

In this issue

Committee Reports p.3

Policy and Committees

Coordinator's Report p.8



The Omani - British
Lawyers' Association p.9

An Expeditionary Force in
Champagne p.10



Fox Drives the Good
Value for Money
Rolls Royce p.16



Not Your Average Law Firm...

Readers of *City Solicitor* know that London is world-famous for dispute-resolution and is a major centre for recruitment of law graduates. But many readers know little about one world-class body based in London that recruits more than 120 law graduates a year and is asked to advise on dispute-resolution systems worldwide – the Financial Ombudsman Service.

The service was established by law under the Financial Services and Markets Act 2000, combining the previously-separate financial ombudsmen (banking, insurance, investment). It provides an informal alternative to the courts for complaints by consumers (and microenterprises) against financial businesses – with power to award compensation of up to £100,000 per case (soon to rise to £150,000).

The Financial Services Authority appoints the directors of the ombudsman service; the law requiring that they are appointed on terms that secure their independence from the regulator. The board of the ombudsmen service in turn appoints the ombudsmen; the law requiring that they are appointed on terms that secure their independence from the board.

More than 100,000 financial businesses are automatically subject to the ombudsman service's jurisdiction by law: about 21,000 retail financial businesses regulated by the Financial Services Authority (including banks, building societies, insurers, investment companies and investment/insurance/mortgage advisers) and about 80,000 businesses with individual consumer credit licences from the Office of Fair Trading.

Other financial businesses have voluntarily opted into the ombudsman service's jurisdiction. These include, for example, National Savings & Investments and also PayPal (which relocated from the UK to Luxembourg but preferred to remain in the ombudsman service's jurisdiction because of the consumer confidence this created).



*Liveryman
David Thomas
with his award
from the
Supreme Court
of the Russian
Federation*



The Financial Ombudsman Service is the largest ombudsman scheme in the world. With a staff of more than 1,300 (including more than 80 ombudsmen), it handled more than a million enquiries and over 200,000 new cases last year – on issues ranging from personal pensions to pet insurance, and from credit cards to mortgages.

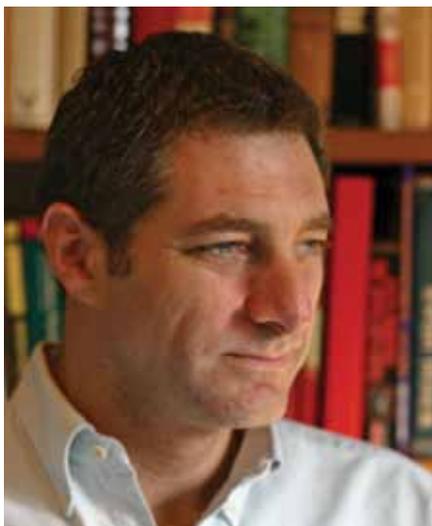
There are financial ombudsmen worldwide. Typically they start off in a

(cont. on page 3)

Company members, and especially the Master, have been active over the summer. City solicitors can generally be counted on to seek out and find the finer things in life, quite aside from the daily professional challenges. One of our stewards, Vincent Keaveny, has done just that and his extremely entertaining report of an exciting trip to the Champagne region is a must read. This trip has the fingerprints of the Master, a well known epicure and swordsman, all over it.

Once again we commend to all readers the reports of our professional Committees, in particular the report of the Regulatory Law Committee. Our Committees continue to present a showcase for the public face of the City of London Law Society. The voice of our Committees is often heard and, more importantly, listened to.

The Company's ceremonial activities continue apace as always. We welcome our repeated participation in the Lord Mayor's Show, taking place this year on Saturday 12 November. We invite all readers to join the citizens of London on the streets of the City to welcome and celebrate the new



Lord Mayor. The celebration will be sweeter this year, given that the new Lord Mayor is one of our own, Past Master Alderman David Wootton of Allen & Overy and the City. With all sincerity, we wish him every success in his year at Mansion House. See you there!

John Abramson, Editor,
Flagstone Reinsurance

Clerk to the Company & Secretary of the City of London Law Society

Neil Cameron

4 College Hill,
London EC4R 2RB
Tel +44 20 7329 2173
Fax +44 20 7329 2190
mail@citysolicitors.org.uk

EDITORIAL BOARD

John Abramson

Flagstone Reinsurance
1 Minster Court
Mincing Lane
London EC3R 7AA
Tel +44 20 7456 1860
john.abramson@flagstonere.com

Elizabeth Thomas

4 College Hill,
London EC4R 2RB
Tel +44 20 7329 2173
Fax +44 20 7329 2190
mail@citysolicitors.org.uk

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Spring 2nd March 2012
Summer 15th June 2012

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Dates for 2011

The City of London Solicitors' Company

Thurs. 3rd Nov.

General Purposes Committee, at the Company's offices at 4 College Hill, EC4 at 5.00 p.m.

Sat. 12th Nov.

Lord Mayor's Show.

Mon. 21st Nov.

* Court meeting at 11.00 a.m. followed by luncheon at 1.00 p.m.

Wed. 23rd Nov

CLSC/CLLS Quiz Evening The City Tavern 7.00 p.m.

Tues. 29th Nov.

Livery Dinner, Carpenters' Hall, Throgmorton Avenue, EC2 at 6.45 p.m. Liverymen & Guests. D.

