



# INSOL International Academics' Colloquium

11-13 July 2018

BMA House  
Tavistock Square  
London  
WC1H 9JP

# Invitation

I would like to warmly invite academics and practitioners alike to attend the International Colloquium of the INSOL Academics' Group.

Since 1997 this meeting has provided a truly exceptional platform for meeting, deliberating and networking between those within academia and those from the general membership of INSOL International. Colleagues from Universities and research institutes world-wide are able to come together with lawyers, accountants and other practitioners in order to exchange theoretical insights and practical observations, and to bring these elements together as significant and valuable perspectives on the global insolvency market and experience.

Ours is a complex and specialist field and this is reflected in a superb programme, covering a diverse range of timely issues currently impacting corporations, individual debtors, banks, regulators, legislators and those in the professions.

I very much look forward to meeting colleagues old and new in London for two days of highly stimulating sessions.

Professor Rosalind Mason  
Queensland University of Technology  
Chair of the INSOL International Academics' Group

# Programme

## Wednesday 11 July 2018

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1830 – 1900 Registration

1830 – 2200 Welcome Reception & Dinner

BMA House, Tavistock Square, London WC1H 9JP

## Thursday 12 July 2018

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### 0830 – 0900 Delegate registration & Welcome morning break

#### 0900 – 0910 Welcome and opening remarks

Adam Harris, President, INSOL International, Professor Rosalind Mason, Queensland University of Technology, Chair of the INSOL International Academics' Group

#### 0910 – 1300 Developments in pre-insolvency practice and regulation and insolvency and restructuring law reforms

A proposal to clarify the distinction between insolvency and restructuring procedures

*Professor Stephan Madaus, Martin Luther University Halle-Wittenberg*

Early Warning signs – requirements for preventive restructurings

*Professor Annika Wolf, University of Applied Science in Emden/Leer*

The new 'Alert Procedure' in Italy: Cross-fertilisation or legal transplant?

*Eugenio Vaccari, City Law School, City University London*

Success or Failure? An empirical study of CVAs in the UK

*Professor Peter Walton University of Wolverhampton*

*Dr Lézelle Jacobs, University of Wolverhampton*

*Chris Umfreville, Aston University*

#### Coffee break

How well will the new US Chapter 11 transplant work in Singapore? Challenges and opportunities

*Professor Gerard McCormack, University of Leeds*

*Wan Wai Yee, Singapore Management University*

Cross-border corporate reorganizations in China

*Dr Zinian Zhang, University of Leeds*

Putting the Wind Back in the Sails: Restructuring Insolvency Foreign Shipping Companies under Chinese Law

*Professor Casey Watters, Nottingham University Business School*

*Business School*

*Professor JIN Chun, Doshisha University*

### 1300 – 1400 Lunch

### 1400 – 1700 Cross-border insolvency

Pre-insolvency proceedings:

Cross-border insolvency law implications

*Professor Adrian Walters, Chicago-Kent College of Law*

*Professor Irit Mevorach, University of Nottingham*

The role of directors in cross-border insolvency events

*Professor Irene Lynch-Fallon, University College Cork*

*Gregory Minne, University of Luxembourg*

*Professor Reinout Vriesendorp, Leiden University*

From JudgeCo to CoCo2: The hard road to soft law in

cross-border insolvency assistance

*Dr Paul Omar, De Montfort University*

#### Coffee break

Ten years on from Lehman brothers: conflicts of laws and intermediated securities

*Professor Paula Moffatt, Nottingham Trent University*

Towards universality of modified universalism: Closing gaps in international instruments

*Professor Irit Mevorach, University of Nottingham*

### Business meeting of the Academics' group

#### 1700 – 1725 Business meeting

#### 1725 – 1730 Conclusion of day one

#### 1900 – 2230 Academics dinner

## Friday 13 July 2018

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### 0830 – 0850 Welcome morning break

### 0850 – 0900 Welcome back

Professor Rosalind Mason, Queensland University of Technology, Chairman of the INSOL International Academics' Group

### 0900 – 1300 Hot topics

Why institutional change might explain the recent rise in covenant lite lending  
*Professor Sarah Paterson, London School of Economics*

Foreign debt capital and restructuring practices during The Great Depression: A Canadian case study  
*Associate Professor Virginia Torrie, University of Manitoba*

The role of creditors in insolvency proceedings: A comparative analysis  
*Donna McKenzie Skene, University of Aberdeen*  
*Dr David Burdette, INSOL International*

### Insolvency and SMEs

Opportunities and challenges of crafting insolvency laws tailored specifically for the MSME market  
*Scott Atkins, Fellow, INSOL International, Norton Rose Fulbright and John Martin, Norton Rose Fulbright*

### Coffee break

### Insolvency practitioners: remuneration; regulation; recognition

The use of discretion in insolvency proceedings  
*Dr John Wood, University of Central Lancaster*

