

AIFC Academy of Law

AIFC CERTIFICATE IN COMMON LAW

**5 ESSENTIAL CERTIFICATES
COVERING THE BASICS OF
COMMON LAW**

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"AIFC Certificate in Common Law" or any
combination of the certificates

August to December 2021

AIFC Academy of Law

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Online Live Lectures via Zoom

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AIFC CERTIFICATE IN COMMON LAW

AIFC Academy of Law proudly presents "AIFC Certificate in Common Law". This course is designed for **lawyers, advocates, in-house lawyers and other professionals** whose work involve exposure to common law systems and jurisdictions.

5 ESSENTIAL CERTIFICATES

ENGLISH LEGAL SYSTEM

25 August; 1, 8, 15 September 2021

COMMERCIAL LAW

22, 30 September; 6, 12 October 2021

CONTRACT WORKSHOP

24 September; 1, 8, 15 October 2021

ENGLISH TORT LAW

20, 27 October; 3, 10 November 2021

TRUST & FOUNDATIONS LAW

17, 24, 30 November; 8 December 2021

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CERTIFICATE IN ENGLISH LEGAL SYSTEM

By Shukhrat Yunusov

Lecture 1: Sources of English Law

25 August 2021 (Wednesday) from 17:00 to 18:30 (GMT+6)

The aim of this lecture is to provide comprehensive knowledge on sources of English law; their interaction with each other; hierarchy. Interpretation of statutes. Doctrine of judicial precedent. We will look at the differences of common law and civil law. We will also explore the law-making process in the UK.

Lecture 2: Structure of the English Courts & Legal Profession

1 September 2021 (Wednesday) from 17:00 to 18:30 (GMT+6)

In this lecture, we will explore various issues relating to the law of sales, including the contract of sale and the Sale of Goods Act. We will also look at the legal meaning of money, and the different forms that money may take, as well as consumer rights and forms of consumer protection

Lecture 3: Trials: Civil & Criminal Procedure s

8 September 2021 (Wednesday) from 17:00 to 18:30 (GMT+6)

We will look at the peculiarities of procedures for civil (business) and criminal cases. We will explore how proceedings are initiated and what are the steps to be taken starting from instituting the proceedings till the judgement stage. Appeals.

Lecture 4: Alternative Dispute Resolution

15 September 2021 (Wednesday) from 17:00 to 18:30 (GMT+6)

The aim of this lecture will be to look at alternative means for dispute resolution in England: mediation, conciliation and arbitration.

CERTIFICATE IN COMMERCIAL LAW

By Grace Cheng

Lecture 1: Commercial Contracting

22 September 2021 (Wednesday) from 17:00 to 18:30 (GMT+6)

In this lecture, we begin by looking at the foundations of commercial law, including the nature and sources of commercial law, and fundamental principles of contracting. In addition to exploring the nature and function of contract law, we will also look at the relationship between contract law and other areas of the law such as crime, and the law of torts.

Lecture 2: Sales

30 September 2021 (Thursday) from 17:00 to 18:30 (GMT+6)

In this lecture, we will explore various issues relating to the law of sales, including the contract of sale and the Sale of Goods Act. We will also look at the legal meaning of money, and the different forms that money may take, as well as consumer rights and forms of consumer protection

Lecture 3: Commercial Remedies

6 October 2021 (Wednesday) from 17:00 to 18:30 (GMT+6)

This lecture aims to provide participants with an understanding of remedies for civil wrongs in a commercial context. We will look at topics including compensatory damages, specific performance and punitive damages.

Lecture 4: Resolution of Commercial Disputes

12 October 2021 (Tuesday) from 17:00 to 18:30 (GMT+6)

This lecture aims to provide participants with an understanding of remedies for civil wrongs in a commercial context. We will look at topics including compensatory damages, specific performance and punitive damages.

CERTIFICATE IN CONTRACT WORKSHOP

By Michael Patchett-Joyce

Lecture 1: Contract Negotiation

24 September 2021 (Friday) from 17:00 to 18:30 (GMT+6)

Contract Negotiation is about 'Getting to "Yes"', but what does that really mean? Where it begins will vary with the type of contract. In a contract for the sale/ lease of goods, the seller will have goods to sell/ lease. A contract to license may be a joint venture in search of innovation. Although those are very different types of contract, they start from a common point: 'know yourself', i.e. know what you have and know what you want. In other words, contract negotiation starts with your team.

