she has held positions at Magic Circle and leading international antitrust practices. Most recently she was an antitrust partner with a leading US practice and she has also held the role of director at PricewaterhouseCoopers working within its strategy, economics and forensics teams.

Suzanne is co-author of "Media Ownership and Control: Law, Economics and Policy in an Indian and International Context" (Hart Studies in Competition Law, 2014) and "Hong Kong Competition Law" (Hart/Bloomsbury, 2016). Suzanne is the author of "Indian Competition Law, an International Perspective" (first published by Wolters Kluwer, May 2012; with a supplement of cartel regulation published in January 2013). The book is the first-of-its-kind international comparative analysis of the Competition Act 2002 published contemporaneously with the coming into force of Indian competition law and merger control.

About the Moderator

Professor CK Low

Professor Chee Keong Low ('CK') FCIS FCS is an Associate Professor in Corporate Law at CUHK Business School with research interests in issues pertaining to corporate governance and the regulatory framework of capital markets. His research, which has published in journals in Australasia, Europe and the United States of America, is supported by private sector grants from Sino Group and Tricor Services.

An Advocate and Solicitor of the High Court of Malaya, CK is presently a member of the Process Review Panel of the Financial Reporting Council in Hong Kong and of the Executive Committee of the Asia-Pacific Structured Finance Association. He was previously a member of the Listing Committee of The Stock Exchange of Hong Kong from May 2006 to July 2010 and the Financial Reporting Review Panel of the FRC from July 2007 to July 2013. He also served as a Director of the Asian Institute of Finance in Malaysia for three years through April 2012 and completed a 6-year term as a member of the Securities and Futures Appeals Tribunal in Hong Kong in March 2017.

CK is a Fellow of the Institute of Chartered Secretaries and Administrators and of the Hong Kong Institute of Chartered Secretaries.

The Hong Kong Institute of Chartered Secretaries

Enhanced Continuing Professional Development (ECPD) Training

Seminar Enrolment Form

Seminar Title: _____ Joint Seminar 'The Statutory Derivative Action under the UK Companies Act 2016:
Has it Made Any Difference Ten Years On? (Session 1)' and 'Competition Law in the EU, UK and Hong Kong (Session 2)'

Seminar Date: _____ 14 March 2018 **Time:** _____ 10.00 am – 12.00 noon and/or 2.00 pm – 4.00 pm

Full Name (Mr/Ms/Mrs): _____ Membership No.: _____

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For Non-member ONLY

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	Session 1 (10.00 am – 12.00 nn)	Session 2 (2.00 pm – 4.00 pm)	Full Day (10.00 am – 12.00 nn and 2.00 pm – 4.00 pm)
HKICS / HKICPA / Law Society Members* <i>(Please circle*)</i>	<input type="checkbox"/> HK\$250	<input type="checkbox"/> HK\$250	<input type="checkbox"/> HK\$450
Non-member	<input type="checkbox"/> HK\$450	<input type="checkbox"/> HK\$450	<input type="checkbox"/> HK\$810

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Total **HK\$** _____

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- (iv) Request for seminar transfer is allowed for medical reason, with medical certificate and a completed 'Transfer of Enrolment Form' **MUST** be submitted to the Institute **within 5 clear working days immediately after the event date.**
- (v) The Institute reserves the right to change the listed presenter(s), date, time and venue if necessary. Any change of date, time and venue will be notified by email/sms. Please visit www.hkics.org.hk for latest seminar information.
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- (vii) **ECPD hours will be deducted for late arrival or early departure of the seminar.** According to the [CPD Policy](#) (Appendix 2, clause 1.8), 0.5 ECPD hour will be deducted for late arrival or early departure of over 10 minutes to 30 minutes. 1 ECPD hour will be deducted for late arrival or early departure of over 30 minutes to 60 minutes. NO ECPD hour will be awarded for late arrival or early departure of over 60 minutes.

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