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# An Introduction to Maltese Financial Services Law

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October 2011

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Public Training Programme

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Jointly organized:

**ILS**  
Institute of  
Legal Studies  
Malta

**ifs**  **institute of  
financial services  
malta**

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## Course Outline

This course offers an overview of the financial services laws which are applicable in Malta. It starts by giving a general introduction of what law is, its functions and how it can be classified before examining certain topics in detail. As the financial services sector is a highly regulated one, regulatory laws and underlying principles will also be considered.

## Who Should Attend?

This course is of great benefit to all persons who work in the banking, insurance and investment services sectors within the financial services industry. In particular, it is addressed to those practitioners who have not received extensive training in law but who inevitably must deal with a substantial number of laws on a daily basis.

## Certification

A Certificate of Attendance jointly awarded by the Institute of Legal Studies and the Institute of Financial Services – Malta will be issued to participants. This training programme has been accredited by **22 hours of CPE** (21 hours of Professional & 1 hour of Core) by the Malta Institute of Accountants.

## Other

The venue for all training sessions will be held at: **MFSA, Notabile Road, Attard BKR 3000**  
Please be further guided with respective dates and times along the course outline.

The applicable registration fees are as follows:

- Enrolment until the 15<sup>th</sup> September 2011 = € 450
- Enrolment until the start of course = € 500
- Special student rate = € 240

Cheques are to be made payable to the Institute of Financial Services - Malta. Completed enrolment form together with payment shall be directed to the attention of the:

**Administration Secretary**

**Institute of Financial Services – Malta  
60, G'Mangia Hill,  
Pieta PTA 1316**

The registration fee includes a soft-bound copy of the book: *“An Introduction to Maltese Financial Services Law”*.

## Course Outline

### **Session 1 – The General Legal Environment**

*by Dr. Max Ganado (Ganado & Associates, Advocates)*

*(Monday, 3<sup>rd</sup> October 2011 from 5pm – 7pm)*

### **Session 2 – Rights and Obligations in Financial Services**

*by Dr. Max Ganado (Ganado & Associates, Advocates)*

*(Thursday, 6<sup>th</sup> October 2011 from 5pm – 7pm)*

### **Session 3 – The Essential Elements of a Contract**

*by Dr. Max Ganado (Ganado & Associates, Advocates)*

*(Monday, 10<sup>th</sup> October 2011 from 5pm – 7pm)*

### **Session 4 – Trusts and Other Fiduciary Obligations**

*by Dr. Max Ganado (Ganado & Associates, Advocates)*

*(Thursday, 13<sup>th</sup> October 2011 from 5pm – 7pm)*

### **Session 5 – The Financial Services Regulatory Infrastructure**

*by Dr. Max Ganado, & Dr. Marina Grech (Ganado & Associates, Advocates)*

*(Monday, 17<sup>th</sup> October 2011 from 5pm – 7pm)*

### **Session 6 – Legal Principles relating to Corporate Structures**

*by Dr. Karl Grech Orr; Dr. Jotham Scerri Diacono & Dr. Matthew Attard (Ganado & Associates)*

*(Monday, 24<sup>th</sup> October 2011 from 5pm – 8pm) \* including coffee break*

### **Session 7 – The Prevention of Money Laundering and Terrorist Financing**

*delivery by Dr. Anthony Cremona (Ganado & Associates, Advocates)*

*(Thursday, 27<sup>th</sup> October 2011 from 5pm – 8pm) \* including coffee break*

### **Session 8 – Protection of the National Interest**

*delivery by Dr. David Borg Carabott & Dr. Stephen Attard (Ganado & Associates, Advocates)*

*(Monday, 21<sup>st</sup> November 2011 from 5pm – 7pm)*

### **Session 9 – Financial Services and Consumer Protection**

*delivery by Dr. Eugene Buttigieg (Associate Professor of European and Comparative Law)*

*(Monday, 14<sup>th</sup> November 2011 from 5pm – 7pm)*

### **Session 10 – Data Protection**

*delivery by Dr. Anthony Cremona (Ganado & Associates, Advocates)*

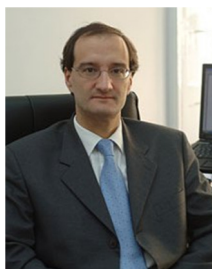
*(Monday, 28<sup>th</sup> November 2011 from 5pm – 7pm)*

## Speakers



### **Dr. Max Ganado**

Max Ganado is currently the managing partner of Ganado & Associates, Advocates. He graduated in Doctor of Laws (Malta) in 1981 and Master of Laws (Dalhousie, Canada) in 1983. He specialised in Maritime Law until 1994, after which he led the project of the establishment of the Financial Services practise within the firm. Dr. Ganado has been involved in the drafting of legislation in the various areas he has practised including on financial services issues, trusts and foundations. He regularly lectures and contributes written papers on subjects of his specialisation, both in Malta and overseas.



### **Dr. Stephen Attard**

Stephen Attard is a partner of Ganado & Associates, graduating in Doctor of Laws in 1991 (Malta) and obtaining Diploma in European Law (Bruges, Belgium) in 1992. His practise areas include Investment Funds and Investment Services, Mergers and Acquisitions, Asset Finance Law, Tax Law and Trust Law.