Regulating the insolvency profession: An examination of recent developments in Australia, the UK, Ireland and New Zealand  
*Dr Robin Bowley, University of Technology Sydney*

Insolvency and the environment  
*Professor Christopher Symes, University of Adelaide*

### 1300 – 1400 Lunch

### 1400 – 1700 Personal insolvency panel

Alternatives to bankruptcy in South Africa: Lessons from Kenya  
*Zingapi Mabe, University of South Africa*

The Scottish Debt Arrangement Scheme as a Reform Template for England and Wales  
*Dr Katharina Möser, Birmingham Law School*

Moral Hazard and Bankruptcy as Insurance  
*Dr Joseph Spooner, London School of Economics*

Bankruptcy and the creative mind  
*Dr Michael Quilter, Macquarie University*

### Coffee break

### Regional developments in Europe

Recognition of UK insolvency proceedings post-Brexit: The impact of a 'no deal' scenario

*Professor Irene Lynch Fannon, University College Cork*  
*Professor Michael Veder, Radboud University Nijmegen*  
*Dr Paul Omar, De Montfort University*

*Dr Heike Luecke, Kingston University London*  
*Dr Laura Carballo Pineiro, University of Santiago de Compostela*  
*Chris Umfreville, Aston University*

Britain and Brexit: A forecast of the future of employment protection during corporate insolvency  
*Dr Jenny Gant, Nottingham Trent University*

### 1700 Colloquium close

This programme may be subject to change.



# Registration Form

## INSOL Academics' Colloquium

11 – 13 July 2018, BMA House, Tavistock Square, London WC1H 9JP

**Deadline for early registration fee: 21 May 2018**

**Closing Deadline: 11 June 2018 Cancellation Deadline: 11 June 2018**

Please mail, fax or email this form to: Heather Callow, INSOL International, 6-7 Queen Street, London EC4N 1SP.

Fax: +44 207 2483384 email: [heather@insol.ision.co.uk](mailto:heather@insol.ision.co.uk) You can also register online at [www.insol.org](http://www.insol.org)

Note: This delegate registration form is valid for one delegate. Photocopies may be made for additional reservations. This registration form can only be accepted if accompanied by full payment, which can be made by cheque, or credit card.

Title: \_\_\_\_\_ First Name: \_\_\_\_\_ Surname: \_\_\_\_\_

Name as you wish it to appear on your badge: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

The delegate registration fee includes entry to the technical sessions on Thursday 12, Friday 13 July, Meeting lunches on 11 and 13, the Welcome Dinner on Wednesday 11 July and the dinner on Thursday 12 July.

Registration Fees	Before 21 May 2018	After 21 May 2018	Amount Payable
INSOL Member Academic	£200.00	£250.00	£ _____
Academic (Non-Member)	£250.00	£300.00	£ _____
INSOL Member (Non-Academic)	£500.00	£550.00	£ _____
Non Member (Non-Academic)	£550.00	£600.00	£ _____
Full-Time Phd Students	£150.00	£200.00	£ _____

The Academic Fee is for, academics that are engaged in full time employment in an educational establishment.

If you are a non-member of INSOL and wish to join please email [jelena@insol.ision.co.uk](mailto:jelena@insol.ision.co.uk)

### Payment Summary

If you wish to pay by cheque we can accept payment in Pounds Sterling. If you wish to pay by credit card please make the calculations and payment in Pounds Sterling. Cardholders will be charged by their credit card companies in their local currency. INSOL International is not responsible for any losses or gains in the fee due to currency changes.

Delegate Fee: £ \_\_\_\_\_ I enclose a cheque/draft to the order of: \_\_\_\_\_

Please debit my credit card details below for the order of: \_\_\_\_\_ AMEX \_ MasterCard \_ Visa \_ Debit Card \_

Card Number: \_\_\_\_\_ Expiry Date: \_\_\_\_\_ Security No: \_\_\_\_\_

Cardholder Name: \_\_\_\_\_

Card Billing Address: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Special Dietary Requirements** If you have any dietary restrictions, please remember to identify yourself to the staff at each event. INSOL will try their best to accommodate any special dietary requests: \_\_\_\_\_

# General Information

The Venue: BMA House  
Tavistock Square,  
London WC1H 9JP  
<http://www.bmahouse.org.uk>

Steeped in history and architectural beauty, BMA House in Tavistock Square has been home to the headquarters of the British Medical Association since 1925.

The magnificent Grade II listed building in the grounds of what was once the home of Charles Dickens was designed in 1911 by Sir Edwin Lutyens and makes an impressive setting for our colloquium.

**Hotels:** BMA House is ideally located in Bloomsbury which boasts a number of hotels. The four hotels below are popular with BMA House guests, due to their quality and proximity.

