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INTERNATIONAL BAR ASSOCIATION CONFERENCE 2024

This conference is presented by the Banking & Financial Law Committee
and the Securities Law Committee

39th IBA International Financial Law Conference

15–17 May 2024, The Alex Hotel, Dublin, Ireland

Working programme

WiFi

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All speaker materials and biographies can be found at www.ibanet.org/conference-details/conf2432

Conference Co-Chairs

Sophie Cornette de Saint Cyr *Bredin Prat, Paris; Vice Chair, Financial Conferences Subcommittee, IBA Securities Law Committee*

Rein Van Helden *Stibbe, London; Membership Officer, IBA Banking and Financial Law Committee*

Host Committee Co-Chairs

Liam Flynn *Mason Hayes & Curran, Dublin; European Regional Forum Liaison Officer, IBA Banking & Financial Law Committee*

Josh Hogan *McCann FitzGerald, Dublin; Website Officer, IBA Banking & Financial Law Committee*

Host Committee

A&L Goodbody

Arthur Cox

Byrne Wallace

Mason Hayes & Curran

Matheson

McCann FitzGerald

William Fry

Wednesday 15 May

All working sessions will take place in the Orient Suite

1600 – 1800 **Young lawyers' programme: why AI and other legal tech won't put finance lawyers out of business**

This session will frame a dynamic and participatory conversation about the intersection of generative artificial intelligence (AI) and legal practice, explore its implications and benefits, and delve into the critical role of human oversight in AI-driven legal work. Participants will be invited to engage in discussions on ethical concerns, the importance of maintaining confidentiality and the evolving duties of lawyers in the age of AI. This is a must-attend event for both seasoned practitioners and young lawyers eager to understand and embrace the future of AI-led legaltech without undermining fundamental aspects of the legal profession.

Session Co-Chairs

David Flechner *A&O Shearman, New York; Chair Financial Conferences Subcommittee, IBA Securities Law Committee*

Eric Rosof *Wachtell Lipton Rosen & Katz, New York; Co-Chair, AI Banking and Financial Law Subcommittee, IBA Banking & Financial Law Committee*

Speakers

Giorgio Bovenzi *Haynes and Boone, New York; Co-Chair, AI Banking and Financial Law Subcommittee, IBA Banking & Financial Law Committee*

Paula Fearon *McCann Fitzgerald, Dublin*

Benjamin K Leisinger *Homburger, Zürich; Young Lawyers' Committee Liaison Officer, IBA Securities Law Committee*

Roi Tavor *Managing Director of the Alps Region and CEO Switzerland and Austria, Google Cloud, Zurich*

1800 – 2000 **Welcome reception**

The Alex Hotel

MOBILE TELEPHONES

Delegates are requested to ensure that mobile telephones and any other portable devices are switched to silent in working sessions.

Headline social event sponsor

FINSEC
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All working sessions will take place in the Orient Suite
All coffee/tea breaks will take place in the Concourse
Lunch will take place in the Carriage restaurant

0730 – 1730 **Registration**

0830 – 0835 **Opening Remarks**

Speakers

Liam Flynn *Mason Hayes & Curran, Dublin; European Regional Forum Liaison Officer, IBA Banking & Financial Law Committee*

Josh Hogan *McCann FitzGerald, Dublin; Website Officer, IBA Banking & Financial Law Committee*

0835 – 0850 **Conference Co-Chairs opening remarks**

Sophie Cornette de Saint Cyr *Bredin Prat, Paris; Vice Chair, Financial Conferences Subcommittee, IBA Securities Law Committee*

Rein Van Helden *Stibbe, London; Membership Officer, IBA Banking and Financial Law Committee*

0850 – 1000 **Funds and fund distribution**

The 'Funds and Fund Distribution' panel session will cover the setup of investment funds, including legal, tax, passporting and governance aspects, and address challenges in distributing funds internationally. Experts will discuss regulatory barriers, compliance and market-specific hurdles, alongside trends and innovations in the fund industry – such as technological advancements, evolving investment strategies and fund structures – that influence fund management and distribution efficiency.

