



Andrew Mold

Call: 2003

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“Undoubtedly one of the best junior counsel of his level”

Chambers & Partners 2014

Clerks' Details

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Billie Poppy

Qualifications and Appointments

- First Class honours degree in Law, St John's College, Cambridge
- Clifford Chance David Gottlieb Prize for obtaining the highest law examination results in the year at the University of Cambridge
- Jacovides Prize for international law
- College and university awards for gaining a first in each year of undergraduate degree
- LLM from Harvard Law School
- Hardwicke and Mansfield Scholarships from Lincoln's Inn
- Registered advocate before DIFC Courts

Practice Overview

Andrew's practice covers commercial and traditional chancery work. Within these fields, he has particularly strong interests in trusts (both offshore and onshore), pensions, fraud and breach of fiduciary duties, professional liability, company and partnership disputes as well as property-related work. He is also often brought into to assist with cases involving other areas of the law most notably family, insolvency and regulatory proceedings.

Andrew enjoys both the advisory and advocacy sides of his practice and is experienced in the main forms of alternative dispute resolution. He frequently appears on his own against QCs or senior junior barristers. He is also regularly instructed as part of a team alongside a QC.

In recent times, Andrew has gained significant experience of working on so-called 'big money' divorce cases involving the treatment of trust assets. He has also been instructed in many of the recent leading pension cases especially those considering the use of The Pensions Regulator's powers.

Many of Andrew's cases involve an international element, particularly in the context of trust disputes or fraud cases, and he has been admitted to the Bar of the Cayman Islands where he has appeared as an advocate.

In the past few years, Andrew has been engaged on matters concerning proceedings in Jersey, the Isle of Man, Cyprus, Switzerland, Singapore, Bermuda, Nevis, the British Virgin Islands, several states of the USA and the Cayman Islands.

Memberships

- Chancery Bar Association
- COMBAR
- Association of Pension Lawyers
- ACTAPS
- Bar Pro Bono Panel

Publications

- *How to side-step valid trust and corporate structures* (2014) *Trusts & Trustees* 20 (9):891-929
- *Taking a chance* (2011) *The Lawyer*
- Author of the negligence section of *Cordery on Solicitors*



Trusts, Tax, Probate and Estates

Andrew has significant experience of trust-related matters (both offshore and onshore). The majority of his work is contentious but he also regularly advises in non-contentious matters. Over recent years, he has applied his knowledge of trust law and fiduciary obligations to differing contexts, in particular divorce proceedings, commercial disputes and corporate transactions.

Recent notable matters that Andrew has worked on include the following:

- In the matter of an Application for Information about a Trust. Andrew is instructed in these Bermudian proceedings for a beneficiary seeking information about the administration of a trust which contains a provision restricting disclosure in the trust instrument. The case is due to be heard by the Privy Council in 2015.
- **Charman v Charman**. Court of Appeal decision involving the largest-ever contested divorce award in England and Wales which considered the extent to which the assets of an offshore discretionary trust should be taken into account for ancillary relief purposes
- **Rybolouleva v Ryboloulev**. Acting for a husband in satellite litigation arising out of divorce proceedings in Geneva and involving trust and related issues. The divorce award made by the Swiss Court was in the sum of around 4 billion Swiss francs.
- Advising in respect of several other confidential divorce cases which involve trusts, conflicts of law, enforcement issues and interim relief.
- **In the matter of an Isle of Man Trust**. Andrew acted for the trustee of an Isle of Man trust in proceedings in the Isle of Man courts which sought various declarations and the 'blessing' or a momentous decision proposed by the trustee.
- **Al-Bassam v Al-Bassam**. Long-running dispute involving issues of probate, succession, domicile, conflict of laws and forgery of a will and marriage certificate.
- Advising in respect of an ongoing investigation by the SEC, IRS and New York District Attorney into a series of settlements administered in the Isle of Man.
- Advising on the appropriate drafting of an IPO prospectus which required the disclosure of various interests under settlements.
- Acting and advising in respect of cases under the Inheritance (Provision for Family and Dependents) Act 1975.