Lecture 2: Contract Drafting

1 October 2021 (Friday) from 17:00 to 18:30 (GMT+6)

Contract Drafting means making sure the contract does what you want it to do. Is that 'you' singular or plural? "You-singular" means getting as much as you possibly can for your side; that tends to a one-sided contract. "You-plural" focuses on achieving an optimal outcome for all parties.

Lecture 3: Contract Management

8 October 2021 (Friday) from 17:00 to 18:30 (GMT+6)

Not everything will run smoothly all of the time. There are bound to be change instructions and variations, delays and disruption. Who is responsible for variations, delays, disruption and acceleration costs? Who pays? No system or arrangement can prevent such problems but early recognition of an emerging problem may enable the parties to deal with it much more quickly, easily and effectively than if the problem is allowed to fester. What tools are at a lawyer's disposal?

Lecture 4: Dispute Resolution

15 October 2021 (Friday) from 17:00 to 18:30 (GMT+6)

When will contract dispute resolution have been covered earlier? Can a party be held to an agreement to negotiate before any other dispute resolution step is taken? How should parties approach mediation? How should a party prepare themselves for arbitration/litigation? To the extent that time permits, the final session will also look at "Law 4.0"; We will look at the inter-relationship between blockchains and smart contracts.

CERTIFICATE IN ENGLISH TORT LAW

By Can Eken FCIArb

Lecture 1: Basics of Tort & Classification of Civil Wrongs

20 October 2021 (Wednesday) from 17:00 to 18:30 (GMT+6)

As the first lecture of this short tort course, this lecture aims to provide background knowledge on torts in English law. Torts are civil wrongs and there are different types of torts. In this lecture, we will look at the classifications of civil wrongs and the main types of torts.

Lecture 2: Negligence: Duty of Care & Breach of Duty

27 October 2021 (Wednesday) from 17:00 to 18:30 (GMT+6)

In this lecture, we will look at one of the most important torts, the tort of negligence in English law. We will look at what negligence is, what duties are, different types of duties and how they are established and breached. We will also look at the relevant case law and how courts decided on them. After this lecture, the participants will be familiar with the most iconic case law and fundamentals of the tort of negligence.

Lecture 3: Damages & Equitable Remedies

3 November 2021 (Wednesday) from 17:00 to 18:30 (GMT+6)

Damages are the first remedy in tort. However, courts do not award damages every time. When damages are not satisfactory, courts might award equitable remedies. In this lecture, we will look at how damages are calculated, what the main equitable remedies in tort are, and when they might be awarded.

Lecture 4: Employer's Liability & Vicarious Liability

10 November 2021 (Wednesday) from 17:00 to 18:30 (GMT+6)

In this last lecture, we will look at another important liability that participants might come across in their practice. Sometimes, apart from the person who committed the tort, additional parties might also be liable. The general term for this liability is vicarious liability, and employer's liability is the most common type of vicarious liability. We will look at situations in which vicarious liability arises, with a particular focus on employer's liability.

CERTIFICATE IN TRUST & FOUNDATIONS LAW

By Professor Tang Hang Wu

Lecture 1: Introduction to Equity & Trusts

17 November 2021 (Wednesday) from 17:00 to 18:30 (GMT+6)

The aim of this lecture is to introduce to the participants the historical context of equity and trusts and how it forms an essential part of the jurisprudence of common law countries. The lecture will introduce the participants to what is often called the most distinctive and greatest achievement of English jurisprudence i.e. the trust. In this session, the elements of a trust will be unpacked.

Lecture 2: Contemporary Uses of the Trust - Wealth Management

24 November 2021 (Wednesday) from 17:00 to 18:30 (GMT+6)

In this lecture, we will look at the use of the trust in the field of international wealth management. By the end of the lecture, you should understand: (a) the main issues in wealth management; (b) how the trust is used to manage family wealth and the various functions the trust performs, such as the avoidance of probate or for asset protection purposes; and (c) a grasp of the issues that arise in respect of controlling trustees' discretions, trustee liability, the rights of the objects of trusts, and the questions surrounding purpose trusts. The lecturer will draw not just from English law but also jurisprudence from other major financial centres.

Lecture 3: Contemporary Uses of the Trusts - Commercial Trusts

30 November 2021 (Tuesday) from 17:00 to 18:30 (GMT+6)

This session will look at other contemporary uses of the trust outside wealth management. In particular, this session will explore the concept of the Real Estate Investment Trust, Business Trust and trust over cryptoassets.