Session Co-Chairs

Benjamin K Leisinger *Homburger, Zürich; Young Lawyers' Committee Liaison Officer, IBA Securities Law Committee*

Cintia Martins Costa *Elvinger Hoss Prussen, Luxembourg; Newsletter Officer, IBA Securities Law Committee*

Speakers

Gildas Blanchard *Head of Industry Affairs, the Association of the Luxembourg Fund Industry, Luxembourg*

Mandy Chiu *CFA, Head of Financial Product Development, 21Shares, London*

Dr Diana Imbach Haumueller *Head Legal and Compliance Asset Management, Helvetia Insurance Group; Deputy CEO and President of the Legal & Compliance Commission of the Asset Management Association Switzerland, Basel*

Oisín McClenaghan *Partner and Head of the Investment Funds Team, Ogier, Dublin*

Davide Rallo *Head of Product Development, Azimut, Luxembourg; Board Member, Azimut Investments S.A, Luxembourg*

Pauline Roux *Vice President and legal counsel, AllianceBernstein, Luxembourg*

1000 – 1025 **Coffee/tea break**

1030 – 1115 **Keynote address**

Speaker

Michael McGrath *Minister for Finance, Government of Ireland, Dublin*

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1115 – 1225 **Individual accountability for directors and managers in banks and other financial institution**

Regulators are increasingly focussing on individual accountability of directors and managers to prevent misconduct by financial institutions. Some jurisdictions such as Ireland have introduced specific regulatory regimes to enhance individual accountability. Directors and managers can face potentially serious consequences if there is a failure in their area of responsibility, including loss of employment or a fine. This encourages a culture of compliance, but does it stifle innovation and risk-taking? This panel will consider the benefits and drawbacks of individual accountability laws and regulation.

Session Co-Chairs

Olayinka Edu *Udo Udoma & Belo-Osagie, Lagos; African Regional Forum Liaison Officer, IBA Banking & Financial Law Committee*

Josh Hogan *McCann FitzGerald, Dublin; Website Officer, IBA Banking & Financial Law Committee*

Speakers

Andrew Candland *Central Bank of Ireland, Dublin*

Marie-Aude Noury *Squair, Paris; Chair, Structured Finance Subcommittee, IBA Banking and Financial Law Committee*

Eva Schram *De Brauw Blackstone Westbroek, Amsterdam; Publications Officer, IBA Banking & Financial Law Committee*

1225 – 1345 **Lunch**

1345 – 1455 **Diversity in boards of directors**

In today's dynamic business landscape, the composition of boards plays a pivotal role in shaping organisational success. This session delves into the significance of diversity within boards, encompassing factors such as gender, ethnicity, age and expertise. By embracing diversity, boards can enhance innovation, mitigate risks and better serve stakeholders, ultimately driving sustainable growth and competitive advantage. Join us to unravel the transformative power of diversity in boards and unlock opportunities for organisational excellence.

Session Co-Chairs

Michael Arnold *Gleiss Lutz, Stuttgart; Senior Vice Chair, IBA Securities Law Committee*

Halide Gül Çetinkaya *CCAO, Şişli, Turkey; Diversity and Inclusion Officer, IBA Banking & Financial Law Committee*

Speakers

Rachel Hussey *Arthur Cox, Dublin*

Monique Mavignier *BMA Advogados, São Paulo; Social Media Officer, IBA Banking & Financial Law Committee*

Manoj Pundit *Borden Ladner Gervais, Toronto, Ontario; Chair, Public Company Practice and Regulation Subcommittee, IBA Securities Law Committee*

Petra Zijp *NautaDutilh, Amsterdam; Scholarship Officer, IBA Law Firm Management Committee; Member, IBA Securities Law Committee Advisory Board*

1455 – 1605 **The role of private credit funds in restructurings**

As the landscape of restructuring continues to evolve, private credit funds have emerged as significant players in the process. This panel discussion aims to delve into the intricate intersection of private credit funds and restructuring, exploring their roles, strategies, and impacts on distressed situations.

