

ASIAN INSTITUTE OF INTERNATIONAL FINANCIAL LAW
FACULTY OF LAW, UNIVERSITY OF HONG KONG

Public Lecture

The Bank's Fiduciary Duty – Towards a New Model

Professor Ruth Plato-Shinar

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Chair

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1:00 – 2:00 pm

Theatre 3, Meng Wah Complex, University of Hong Kong

Different legal systems impose varying degrees of fiduciary duty on the banks. The lecture will analyze two models of the bank's fiduciary duty. Firstly, the Israeli model, which imposes a fiduciary duty towards all customers and many third parties, thus imposing a very wide liability on the banks. Secondly, the Anglo-American model, which does not inherently consider the bank-customer relationship as a fiduciary duty, yet it states exceptions to the rule. The lecture will suggest a third, middle model, that balances the conflicting interests of the parties, creates appropriate norms of banking conduct, and establishes a proper banking culture.

Professor Ruth Plato-Shinar is one of the leading Israeli authorities in the field of Banking Law. In the past she worked as a legal advisor in Bank Leumi, one of the two largest banks in Israel. Presently she focuses on academic activity, teaching at the Netanya Academic College, Israel. She is also the Director of the Center for Banking Law, which she founded at the College. Her subjects of research include: The bank's fiduciary duty (this is also the topic of a book she published in 2010); Bank-customer relationship; Bank-guarantor relationship; Class actions against banks; Environmental and social liability of banks; Ethical codes of banks.

Please register on-line via www.AIIFL.com or
email Flora Leung at fkleung@hku.hk to reserve a place.

ALL ARE WELCOME!