

TABLE OF CONTENTS

<i>Prefaces</i>	v
<i>Foreword From the First Edition</i>	ix
<i>Table of Cases</i>	xxix
<i>Table of Legislation</i>	lxv
<i>Index</i>	845

CHAPTER 1 INTRODUCTION

1. The British Virgin Islands	1.001
2. Legal History and Early Constitutional Developments	1.003
3. Development as a Financial Centre	1.008
4. Common Law and Equity	1.015
5. Statutes	1.019
6. Taxation	1.032
7. External Relations	1.039

CHAPTER 2 COMPANY LAW

1. Introduction	2.001
(a) Transitional arrangements	2.003
(b) Company numbers	2.006
2. Incorporation	2.009
(a) Piercing the corporate veil	2.012
3. Company Names	2.023
4. Types of Company	2.033
(a) Companies limited by shares	2.036
(b) Companies limited by guarantee not authorised to issue shares	2.041
(c) Companies limited by guarantee and authorised to issue shares	2.044
(d) Unlimited company not authorised to issue shares	2.046
(e) Unlimited company authorised to issue shares	2.048
(f) Restricted purpose companies	2.049
(g) Segregated portfolio companies	2.054
5. Memorandum and Articles of Association	2.055
(a) Amending the memorandum and articles of association	2.066
(b) Shareholders' agreements and restricting statutory powers	2.074

6. Corporate Capacity and <i>Ultra Vires</i>	2.082
(a) Internal management rule.....	2.092
(b) Restricted purpose companies.....	2.095
(c) Corporate benefit.....	2.099
(d) Authority	2.108
7. Registered Agents.....	2.112
8. Company Records	2.119
9. Registrar of Companies.....	2.133
(a) VIRRGIN	2.137
10. Members.....	2.141
(a) Liability of members.....	2.154
(b) Members' resolutions	2.159
11. Shares and Shareholders	2.167
(a) Acquisition of the company's own shares	2.183
(b) Distributions and dividends.....	2.191
(c) Share transfers.....	2.196
(d) Compulsory acquisition of minority shareholders	2.208
(e) Minority protection	2.211
(f) Dissenter's rights	2.221
(g) Financial assistance.....	2.230
(h) Bearer shares	2.231
(i) Forfeiture.....	2.256
(j) First and paramount lien.....	2.259
12. Directors.....	2.262
(a) Directors' duties	2.272
(b) Conflicts of interest	2.278
(c) Delegation	2.284
(d) Directors' resolutions	2.287
(e) Directors' liability	2.393
(f) Register of directors	2.302
(g) Managing the company's business	2.304
(h) Nominee directors	2.318
13. Mergers and Consolidations.....	2.321
14. Continuations	2.337
(a) Complications relating to continuation	2.346
15. Arrangements.....	2.348
(a) Plans of arrangement.....	2.351
(b) Schemes of arrangement	2.360
16. Solvent Liquidation and Dissolution.....	2.370
17. Striking-off and Restoration.....	2.386
(a) Striking-off.....	2.386
(b) Dissolution	2.391
(c) Restoration	2.394

CHAPTER 3 CREDIT AND SECURITY

1. Introduction	3.001
2. Documentation	3.005
(a) Lending and borrowing	3.009
(b) Bills of exchange	3.026
(c) Regulated entities	3.035
3. Security Interests	3.039
(a) Legal mortgages	3.043
(b) Equitable mortgages	3.047
(c) Equitable charge	3.050
(d) Pledge	3.056
(e) Legal lien	3.060
(f) Perfection requirements	3.062
4. Registration of Security	3.068
(a) Part VIII of the BVI Business Companies Act	3.071
(b) Bills of Sale Act	3.093
(c) Registration and Records Act	3.098
(d) Merchant Shipping Act	3.100
(e) Registered Land Act	3.103
(f) Priority of Competing Security Interests	3.105
(a) Priority under the BVI Business Companies Act	3.107
(b) Common law priority rules	3.109
(c) Tacking	3.111
(d) Conflicts of laws and priority rules	3.114
(e) Constructive notice of registered security interests	3.119
(f) Other complications relating to priority	3.120
6. Enforcement of Security	3.130
(a) Foreclosure	3.135
(b) Power of sale	3.139
(c) Receivership	3.146
(d) Possession	3.152
(e) Mortgagee in possession	3.155
(f) Foreign law remedies	3.156
(g) Dealing with registered agents	3.159
(h) Stop Notices and Stop Orders	3.163
(i) Security over shares in regulated entities	3.165
(j) Consolidation	3.167
(k) Marshalling	3.168
(l) Stays and delays to enforcement	3.169
7. Subordination and Intercreditor Arrangements	3.173
8. Set-off	3.178
(a) Contractual set-off	3.179
(b) Equitable set-off	3.181
(c) Insolvency set-off	3.184
(d) Combining accounts	3.191

