

## In your court: Offshore dispute resolution review July 2017

Newsletters - 25/07/2017

### **Litigation reform in Jersey – what the new Practice Directions mean in... practice**

Reforms of Jersey's litigation rules came into force on 1 June. Counsel Nicola Roberts from our Jersey Dispute Resolution team looks at the key developments including:

- An explicit overriding objective in proceedings: to deal with cases justly and at proportionate cost
- New rules on the content and timing of pre-action communications
- Where the value of a claim is estimated to be less than £500,000, costs budgets must be filed within seven days of a first summons for a directions hearing
- A new power for the Royal Court to dispense with discovery or to limit it to what is reasonable and proportionate
- A change to the test to be applied by the Court on applications for summary judgment

Read the full briefing: [Litigation reform in Jersey – what the new Practice Directions mean in... practice](#)

### **What you need to know about the JIN guidelines adopted in BVI**

The adoption of new international guidelines on cross-border insolvency matters by the BVI courts has been widely welcomed. The Judicial Insolvency Network guidelines – drafted in 2016 by ten insolvency judges from international jurisdictions, including a BVI Commercial Court Judge – aim to create co-operation and communication between courts on cross-jurisdiction proceedings, and to minimise the time and expense involved in litigation. Ogier insolvency law specialist Nicholas Brookes explains the implications.

Read the full briefing: [BVI adoption of Judicial Insolvency Guidelines: Q&A with Nicholas Brookes](#)

from Ogier's BVI Dispute Resolution team

## **Novel use of a provisional liquidator in Guernsey Royal Court**

The Royal Court of Guernsey recently appointed a provisional liquidator over a Guernsey company. Counsel Alex Horsbrugh-Porter, explains the implications of an unusual case in this briefing. He was instructed by a client who supported the court application made on behalf of the minority shareholder in the matter of IPIS UK (Battersea London I) Limited, which secured the first appointment of a provisional liquidator, in unusual circumstances – the company is solvent, and will be for the foreseeable future.

Read the full briefing: [Novel use of a provisional liquidator in the Royal Court of Guernsey](#)

## **Comfort offered to trustees in Beddoe relief judgment**

The Grand Court of the Cayman Islands has granted Beddoe relief to a trustee, in circumstances where a successful third party claim would have exhausted the trust assets. By obtaining a *Beddoe* order, a Cayman Islands trustee can now safeguard its position as to costs – even if the third party ultimately succeeds in its claim and is awarded a judgment sum that exhausts the trust assets - Partner Rachael Reynolds explores the case.

Read the full briefing: [Beddoe relief where a third party claim may exhaust Trust assets](#)

## **Do not let UK political uncertainty slow down your preparation for the Criminal Finances Act**

The election fallout in the UK shouldn't lead businesses to lose sight of their responsibilities under the new Criminal Finances Act 2017, says Ogier partner Nick Williams – who says firms should be planning and preparing for new offences that will come into effect in September, despite the post-election chaos in the UK.

Read the full briefing: [UK General Election hasn't side-tracked new failure to prevent facilitation of tax evasion law](#)

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