

## Corporate Finance Interest Group (CFIG) lunch seminar – Duty of Care and Potential Liabilities of Investment Advisors

### About the topic

At this seminar, Mr. Ian De Witt, partner of Tanner De Witt, will discuss the duty of care owed by investment advisors to their clients. He will also provide an overview of the potential liabilities (civil and criminal) of investment advisors, including those advising listed companies in terms of transactions, compliance and disclosures. His presentation will cover:

- General legal principles on duty of care owed by advisors to advisees.
- The existence of duty of care between an investment/financial advisor and salesman to his clients.
- What duties are owed?
- What amounts to a breach of such duty of care?
- What is the liability and consequences of the advice given?
- Recent cases

### About the programme

<b>Date &amp; Time</b>	15 November 2010, Monday 12:45 p.m. – 2:15 p.m.
<b>Venue</b>	HKUST Business School 15/F, Hong Kong Club Building 3A Chater Road, Central
<b>Dress code</b>	Smart Casual
<b>Fee</b>	HK\$ 230 per person for CFIG members HK\$ 350 per person for Non-CFIG members <i>Priority is given to CFIG members.</i> <i>Not a CFIG member? Click <a href="#">HERE</a> to join.</i>
<b>CPD credit</b>	1.5 hours
<b>CPT credit</b>	Please check with your compliance officer or other relevant personnel of your firm, as this event may be acceptable for CPT recognition for SFC licensed persons.
<b>Language</b>	English
<b>Competency</b>	Business Finance*
<b>Rating</b>	Intermediate / Advanced level*
<b>Application deadline</b>	<b>9 November 2010</b>

#### Rundown

<b>12:20pm</b>	Registration <i>(Sandwiches &amp; drinks provided)</i>
<b>12:45pm</b>	Introduction
<b>12:50pm</b>	Presentation by speaker
<b>2:00pm</b>	Q&A / Discussion
<b>2:15pm</b>	Closing remarks

#### Chairman

**Ms. Stephanie Wong**  
Member  
Corporate Finance Committee  
CFIG Management Committee

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

## About the speaker

After qualifying as a solicitor in England and Wales in 1989, **Mr. Ian De Witt** joined and became a partner in a prominent London law firm where he worked for many years. He is a founding partner of Tanner De Witt.

Throughout his career, Ian has concentrated on commercial litigation and insolvency matters (e.g., recently acting in the administrations of Oasis Airlines and Krispy Kreme). He has advised and acted in a wide range of commercial and contractual disputes, professional negligence claims and partnership and shareholder disputes. Ian is also the retained counsel in Hong Kong for IATA.

Ian acted for the plaintiff in the leading benchmark case of financial advisory negligence in Hong Kong, the case of *Field v. Barber Asia*. He has acted on both sides of the fence in many negligence actions and also deals with regulatory and disciplinary matters relating to SFC and CIB.

Over the last few years, Ian has given many talks and presentations in Hong Kong and other parts of Asia. He has written several articles covering aspects of insolvency and commercial litigation. He is also the Contributing Editor for Sweet and Maxwell's *Company Law in Hong Kong: Insolvency* and sits on the Law Society's Insolvency Committee.

Ian is listed as a leading individual and rated as "very impressive" in the dispute resolution category in the Asia Pacific Legal 500 2009/2010 edition, and is also listed in *Asialaw Leading Lawyers 2010* as one of the region's pre-eminent insolvency lawyers. *Asia Pacific Legal 500 2005/2006* also notes that "De Witt receives high praise from clients, who appreciate his commercialism and 'great sense of realism and practicality'. "Ian's in-depth experience in the insolvency and restructuring sector has been recognised by clients as "results-oriented adviser who is able to provide practical solutions clearly."

## Registration

The number of places is limited (maximum capacity: 100 persons). In the event of over-subscription, **places will be allocated on a first-come-first-served basis with priority given to CFGI members**. If you are not a CFGI member, click [HERE](#) to download a CFGI membership application form.

To register:

- **Online registration:** For the time being, this facility ([click here](#)) is available only to members who are both Institute and CFGI members. If you are not both, please reply by post or fax.
- **By post or fax:** Complete the attached reply slip and return it to the Institute on or before 9 November 2010, together with a cheque made payable to the "Hong Kong Institute of Certified Public Accountants". Fax registration will be accepted for payment by any Visa/Master credit card. Confirmation of registration will be sent by e-mail. If confirmation has not been received by 11 November 2010, please contact Ms May Hung at 2287 7009 / Ms Canace Leung at 2287 7089.