The City of London Law Society

Wed. 30th Nov.

† Committee of the City of London Law Society at 11.00 a.m.

† Carvery Lunch at 1.00 p.m.

* At Cutlers' Hall, Warwick Lane, EC4.

† At Butchers' Hall, Bartholomew Close, EC1.

For the assistance of members, the dress for evening functions is indicated in the programme as follows:
D Dinner Jacket (black tie)

Not Your Average Law Firm... Cont.

single sector (such as banking or insurance) but the trend is towards the UK model of a single ombudsman scheme for all financial sectors. Other countries where there is now a single financial ombudsman include Armenia, Australia, Finland, Ireland, Malaysia, Netherlands, Norway, Peru, and Trinidad & Tobago.

Governments, regulators and other financial ombudsmen from around the world – encouraged by bodies such as The World Bank and the European Commission – look to the UK Financial Ombudsman Service for expert advice in creating and developing financial ombudsman schemes in their own countries.

This has included, for example: helping countries in central/eastern Europe, as they moved their financial systems towards the western European model, as well as the former USSR state of Armenia; advising the Japanese, as they added their own cultural dimension to the financial ombudsman model; and helping Taiwan, which has just passed a law to adopt the UK financial ombudsman model.

Other areas remain work-in-progress. Notably the Russian Federation, where the UK Financial Ombudsman Service is cooperating with The World Bank in its efforts to get an independent and effective financial ombudsman off the ground – with the support of the Supreme Court of the Russian Federation whose Deputy Chairman provided the momento pictured on the front page.

Training Committee

The main focus of the Committee continues to be the joint Legal Education and Training Review (LETR) led by the SRA, the Bar Standards Board and ILEX Professional Standards.

Members of the Training Committee and of the CLLS Committee have met senior members of the SRA's education and training team to debate views and understand how the opinions of the CLLS can be fed into the Review.

The three regulators have appointed a team of researchers who will review all aspects of the training continuum from the undergraduate level through to CPD. They will draw on experience from around the world to come up with a range of recommendations for the future of education and training for the "legal workforce".

As their work progresses over the period to Autumn 2012, they will make information available via the dedicated website - www.lettr.org.uk. That will be the primary source of current information on the work of the Review and will enable visitors to the site to sign up for email alerts and subscribe to a RSS feed. That site also explains how the Review is being conducted.

Interested parties will be able to register their contact details through the website, allowing them to comment on documents and other items posted. Alternatively, anyone wishing to email the research team rather than use the website can contact them at lettrbox@lettr.org.uk.

The Training Committee will use these routes to promote the interests of CLLS members as the Review progresses.

All members of the CLLS are in any event encouraged to visit the website and to post their views on this very important Review.

*Tony King, Chairman,
Clifford Chance LLP*

Revenue Law Committee

The Committee has continued to focus on commenting on tax matters relevant to the work and clients of City firms, in particular, responding to HMRC and HM Treasury consultations.

It has been a very busy period for the Committee with responses made to the following HMRC/HMT consultations:

- Capital Allowances for Fixtures;
- High Risk Avoidance Schemes;
- The Patent Box;
- Statutory Definition of Residence;
- The Taxation of Non-domiciled individuals; and
- Controlled Foreign Companies Regime.

In addition, the Committee also commented on the OECD Discussion Draft on the meaning of “beneficial ownership” in the OECD Model Tax Convention.

In brief summary, I would highlight the following consultations and comments made:

Capital Allowances on Fixtures Consultation

We agreed with the Government’s view as expressed in the consultation document that the requirement introduced in 1996 to look back at all previous fixtures allowances claims in determining a new buyer’s maximum allowable expenditure has, over time, led to significant evidential problems. We said, however, that we were unconvinced that these problems require a policy response on the scale contemplated.

Proposed new Statutory Residence Test Consultation

We agreed with the Government’s view that there is a strong case for introducing a statutory definition of tax residence for individuals. The statutory definition outlined in the consultation document will provide a welcome increase in certainty for most taxpayers, and should prove meaningful and workable in the majority of cases. We noted, however, that those taxpayers who are most affected by the lack of

certainty under the current law are likely to have recourse to the Part C of the proposed statutory test and that certain elements of the proposed legislation (including in relation to Part C) could be clarified or amended in order to provide certainty and simplicity across the widest possible range of individual circumstances.

Controlled Foreign Companies (“CFC”) Consultation

We said in the response that we agree with the aim of introducing a modernised CFC regime that fits with a move towards a more territorial tax system and better reflects the way that businesses operate in a globalised economy and that we agree wholeheartedly with the aims of the new regime and that it should:

- target and impose a CFC charge on artificially diverted UK profits, so that UK activity and profits are fairly taxed;
- exempt foreign profits where there is no artificial diversion of UK profits; and
- not tax profits arising from genuine economic activities undertaken offshore.

We stated that in order to encourage more businesses to be based in the UK, it is important that the aims of the new regime should not be obscured by excessive detail and concern about anti-avoidance and that it is vital that the new rules should be drafted in as straight-forward a manner as possible. We also expressed the view that getting the drafting of the new legislation right is merely the first step towards encouraging businesses to be based in the UK. It is vital that when the rules come into force they are operated in a manner consistent with the aims of the new regime and are not subverted by excessive concern about avoidance and that the impact of other measures upon the attractiveness of the UK as a location for international business must also be borne in mind.

