

LSE

INTERNATIONAL FINANCIAL LAW

This course offers a cross-sectoral analysis covering financial market transactions in commercial banking, insurance, derivatives, capital markets and asset management.

It allows participants to grasp the big picture of the legal underpinnings of financial transactions and to understand how risk in the financial market is entered, managed, dispersed and shifted.

The course analyses and compares the legal basis of financial transactions in both Common law and Civil law jurisdictions. The focus is mainly on broad principles and policy issues rather than a detailed examination of statute, case law and drafting in order to allow students from all jurisdictions to take home valuable knowledge directly applicable to their respective jurisdictions.

This course is designed to be of both high academic and direct practical value. It appeals to students preparing for a career in financial markets as well as to practitioners wishing to broaden their horizon. It will be of particular interest for the

- Private financial sector (management, compliance, legal, governmental and international affairs, etc)
- Legal practice specialising in the above mentioned activities
- Government and governmental agencies (policy makers from treasuries, ministries of economy/finance/justice, foreign office, etc.)
- Central banks (management, legal, regulation and oversight, international affairs, etc.)
- International organisation and EU organs and agencies (policy makers, strategy, legal, international affairs, etc.)
- Non-governmental organisations and advocacy groups active in the field of international financial markets
- Students interested in any of the above, or pursuing a masters programme related to financial markets

Introduction

-
- Logic and players of the financial market
 - Overview of types of financial transactions
 - Reasoning and sources of financial law
 - The types of risk and the role of financial law
 - European and global legal and regulatory architecture
-

Raising capital: taking risk

- The nature of banks, deposit taking, loans, syndicated loans
 - Issuance of debt securities, Eurobonds and equity
 - Investment funds
 - Transfer by assignment and novation
-

Mitigating risk (I): personal surety and derivatives

- Guarantee and insurance
 - Derivatives and credit default swaps
 - Cross-comparison and the risk of re-characterisation
-

- Mitigating risk (II): asset-backing

- Security interests
 - Financial Collateral
 - Repurchase agreements and securities lending
-

Mitigating risk (III): risk reduction

- Set off
 - Close-out netting
 - Multilateral clearing
-

Cross-jurisdictional analysis

- Private international law analysis in financial law
- Cross-border collateral
- Cross-jurisdictional netting

- Common patterns and difficulties

- Understand how risk is created and managed by using different types of legal arrangements.
 - Get to know the difficulties in making these arrangements insolvency proof and robust in times of financial crisis.
 - Understand the legal difficulties that flow from the international character of the financial market.
-