### **Dr. Karl Grech Orr**

Karl Grech Orr is a partner of Ganado & Associates, having graduated Doctor of Laws (Malta) in 1988 and Master of Law (London) in 1989 with particular emphasis on European Company Law. He specialises in Commercial and Corporate Law as well as Ship Registration.



### **Dr. Anthony Cremona**

Anthony Cremona is a partner of Ganado & Associates, having graduated Doctor of Laws (Malta) 1997, obtaining Master of Arts in Financial Services (Malta) in 2000 and Magister Juris International Law (Malta) in 2003. His practise areas cover Trusts and Foundations, Taxation, Media and Entertainment Law, Data Protection and Anti – Money Laundering and Anti – Terrorist Financing Legislation. Anthony Cremona also practises before the inferior and Superior Courts of Malta in his practice areas.



### **Dr. Conrad Portanier**

Conrad Portanier is a partner of Ganado & Associates, having obtained his Bachelor of Arts degree (Malta) in 1996 and graduating Doctor of Laws (Malta) 1999. He graduated master of laws (Banking and Finance) London in 2000. He specialises in Banking Law, Derivatives Law, Commercial and Corporate Law.



**Dr David Borg – Carabott**

David Borg – Carabott is an associate with Ganado & Associates and specialises in insurance and reinsurance Law. David Borg – Carabott graduated Doctor of Laws (Malta) in 2004 and is warranted advocate qualified to appear before the inferior and Superior Courts of Malta. Besides his areas of specialisation, David Borg – Carabott also advises on a wide range of matters ranging from general corporate Law to data protection.



**Dr. Eugene Buttigieg**

Eugene Buttigieg is an Associate Professor of European and Comparative Law at University of Malta and acts as consultant on European, consumer, competition and IP Law to various regulatory bodies, companies and Law firms including Ganado & Associates, Advocates.

He holds Law degrees from the University of Malta (LL.D.), the University of Exeter, UK (LL.M. in European Legal Studies) and the University of London, UK (Ph.D. in Competition Law). He has been a full-time academic at the University of Malta since 1994 and was Visiting Fellow in European Law at the British Institute of International and Comparative Law, London between 2004 and 2007. He has published widely in this main teaching and research areas, namely European Law, Competition Law, Consumer Law and intellectual property. He is a member of the UK Association for European Law, UK's Competition Law Association, the Competition Law Scholars Forum and the International Association of Consumer Law.



**Dr. Jotham Scerri Diacono**

Jotham Scerri Diacono is a partner of Ganado & Associates, having graduated Doctor of Laws (Malta) in 1993 and Master in Maritime Law (Malta) 1994. Also he obtained Certificate in Trusts Law & Administration 2004 (Malta) and Diploma in International Commercial Arbitration (2006) (UK Chartered Institute of Arbitrators)



**Dr Marina Grech**

Dr. Marina Grech is an associate in the Investment Services and Funds Department at Ganado & Associates, Advocates. She obtained her Doctor of Laws in 2007 from the University of Malta. Dr Grech pursued an LLM degree in Banking and Finance at Queen Mary, University of London where she graduated in 2009.



**Dr Matthew Attard**

Dr Matthew Attard is an advocate at Ganado & Associates who specializes in Maritime Law with particular emphasis on Ship Registration. He obtained his Doctor in Law in 2007 from the University of Malta and graduated in Maritime Law (Malta) in 2008. He also assisted leading European banks and providers/arrangers of finance as well as ship-owners. He also advises on ship sale and purchase, shipbuilding contracts and all other aspects of ship purchase, chartering and operation.

# *An Introduction to Maltese Financial Services Law*

## *Registration Form*

Registration (until 15 <sup>th</sup> September)	€ 450 per participant
Registration (16 <sup>th</sup> till start of course)	€ 500 per participant
Registration (Special student rate)	€ 240 per participant

Registrant Name & Surname:	_____
Organisation:	_____
Billing Address:	_____ _____
Contact No.:	_____
E-mail:	_____
ID. No.:	_____
Payment Details:	
<input type="checkbox"/> Cash	
<input type="checkbox"/> Cheque	
Cheque No:	_____
Bank:	_____
Drawn on:	____/____/____

Registration entitles you to become a full registered local member of the Institute of Financial Services – Malta. This membership is free of charge and is valid for a maximum period of 12 months, after which the Committee will evaluate and consider whether to extend such membership for another fixed period or for an indefinite period of time. The local membership is subject to review by the Committee at any time.

**Data Protection Notice:** The Institute of Financial Services (Malta) and the Institute of Legal Studies holds and processes your personal data in order to give you the full benefits of being a student; for administrative purposes and to inform you for any future events, services and other related information. In instances where employers sponsor their employees for all or parts of the course/s, ifs and ILS are bound to inform such employers upon the performance and results of their relevant employees if any assessments parts are carried out. ifs and ILS do not sell or give your personal data to any other third party. In the eventuality that ifs and ILS would need to give any personal data to a third party, you will on a case by case basis, be duly informed of this and you will also be given the opportunity to refuse that such data is given. You have the right to request access to, and rectification of, the personal data concerning you that is held by the ifs and ILS.