

## The Future of the Commercial Contract in Scholarship and Law Reform

### Fifth Annual Conference

#### Online Event

Friday, 16th October 2020 - 10.00-17.00 hrs

(UK time, GMT +1)

– Programme –

Website: [www.lcf-academic.org](http://www.lcf-academic.org)

Organised by the London Centre for Commercial and Financial Law (LCF) –  
Professor Mads Andenas, QC, Director

Academic Convenor: Dr Maren Heidemann, (Co- Director LCF)

Institute of Advanced Legal Studies, School of Advanced Studies, University of London

in co-operation with the Centre for Corporate and Financial Law at the University of Exeter Law School – Dr. Joseph Lee,  
Co- Director, and the Commercial Law Research Group at Westminster Law School, University of Westminster –  
Catherine Pédamon

This conference builds on research undertaken at the University of London (Institute of Advanced Legal Studies, School of Advanced Studies) from 2016-2019. The 2020 conference explores topics in commercial contract law with a focus on sustainability policies, broadly conceived, including aspects of legislative challenges and international dispute settlement.

**10.00 am: Welcome Address by Professor Mads Andenas QC**  
LCF, University of Oslo and Institute of Advanced Legal Studies

**Keynote speaker:**

**10.15 - 10.50am: Professor Franco Ferrari, New York University,**  
Director, Center for Transnational Litigation, Arbitration, and Commercial Law:

**“Limits to party autonomy in arbitration”**

**10.50-11.00 Q&A Keynote**

**11.00am - 11.50 am Panel 1: Current issues in international commercial arbitration.**

**Chair: Hendrik Puschmann, Farrer&Co. , London**

11.00 am- 11.20 am Dr Leonardo Valladares Pacheco de Oliveira, Royal Holloway, University of London: *Is arbitration sustainable when there is evident inequality of bargaining power between the parties? - a review of Heller v Uber –not part of the recording –*

11.20 -11.40 Dr. Sara Hourani, Middlesex University, London: *Going Paperless: A Critical Evaluation of the Recognition and Enforcement of International E-Arbitration Agreements*

11.40-11.50 Q&A Panel 1

**12.00.pm- 12.50 pm Round Table discussion: Good faith and fair balance in the international comparison**

**Chair: Dr. Maren Heidemann, IALS, University of London and LCF, London**

- 12 pm -12.30 pm Papers by Prof. Bashar H Malkawi, University of Sharjah, UAE: *The Use of "Good Faith" under UAE Law - diversions from the CISG standard? — not part of the recording* – and Dr. Johan Vannerom, Erasmus School of Law, Rotterdam: *The notion of 'free choice'. From contractual freedom towards fairness and compassion.* 12.30-12.50 pm: Discussants Prof. Franco Ferrari, Catherine Pédamon and Tugce Yalcin, IALS, with a brief intervention on *Culpa in contrahendo and good faith*).
- 12.50 - 1pm Q&A

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*Lunchbreak 1.40 pm - 2.00 pm*

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**2.00 pm - 2.50 pm Panel 2: Current issues in commercial contract EU framework and Covid-19**

**Chair: Dr. Maren Heidemann, IALS, University of London and LCF, London**

- 2.00 pm -2.20 pm Michala Meiselles, University of Derby and Robert W. Emerson, Warrington College of Business University of Florida, Gainesville, US : *Modelling Franchise Regulation in the European Union: The US Model Should Serve as a Paradigm for the Regulatory Framework in the European Union*
- Online presentation** Catherine Pédamon, University of Westminster and Dr. Radosveta Vassileva, University College, University of London: *Contractual Performance in times of Covid 19 – does Anglo-French legal history repeat itself? available now at <https://www.youtube.com/watch?v=Ey2h7kvZhx4>*
- 2.20-2.40 pm Mr. Chee Wai Terry WONG, Open University of Hong Kong and Dr. Tat Chee TSUI, Beijing Normal University and Hong Kong Baptist University - United International College, China: *Contract of Insurance Policy under COVID-19*
- 2.40- 2.50pm Q&A Panel 2

**2.50pm - 3.40 pm Panel 3: Sustainability issues in commercial contracts**

**Chair: Catherine Pédamon, University of Westminster, London**

- 2.50 pm - 3.10pm Dr. Katarzyna Kryla-Cudna, Tilburg University, *Sales Contracts and the Circular Economy*
- 3.10pm -3.30pm Dr. Katarzyna Południak-Gierz, Jagiellonian University, Kraków: *Eco-reasonableness. Possibility of incorporating green principles into general private law clauses*
- 3.30 pm- 3.40 pm Q&A Panel 3

**3.50 pm - 5.00 pm Panel 4: Sustainability issues in the contract law of finance**

**Chair: Dr. Joseph Lee, University of Exeter, Exeter**

- 3.50 pm -4.10 pm Federica Agostini, University of Glasgow: *From "green bond principles" to "green bond covenants": the role of transnational contract law in the sustainable finance agenda*
- 4.10 pm -4.30 pm Dr Joseph Lee and Mr Yunus Yildiz, University of Exeter: *The Tokenisation of Assets and Potential Implications for Financial Markets: A Case Study from Turkey*
- 4.30 pm - 4.50 .pm Dr Joseph Lee and Ms Vere Marie Khan, University of Exeter: *Data Governance of Peer-to-Peer Energy Trading Platforms and Access to Energy Justice – not part of the recording –*
- 4.50 pm -5.00 pm Q&A Panel 4

**5.00 pm end of conference**

*Contact Convenors:*

Dr. Maren Heidemann, LCF and University of London – [info\[at\]lcf-academic.org](mailto:info@lcf-academic.org)  
 Professor Mads Andenas, LCF and Institute of Advanced Legal Studies, University of London – [info\[at\]lcf-academic.org](mailto:info@lcf-academic.org)

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For conference information and booking information visit [www.lcf-academic.org](http://www.lcf-academic.org)

Online event Zoom (video conferencing): £15  
 Registration and is required for all speakers and delegates via Eventbrite