Meaning of “beneficial ownership” in the OECD Model Tax Convention Consultation.

We responded by stating that our

overall concern is that by seeking to clarify the meaning of “beneficial owner” the OECD’s proposed revised commentary may actually create uncertainty and possibly result in the denial of treaty benefits where there is no abuse. Our main observation was that treaty shopping should not be dealt with through the meaning of “beneficial owner” and that clarification of that term should be for contracting states to define in treaty negotiations with the commentary only providing background and suggested approaches.

We expect another busy period of consultations before the year-end.

Bradley Phillips, *Chairman*,
Herbert Smith LLP

Planning and Environmental Law Committee

The last 12 months have been a very interesting time for the Committee as the coalition Government attempts to implement those parts of the coalition agreement which relate to planning and environmental law issues. In doing so, we have seen the idealistic proposals made in opposition and particularly in advance of an election being tested and challenged by the harsh realities of actual government.

The key legislation for this Committee has been the Localism Bill which has shown once again that the devil is in the detail. We established with our equivalent Committee in the national Law Society a joint working group which has spent most of 2011 lobbying Government both directly and through Parliament on various aspects of the Bill which we consider to be unwise or impractical. We were helped enormously in our efforts by the parliamentary team at Chancery Lane and a number of briefing papers were sent to Parliament in order to inform the legislators of technical issues on the Bill and generally in an attempt to make the new legislation workable from a legal perspective. Whilst much of this effort fell on deaf ears, some minor victories were won. Although the resulting legislation is not perfect, at least the planning provisions have been improved. Our efforts will now move to

looking at the secondary legislation and the accompanying guidance.

In this connection, much of the summer and, indeed, the early autumn, has been spent considering the draft National Planning Policy Framework. The draft Framework has been the subject of tremendous (and possibly unprecedented in recent times for a planning reform) public debate, most of it misplaced (on both sides). The idea of simplifying policy guidance is most welcome, at least in theory, but, as ever, moving from the theory to the actual is more difficult. As I write this report a working group of the Committee are progressing what we hope will be a balanced and realistic response to this historic reform.

In addition to the above, the Committee has continued to meet on a regular basis and, through working parties, consider consultations on a number of planning and environmental issues including two consultations relating to use classes and the Cabinet Office Red Tape Challenge relating to environmental law.

I would like to thank all the Committee members for their support and enthusiasm and without which the work of the Committee would simply not happen. Much of this report relates to planning issues but, to correct the balance, I would particularly like to thank my vice chair, Valerie Fogleman, for co-ordinating our environmental law responses which this year have not been in the limelight as much as planning issues but nevertheless continue to be so important and relevant to our activities.

*Rupert Jones, Chairman,
Weil Gotshal & Manges LLP*

Financial Law Committee

Given the continuing financial turmoil and the proposals for legislative reform to address this, it has remained a very busy time for the Committee.

We have also commented on a number of long running issues, including the implementation of the provisions in the Companies Act 2006 for the reform of the registration of charges, where we

have held a lengthy dialogue with the Department for Business, Innovation and Skills. We also have an ongoing dialogue with the Insolvency Service on a number of topics, including the possible change to the “prescribed part” rules, the effect of the proposals of the Independent Commission on Banking on the insolvency of UK regulated Banks, the updating of the Insolvency Rules, the proposals for a moratorium arrangement for larger companies and the work of the European Commission on a Framework for the Cross-Border resolution of Credit Institutions (Banks), on which we have also commented directly to the European Commission (see CLLS website). Geoffrey Yeowart and Dorothy Livingston completed their work as members of a working group advising the Scottish Government on issues related to the implementation of a separate registration system for floating charges over Scottish assets. We see issues related to security and insolvency continuing to take up a great deal of our time, as case law and proposals (including those of the Independent Commission on Banking) evolve and, in some cases, may significantly erode, the value of some forms of secured transactions. We believe that it will be necessary to revisit legislation on financial collateral arrangements as these proposals develop.

We have commented to the Ministry of Justice on proposals for a European Account Preservation Order (see CLLS web-site), the effect of which on the rights of other creditors and of the defendant in cross-border litigation are worryingly unclear, given the advanced stage of the EU proposals. The UK has the right to opt-out of these proposals and the decision of Ministers is awaited.

We have been involved in the CLLS and Law Society work on the proposals for a European Contract Law and Dorothy Livingston headed a Law Society cross disciplinary group that commented to and met with representatives of the Independent Commission on Banking and also represented the CLLS at meetings of the Banking Liaison Panel established under the Banking Act 2009 to advise the Treasury on subsidiary legislation and the Code of Practice

under the Act. Details of the work of the BLP are available on the HM Treasury web-site.

Finally, we said goodbye to two members who have given long service on the Committee: Mark Campbell of Clifford Chance, who has chaired some of our working groups and contributed actively to many others (see in particular “Checking Constitutional Documents: Memorandum of the Financial Law Committee of the City of London Law Society” available on the CLLS Website) and James Curtis of SNR Denton, who has contributed to many working groups and who is leaving City practice. Robin Parsons, who retired from the Committee earlier this year, continues to chair our standing Committee on Financial Collateral Arrangements legislation.

We were pleased to welcome and give our good wishes to David Hobart, the new CLLS CEO, at our meeting last month, which he attended together with Robert Leeder, the CLLS Committees Co-ordinator. We also wish well to Alasdair Douglas who has taken on the mantle of Chairman of the CLLS.