Lecture 4: Dispute Resolution - Trust Disputes & Attacks on Trust Structures

8 December 2021 (Wednesday) from 17:00 to 18:30 (GMT+6)

The aim of this lecture is to look at what kinds of disputes may arise in relation to trust structures. In this session, we will explore the issues which may come up when beneficiaries have disputes with the trustee and when third parties attack the trust structures.



Mr Shukhrat Yunusov
Head of Banking & Finance Practice
Dentons Uzbekistan

Shukhrat Yunusov is a Partner and head of banking & finance practice in Dentons' Tashkent office. Shukhrat has experience advising on banking and finance, corporate, contractual and regulatory issues. He advises international financial institutions and foreign banks on Uzbek-focused financing mandates. Shukhrat is a dual-qualified lawyer both in Uzbekistan and England and Wales jurisdictions.

Highlighted Experience:

- Russian bank: Advising on US\$ 300 mln. facility to gas-chemical complex in Uzbekistan.
- Singaporean company: Advising on A320-200neo aircraft leasing transaction with its Uzbek counterparty.
- Chinese bank: Advising on a facility agreement with the National Bank of Uzbekistan on financing of the acquisition of two Boeing 787-8 (Dreamliner) aircrafts by Uzbek National Aviation Company.
- UK Bank: Advising on a facility agreement with an Uzbek bank.
- German bank: Advising on a facility agreement with an Uzbek bank for €150 million.
- Korean car manufacturer: Advising the client on its business activities in Uzbekistan, including representative office matters, and the negotiation of a trademark license agreement, technology license agreement and supply contract.
- Major US car manufacturer: Advising on corporate governance, commercial, compliance matters in its capacity as a shareholder in Uzbek car and powertrain manufacturing companies.
- UK risk advisory company: Advising on foreign exchange regulatory matters in Uzbekistan.
- Foreign companies: Advising on corporate governance and general commercial law matters.
- Foreign investors: Advising on the acquisition of a US\$11 million real estate property for a Chinese telecommunication company.
- Indian company: Advising an Indian oil and gas exploration company on the establishment of a joint-venture with Uzbek state owned company to subsequently take part in the international bid for open-cast mining in India.



Ms Grace Cheng
Barrister
Field Court Chambers

Grace Cheng is a barrister in London, a qualified Hong Kong solicitor with a current valid practising certificate, and has been granted rights of audience before the Astana International Finance Centre (AIFC) Court in Kazakhstan. She can advise on both English law and Hong Kong law. Grace previously assisted at the World Trade Organisation ministerial conference. Grace has a broad practice and is regularly instructed on a wide range of matters as sole counsel or as part of a wider team, for example in the Brexit ferry case. She was part of a joint COMBAR / ChBA working group responding to the Law Commission's call for evidence on smart contracts and is on the Steering Committee for Greener Litigation.

Grace is included on various panels, registries and databases of arbitrators including BAIAC – Singapore; CACM – Mozambique; DIFC-LCIA – Dubai; FINRA – US/Puerto Rico; ICC – UK; LCIA – London; LMAA – London; PIAC – Vietnam; Sport Resolutions (International); SCC – Stockholm; and World Trade Center Macau Arbitration Center (Macau). She is also on various panels of adjudicators, including HK Adjudicators; UK Adjudicators; and TECBAR. Grace is a member of the Attorney General's Civil Counsel Panel (Junior Juniors Scheme).

Prior to joining the English Bar, Grace trained as a Hong Kong lawyer and previously worked at the Hong Kong and London offices of magic circle law firm Slaughter and May where she assisted with high-profile international commercial transactions and advised clients including the Department of Energy and Climate Change, Prada, Cathay Pacific Airways, MTR Corporation Limited, Moody's and Standard Chartered plc.

She has taught law at the University of Oxford, King's College London, the University of Warwick, the National Chengchi University, and the National Taiwan University.



Mr Michael Patchett-Joyce FCI Arb
Barrister
The 36 Group

Michael Patchett-Joyce has been instructed on cases at all levels of the tribunal and court hierarchy in England and Wales, from the first-tier tribunals to the UK Supreme Court. He has acted in 4 cases heard by the Court of Justice of the European Union (CJEU) in Luxembourg. Michael regularly appears in commercial courts in England & Wales (including the Business & Property Courts List) and international commercial courts at first instance and appellate levels.

