LEGAL ASPECTS OF RECEIVABLES FINANCING & ASSET BASED LENDING

22nd / 23rd March, 2011
BIRMINGHAM

WHO SHOULD ATTEND?
The course will benefit those involved in new business or operations who wish to develop their existing knowledge of the law affecting the operation of receivables financing and asset-based lending facilities. The course is aimed at managers and those with equivalent status and experience who already have a good understanding of the law relevant to the subject matter of the course.

WHAT STUDENTS WILL LEARN
The course will help delegates broaden and develop their understanding of the law affecting the receivables financing industry.

COURSE CONTENT
The topics to be covered will include:
- The legal and practical implications of terms contained in standard receivables financing documentation including: Invoice finance agreements
- Fixed and floating charges
- Guarantees and indemnities
- Deeds of priority
- Waivers and acknowledgements
- Important issues to be considered when financing assets other than receivables (such as stock, plant & machinery and property).
- Legal issues affecting the financing of receivables including:
  - Clauses prohibiting the assignment of debts
  - Pursuing and rebuthing reservation of title claims
  - How, in practice, the rules relating to set off affect the financing of receivables
  - Money laundering regulations
  - The Data Protection Act 1998
- Successful claims recovery - rebutting defences commonly served by guarantors.
- Controlling the ‘exit strategy’, techniques involved in reconstituting and re-organising businesses and formal insolvency procedures for corporate clients.
- Current issues affecting the receivables financing industry, including recent cases and impending legislation.

GUEST SPEAKERS
Simon Boon, DLA Piper
Simon heads DLA Piper’s UK-based receivables financing and asset-based lending team. He has more than 30 years’ experience in advising clients on contentious receivables financing and trade finance work. Simon conducts claims against the former clients of finance companies, guarantors and indemnifiers and undertakes fraud investigations and insolvency-related litigation. Such work often involves applying for freezing orders and associated relief; working with receivers, liquidators, administrators and Trustees in Bankruptcy; and recovering misappropriated assets. Simon is a regular speaker at conferences and seminars covering the legal aspects of receivables financing and asset-based lending, fraud and money laundering. He presents a legal update to each meeting of the ABFA Operations Forum and regularly speaks at seminars organised on behalf of the ABFA. Simon was awarded “ABFA lecturer of the year” in 2004 and 2008.

Lorinda Peasland, DLA Piper
Lorinda is a partner in DLA Piper’s Restructuring group, with over 130 specialist restructuring lawyers in the UK and continental Europe. Lorinda has over 20 years experience advising both asset based lenders and UK clearing banks on financially distressed companies and individuals and leads DLA Piper’s UK asset based lending restructuring team. She also acts for all the major insolvency accountants and specialist asset based lending accountants operating in the UK. She additionally advises asset based lenders on all aspects of policy and procedure. She regularly speaks at courses organised by ABFA on legal aspects of receivables finance. She is one of 5 partners in DLA Piper’s London office with specific responsibility for Corporate Social Responsibility.

Louise Gates, DLA Piper
Louise is a partner in the Structured and Receivables Finance team at DLA Piper UK LLP, and is based in the London office. She has over nine years experience in receivables financing and the ABL industry. Louise predominantly advises UK clearing banks and other financiers on highly structured and cross-border financings, including off balance sheet transactions. She also provides regular in-house training programs for a number of clients.

“Excellent Course. Thoroughly enjoyed the sessions.”

“Very good course with practical examples”