*Dorothy Livingston, Chairman,
Herbert Smith LLP*

Regulatory Law Committee

The Regulatory Law Committee (the “Committee”) meets monthly and has, since July, responded to several EU and Government consultations. The key responses included:

1. HM Treasury Consultation - A new approach to financial regulation: the blueprint for reform

The Committee made a number of general and some specific responses to the Treasury’s proposals. In general, the Committee considers that the draft Bill only provides a scant framework for financial reform, which effectively proposes the replacement of the current tripartite model of financial regulation with one that has four bodies. Efficient and effective interaction and co-ordination between the regulators will, therefore, be critical to ensure a safe system of regulation. The Committee also noted that it will be essential to

reassure firms that they will not end up paying for an inefficient duplicative system, or be at risk of being caught in a cross-fire of disagreement or perimeter disputes between regulators.

Accordingly, particular areas of the draft Bill that the Committee considers requires more detailed consideration include the interaction between the new regulators, the regulatory scope of the Prudential Regulation Authority (PRA) and the proposal to split the regulation of exchanges from the regulation of clearing and settlement systems. The Committee also voiced its concern that the proposed structure risks decreasing the effectiveness of the UK in Europe at a time when there is a considerable shift of power to EU regulatory bodies.

Many of the Committee's detailed responses to the Treasury's proposals repeat comments that had been made in its previous submissions. These relate to certain issues that the Committee believes are of considerable importance because they either raise fundamental issues of natural justice and fair procedure or have negative implications for the UK's position as a financial centre compared with those in other European member states. For example, the Committee's concerns around the proposed extension of enforcement powers, including the publication of warning notices with little protection for regulated persons.

The submission was compiled from responses on particular issues prepared by different members and so particular thanks are due to Robert Finney (Dewey & LeBoeuf LLP), Jonathan Herbst (Norton Rose LLP), Bob Penn (Allen & Overy LLP), Nick Kynoch (Berwin Leighton Paisner LLP), Tamasin Little (SJ Berwin LLP), Ben Kingsley (Slaughter & May), John Crosthwait (Independent), Peter Bevan (Linklaters LLP), Simon Crown (Clifford Chance LLP), Simon Morris (CMS Cameron McKenna LLP), Richard Everett (Lawrence Graham LLP) and Angela Hayes (Mayer Brown International LLP) for their work on this submission.

2. Government's Review of the Money Laundering Regulations 2007

The Committee supports the repeal of

the existing criminal sanctions under the Regulations (on the basis that criminal offences for firms associated with money laundering under the Proceeds of Crime Act 2002 (POCA) provide "more than adequate cover") and that debt purchasers should be able to rely on customer due diligence previously carried out by the seller.

The Committee also took the opportunity to address certain general issues that were not specifically raised in the consultation by way of support for the Government in its efforts to have an effective anti-money laundering regime.

Specifically, the Committee noted that there is a widespread lack of understanding about both what a "risk based approach" is and what a firm must do to have a satisfactory risk based approach, which is a particular concern in a regulatory environment where firms' senior employees are exposed to personal liability. The Committee encouraged the production of further guidance in this regard.

The Committee also encouraged HM Treasury to produce (or request that the JMLSG produce) further, more precise guidance on the subject of enhanced due diligence "on a risk sensitive basis".

Particular thanks to Margaret Chamberlain (Travers Smith LLP) for her work on this submission.

3. European Commission's consultation on a new European regime for venture capital funds

The Committee requested further clarity on the scope of the proposed regime to make clear that the proposed new regime is intended to apply to smaller funds that will not automatically be within the scope of the Alternative Investment Fund Managers Directive (2011/61/EU) (AIFM Directive), but which will have the opportunity to opt in to it. The Committee also noted that the Commission could usefully consider using the proposed new directive to take larger funds outside the scope of the AIFM Directive if they have the relevant investment policy profile.

Also highlighted was the fact that the consultation paper contains a number of references which appear to imply

that a passport is required to invest in European companies. The Committee noted its concern with this implication and sought clarification that the passport regime will only apply to the ability to raise funds and will not require venture capital funds, or any other investors, to obtain a licence to invest in European companies.

The Committee opined that the proposed passport regime should be introduced as an additional option for firms, rather than a requirement and that firms that are outside the scope of the AIFM Directive should continue to be able to make use of national private placement regimes.

The Committee noted its concerns in respect of certain key definitions. In particular, the MiFID definition of "professional client" is not appropriate for private equity or venture capital investment. Rather, the UK concept of "business angel" investors would be a more appropriate model.

Particular thanks to Margaret Chamberlain (Travers Smith LLP) for her work on this submission.

4. FSA's 29th Quarterly Consultation (regarding the chapter on guidance relating to land investment schemes)

The Committee's response focused on the proposed guidance in Chapter 11 of the FSA's Perimeter Guidance Manual (PERG) on land investment schemes. In particular, the Committee felt that the judgment in the *Sky Land Consultants plc* case, on which the PERG 11 guidance is based, should be explicitly referred to in the guidance, as it would be a helpful cross-reference. Also, the Committee set out some suggested amendments to PERG 11 in order to clarify that the substance of an arrangement is not the same as, and cannot be derived conclusively from, the intentions of an operator or of the investors. The Committee also asked the FSA to further clarify certain of its proposals.

