

GUERNSEY CONFERENCE 2019

Thursday 27th June 2019

4.00pm – 5.45pm

followed by drinks

Location

Old Government House Hotel & Spa
Anne's Place, St Peter Port,
Guernsey GY1 2NU

Timetable

4.00pm Registration

4.15pm Welcome remarks

4.20pm **Collapsing trusts: *Saunders v Vautier* in the Channel Islands**
Michael Ashdown

- Who can terminate a trust after *Rusnano Capital AG v Molard International (PTC) Ltd?*
- Can default beneficiaries subvert powers of appointment?
- Are "massively discretionary" trusts with powers to add beneficiaries different?
- Can settlors or trustees stop their trusts being collapsed?

4.40pm **Submission to the jurisdiction: pitfalls and how to dig your way out of them**
Tiffany Scott QC and Jia Wei Lee

- What amounts to submission to a jurisdiction?
- How should litigants decide when and whether to submit to a given jurisdiction?
- How does a litigant avoid unintentionally submitting?
- Under what circumstances can a litigant extricate itself from the consequences of submitting to an unfavourable jurisdiction?

5.00pm **Quistclose trusts update**
Clare Stanley QC

- Recap of the basic principles
- Indicia of *Quistclose* trusts
- Why they are useful
- Recent developments

5.20pm **Open injustice**
Gilead Cooper QC

- The principle of open justice
- Why shouldn't private disputes be heard in private?
- Jeremy Bentham
- *Scott v Scott* (1913)
- *MN v OP* (2019)
- An opportunity for the offshore jurisdictions?
- Is arbitration an alternative?

5.40pm Closing remarks

5.45pm Drinks reception