Ambassadors Bloomsbury  
12 Upper Woburn Place  
London, WC1H 0HX  
T 020 7693 5414  
F 020 7388 9930  
E [reservations@ambassadors.co.uk](mailto:reservations@ambassadors.co.uk)  
W [www.ambassadors.co.uk](http://www.ambassadors.co.uk)

Hilton  
17-18 Upper Woburn Place  
London WC1H 0HT  
T 020 7943 4644  
F 020 7387 5102  
E [miriam.nascakova@hilton.com](mailto:miriam.nascakova@hilton.com)  
W [www.hilton.co.uk/euston](http://www.hilton.co.uk/euston)

Holiday Inn - Bloomsbury  
Coram Street  
London, WC1N 1HT  
T 0871 942 9222  
F 020 7713 5954  
E [reservations-bloomsbury@ichotelsgroup.com](mailto:reservations-bloomsbury@ichotelsgroup.com)  
W [www.holiday-inn.com](http://www.holiday-inn.com)

The Montague on the Gardens  
15 Montague Street  
Bloomsbury, London WC1B 5BJ  
T 020 7958 7731  
F 020 7612 8430  
E [bookmt@rchmail.com](mailto:bookmt@rchmail.com)  
W [www.montaguehotel.com](http://www.montaguehotel.com)

However, there are many nearby hotels to choose from. [Click here to view the 60 closest hotels to BMA House](#), according to [Google](#), sorted by distance.

**Location:** BMA House is just a short walk from the Eurostar (at nearby St Pancras), as well as Russell Square, Euston and King's Cross stations.

**Additional Requirements:** BMA House is committed to providing a venue with good accessibility for all. If you require further information please contact the INSOL Office.

**Payment of Registration Fees:** Meeting payments by cheque can be made in Pounds Sterling (£) and made payable to: INSOL International Limited. Payment should be sent together with your registration form to INSOL International, 6-7 Queen Street, London EC4N 1SP. Payment can be made by personal or company cheque. Please ensure that the name of the delegate and company is written clearly on the back of all cheques, which accompany the registration form. Cheques must be made payable to INSOL International Limited for the Meeting fee.

**Credit Card Payments:** If you wish to pay by credit card we accept Visa, Mastercard and American Express. All payments debited from your credit card will be in Pounds Sterling (£). Cardholders will be charged by their credit card companies in their local currency. INSOL International is not responsible for any losses or gains in the fee due to currency changes.

**Cancellation of Registration:** Cancellations must be made in writing and sent to the INSOL office by 11 June 2018, fees will be refunded less the cancellation fee of £50.00. We regret that no refunds can be made after this date. A substitute maybe put forward to fill your delegate's place.

**Travel & Health Insurance:** Participants are responsible for making their own travel arrangements. INSOL International shall not be responsible for, and shall be exempt from, all liability in respect of any loss, damage, injury, accident, delay or inconvenience to any person during the Meeting. It is the delegate's responsibility to be adequately insured in case of claims pertaining to travel/accidents and illness for the duration of his/her visit to London.

**Copyright:** Copyright in all software, papers and other material produced for the Meeting will be vested in INSOL. Companies and their delegates may copy such material for their personal use, but further copying, and in particular copying for sale or any other commercial purpose, is prohibited without prior permission.

**Cancellation of the Meeting by the Organisers and Insurance:** In the event that the Meeting is cancelled by INSOL, or by any reason of any factor outside the control of INSOL, and cannot take place, the amount of the Registration fee shall be refunded. The liability of INSOL shall be limited to that refund, and INSOL shall not be liable for any other loss, cost or expense, howsoever caused, incurred or arising. In particular, INSOL shall not be liable to refund any travel costs incurred by delegates or their guests or their companies. It follows that delegates and their guests and their companies are advised to take out comprehensive insurance including travel insurance.

**Letters of Invitation:** On request, INSOL will be pleased to have an invitation letter issued to you once your registration form has been processed. Persons needing an invitation letter to obtain a visa are urged to register for the meeting as early as possible. If you need a letter, please so indicate on the registration form (you will need to provide your passport number, nationality, date of birth and full name as listed in your passport).

**PLEASE NOTE:** An invitation is not a commitment on the part of INSOL to provide any financial support,

**Disclaimer:** INSOL International (INSOL) cannot accept any liability for any loss, cost or expense suffered or incurred by any person if such loss is caused or results from the act, default or omission of any person other than an employee or agent of INSOL International. In particular, INSOL cannot accept any liability for losses arising from the provision of services provided by hotel companies or transport operators. Nor can INSOL accept liability for losses suffered by reason of war, including threat of war, riots, and civil strife, terrorist activity, natural disaster, weather, fire, flood, drought, technical, mechanical or electrical breakdown within any premises visited by delegates or their guests in connection with the Meeting, industrial disputes, government action, regulations or technical problems which may affect the services provided in connection with the Meeting. INSOL is not able to give any warranty that any person will appear as a speaker or panellist. English Law shall govern the contract between delegates, and INSOL International and any disputes shall be the exclusive preserve of the English Courts.