9. Guarantees and Indemnities	3.192
10. Derivatives and Financial Contracts	3.197
(a) Netting	3.199
(b) Security	3.210
(c) Capacity to enter into derivatives	3.216
(d) Characterisation of derivatives	3.221

CHAPTER 4 LAW OF PROPERTY

1. Introduction	4.001
2. <i>Lex Situs</i> of Property	4.003
3. Conveyance	4.006
(a) Sale of physical chattels	4.007
(b) Gifts	4.009
(c) Transfers of intangible property	4.012
(d) Co-ownership	4.014
(e) <i>Nemo dat quod non habet</i>	4.020
(f) Grant of security interests	4.021
4. Assignments	4.022
(a) Title to sue	4.031
(b) Conflicts of laws issues	4.038
5. Voidable Transfers	4.042
(a) Voidable contracts	4.044
(b) Fraudulent transfers	4.046
6. Ownership and Possession	4.052
7. Protection of Property Rights	4.056
(a) Conversion	4.058
(b) Trespass	4.062
(c) Replevin	4.064
(d) Detinue	4.066
(e) Trover	4.067
8. Powers of Attorney	4.068
(a) Conflict of laws	4.077
(b) Termination	4.079
9. Age of Majority	4.082
10. Sovereign Immunity	4.085

CHAPTER 5 FINANCIAL SERVICES LAW

1. Financial Services Commission	5.001
(a) Composition of the Commission	5.009
(b) Relationship between the Commission and other authorities	5.013
(c) Relationship between the Commission and overseas authorities	5.018

(d) Requests for information	5.022
(e) Enforcement action and censure	5.028
(f) Risk of unenforceable contracts	5.040
(g) The Financial Services Appeals Board	5.043
2. Licensing and Regulation of Entities by the Financial Services Commission	5.044
(a) Approved persons regime	5.055
(b) Management of licensees	5.062
(c) Record keeping	5.074
(d) Compliance	5.078
(e) Customer assets	5.092
(f) Audit requirement	5.096
(g) Fraud policies and disclosure obligations	5.101
3. Investment Business Regime	5.103
(a) Definition of "investment business"	5.105
(b) Investment activities	5.108
(c) Territorial scope of the Act	5.130
(d) Standards of business for licensed entities	5.140
(e) Capital adequacy requirements	5.152
(f) The authorised representative	5.156
4. Trust Companies	5.158
(a) Definition of "trust business"	5.162
(b) Exclusions from the "trust business"	5.168
(c) Definition of "company management business"	5.179
(d) Classes of trust companies and company managers	5.188
(e) Recategorisation of trust companies	5.190
(f) Managed trust companies	5.192
(g) Capital adequacy and insurance requirements	5.194
(h) Audit	5.201
(i) Prudential returns	5.206
5. Banking Business	5.208
(a) Definition of "banking business"	5.215
(b) Classes of banks	5.219
(c) Capital adequacy and risk management requirements	5.221
(d) Restrictions on shell banking and correspondent banking	5.235
(e) Dormant Accounts	5.236
(f) Vesting provisions	5.237
6. Financing and Money Services Business	5.240
(a) Definition of "financing business"	5.242
(b) Definition of "money services"	5.245
(c) Capital adequacy and other requirements	5.251
7. Insurance Business	5.255
(a) Definition of "insurance business"	5.257
(b) Types of licensed insurers	5.263
(c) Financial resource requirements for insurers	5.265
(d) Other insurance industry functionaries	5.267