Particular thanks to Ben Kingsley (Slaughter & May) for his work on this submission.

*Margaret Chamberlain, Chairman,
Travers Smith LLP*



Christmas Market

Guildhall, London

Solve all your Christmas gift worries, then relax over lunch or a glass of wine at this spectacular venue

Preview Night 28 November

5.30pm - 9.00pm

To be opened by the Lady Mayoress
£30 including Champagne and canapés
Pre-booked tickets only

Public Day 29 November

10.30am - 8.00pm

£5 including a complimentary glass of wine
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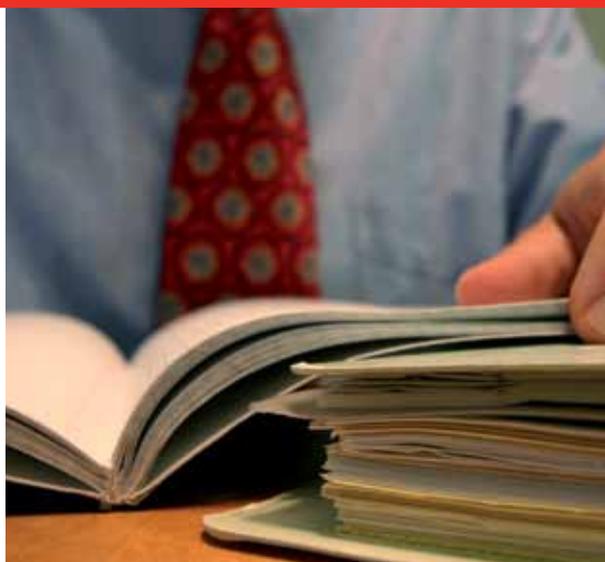
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Policy and Committees Coordinator's Report



The CLLS is continuing its dialogue with the European Commission and other stakeholders regarding the Commission's proposal to introduce a "European Contract Law for consumers and businesses".

EU Contract Law proposals

To date, the CLLS has responded to a number of consultations on this issue, most recently in June when it submitted a response to the Commission's Expert Group's "Feasibility Study" (which included a 189 article draft code). The CLLS's position on this issue remains that it questions whether the Commission's current proposal in this area is useful, appropriate were justified, given the paucity of statistical evidence and analysis identifying any problems or any need for action. More broadly, along with a number of other stakeholders, the CLLS has a number of additional concerns about the Commission's "European Contract Law" proposal. These include the method by which the proposal has been introduced and consulted upon, and the uncertainty surrounding a number of aspects of the proposal (including operational issues such as scope and implementation costs).

Since the CLLS's submission was made, the Commission has (on 11 October 2011) released a proposed regulation on this topic ("Proposal for a Regulation of the European Parliament and of the Council on a Common European Sales Law"). (See http://ec.europa.eu/justice/newsroom/news/20111011_en.htm for the proposed regulation and other accompanying documentation.) Furthermore, the Commission also recently released an impact assessment for the proposal (http://ec.europa.eu/justice/contract/files/1_en_impact_assesment_111011.pdf). As the Commission's press release stated, the Commission's proposal now needs approval from EU member states and the European Parliament.

Going forward, the CLLS will continue to work with a number of stakeholders on this issue, and the CLLS Chair Alasdair Douglas has joined a Ministry of Justice stakeholder group on this issue. The CLLS is also following with interest the Law Commission's study on the legal consequences for the United Kingdom of the Commission's proposals.

Consultations

In addition, some of the more recent consultations to which the CLLS Committees have responded have included:

- DCLG: "Relaxation of planning rules for change of use from commercial to residential: Consultation"
- European Commission: Study on the application of the Directive 2004/25/EC on takeover bids; "The EU corporate governance framework"; "Consultation on a new European Regime for Venture Capital"
- ESMA: "Consultation on ESMA's technical advice on possible delegated acts concerning the Prospectus Directive as amended by the Directive 2010/73/EU"
- Financial Reporting Council: Paper on "Cutting Clutter - combating clutter in annual reports"
- FSA: "CP11/11: Quarterly consultation paper No.29"
- HMRC: "High Risk Tax Avoidance Schemes"; "Capital Allowances for Fixtures"
- HMT: "A new approach to financial regulation: the blueprint for reform"; "Government response to its review of the Money Laundering Regulations"; "Consultation on the Patent Box"; "Consultation on Controlled Foreign Companies (CFC) reform: detailed proposals"
- MoJ: "How should the UK approach the EU proposal to create a European Asset Preservation Order?"
- OECD: "Clarification of the Meaning of "Beneficial Owner" in the OECD Model Tax Convention - Discussion Draft"
- SRA: "Realignment of the Higher Rights of Audience Regulations in relation to higher rights of audience and the aims of the Qualified Lawyers Transfer Scheme".

Robert Leeder, Policy & Committees Coordinator, CLLS



Stephen Sayer,
Liveryman,
Said Al Shahry &
Partners, Oman

The Omani – British Lawyers' Association (“OBLA”)

This association has recently been formed. Given the very long standing ties between Oman and the UK, and the presence of lawyers from each jurisdiction in the other, it is perhaps somewhat surprising that it is only now that an association of the lawyers from both jurisdictions has been created.

The concept is not new: there are other such associations. OBLA is designed to foster relations and understanding between lawyers from the two countries.

