

Contract/Commercial

Transfer of Undertakings · Radisson Blu, Glasgow

Michael Upton, Advocate · May 4th

PURSUE  EXCELLENCE

Transfer of Undertakings: The Common Law - & The Contract (Third Party Rights) (Scotland) Act 2017

When ownership of a business changes, many employment lawyers are familiar with the Transfer of Undertakings (Protection of Employment) Regulations' imposition on the transferee of responsibility for employees. The common law has a much lower profile, but can be just as important - and applies to creditors generally, not just to employees' rights. There is a consistent line of Scots case-law from 1861 to 2015 on the liability of the transferee for debts of a business it has acquired. However, common-law liability depends greatly on the particular circumstances of the transfer, and the underlying rationale of the rules is obscure and controversial. It is an area in which English and Scots law differ to an unusual degree. This seminar will cover these topics including:

- When an acquirer of a business is liable for pre-acquisition debts
- What kinds of business transfers are affected
- Whether a business-transfer agreement can regulate creditors' claims
- The importance of consideration
- The unexplored limits of liability
- Comparison with corporate capital-maintenance and gratuitous alienation rules
- The new third-party rights legislation

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At a glance

£180+VAT; 4hrs CPD

2-5pm

May 4th

Glasgow

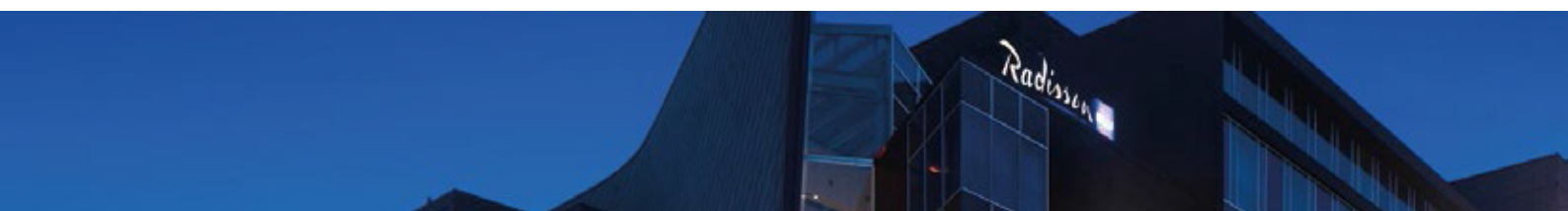
Radisson Blu

Materials

Once delegates book the event, you will receive confirmation of your attendance, and a follow-up reminder email shortly before the event.

At the event, delegates will receive a comprehensive handbook covering issues raised, including any presentation material. The handbook will be provided hard copy, and these materials will be available to purchase after the event for those unable to attend.

The event begins at 2pm. Delegate registration is open from 1:30pm



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The Speakers



Michael
Upton

Michael Upton has practised as an advocate for 26 years and has extensive experience of commercial, corporate, property, agricultural, planning and tax litigation. He has advised or represented numerous public bodies including H.M.R.C. and Scottish Water and 15 of Scotland's local authorities, as well as Aviva Insurance, Barratt Group, Carillion Construction, J. & E. Shepherd, the Financial Services Compensation Scheme, Mrs. Ann Gloag, Greenpeace, Hamilton Academicals, John Lewis and the Libyan Government. He has been a member of the panel of instructors for candidate solicitor-advocates for the Law Society of Scotland for 14 years.

The venue

The event will take place at the Radisson Blu Hotel in Glasgow. Centrally located, with excellent transport links and car parking facilities, the Radisson have a wealth of experience hosting events.

Radisson Blu

301 Argyle St
Glasgow
G2 8DL

www.radissonblu.com

0141 204 3333

Unable to attend?

If your diary precludes attendance at the event, the course materials will be available for purchase. Please contact us for more information.

CCPD Training

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0141 314 3682