8. Anti-Money Laundering Regime	5.268
(a) A risk-based approach	5.271
(b) The Financial Investigation Agency	5.273
(c) Know your client obligations	5.274
(d) Recognised jurisdictions	5.276
(e) Other obligations under the Code of Practice and Regulations	5.278
(f) Outsourcing of responsibilities to third parties	5.286
9. Economic Sanctions	5.288
(a) Asset-freezing	5.292
(b) Affected jurisdictions	5.294
(c) Export control regime	5.296

CHAPTER 6 INVESTMENT FUNDS

1. Collective Investment Schemes	6.001
2. Meaning of Mutual Fund	6.005
3. Fund Structures	6.012
4. Segregated Portfolio Companies	6.023
5. Securities and Investment Business Act 2010	6.041
6. Categories of Mutual Funds	6.049
(a) Introduction	6.049
(b) Private funds	6.052
(c) Professional funds	6.058
(d) Public funds	6.064
(e) Recognised foreign funds	6.065
7. Application for Recognition or Registration of a Mutual Fund	6.067
8. Fund Functionaries and Service Providers	6.071
(a) Functionaries	6.071
(b) Role of administrator	6.072
(c) Role of manager	6.074
(d) Role of custodian	6.077
(e) Authorised representative	6.079
(f) Auditor	6.080
(g) Directors	6.084
(h) Recognised jurisdictions and “fit and proper” criteria	6.085
9. Approved Managers	6.089
10. Ongoing Obligations of Funds	6.094
(a) Private and professional funds	6.094
(b) Public funds	6.105
11. Fund Documentation	6.121
(a) Introduction	6.121
(b) Offering document	6.122

(c) Memorandum and articles of association	6.128
(d) Subscription agreement	6.134
12. Mutual Fund Annual Returns	6.135
13. Termination of a Fund	6.137
14. Restrictions on Use of Words “Fund” and “Mutual Fund”	6.141
15. Distressed Funds	6.143
16. Searches of the Registers of Funds	6.147

CHAPTER 7 INSOLVENCY LAW

1. Introduction	7.001
2. Insolvency	7.006
(a) Cash-flow insolvency	7.011
(b) Balance sheet insolvency	7.016
(c) Statutory demands	7.019
3. Liquidation	7.027
(a) Appointment by the members	7.029
(b) Appointment by the court	7.033
(c) Liquidation as a class right	7.056
(d) Effect of appointing a liquidator	7.059
(e) Liquidators’ duties	7.065
(f) Liquidators’ powers	7.072
(g) Provisional liquidators	7.073
(h) Removal of a liquidator	7.082
(i) End of the liquidation	7.088
4. Treatment of Assets and Claims in a Liquidation	7.091
(a) <i>Pari passu</i> principle	7.091
(b) Assets	7.100
(c) Disclaimer of onerous property	7.107
(d) Claims	7.113
(e) Preferential creditors	7.121
(f) Claims of members and past members	7.126
5. Set-off	7.133
(a) Notice of insolvency	7.139
6. Voidable Transactions	7.140
(a) Common Elements	7.146
(b) Types of voidable transaction	7.156
(c) Remedies	7.175
7. Malpractice	7.181
(a) Misfeasance	7.184
(b) Fraudulent trading	7.188
(c) Insolvent trading	7.192
(d) Remedies	7.199
(e) Disqualification	7.202

8. Receivership	7.210
(a) Appointment	7.213
(b) Striking off and receivers	7.218
(c) Receivers' powers	7.222
(d) Receivers' duties	7.225
(e) Agency of a receiver	7.233
(f) Administrative receivership	7.236
(g) Appointment of an administrative receiver	7.239
(h) Administrative receivers' powers	7.248
(i) Administrative receivers' duties	7.250
(j) Termination of receivership	7.257
9. Administration	7.261
(a) The statutory purposes	7.264
(b) Application for an order	7.268
(c) Administrative receivers and blocking an administration order	7.274
(d) Effect of an administration order	7.277
(e) Moratorium	7.280
(f) The administrator	7.287
(g) Creditors and members	7.296
(h) Termination	7.301
10. Creditors' Arrangements	7.304
(a) Application	7.308
(b) Effect	7.316
(c) Secured and preferential creditors	7.320
(d) The supervisor	7.322
(e) Termination	7.327
(f) Court involvement	7.330
11. Cross-Border Issues	7.336
(a) Orders in aid of foreign proceedings	7.337
(b) UNCITRAL Model Law	7.345
(c) Liquidation of foreign companies	7.347
(d) Concurrent proceedings	7.349
(e) Administrative receivership	7.352
12. Insolvency Practitioners	7.356
(a) Overseas insolvency practitioners	7.365
(b) Control of licensees	7.369