**Language:** All sessions and materials will be in English.

**Delegate List:** The delegate list will be distributed with the joining instructions prior to the colloquium

**Joining Instructions:** A confirmation of your booking will be sent on receipt of receiving your registration and payment. The joining instructions will be sent by email.

**Badges:** It is vital that all delegates wear their badges. Without your badge you will not be allowed access to Meeting sessions and functions. Delegates must wear their badges for access to the technical sessions and lunch.

**CPE/Continuing Legal Education:** For those delegates who are required by their professional associations to achieve minimum levels of continuing education, certificates of attendance will be available on request.

# Member Associations

American Bankruptcy Institute  
Asociación Argentina de Estudios Sobre la Insolvencia  
Asociacion Uruguaya de Asesores en Insolvencia y Reestructuraciones Empresariales  
Association of Business Recovery Professionals - R3  
Association of Restructuring and Insolvency Experts  
Australian Restructuring, Insolvency and Turnaround Association  
Bankruptcy Law and Restructuring Research Centre, China University of Politics and Law  
Business Recovery and Insolvency Practitioners Association of Nigeria  
Business Recovery and Insolvency Practitioners Association of Sri Lanka  
Canadian Association of Insolvency and Restructuring Professionals  
Canadian Bar Association (Bankruptcy and Insolvency Section)  
Commercial Law League of America (Bankruptcy and Insolvency Section)  
Especialistas de Concursos Mercantiles de Mexico  
Finnish Insolvency Law Association  
Ghana Association of Restructuring and Insolvency Advisors  
Hong Kong Institute of Certified Public Accountants (Restructuring and Insolvency Faculty)  
INSOL Europe  
INSOL India  
INSOLAD - Vereniging Insolventierecht Advocaten  
Insolvency Practitioners Association of Malaysia  
Insolvency Practitioners Association of Singapore  
Instituto Brasileiro de Estudos de Recuperação de Empresas  
Instituto Brasileiro de Gestão e Turnaround  
Instituto Iberoamericano de Derecho Concursal  
International Association of Insurance Receivers  
International Women's Insolvency and Restructuring Confederation  
Japanese Federation of Insolvency Professionals  
Korean Restructuring and Insolvency Practitioners Association  
Law Council of Australia (Business Law Section)  
Malaysian Institute of Certified Public Accountants  
National Association of Federal Equity Receivers  
Nepalese Insolvency Practitioners Association  
NIVD – Neue Insolvenzverwaltervereinigung Deutschlands e.V.  
Recovery and Insolvency Specialists Association (BVI) Ltd  
Recovery and Insolvency Specialists Association (Cayman) Ltd  
Recovery and Insolvency Specialists Association of Bermuda  
REFOR-CGE, Register of Insolvency Practitioners within “Consejo General de Economistas, CGE  
Restructuring, Insolvency & Turnaround Association of New Zealand  
Russian Union of Self-Regulated Organisations of Arbitration Managers  
Society of Insolvency Practitioners of India  
The Restructuring and Insolvency Specialists Association (Bahamas)  
South African Restructuring and Insolvency Practitioners Association  
Turnaround Management Association do Brasil  
Turnaround Management Association (INSOL Special Interest Group)



The Group of Thirty-Six features some of the most prominent and influential firms within the insolvency and turnaround profession. The aim of the Group of Thirty-Six is to work with INSOL to develop best practice guidelines and develop legislation to enhance the ability of practitioners globally to save businesses throughout the world.

AlixPartners LLP  
Allen & Overy LLP  
Alvarez & Marsal  
Baker McKenzie  
BDO  
Brown Rudnick LLP  
BTG Global Advisory  
Clayton Utz  
Cleary Gottlieb Steen & Hamilton  
Clifford Chance LLP  
Conyers Dill & Pearman  
Davis Polk & Wardwell LLP  
De Brauw Blackstone Westbroek  
Deloitte  
Dentons  
DLA Piper  
EY  
Ferrier Hodgson  
Freshfields Bruckhaus Deringer LLP  
FTI Consulting  
Goodmans LLP  
Grant Thornton  
Greenberg Traurig LLP  
Hogan Lovells  
Huron Consulting Group  
Jones Day  
King & Wood Mallesons  
Kirkland & Ellis LLP  
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Morgan, Lewis & Bockius LLP  
Norton Rose Fulbright  
Pepper Hamilton LLP  
Pinheiro Neto Advogados  
PPB Advisory  
PwC  
Rajah & Tann Asia  
RBS  
RSM  
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Skadden, Arps, Slate, Meagher & Flom LLP  
South Square  
Weil, Gotshal & Manges LLP  
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