It may be appropriate to give a brief description of Oman and its legal profession for those who are unfamiliar with the country. The Sultanate of Oman, to give the formal title of the country, is situated on the eastern side of the Arabian Peninsula and is roughly the same size as the British Isles.

The majority of the population is Muslim. Islamic law and jurisprudence (commonly known as Shari'ah) is a major source of legislation and interpretation of the law. Whilst the legal system in Oman is largely based on the civil code system, which is dominant in the Middle East, having spread from Egypt, the influence of the common law system may be seen in commercial and transactional law.

Primary legislation is made by Royal Decrees (often referred to as RD), which are issued by HM the Sultan and which promulgate laws. Secondary legislation is made by Ministerial Decisions (often referred to as MD), which are issued by ministers, heads of public authorities and similar regulatory bodies. They implement the general provisions and principles set out in the primary legislation.

Legislators and practitioners often allude to a gap between the law and its practice in Oman, estimated by academics at between 20-30%, depending on the context. This often means that lawyers (whether advocates or legal consultants) have to check with court practice in Oman before giving a legal opinion on what might seem a clear and straightforward case.

This is of particular importance as any principles stated by the Supreme Court are not strictly speaking binding, except in the case of criminal cases. The result is that judges, whilst not supposed to act with the freedom enjoyed by common law judges, do exercise some flexibility in their judicial interpretation. This does of course render judicial outcomes uncertain.

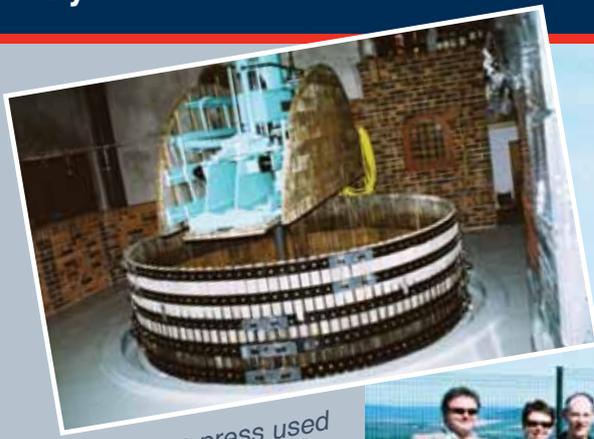
It is worth noting that, until 1999, Oman had three court systems as follows:

- 1 Shari'ah: covering personal status and family cases.
- 2 Commercial: covering commercial and labour transactions.
- 3 Criminal: covering criminal and penal aspects of the law.

Since 1999 all courts were united under one umbrella, which provides for a three-tier court system: Primary, Appeal and Supreme Court. They are administered by the Supreme Council of the Judiciary and the Ministry of Justice. This followed an important step in 1997, when the personal status aspects of Shari'ah were codified into the Personal Status Law. HM the Sultan, however, remains an arbitrator in major issues. He is the ultimate forum of appeal in capital punishment cases and some personal status issues impacted by historic tribal customs.

The membership of OBLA is both corporate (in the sense of law firms) and individual members and will be drawn from Omani and UK lawyers who find themselves in either the UK or Oman. OBLA plans an annual event at which legal and professional matters of mutual interest will be discussed. It is hoped that the first such event will be in February 2012.

Those interested in joining should contact Rachael Oxby, OBLA Membership Secretary, at Rachael.Oxby@snr Denton.com.



The grape press used at Henri de Vaugency



Team photo at Nicholas Feuillatte

An Expeditionary Force in Champagne

The following extracts from the campaign diary of Liveryman Vincent Keaveny have recently been recovered by the Company.

“Friday 9 September

08.45: Rendezvous with the 23 members of the Company party at the Union Jack Club. Our regimental officer commanding, the Master, John White, is present with the expeditionary leader, Major Julian White and his adjutant, Gerard O’Shea. Almost immediately our battle bus is under fire - news of our expedition has leaked and Champagne deploys troops from the Pol Roger, Taittinger, Veuve Clicquot, Bollinger and Ruinart regiments before we reach the Channel. Incoming fire from Champagne is constant. On arrival in France we have our first brush with troops from Philippe de Brugnion’s crack regiment. Major White advises us to call into action our allies from the Hautes Côtes de Beaune and the Côtes de Nuits from time to time. This gives our push into France extra vigour and we reach Reims and our comfortable billet at the Hotel de la Paix on schedule.

19.45: We meet the mastermind of our opposition, Philippe de Brugnion, in person for the first time at Restaurant La Garenne. He skilfully deploys a range of forces against us, his own troops and reinforcements from

Burgundy and Bordeaux. Our morale is good and despite the long day we hold our ground. Some prisoners are taken on board the battle bus for our return to Reims.

Saturday 10 September

12.30: Our first assault has succeeded! A morning attack in the sunshine on the Grand Cru village of Oger, with its troops of 100% Chardonnay origin (the ‘Blanc de Blancs’), leads to our capture of the Maison Henri de Vaugency. Its leader, Pascal Henry, surrenders his sword to Major White and several of the enemy are decapitated on the spot. We celebrate our first success with a light lunch of only three courses before deploying to our afternoon objective, the modern fortress of Nicolas Feuillatte.