CHAPTER 8 DISPUTE RESOLUTION

1. Court Structure	8.001
(a) The Eastern Caribbean Supreme Court	8.001
(b) The High Court and High Court Commercial Division	8.003
(c) The Court of Appeal	8.011
(d) The Privy Council	8.030

2. General Court Procedure	8.046
(a) Starting a claim	8.046
(b) Defending claims	8.066
(c) Summary judgment and strike out	8.076
(d) Default judgment	8.081
(e) Case management	8.085
(f) Disclosure	8.090
(g) Evidence, privilege and confidentiality	8.092
(h) Security for costs	8.098
(i) The overriding objective	8.102
(j) Computation of time	8.104
(k) Statements of case	8.106
(l) Certificates of truth	8.107
(m) Trial Bundles	8.110
(n) Practice Directions relating to procedure	8.111
3. Costs	8.112
(a) Introduction	8.112
(b) The new costs rules	8.113
(c) The general rule	8.117
(d) Judicial development of the general rule	8.123
(e) Issue based assessments	8.124
(f) Conduct of the case	8.128
(g) Pre-litigation conduct	8.129
(h) Quantification of costs	8.130
(i) Proportionality	8.133
(j) Judicial development of reasonableness and proportionality	8.134
(k) Assessment	8.139
(l) Costs of interim applications	8.143
(m) Miscellaneous costs provisions	8.144
(n) Commercial costs on appeal	8.146
(o) Litigation funding	8.148
4. Service out of the Jurisdiction	8.156
(a) Introduction	8.156
(b) General grounds	8.160
(c) Specific grounds	8.165
(d) What will not suffice?	8.168
(e) The residual discretion: <i>forum non conveniens</i>	8.170
(f) Making the application	8.174
(g) Setting aside service	8.176
5. Injunctions	8.178
(a) The test	8.180
(b) Undertakings	8.185
(c) The duty of full and frank disclosure	8.186
(d) Variation of the order	8.194
(e) Contempt	8.195
(f) Injunctions in support of receiverships	8.201

6. Freezing Injunctions	8.203
(a) Introduction	8.203
(b) Worldwide freezing orders	8.213
(c) Free standing relief: <i>Black Swan</i> orders	8.216
(d) Injunctions in support of matrimonial proceedings	8.220
(e) Assets held in the name of another	8.221
(f) Assets held by the defendant which belong to another	8.223
(g) Ancillary disclosure	8.224
(h) Undertakings	8.227
(i) Receivers	8.228
7. Enforcement	8.236
(a) General provisions	8.236
(b) Oral examination in aid of enforcement	8.237
(c) How judgments may be enforced	8.238
(d) Money judgments	8.239
(e) Writs of execution	8.240
(f) Charging orders	8.242
(g) Stop notices and stop orders	8.244
(h) Attachment of debts	8.249
8. <i>Norwich Pharmacal</i> Orders	8.252
(a) Introduction	8.252
(b) The test	8.254
(c) The Jurisdiction in the British Virgin Islands	8.256
(d) Information likely to be obtained	8.264
(e) <i>Norwich Pharmacal</i> orders in support of foreign proceedings	8.269
(f) <i>Bankers Trust</i>	8.271
(g) Evidence Act 2006	8.276
(h) Procedure	8.278
(i) Notice	8.279
(j) "Seal and gag"	8.280
(k) Undertakings	8.286
(l) Compliance with <i>Norwich Pharmacal</i> orders	8.287
9. Enforcement of Foreign Judgments, Orders and Arbitral Awards	8.288
(a) Practicalities	8.291
(b) Usage of foreign judgments/arbitral awards	8.292
(c) Money judgments	8.294
(d) Non-money judgments	8.333
(e) Arbitration awards	8.339
(f) Liquidation as a means of enforcement	8.368
(g) Enforcement versus insolvency proceedings	8.372
(h) Foreign receiverships	8.375
(i) Foreign insolvency office holders	8.379
10. Unfair Prejudice Claims	8.384
(a) Introduction	8.384
(b) The statutory provision	8.386