Session Co-Chairs

Gonçalo dos Reis Martins *PLMJ, Lisbon; Regional Representative Africa, IBA Securities Law Committee*

Ellen Teresa Heyerdahl *Advokatfirmaet Thommessen AS, Oslo; Vice Chair, Financial Innovations Subcommittee, IBA Banking & Financial Law Committee*

Speakers

Wolfram Huber *PHH, Vienna*

João Dias Lopes *PLMJ, Lisbon*

Francisco Müssnich *BMA Avogados, Rio de Janeiro*

Eric Rosof *Wachtell, New York*

1605 – 1630 **Coffee/tea break**

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1630 – 1740 **Cross-border settlement**

Securities settlement procedures and requirements represent an important and technical, although often misunderstood, element of capital markets and are particularly complex in the case of cross-border transactions. This panel will explore important legal and commercial settlement issues relevant to counsel of both issuers and security holders throughout a settlement cycle in the context of equity-based transactions involving differing jurisdictions for listing, incorporation and place of issuance. Topics to be discussed include:

- Overview of settlement systems in Europe and the US
- Key elements of a settlement cycle
- Interaction between corporate and securities laws applicable at the place of incorporation and settlement rules applicable at the place of listing
- Interaction between central securities depositories (CSD) and custodian banks
- Impact of certain jurisdictions' plans to transition to a T+1 settlement cycle in May 2024
- Involvement of CSDs in corporate actions (voting, dividends, take-privates) post-Initial Public Offerings (post-IPO)

Session Co-Chairs

Nicholas Pellicani *Debevoise & Plimpton, London; Regional Representative EMEA, IBA Securities Law Committee*

Patrick Schleiffer *Lenz & Staehelin, Zürich; Special Projects Officer, IBA Securities Law Committee*

Speakers

Paolo Carabelli *Settlement and T2S Product Manager, Euronext Securities Milan, Milan*

James Cunningham *Senior Director / Public Policy & Government, The Bank of New York Mellon, Brussels*

Stephen FitzSimons *McCann FitzGerald LLP, Dublin*

Charlie Hodge *Managing Director, Global Capital Markets, Computershare, Bristol*

Federica Munno *Gatti Pavesi Bianchi Ludovici, Milan; Social Media Officer, IBA Securities Law Committee*

1740 – 1850 **Women lawyers' reception**

Foyer, Orient Room

1930 **Hosted dinner**

The Guinness Storehouse

St. James's Gate, Dublin 8, D08 VF8H

Join the Host Committee to truly immerse yourself in the unique history, heart and soul of Ireland's most iconic stout. The Guinness Storehouse contains seven unforgettable floors of sights, sounds and sensations in a building that has been brewing beer for over 250 years. Hopping with entertainment, this experience takes you on an immersive experience from grain to glass. From the artful brewing process to the iconic Guinness advertisements that have become pillars of Irish culture throughout the globe, there are so many special things to see. The 9,000-year lease signed and sealed in 1759 by Arthur Guinness himself is so impressive, it's hard to find something even more special to top it. But there is.

Coaches will be departing from the Alex Hotel at 1900.

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Lunch will take place in the Carriage restaurant

0800 – 1700 **Registration**

0930 – 1045 **Whistleblowing and investigation in financial institutions**

Regulatory and public scrutiny of financial institutions shows no signs of lessening. Regulators and the public increasingly look to 'whistleblowers' to expose wrong-doing and unethical behaviour within regulated firms and the resulting internal and external investigations can be complex, time consuming and resource intensive. The panel will examine these trends from a cross-jurisdictional perspective and will provide practical guidance for lawyers called upon to advise institutions dealing with these issues.