16.00: Our early success in breaching the Nicolas Feuillatte defences quickly turns against us - our small force is no match for the scale of the opposition and its resources. After the wooden equipment and chalk cellars of Henri de Vaugency, here it is all steel and concrete. We fall back to Reims taking only a few prisoners.

Sunday 11 September

10.30: Refreshed by our mess dinner last night at La Table d'Anna, we are ready to tackle Moët and Chandon in Epernay. We dispose of a few of our prisoners on the journey there to sharpen our martial spirits.

14.00: Disaster! We had made great progress in penetrating deep into the 28km of caves that are at the heart of the Moët and Chandon defences only to be overwhelmed by their world renowned Dom Perignon brigade. Resistance is useless against superb troops that have been in training since 2002. We withdraw to a safe redoubt at Champagne Arnoult high above the

Vallée de la Marne for a buffet lunch and an inspection of the local co-operative forces that, unusually, are made up of a high percentage with Pinot Meunier origins.

15.45: We embark on the River Marne for a river borne assault on Philippe de Brugnon's regiment. With our sabres ready, a number of the Company's force experience the satisfaction of decapitating the enemy, sending their heads flying into the river. Prisoners are taken for our return to HQ in Reims. However, we know we face a stiff task tonight: an all-out attack on the Brugnon base in Rilly-la-Montagne.

23.15: It has been a long, hard fight.

Brugnon threw everything at us over five courses, with his Brut NV and Vintage 2006 troops performing well alongside his Rosé detachment, the deployment of much 1er Cru Pinot Noir forces providing real depth on his side. He called up reinforcements from Maranges in the Côtes d'Or in Burgundy and Chateau Smith Haut Lafitte in Graves but to no avail. By the end of the evening every one of our party had distinguished themselves in hand to hand combat with the sabre and been recognised by admission as Sabreurs of La Confrérie du Sabre d'Or. We take many prisoners on to the battle bus for our return to the U.K.

(cont. on page 12)



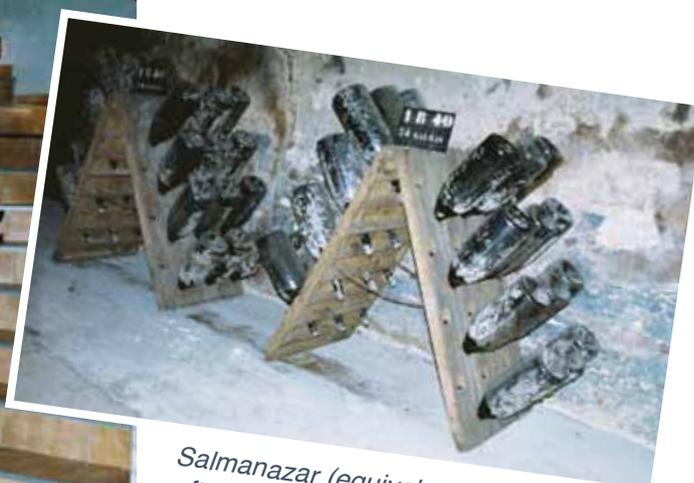
Pascal Henry of Maison Henri de Vaugency showing the collection of the "lees" just before disgorgement



Mrs Amanda Keaveny sabraging for a drink with lunch



The Master sabraging with Philippe Brugnon and Major Julian White (with sabre and moustache)



Salmanazar (equivalent to 12 bottles) after aging and in "le remuage" waiting disgorgement at Pommery

(cont. from page 11)

Monday 12 September

13.00: A final skirmish in Reims this morning; a reconnaissance of the Roman chalk pits below Champagne Pommery. We dealt easily with some troops from Pommery's Brut Royal NV and Vintage 2004 detachments. Unfortunately, as we were withdrawing we lost some of our best men to well positioned snipers from Pommery's famous Cuvée Louise unit. There is no time for regrets - another three course lunch has to be eaten and our transport back to England awaits in Calais.

17.00: Our withdrawal through France is accompanied by continued harassment from the enemy but we dispatch a number of them with assistance from our old allies from Burgundy. Our transport ship is delayed due to stormy conditions in the Channel. Our driver, Brendan, may run out of time to get us back to our London rendezvous. Major White is looking for volunteers to cover our retreat. I decide to volunteer. If I don't make it, I will have the satisfaction of knowing that I make the supreme sacrifice in a great and glorious cause - our Company's conquest of Champagne."



Enjoying Dom Perignon



In the cellars at Moët & Chandon with "the tirage" at second fermentation in bottles



Pardon de Saint Yves - Treguier 2012

Following the success of last year's visit, the Master, John White, wishes to mark his year by leading a group to take part in the "Pardon de Saint Yves" in May 2012. The event is a colourful occasion which no-one could fail to enjoy and is open to both Liverymen, Freeman and their partners.

Travel

You will need to make your own travel arrangements but details of possibilities will be circulated nearer the time. The most direct route is by Ryanair from Stansted to Dinard.

Hotel

The Chateau Hotel de Brelidy is a charming 14-room hotel with extensive grounds, lying about 15 kilometres to the south of Treguier. If there is sufficient interest, the hotel has offered a deal with rooms starting from 365 euros per head for three days demi-pension to a maximum of 425 euros for the most expensive suite, including breakfast and dinner.

We need an early indication of the likely level of support so that we can confirm our provisional hotel reservation. While we are not looking for firm commitments at this stage, it would be very helpful if you could contact the Clerk on mail@citysolicitors.org.uk as soon as possible to register your interest.