(c) Offers of fair value	8.396
(d) Contracting out of the right?	8.397
(e) Relief available	8.400
(f) Interaction with the Insolvency Act 2003	8.404
(g) Procedure	8.407
(h) Foreign jurisdiction	8.409
(i) Derivative actions	8.410
(j) Interaction between unfair prejudice and derivative actions	8.420
(k) Reflective loss	8.421
11. Asset Tracing	8.422
(a) Dishonest assistance	8.423
(b) Knowing receipt	8.428
(c) Constructive trusts	8.432
(d) Resulting trusts	8.436
(e) Tracing	8.440

CHAPTER 9 TRUSTS

1. Overview	9.001
(a) Introduction	9.001
(b) The meaning of "trust"	9.003
(c) Principal parties	9.007
(d) Forms of express trusts	9.011
(e) Requirements of a valid trust	9.015
(f) Trustees	9.022
(g) Beneficiaries' Rights	9.052
(h) Breaches of trust	9.056
(i) The perpetuity period	9.060
(j) Governing law of the trust	9.064
2. Formalities	9.068
(a) Formalities and constitution of an express trust	9.068
(b) The trust instrument	9.073
(c) Exemption from registration	9.074
(d) Trust duty	9.075
3. Virgin Islands Special Trusts Act	9.078
(a) Introduction	9.078
(b) Prudent investor problem	9.080
(c) Purposes of the Virgin Islands Special Trusts Act	9.082
(d) Mandatory requirements	9.083
(e) Trust to retain	9.088
(f) Office of director rules	9.092
(g) Intervention calls	9.095
(h) Enforcement	9.098
(i) <i>Saunders v Vautier</i>	9.099
(j) Practical application of the Virgin Islands Special Trusts Act	9.100

4. Non-Charitable Purpose Trusts	9.103
(a) Introduction	9.103
(b) Conditions	9.106
(c) Enforcer	9.108
(d) Perpetual purpose trusts	9.110
(e) Variations	9.111
(f) Trustee records	9.112
(g) Purposes for the benefit of particular persons	9.113
5. Private Trust Companies	9.114
(a) Introduction	9.114
(b) Requirements	9.118
(c) Trust business requirements	9.119
(d) Registered agent requirements	9.127
(e) General restrictions	9.129
(f) Striking off	9.131
6. Reserved Powers	9.132
(a) Introduction	9.132
(b) Consent to the exercise of trustee powers	9.133
(c) Settlor conferred powers	9.134
(d) Interaction with Virgin Islands Special Trusts Act	9.137
(e) Sham trusts	9.138
7. Role of the Court	9.140
(a) The jurisdiction of the court	9.140
(b) Payment of trust monies into court	9.142
(c) Power of the court to appoint new trustees	9.143
(d) Variation of trusts	9.144
(e) Power to apply to court	9.148
(f) Power to authorise dealings with trust property	9.150
(g) Power to relieve trustees from personal liability	9.151
(h) Power to make a beneficiary indemnify trustees	9.152
8. Conflict of Laws	9.153
(a) Introduction	9.153
(b) Legislation	9.154
(c) Summary of section 83A	9.157
(d) Forced heirship	9.161
9. Record Keeping Obligations	9.168
(a) Introduction	9.168
(b) Common law obligations	9.169
(c) Statutory obligations	9.170

CHAPTER 10 PARTNERSHIP LAW

1. Introduction	10.001
2. Definition	10.009
(a) Partnership name	10.020

3. Effect of Partnership	10.021
4. Partnership Assets and Liabilities	10.032
(a) Partnership property	10.032
(b) Partnership liabilities	10.039
5. Partnership Capital	10.041
(a) Capital accounts	10.041
(b) Partnership share	10.046
(c) Transfers and security interests	10.050
(d) Situs	10.054
6. Rights and Duties of Partners	10.059
(a) Partner's rights	10.059
(b) Partner's duties and liabilities	10.067
7. Limited Partnerships	10.072
8. Partnership Agreements	10.082
(a) Common considerations	10.082
(b) General partnerships	10.086
(c) Limited partnerships	10.088
9. Admission and Removal of Partners	10.094
10. Continuation	10.103
11. Striking-off	10.117
12. Winding-up and Dissolution	10.122
(a) General considerations	10.122
(b) Mechanisms for dissolution	10.130
(c) Grounds for dissolution by the court	10.143
(d) Insolvent partnerships	10.152
(e) Just and equitable winding-up	10.156
(f) Dissolution and winding-up of limited partnerships	10.161

