VIRTUAL COLLOQUIUM ON
RESOLUTION OF FINANCIALLY DISTRESSED FINANCIAL INSTITUTIONS

Sunday and Monday September 13 and 14 2020, 9:00 to 11:30 EDT

Hosted by the University of British Columbia Centre for Business Law, with the support of the International Insolvency Institute, the colloquium is aimed at allowing practitioners, policymakers and judges to exchange ideas on the most effective mechanisms for resolution of financially distressed financial institutions. Panels will include treatment of structured financial contracts, examination of issues unique to insurance sector resolution, discussion of recent developments globally, and analysis of a potential cross-border model law on financial institution resolution.

AGENDA [Eastern time]

Day 1  SUNDAY SEPTEMBER 13

9:00  Opening Keynote: Donald Bernstein, David Polk & Wardell LLP, New York, US

9:20  Insights from Asia’s Financial Institution Resolution Systems
Panel Chair: Justice Kathryn Feldman, Court of Appeal for Ontario, Canada
Patrick Ang, Rajah & Tann, Singapore
Professor Hideki Kanda, University of Tokyo, Emeritus, and Gakushuin University, Japan

9:50  Insights from North American Recovery and Resolution systems
Panel Chair: Justice Shelley Fitzpatrick, Supreme Court of British Columbia, Canada
Robert O Sanderson, Chair, Canada Deposit Insurance Corporation.
Dr Maziar Pelhani, Lawson Lundell UBC Professorship in Business Law, University of British Columbia, Canada.
“Canadian Bail-in Regime in a Comparative Perspective”
Professor Ted Janger, David M Barse Professor of Law & Associate Dean for Faculty Research, Brooklyn Law School, “US system of resolution of financial institutions and any barriers to cross-border cooperation”
Marc Lemieux, Lemieux Business Law, Montréal, “Payment Systems”

10:35  Treatment of Structured Financial Products during Financial Institution Resolution
Panel Chair: Justice Marie-Anne Paquette, Québec Superior Court, Canada
Dr Riz Mokal, South Square Chambers, London, UK
Professor Steven L Schwarcz, Stanley A Star Professor of Law & Business, Duke University School of Law, US
Professor Anna Gelpern, Professor of Law, Georgetown Law, US

11:15  Closing remarks Dr Elke König, Chair, EU Single Resolution Board

11:30  Adjourn for the day

1  6:00 am PDT, 9:00 am EDT, 2:00 pm BST, 9.00 pm SGT, 10.00 pm JST
Day 2  MONDAY SEPTEMBER 14

9:00  Principles Informing Cross-border Resolution of Financial Institutions
Panel Chair: The Honourable Clément Gascon, Woods sencrl/LLP, Montréal, Canada
Dr Janis Sarra, University of British Columbia, Canada
Alexander Bornemann, Bundesministerium der Justiz, Germany

9:20  Conceptualizing a Model Law on Cross-Border Financial Institution Resolution
Chair: Justice Barbara Romaine, Alberta Court of Queen’s Bench, Canada
Professor Irit Mevorach, University of Nottingham, UK
Dr Stephen Madaus, Martin-Luther-University Halle-Wittenberg, Germany
Dr Ignacio Tirado, UNIDROIT, Rome and University of Autonoma of Madrid, Spain

10:05  Issues Unique to Cross-border Resolution of Insurance Companies
Panel Chair: Justice Georgina Jackson, Saskatchewan Court of Appeal, Canada
Monica Marcucci, Istituto per la Vigilanza sulle Assicurazioni, Italy
Dr Jens Gal, House of Finance der Goethe-Universität Frankfurt, Germany

10:40  Insights from Africa and Other Emerging Nations on Financial Institution Recovery and Resolution
Panel Chair: Justice Blair Nixon, Alberta Court of Queen’s Bench, Canada
Antonia Preciosa Menezes, Senior Financial Sector Specialist, World Bank, Washington, DC, US
Professor John Pottow, John Philip Dawson Collegiate Professor of Law, University of Michigan, US

11:15  Closing remarks Dr Eva Hüpkes, Financial Stability Board, “The FSB Key Attributes of Effective Resolution Regimes for Financial Institutions – how far have we come in making financial institutions resolvable?”

11:30  Colloquium ends