Neil Cameron,
Clerk



Liverymen and their guests enjoy a tour of the Olympic site.

Olympic Site Tour

On Thursday 21st July, 38 of our more athletic Liverymen and their guests undertook a most informative and enjoyable tour of the Olympic site.

We started at Stratford station which is undergoing significant development but everyone managed to find our coach without too much delay.

We were met by our blue badge guide, Sally Empson who was extremely knowledgeable on all matters relating to the Olympic site. We toured the outskirts of the site stopping regularly to identify the athletics village which is designed to accommodate 17,000 athletes. Apparently all the apartments are built without kitchens as full restaurant facilities are provided on site. The units will obviously be refurbished when they are sold off. We passed the very impressive velodrome with its natural ventilation system, the striking temporary basketball arena, the wave themed aquatic centre with its temporary wings and the main Olympic stadium which will be used for 208 events and will accommodate 80,000 spectators during the Olympics and the Paralympics.

After circling the site we alighted from the coach at Pudding Mill Lane DLR station and walked up on to the Greenway to get a close up view of the Olympic stadium. The Greenway is actually constructed on the embankment containing the Northern Outfall Sewer. It runs from Bow through Stratford,

Plaistow and Newham to the Royal Docks in Beckton and the whole area surrounding it has been transformed from contaminated land into 2.5 sq. km of green space with thousands of trees and wetland plants to create a new green space for 2012 and beyond. As well as a view of the stadium we also saw the emerging spiraling statue designed by Anish Kapoor which will be 115 metres tall, 22 metres taller than the Statute of Liberty and will dominate the skyline when completed.

After reboarding the coach we drove to the Royal Docks to view the ever-changing landscape which includes the Excel centre which provides the largest flexible exhibition space in Europe and is hosting 165 events during the Olympics and the Paralympics.

By this time the solicitors were getting thirsty and hungry and so we returned to Pizza Express in Stratford for a couple of beers and a 2 course meal to finish off the evening before finding our way home via Stratford station.

We may not have any tickets but at least we are now more knowledgeable on the various stadia and on the Olympic park.



The Main Stadium at the Olympic Park



Construction of the Arcelor Mittal Orbit, the sculpture and viewing tower designed by Anish Kapoor.



Ronnie Fox*,
Past Master,
Motoring Correspondent

* This article incorporates much appreciated research undertaken by Ali Hussain of Linklaters.

Fox Drives the Good Value for Money Rolls-Royce

I have been driving a dark blue 1952 Rover 75, originally purchased by King Hussein of Jordan and now owned by Anthony Fincham, a leading Employment Lawyer. His car was in excellent condition having been restored by the original suppliers, Bristol Street Motors.

The car which Anthony kindly allowed me to drive was one of the P4 series made by Rover, that most British of motor manufacturers from 1949 to 1964. Without visible running boards its design was very different from most other British cars of the era, although the generous full width body did reveal a narrow step when the doors were opened.

The Rover 75 was launched in 1949. The styling, heavily based on the bullet-nosed Studebakers of the time, is now regarded as rather staid; then it was seen as modern and even controversial, a sharp contrast to the outdated Rover P3 which it replaced. The P4 was one of the last British cars to incorporate rear-hinged suicide doors.

Power came from a 2.1 litre straight-6 engine generating 75 b.h.p. A four speed manual transmission was used with a column-mounted shifter at first (and a floor-mounted unit from 1954). Performance was good for its era, notwithstanding a laden weight of a ton-and-a-half, with a top speed of 83 m.p.h. and 0 – 60 taking 21.6 seconds. A freewheel clutch, a traditional Rover feature, was fitted to cars without overdrive until mid-1959.

The complete body shells were made by Pressed Steel and featured aluminium/magnesium alloy doors, boot lid and bonnet. Underneath the 75 has a conventional separate chassis with independent

suspension by coil springs at the front and a live axle with half-elliptical leaf springs at the rear. The brakes on very early cars were operated by a hybrid hydro-mechanical system but became fully hydraulic in 1950.

Rovers were universally known as the poor man's Rolls-Royce. A more accurate description might be the good value for money Rolls-Royce. Well furnished even by today's standards the P4 75 is equipped with a beautifully crafted dashboard and window surrounds carved out of African walnut coupled with a sumptuous leather interior and Wilton carpet.

Driving it smoothly was quite a challenge. The steering was vague and sloppy. I am never keen on column-mounted gearboxes; this one was not easy because synchromesh was provided only on the third and top gears. I didn't try the free-wheel.

I found the interior spacious, comfortable and attractive. There was ample room for three adults on the front bench and three more in the back. Adjustable armrests in the front were a traditional Rover feature. There were two large glove-boxes: one was lockable and the other was in the space where a radio would sometimes be fitted. The shapely boot was quite large though a little shallow. The powerful engine had excellent torque and the suspension performed remarkably well. The horn blared in a most satisfying and aristocratic way. I liked the semaphore trafficators. Classic Jaeger instruments were exceptionally clear.

In total eight different versions of the P4 were produced over the years ranging from a four-cylinder 60 to the powerful 1963 six-pot 110. Over 130,000 examples were manufactured with a good few still going strong to this day, some in service as everyday transport. Obviously quality construction, allied to an extremely robust chassis, contributed to their longevity. They seem go on and on, just like mature lawyers.

