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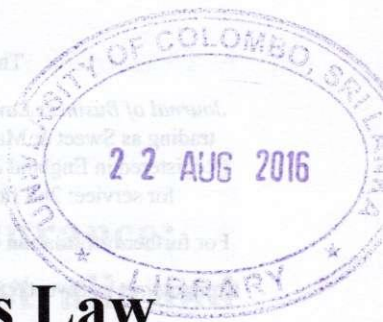
Directors' and Officers' Insurance: Recent Critical Issues in Australia and New Zealand

Julie-Anne Tarr Directors and Officers Liability Insurance (D&O insurance) has grown and evolved rapidly over the past 80 years to assume an important position in most corporations' corporate governance and risk management strategies. This article focuses upon certain topical matters of particular concern to directors and officers including the availability of defence costs where a D&O policy is subject to a statutory charge; the commercial desirability of stand-alone "A-side" coverage, being the cover provided directly to directors and officers for loss resulting from claims made against them for wrongful acts; the impact of fraud and/or dishonesty upon D&O cover; and disclosure of the nature and extent of D&O cover to the directors and officers themselves and to third parties—in the latter case such access frequently being necessary to determine the economic viability of pursuing a proposed action against a company and its directors and officers.

Sanctioning Schemes of Arrangement: The Need for Granting the Court a Curative Power

Charles Zhen Qu This article debates the desirability of granting the courts a statutory curative power to cure errors in classing claimholders for the purposes of scheme of arrangement meetings. At common law, the court does not have jurisdiction to sanction a scheme if the meeting(s) held was/were incorrectly classed. This article will reveal that the above-mentioned rule is doctrinally problematic and serves little useful purpose, arguing that the best way to neutralise that rule is to confer a curative power on the court.

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Table of Contents

Articles

- Directors' and Officers' Insurance: Recent Critical Issues in Australia and New Zealand**
Julie-Anne Tarr 1
- Sanctioning Schemes of Arrangement: The Need for Granting the Court a Curative Power**
Charles Zhen Qu 13
- The Dilemma for Terminal Operators under Himalaya Protection in China**
Ling Zhu and Lianzhi Ding 30
- True and Fair Intellectual Property Information: A Corporate Governance Issue**
Janice Denoncourt 47