

# The Duties and Liabilities of Trustees and Fiduciaries after Zhang Hong Li & Ors v DBS Bank (HK) Ltd & Ors [2019] HKCFA 45



by

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Steven Gallagher was awarded a first class LL.B. He was called to the Bar of England and Wales in 2006. Steven teaches the equity and trusts courses for undergraduate and postgraduate students. Steven also teaches a course on art, antiquities, cultural heritage and the law on the LLM programme. Steven has presented continuing professional development courses for solicitors in Hong Kong on many topics associated with equity. Steven's research interests include equity and the law of trusts, cultural heritage law and legal history.

This three-hour seminar will consider the nature of trusteeship and the fiduciary obligations of trustees and fiduciaries. The seminar will consider the traditional duties and possible liabilities of trustees and fiduciaries. The traditional categories of fiduciary relationship and obligation will be discussed and developments in judicial identification of fiduciary relationships - *Libertarian Investments Ltd v Hall* (2013) 16 HKCFAR 681. The remedies available for breach of trust and breach of fiduciary obligations will be considered including recent guidance on the remedies of account and the award of equitable compensation. The seminar will then consider the changes, if any affected by the decision of the Court of Final Appeal in *Zhang Hong Li & Ors v DBS Bank (HK) Ltd & Ors* [2019] HKCFA 45. The seminar will conclude with discussion of defences that may be available to claims for liability for breach of trust and breach of fiduciary duty.

### Topics considered include:

- The fiduciary duties
- *Libertarian Investments Ltd v Hall* (2013) 16 HKCFAR 681
- Breach of fiduciary duty
- The duties of a trustee
- Breach of trust
- Remedies for breach of fiduciary duty and breach of trust
- The remedies of account and equitable compensation
- Defences that may be available to claims for liability for breach of trust and breach of fiduciary duty
- *Zhang Hong Li & Ors v DBS Bank (HK) Ltd & Ors* [2019] HKCFA 45

Scan to Calendar



Code:	<b>EVT000000313</b>	Level:	<b>Intermediate</b>
Date:	<b>18 September 2020 (Friday)</b>	Language:	<b>English</b>
Time:	<b>14:30 - 17:45</b> (Reception starts at 14:00)	Accreditation(s):	<b>LSHK 3.0 CPD Points</b>
Venue:	<b>Online via Zoom</b>	Request for Rerun:	<b>Please Contact Us for Details</b>



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