CHAPTER 11 BANKING LAW

1. Introduction	11.001
2. Definition	11.005
(a) Banking business	11.005
(b) Customer	11.011
3. Legal Nature of the Banking Relationship	11.014
4. Bank Mandates and Payment Instructions	11.019
5. Bankers' Rights	11.025
(a) Bankers' lien	11.025
(b) Right to combine accounts	11.029
6. Bankers' Duties	11.034
(a) Duty of care	11.034
(b) Fiduciary duties	11.038

(c) Duty of confidentiality	11.041
(d) Bailee.....	11.050
7. Payment Mechanisms.....	11.053
(a) Cheques	11.053
(b) Bank drafts	11.061
(c) Electronic funds transfers.....	11.062
(d) Credit cards	11.066
8. Blocked Accounts.....	11.067
9. Anti-money Laundering Compliance.....	11.070
(a) Client identification.....	11.072
(b) Suspicious transaction reporting	11.078
10. Dormant Accounts	11.084

CHAPTER 12 TAXATION AND INFORMATION EXCHANGE IN TAX MATTERS

1. Introduction	12.001
2. A Brief History of Taxation in the British Virgin Islands	12.005
3. Direct Taxation	12.012
(a) Income tax	12.012
(b) Payroll tax.....	12.014
(c) Property taxes.....	12.020
(d) Stamp duty	12.021
(e) Absence of other direct taxation	12.024
4. Mutual Legal Assistance in Tax Matters	12.025
(a) The OECD Model Template for requests of information	12.026
(b) Declining a request and other safeguards.....	12.027
(c) Restrictions on “fishing”	12.030
(d) The Mutual Legal Assistance (Tax Matters) Act 2003.....	12.033
(e) Tax Information Exchange Agreements.....	12.038
(f) Relevance of information exchange agreements in other areas	12.145
5. Double Taxation Treaties and Agreements.....	12.146
(a) Double taxation agreements relating to individuals.....	12.148
(b) Double taxation treaties relating to enterprises operating ships or aircraft.....	12.149
(c) Double taxation agreements relating to the adjustment of profits and associated enterprises.....	12.152
6. The EU Savings Tax Directive	12.154
(a) Purpose and background of the Directive	12.154
(b) Implementation of the Directive in the British Virgin Islands	12.158
(c) Impact of the Directive on the mutual funds industry.....	12.161
(d) The Multilateral Convention	12.166
7. The US Foreign Account Tax Compliance Act (US FATCA)	12.170
(a) Purpose and background of US FATCA	12.171
(b) The BVI IGA and implementing measures.....	12.173

(c) British Virgin Islands Financial Institutions.....	12.174
(d) Financial Accounts	12.176
(e) Identification of US Specified Persons.....	12.177
8. The UK-BVI Agreement to Improve International Tax Compliance (UK FATCA)	12.178

CHAPTER 13 CONFIDENTIALITY

1. Introduction.....	13.001
2. Duty of Confidentiality	13.007
(a) Confidential information.....	13.009
(b) Misuse of information.....	13.018
(c) Contractual confidentiality	13.023
(d) Confidential relationships.....	13.029
(e) Confidentiality imposed by circumstances.....	13.056
(f) Confidentiality imposed by statute.....	13.066
3. Loss of Confidentiality	13.068
4. Court Proceedings	13.074
(a) Obligation of disclosure	13.075
(b) Loss of confidentiality by use in court.....	13.081
5. Remedies for Breach	13.095
(a) Injunction	13.096
(b) Damages	13.099
(c) Account	13.102
(d) Declaration	13.104
(e) Delivery up.....	13.105
(f) Remedial constructive trust.....	13.106
6. Disclosure by Law	13.107
(a) Common law disclosure	13.109
(b) Statutory disclosure.....	13.117
7. Cross-border Disclosure Requests	13.141
(a) Common law rules	13.142
(b) Statutory provisions.....	13.143
8. Computer Misuse	13.162

