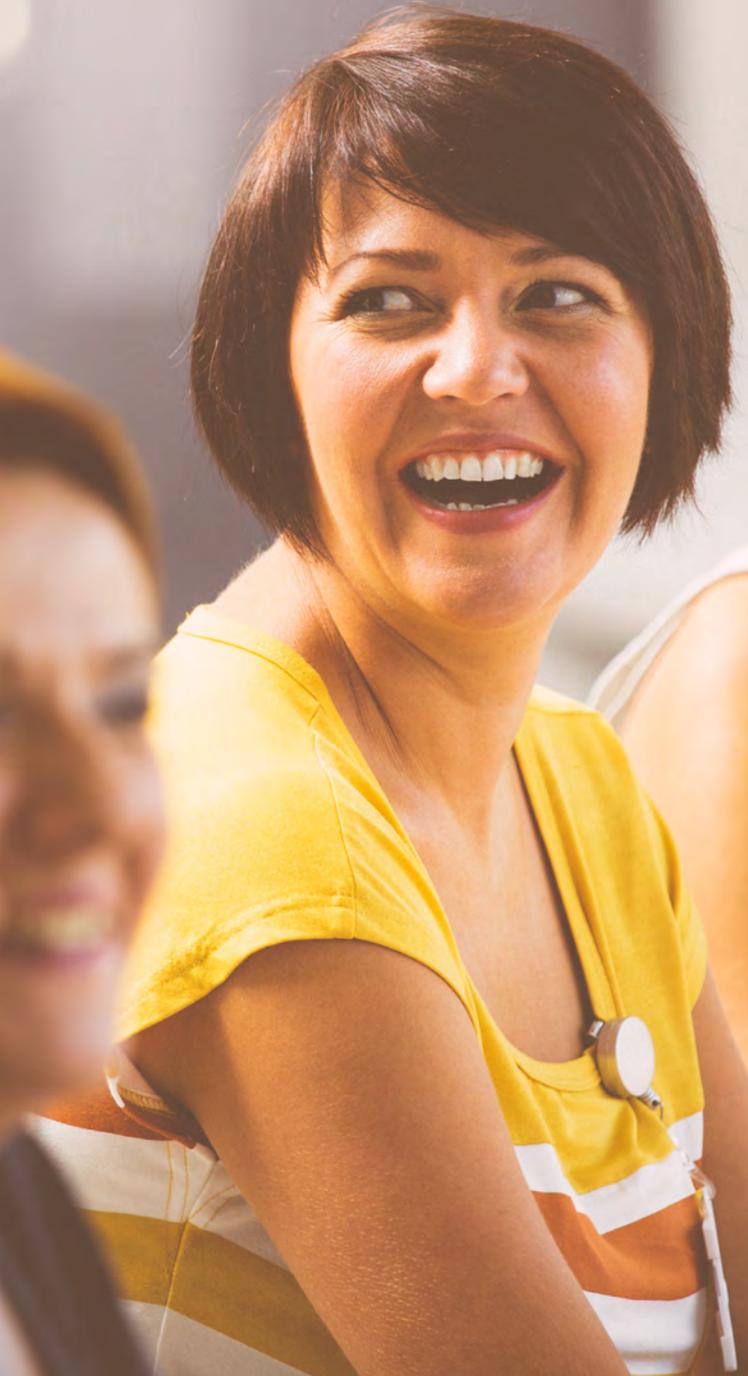


●  
BRODIES<sup>LLP</sup>



BInformed 2019



## BInformed 2019

As part of our commitment to going above and beyond for our clients, our latest seminar programme brings together the wide-ranging expertise of our lawyers in a series of informative and entertaining seminars and webinars.

With more than 60 sessions, covering a range of topics including General Data Protection Regulation (GDPR); IP protection; an update on real estate case law; legal privilege; and franchising you can join sessions in Aberdeen, Edinburgh and Glasgow and, as a result of listening to our clients, we will also be including more webinars.

Now in its 14th year, our free seminar programme is complemented by the other elements of BInformed. Visit our website [brodies.com](http://brodies.com) for the latest blogs, legal updates, e-bulletins, videos and live streams.

For more information and to book your place, please visit [brodies.com/seminars-and-events](http://brodies.com/seminars-and-events) or click the interactive links within this e-brochure.

We look forward to seeing you.



## Seminars at a glance

🖱️ *Click any of the buttons below for more information and to book your place.*



Seminars at a glance



Seminars at a glance



## Seminars at a glance



### Acting as an expert witness

This seminar will be of use to those who provide written reports for the court and appear as expert witnesses in a variety of cases. The seminar will provide a broad overview of the role of an expert as well as providing useful tips and recent case studies.



#### Edinburgh

Christopher Duff, Senior Associate  
Ross Mitchell, Senior Solicitor

**Tuesday 30 April 12.30 - 14:00**

#### Glasgow

Christopher Duff, Senior Associate  
Ross Mitchell, Senior Solicitor

**Thursday 2 May 08:30 - 10:00**

#### Aberdeen

Ken MacDonald, Partner  
Ross Mitchell, Senior Solicitor

**Thursday 30 May 08.00 - 09.30**





## Brodies Academy for HR professionals

Harassment at work is hitting the headlines – and not just in the media. It is an issue for regulators, employers and the government. But what exactly is it and when does it create risk for your organisation?

At our next HR Academy we will address the different ways in which HR teams can help ensure that their organisation is responding appropriately. Delegates will leave with a clear plan to address many important issues.

