



Directors' duties and the availability of indemnity provisions

About the topic

At this seminar, Shaun Folpp, partner, Mourant Ozannes and head of the firm's litigation practice in Asia, will speak on issues relating to directors' duties from an offshore perspective, including:

- The duties owed by directors.
- The origin, nature and scope of directors' duties and the steps that need to be taken by directors in order to properly discharge their duties.
- Different roles undertaken by directors within a company and the effect those differences have on duties (for example, executive directors vs. non-executive directors)
- The availability and effect of indemnity provisions.
- Conduct and losses that cannot be indemnified against.
- Proceedings against directors: common pitfalls, hurdles, and practical tips.

About the programme

Date & Time	13 April 2016, Wednesday
Venue	HKICPA training centre 27 th Floor, Wu Chung House 213 Queen's Road East, Wanchai
Fee	HK\$230 per person for RIF members HK\$330 per person for Non-RIF members <i>Not a RIF member? Click here to join.</i>
CPD credit	1 hour (subject to actual attendance)
Law Society CPD credit	Being applied for
Language	English
Competency	Insolvency*
Rating	Intermediate/Advanced level*
Application deadline	7 April 2016

Rundown

12:30 pm	Registration (Sandwiches & drinks provided)
1:00 pm	Introduction
1:05 pm	Speaker's presentation
1:50 pm	Q&A / Discussion
2:00 pm	Closing remarks

Chair

Terry Kan
Member, RIF Executive Committee;
and Partner, SHINEWING Specialist
Advisory Services Limited

* Please refer [here](#) for descriptions of the various ratings and competencies.



About the speaker

Shaun Folpp, Partner, Mourant Ozannes

Shaun is head of the firm's litigation practice in Asia. Prior to relocating to Hong Kong Shaun was based in the firm's BVI office. Before joining Mourant Ozannes Shaun practiced in the Cayman Islands and worked at the Court of Appeal, London, where he was head of commercial and chancery appeals.

Shaun has extensive experience acting both for and against insolvency practitioners in all forms of external administrations, as well as acting for parties involved in general commercial, financial services and trust disputes. Shaun also has considerable experience in advising in relation to corporate governance matters, including in relation to directors' duties, in addition to the duties owed by trustees and general partners, and is often asked to provide expert evidence as to matters of BVI and Cayman Islands law in aid of foreign proceedings. He has been retained by some of the world's largest accounting firms, including Deloitte, Ernst & Young, KPMG and PwC, and regularly acts for investment funds, their service providers, and investors, and is involved in litigation at all levels before the courts of the BVI and Cayman Islands.

Over recent years Shaun has been involved in many of the largest offshore disputes and insolvencies including Fairfield Sentry, Saad and Algosaibi, Michael Kenwood Group, Arcapita Bank, Reserve International Liquidity Fund, as well as disputes following the collapse of Lehman Brothers, Bear Sterns and Madoff. He continues to act generally for the liquidators of the failed Weaving Macro Fixed Income Fund, including in relation to the proceedings brought against its directors, as well as for the liquidators of the two Kingate funds. More recently, Shaun has been retained on behalf of China Fishery Group to defend the petition proceedings brought against it seeking its winding up.

Shaun is included in each of the leading legal directories, including Legal 500, Chambers and Partners, Who's Who Legal, and IFLR.

Registration

By post or fax:

Complete the attached reply slip and return it to the Institute on or before 7 April 2016, together with full payment. Cheque should be made payable to "Hong Kong Institute of Certified Public Accountants" or "HKICPA". Fax registration will be accepted for payment by any VISA/ Master card or the BOC HKICPA UnionPay card.

You may consider your registration to be successful unless you receive notification from us to the contrary.



RIF seminar – Directors' duties and the availability of indemnity provisions

Finance & Operations Department
Hong Kong Institute of CPAs
37th Floor, Wu Chung House
213 Queen's Road East
Wanchai, Hong Kong

Fax no: 2893 9853

13 April 2016

(Reply on or before 7 April 2016)

FOR OFFICE USE

Seq. no.:

Handled by:

Please allow 4 days to process your application. You can check your enrolment status it at "[My CPA](#)". Unsuccessful enrolment will be notified before the commencement of the event with full refund.

Please type or print:-

Name: (*Mr./ Mrs. /Ms.) _____ Institute membership no.: _____

Company name: _____

Position held: _____ Email: _____

Telephone no.: _____ Fax no.: _____

You may use a separate sheet to list out the name, position and Institute membership no. (if applicable) of additional participant(s) from the same firm/company as the above applicant.

Please "✓" as appropriate

Admission Fee: <input type="checkbox"/> RIF member: HK\$230 per person x _____ person(s) = HKD _____	
<input type="checkbox"/> Non-RIF member: HK\$330 per person x _____ person(s) = HKD _____	
Payment by: <input type="checkbox"/> Cheque (no. _____) payable to "Hong Kong Institute of Certified Public Accountants" or "HKICPA"	
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Card Number: _____	Card Expiry Date (MM/YY): _____
Cardholder's Name (block letters): _____	Cardholder's Signature: _____
	Date: _____
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Notes:

- Enrolments are accepted on a first-come-first-served basis. Telephone reservations will not be accepted.
- Full payment must be made before applications will be processed. Application by fax will ONLY be accepted when payment is made by credit card. Cash is strictly NOT accepted.
- The closing date for enrolment is **7 April 2016**.
- You may consider your registration to be successful unless you receive notification from us to the contrary.
- Unless the event is cancelled due to unforeseen circumstances, no refunds will be made after applications have been processed.
- Bad weather arrangement: The seminar will be cancelled if typhoon signal no. 8 or above/ black rainstorm warning is hoisted, as announced by the Hong Kong Observatory, at or after 6:30 a.m. on the date of the event. In the event of cancellation due to bad weather, the admission fee will be refunded.

Your personal data collected from the enrolment process and administration of courses will be used for the purpose of the administration of the course on which you are enrolled. Such data collected may be accessible by the Institute's officers, persons or committees processing the application and related matters. In addition, the Institute may use the collected data for statistical research and analysis and, if applicable, for validation of CPD hours. The Institute intends to use the personal data of your name, email address and correspondence address to inform you, where relevant, of CPD activities, members' benefits, goods, services, facilities and events organized or provided by the Institute or other organizations. Members and registered students may opt out of receiving such materials at any time by logging in via the following link <https://www.hkicpa.org.hk/en/members-area/comm-preference/>. Non-members may opt out of receiving such materials at any time by sending an email to the Institute at privacyofficer@hkicpa.org.hk or a letter to the Institute's privacy officer. For more information about the privacy policy of the Institute, please go to <http://www.hkicpa.org.hk/en/service-tools/privacy-policy/>. **Please note that if you do opt out, you will no longer receive information about RIF news and events.**

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For payment by cheque, please fill-in your postal address for refund in case the event is full or cancelled.	
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