

## Terence Mowschenson QC

Call: 1977  
QC: 1995



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## Practice Overview

Terence is a chancery/commercial practitioner with extensive litigation and advisory experience in all aspects of financial and commercial matters. In particular, he has established an expertise and reputation in the fields of banking law, corporate finance and financing arrangements, civil fraud and asset recovery, company law (including shareholders agreements and disputes, stock exchange trading and broking), financial services (including disciplinary matters), insolvency, insurance, partnership and joint ventures, professional liability, and trusts (both commercial and private) including breach of trust.

### Contact Details

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Tel: +44 (0)20 7306 0102

## Professional Reputation

The "formidable" Terence Mowschenson QC has "a great breadth of knowledge on financial services, property, equity, banking issues, and commercial matters". According to one interviewee, "he has a combination of skills which are rarely housed in one individual". *Chambers & Partners*, 2009

*Legal 500*, 2009 comments: Terence Mowschenson QC's "advocacy is impressive and appropriate", alongside "detailed and compelling written submissions". He is "a delight to deal with, providing measured, high-quality advice with a rapid turnaround".

## Qualifications

Terence took silk in 1995. He has been a FCI Arb since 1989, and has been admitted to the Gibraltar Bar.

- Recorder
- Part-time chairman of the Financial Services and Markets Acts Tribunal
- Part-time chairman of Pension Regulator Tribunal
- Qualified mediator - 2002
- Deputy high court judge (Chancery and Queen's Bench Division)
- Fellow of the Chartered Institute of Arbitrators

## Memberships

- Barristers' Benevolent Association (chairman)
- Chancery Bar Association
- Commercial Bar Association

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## Commercial CV

As an advocate he has appeared in a whole series of heavy commercial cases, both in the Commercial Court and in the Chancery Division, involving claims running into hundreds of millions of pounds (such as *Derby v Weldon* where he represented 11 defendants to a £100 million claim arising out of an alleged fraud and the *Grupo Torras* litigation presented the second defendant to a claim of \$600 million which involved substantial Mareva injunctions), and has represented some of the largest and most prominent companies.

Recent cases have included representing ICI in *Deepak Fertilisers & Petrochemicals Ltd v Davy McKee (CA)*, dealing with (amongst other matters) the nature of insurable interest; for the policy holders in *Re Axa Equity and Law Life Assurance Society plc*, *Re AXA Sun Life* (dealing with the application of orphan funds); for the directors in *TXU Europe Group plc* (security of funds set aside to meet executive pensions); for numerous banks in *HSBC Life (UK) Ltd v Stubbs* (which raised issues relating to the nature of financial futures supporting life assurance policies); and for Renault in *Wake v Renault (UK) Ltd*, which dealt with the extent to which motor distributorship agreements are specifically enforceable.

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## Insolvency CV

In insolvency matters, he was actively involved in a whole series of applications and disputes arising out of the collapse of BCCI, the Mirror Group and Barings Bank, and has acted in a number of cases relating to creditors' and liquidators' liability for costs including *Metalloy Supplies Limited v MA (UK) Ltd* and *Eastglen Ltd v Grafton*.

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## International & Offshore CV

Terence was called to the Bar in Gibraltar. He has appeared in the Cayman Islands and Supreme Court and Court of Appeal of Gibraltar in trust, company and commercial matters.

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## Arbitration and ADR CV

Terence has appeared as counsel in arbitrations as well as acted as an arbitrator on substantial matters including disputes between financial institutions arising out of trading on various exchanges, shareholder disputes, manufacturing and supply contracts and the construction of gas liquification facilities in the Middle East.

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