CHAPTER 14 ANTI-MONEY LAUNDERING

1. Evolution of Anti-Money Laundering Jurisprudence.....	14.001
(a) Introduction.....	14.001
(b) International development and affiliation	14.005
(c) Money laundering and terrorist financing: the basics	14.008
2. Principal Anti-Money Laundering Legislation	14.012
(a) Proceeds of Criminal Conduct Act 1997.....	14.015
(b) Anti-Money Laundering Regulations 2008.....	14.037

(c) Anti-Money Laundering and Terrorist Financing Code of Practice 2008.....	14.045
(d) Proliferation Financing (Prohibition) Act 2009	14.080
(e) Non-Profit Organisations Act 2012	14.082
(f) Orders in Council: The terrorist financing regime	14.084
3. The Institutional Framework	14.089
(a) Financial Investigation Agency	14.090
(b) Financial Services Commission	14.092
(c) Director of Public Prosecutions.....	14.095
(d) Joint Anti-Money Laundering and Terrorist Financing Advisory Committee	14.096
(e) Royal Virgin Islands Police Force	14.097
4. Mutual Legal Assistance	14.098

TABLE OF CASES

A v B [2002] EWCA Civ 337	13.054
A Co v B Co (unrep., HCMP 336/2002)	8.284
Aas v Benham [1891] 2 Ch 244	10.067
Abbatt v Treasury Solicitor [1969] 1 WLR 1575	10.084
Abbey National v Cann [1991] 1 AC 56	3.109
Abbot v Crump (1870) 5 BLR 109	10.143
Abdel Rahman v Chase Bank (CI) Trust Co Ltd [1991] JLR 103	9.138
Aberdeen Railway Co v Blaikie (1854) 1 Macq HL 461	2.282
Abouloff v Oppenheimer (1882) 10 QBD 295	8.319
Ackroyds (London) Ltd v Islington Plastics Ltd [1962] RPC 97	13.013
Adam v Newbigging (1888) 13 App Cas 308.....	10.011
Adams v Adams [1971] P 188	8.309
Adams v Cape Industries plc [1990] Ch 433	2.014, 5.244, 8.312, 8.314, 8.329
Addari v Addari (unrep., BVIHCV 2003/0209)	8.173
Advent Investors Pty Ltd v Michael Goldhirsch [2001] VSC 59	2.217
Aeetha Refining Inc v Exmar NV [1994] 1 WLR 1634.....	3.178, 3.181, 3.183
AG for Alberta v Huggard Assets Ltd [1953] AC 420.....	1.025
AG v Barker [1990] 3 All ER 257.....	13.023
AG v Blake [1988] Ch 439.....	13.023, 13.068
AG v Blake [2001] 1 AC 268	13.102
AG v Bouwens (1838) 150 ER 1390	4.003
AG v Guardian Newspapers (No 2) [1990] 1 AC 109	13.012, 13.015, 13.020, 13.021, 13.056, 13.065, 13.069, 13.099, 13.102, 13.103
AG v Mulholland and Foster [1963] 2 QB 477	13.038
Agar v Athenaeum Life Assurance Society (1858) 3 CB (NS) 725	2.111
Agassi v Robinson [2006] 1 All ER 900.....	8.142
Agip (Africa) Ltd v Jackson [1990] Ch 265	11.040
Agricultural Mortgage Corp plc v Woodward [1995] 1 BCLC 1	7.167
Airlines Airspares Ltd v Handley Page Ltd [1970] Ch 193 x.....	7.233
Airservice Australia v Ferrier (1996) 21 ACSR 1	7.157
Akai Holdings Limited v Brinlow Investments Limited (unrep., BVIHCV 2006/0134)	7.046, 7.075, 8.425
Akers v Lomas, Re Trading Partners Ltd [2001] All ER (D) 68	7.351
AL Underwood Ltd v Bank of Liverpool [1924] 1 KB 775.....	2.102
Albeko Schuhmaschinen AG v Kamborian Shoe Machine Co Ltd (1961) 111 LJ 519	3.006
Albon v Pyke (1842) 4 M&G 421	1.025
Alfa Telecom Turkey Limited v Cukurova Finance International Limited (No 2) (unrep., BVIHCV 2007/072)	2.178, 3.011