This workshop will look at the various legal techniques used to control power vested in fiduciaries: good faith, proper purposes, and fiduciary doctrine. In particular, it will consider the decision of the United Kingdom Supreme Court in *Futter v Her Majesty's Revenue & Customs* [2013] UKSC 26. This decision considered and restated the basis on which trustees’ decisions can be set aside if the trustees’ process of decision making turns out to be flawed. It also considered the remedial consequences of a decision that is found to be flawed. The decision is thus of great important to trustees and fiduciaries governed by English law and will likely form a relevant consideration in argument as and when the questions raised in the case come to be considered by the courts of Hong Kong. The workshop will also flag other means of controlling power through structural techniques such as the use of protectors.

After graduating from Cambridge, Prof. Nolan qualified and practised as a solicitor with a highly regarded City firm. In October 1993, he returned to Cambridge, becoming a fellow of St John’s College and Reader in Corporate and Trust Law at Cambridge. Since 2012 he has been Professor of Law at the University of York. He is a door tenant of Erskine Chambers, London, and has been a consultant to the Law Commission, the Company Law Review and the Department of Trade and Industry (UK). Prof. Nolan is a contributor to leading practitioners’ treatises such as Buckleys on the Companies Act (15th edn) and Snell’s Equity. He has published widely in Trusts and Company Law, and has given courses and papers as a visiting academic elsewhere in England, and in Australia, New Zealand, Poland, Singapore and the US.

All are welcome.

RSVP and Registration: Lydia Bute (email: LBUTE@hku.hk)
Registration is on a first come first served basis