As a “hands-on” practitioner, he is instructed in cases requiring detailed legal research and analysis. He has an ability to master complex factual circumstances and relishes getting to grips with a welter of evidence (e.g., acting as sole Counsel for a party in a case involving c. 400,000 pages of documents – which, physically, filled some 600 lever-arch files – and in which over 40 witnesses were called). When acting as counsel, he will often be leading a multi-jurisdictional legal team.

He has spent more than a decade building a strong professional profile in the Gulf. He is regularly retained to advise and act for parties in the United Arab Emirates (UAE) jurisdictions, particularly in the Dubai International Financial Centre (DIFC) Courts (CFI and CA) and in the Abu Dhabi Global Markets (ADGM) jurisdiction.

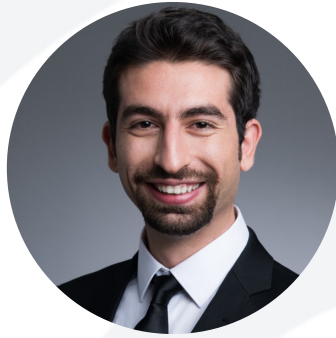
In arbitrations, Michael has broad experience both as counsel and as arbitrator. As arbitrator, he has acted as sole arbitrator, panel-Chair, and panel-member. His experience includes arbitrations held under ICC, LCIA, DIFC-LCIA, DIAC and LMAA institutional rules, as well as in ad hoc arbitrations.

He is a Fellow of the Chartered Institute of Arbitrators (FCI Arb), holds a post-graduate diploma (with merit) in International Commercial Arbitration from Queen Mary University of London. He is a member of the international advisory committee for the Saudi Center for Commercial Arbitration (SCCA) and is a member of international arbitration organisations. Through his in-depth knowledge of the Gulf and MENA regions, he has extensive connections with arbitral institutions, arbitrators and practitioners across the GCC, Egypt and the Levant.

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Mr Can Eken FCIArb

Dual-Qualified Attorney
State Bar of California & Istanbul Bar
Association

Can Eken is a dual-qualified attorney, a member of the State Bar of California and İstanbul Bar Association. Mr Eken holds two LLM degrees, one from the London School of Economics and Political Science (LSE) and another from Dokuz Eylül University, where he also obtained his bachelor's degree in law with a high honour degree.

He practised law and worked as a research assistant in Turkey. At the moment, he is writing his doctoral thesis in Hong Kong. He spent the 2019/20 academic year at Stanford University as a visiting researcher. He is a fellow of the Chartered Institute of Arbitrators (CIARB), a member of the Swiss Arbitration Association (ASA), the Canadian Institute for International Law Expertise (CIFILE), Young ICCA, ICC YAF, LCIA YIAG, and many other international forums. He has spoken in numerous conferences, given lectures, and published articles on international arbitration, investment law, contracts, torts, third-party funding, and online dispute resolution.

Mr Eken acts as counsel and legal advisor in international arbitration cases and is in the panel of arbitrators in the Thailand Arbitration Centre. As of January 2021, he joined the Executive Secretariat of the Asia Pacific FDI Network. In January 2021, he has also been featured by a major Turkish newspaper, Milliyet, as a successful young Turkish lawyer in Hong Kong.



Professor Tang Hang Wu

Yong Pung How School of Law,
Singapore Management University;
Co-head Private Trusts & Wealth
Desk, TSMP Law Corporation
Singapore

Tang Hang Wu is a Professor at the Yong Pung How School of Law, Singapore Management University and Co-head of the Trusts and Wealth Desk at TSMP Law Corporation, a boutique law firm in Singapore.

His research interests include land law, restitution, equity, trusts, charity and non-profit law. Hang Wu has published widely and his work has been relied on by all levels of the Singapore courts, Federal Court of Malaysia, the Royal Court of Jersey, the Caribbean Court of Appeal and Manitoba Court of Appeal.

He is frequently instructed by law firms to act as Counsel before the Singapore courts and to give expert opinion in international litigation. In his practice, he has advised high net worth individuals, banks, trustees, the U.S Department of Justice and international law firms on complex property and trust issues.

Hang Wu is also in demand as an educator having provided continuous legal education to lawyers and judges in Singapore and Malaysia. In recognition of his expertise, he was made an overseas member of the Chancery Bar Association of England and Wales and a country correspondent of Trusts and Trustees.

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