Session Co-Chair

Liam Flynn *Mason Hayes & Curran, Dublin; European Regional Forum Liaison Officer, IBA Banking & Financial Law Committee*

Andrea Huber *Pestalozzi Attorneys at Law, Zürich; Vice Chair, Banking Regulation Subcommittee, IBA Securities Law Committee*

Speakers

Gabriella Friedman *Lankler Siffert & Wohl, New York*

Jane Anne Negi *CEO, Bank of Montreal Europe PLC, Dublin*

Daniel S Weber *Counsel, Wenger Vieli, Zurich*

1045 – 1115 **Coffee/tea break**

1115 – 1230 **Proliferation of FDI rules all around the world**

The last few years have seen a dramatic expansion of foreign direct investment (FDI) and 'national security' regimes, with more mandatory filings, lower thresholds and harsher potential penalties. At the same time, merger control authorities are becoming more influenced by broader questions of national industrial and trade policy than by customary competitive or antitrust concerns. This panel will explore what this means for companies and dealmakers. What new risks must be taken into consideration? How are deal terms evolving in response to the changing regulatory environment?

Session Co-Chair

Federica Munno *Gatti Pavesi Bianchi Ludovici, Milan; Social Media Officer, IBA Securities Law Committee*

Trevor Norwitz *Wachtell Lipton Rosen & Katz, New York; Senior Vice Chair, IBA Securities Law Committee*

Speakers

Niall Collins *Matheson, Dublin*

Shubhangi Garg *Shardul Amarchand Mangaldas, New Delhi, Delhi; Vice Chair, Financial and Banking Law Conferences Subcommittee, IBA Banking & Financial Law Committee*

Benjamin Joseloff *Cravath Swaine & Moore LLP, New York*

1230 – 1400 **Lunch**

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1400 – 1515 **Fund finance – principles, benefits and trends of AKA subscription lines for borrower funds and lending banks**

Subscription lines have become commonplace and are an important tool for investment funds. The session will look at the key considerations of sponsors and lenders and examine how the complex multi-jurisdictional nature of fund structures can impact these considerations. Panellists will also share their insights on trends and developments in their jurisdiction and the growing popularity of alternative fund finance structures.

Session Co-Chairs

Kee Yeng Lee *Allen & Gledhill, Singapore; Treasurer, IBA Securities Law Committee*

Deborah Low *Haynes and Boone, New York*

Speakers

Gül Akad *Simmons & Simmons, London*

Sinéad O'Connor *A&L Goodbody LLP, Dublin*

Matthieu Taillandier *Arendt, Luxembourg*

1515 – 1545 **Coffee/tea break**

1545 – 1700 **Compliance in the digital age: navigating technology and financial services regulation**

As the financial sector increasingly embraces technological innovations such as artificial intelligence (AI) and blockchain, the future of regulatory compliance stands at a pivotal junction. This discussion will delve into how these technologies are set to transform financial regulation, the potential challenges they pose and the strategies organisations can adopt to stay ahead in this dynamic environment, ensuring robust compliance while fostering innovation.

Session Co-Chair

Ieva Donisaite *Ellex Valiunas, Vilnius; Special Projects Officer, IBA Banking & Financial Law Committee*

Martin Ebner *Schoenherr, Vienna; Chair, Banking Regulation Subcommittee, IBA Banking & Financial Law Committee*

Speakers

Gillian Byrne *Head of Payments, Banking & Payments Federation Ireland, Dublin*

Joel Cullin *Executive Director, Associate General Counsel, JPMorgan Chase, Dublin*

Stephen D'Ardis *Arthur Cox, Dublin*

John Gethin *Branch Manager, Director, KBC Insurance NV, Dublin*

Louise Hogan *A&L Goodbody, Dublin*

Deirdre Mullally *Central Bank, Dublin*

1930 **Conference dinner**

The Banking Hall

College Street, Westmoreland Street, Dublin, Ireland, D02 HR67

The Banking Hall is Dublin's most prestigious venue, standing proudly across from Trinity College and the old House of Lords. The deep history and significance of this building can be felt from the moment you step through its doors. Meticulously restored, Georgian pillars and doorways undergird the ornate plasterwork ceiling hung with four Waterford Crystal chandeliers, each dripping with 8,000 crystals. Relics of the building's financial past accentuate its atmospheric decor, including the clock and the insignia of the old banking firm.

Price: €125

The dinner is currently at capacity, please enquire at the Registration desk for current availability.

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