

Select 2019: Senior in-house counsel conference

6 February 2019

Programme of options

Segment 1

Brexit – T-51 days

As the 29 March 2019 draws closer, we focus in on the mechanics of what happens next and the practical measures which can help your business adapt to the known unknowns ahead.

New technology and safety: How does a product company know that their innovative product is safe? EU discussion

New technology is evolving faster than laws, guidance and standards around what it means to be a “safe product”. In this session we provide an overview of some of the practical challenges associated with product innovation, and give some views on best practice for a company to be prepared with a defensible position when it is developing a cutting edge product.

Stuck in the middle with you: Navigating clowns to the left and jokers to the right in a world of new alliances

Businesses increasingly cannot deliver on their contractual obligations alone and find themselves in joint ventures and consortia due to pricing pressures, funder demands and the need for specialist skills. Yet counterparties often have

different strategies, aims, cultures, and approaches to risk and compliance. Complex supply chains heighten the potential problems. This session examines the key contractual protections and management procedures you should put in place (relating to control, economics, legal form, default and conflicts, for example) to build successful relationships and to avoid and resolve multiparty disputes swiftly and cost effectively.

Practical innovation

With headlines predicting a future of unfathomable change, how does the busy in-house team deliver innovation today. This talk will set out what can be done now and with little investment.

Segment 2

Contract law updates that you need to watch

A session looking at the practical implications of recent English law cases on topics such as contract interpretation, good faith duties, exclusive remedies, incorporation of terms, and force majeure and “no oral modification” clauses. We will also set out our tips for drafting effective and watertight exclusion and limitation clauses by analysing recent English law decisions.

Navigating political risk

The British Government and Parliament are taking an increasing interest in both protecting the public interest with regards to the operation of business, and being seen to protect the public interest because of the political gain in doing so. This means business needs to consider a public affairs angle to every major decision, and even to smaller areas of strategy. It also means business may find itself in the political theatre of parliamentary scrutiny with very little notice. Hear from our Public Policy and Government Relations team to ensure you are aware, and your clients are prepared.

The increasing relevance of complaints, governance and controls in meeting Senior Manager & Certification Regime (SMCR) requirements

SM&CR will drive greater levels of personal accountability and a requirement to map out the individual responsibilities for Senior Managers in all Financial Services firms at the end of 2019. To meet the requirements of the regime, firms will need robust governance and controls in place to enable them to mitigate the risk of detriment to customers through early identification of the cause and impact of complaints. Systemic failure in complaint handling can result in significant regulatory censure and large and costly remediation exercises to correct the failings which can impact a business severely.

The GC’s “bluffer’s guide” to tax in 2019

Tired of being bamboozled by jargon?

Nagging concerns that you are not fully on top of the fiscal developments you keep half hearing about? Are you expected to spot tax issues in the penumbra between legal and finance? This session will bring you up to date and set your mind at ease with 45 minutes of practical complexity-busting for non-tax specialists. Topics covered include HMRC’s approach to Diverted Profits Tax, all you need to know about the new Digital Services Tax; what Brexit could mean for financial transactions in the City of London and more.

Segment 3

New Corporate Governance Code, Social Value Act and “CrowdReg”: Corporate purpose and social impact – are you ready?

Brand value, revenue, cost of capital and talent retention are increasingly driven by those brands that successfully position themselves as positive social influencers. Join us as we explore the importance of integrity and authenticity when it comes to social impact; why incorporating a positive social mission into your core identity is attractive for investors/drives lower cost of capital; and how new regulation like the Corporate Governance Code, Social Value Act and “CrowdReg” is empowering consumers to shape business practices and ethics.

What will UK trading rules look like post March 2019?

In this session we will focus in on one of the big questions on Brexit: what will trade with the EU27 look like after March 2019 in the event of transition or no-deal?

The benefits of mediation and how to implement an effective dispute resolution strategy

This session will look at the benefits of the mediation process and how organisations can implement an effective dispute resolution strategy to ensure consistent use of the most appropriate forms of dispute resolution.

Global bribery and corruption in 2019

A guide to the global trends and developments in anti-bribery and corruption regulation and enforcement. We’ll look at what you can expect for 2019 and consider any actions you’ll need to take.

Directors and creditors beware: Wide-ranging changes to insolvency law are on the horizon

In the wake of high-profile insolvencies such as BHS and Carillion, the Government has proposed radical changes to certain areas of insolvency law and corporate governance which will see increased duties for directors, new restructuring options for distressed companies and new restrictions on contract termination. There is a clear political desire to see these changes implemented. This session will run through the key points of the proposals.

Segment 4

The rise of the machines – panel discussion

Can law and regulation keep pace with innovative technology? Join us as we explore the issues of how to treat disruptive technology in highly regulated sectors. We will examine technologies that are introducing new business models such as AI and blockchain and discuss how policy makers and regulators can try and keep pace.

#Me Too – a big risk for your business?

The publicity surrounding claims and the prospect of a new statutory duty to protect employees against harassment is focussing minds on what employers should be doing to tackle sexual harassment in the workplace. This session will discuss what best practice looks like for employers who are re-visiting their approach to the issue.

Corporate occupiers – thinking about your space?

This session will guide you through two important issues for corporate occupiers:

1. Major office relocations: Headline topics in agreeing a new deal; and
2. Alternative working space: Bear traps in taking shared/flexible office space.

Business & human rights – the domino effect

An examination of recent parent company liability cases and their possible extension to supply chain liability.

Privilege restored: Where are we following the landmark decision in SFO v ENRC?

An update on the law of privilege following the landmark Court of Appeal decision in SFO v ENRC and other more recent judgments, plus practical guidance on steps to maintain and preserve both legal advice and litigation privilege.

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