### Aberdeen

Lynne Marr, Partner  
Tony Hadden, Partner  
Joan Cradden, Partner  
Fiona Herrell, Managing Associate

Thursday 28 February 08.00 - 13.00

### Edinburgh

#### DoubleTree Hilton Hotel

See above for speaker information

Wednesday 6 March 08.30 - 13.30

### Glasgow

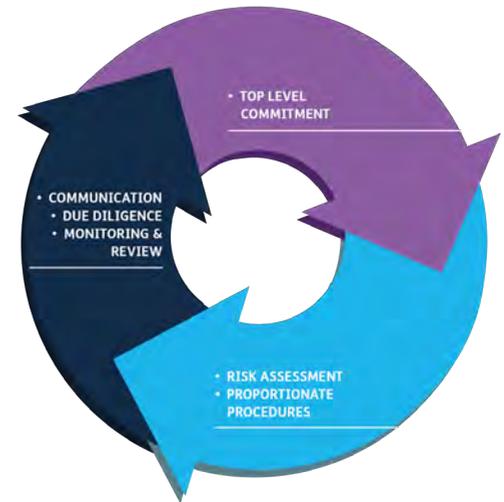
See above for speaker information



## Building a culture of compliance: the rise of the ‘failure to prevent’ offence

This seminar introduces the concept of a ‘failure to prevent’ offence and the compliance principles which are required to defend regulatory breaches.

We will explain: how these principles should work together to form a ‘compliance lifecycle’; how these defences work in practice; how to implement them in your organisation; and the importance of Top Level Commitment and how to demonstrate it.



### Aberdeen

Paul Marshall, Partner  
Fran Hutchison, Associate

Tuesday 26 March 08.00 - 09.30



*This seminar forms part one of our compliance mini-series – [click here for part two](#) and [click here for part three](#)*



## Business insights from Brodies

Join us for a breakfast seminar with expert insight and analysis of critical legal developments impacting the application of commercial terms and protection of intellectual property rights in commercial contracts.

### In this seminar we will cover:

- Electronic signatures and smart contracts
- Consumer law and technology
- IR35



## Construction contract update for local government lawyers

For those working in local government, Brodies LLP is delighted to invite you to our construction contract update webinar.

### In this webinar we will cover:

- Patterns in procurement of construction projects
- Standard form updates
- Current topical drafting issues within construction contracts

### Edinburgh

Andy Nolan, Managing Associate  
David Thornton, Solicitor

**Wednesday 1 May 08.30 – 10.00**

### Glasgow

See above for speaker information

**Wednesday 15 May 08.30 – 10.00**

### Aberdeen

See above for speaker information

**Tuesday 28 May 08.00 – 09.30**



### Webinar

Jane McMonagle, Partner

**Thursday 28 March 13.00 – 14.00**





## Dealing with dilapidation disputes by means of arbitration

Dilapidations are often an area of dispute between landlords and tenants with disputes regularly resolved via arbitration. In this seminar our property litigators will conduct a mock arbitration hearing with landlord and tenant representatives presenting their arguments on who should be responsible for what and, ultimately, who should pay.



## Fundraising, fraud, and insolvency – what happens when a company fails after having gone to the market for funds?

**Drawing upon a number of recent high street insolvencies amidst allegations of fraud, in this session we will discuss:**

- Criminal liability arising from financial and tax fraud, including key offences and defences
- Compliance, including preparation and monitoring of corporate policies and prevention measures
- Investigations, including warrants and production orders, police interviews and engagement with regulators
- Prosecutions, including preparation for and conduct of trials
- Criminal penalties

### Aberdeen

Ken MacDonald, Partner

**Tuesday 21 May 08.00 – 09.30**

### Edinburgh

Stephen Goldie, Partner  
Clare Kelly, Senior Solicitor  
David Ford, Solicitor

**Wednesday 5 June 08.30 – 10.00**

### Glasgow

Matthew Farrell, Partner  
Clare Kelly, Senior Solicitor  
David Ford, Solicitor

**Thursday 6 June 08.30 – 10.00**

### Edinburgh

Paul Marshall, Partner  
Lisa Kinroy, Senior Solicitor

**Wednesday 15 May 08.30 – 10.00**

### Glasgow

See above for speaker information

**Tuesday 18 June 12.30 – 14.00**

### Aberdeen

See above for speaker information

**Wednesday 19 June 12.30 – 14.00**





## GDPR and data protection law update

Our team of experts will provide an update on the latest developments in data protection law.

### This seminar will:

- Consider what organisations should be doing as GDPR and the 2018 Act approach their first anniversary
- Look at some hot topics and key issues such as the practical lessons arising out of Google's €50m fine
- Provide an overview on the latest guidance from regulators on GDPR and data protection law
- Examine recent enforcement action by the Information Commissioner and other trends and developments



## Key intellectual property developments and hot topics for your business

### Offering an insight into recent IP developments such as:

- Trade Mark Regulations 2018 and the impact on brand owners
- Trade Secret Regulations 2018 and what you can do to protect your trade secrets
- Brexit and the impact on IP rights
- Recent decisions cases to watch and what can be learned from them

### Edinburgh

Martin Sloan, Partner  
Grant Campbell, Partner

Thursday 28 March 08.30 – 10.00

### Glasgow

See above for speaker information

Thursday 23 May 08:00 – 09:30

### Aberdeen

See above for speaker information

Thursday 9 May 08.30 – 10.00

### Glasgow

Andrew McWhirter, Senior Solicitor  
Cara McGlynn, Solicitor

Thursday 16 May 08.30 – 10.00

### Edinburgh

See above for speaker information

Tuesday 28 May 12.30 – 14.00

### Aberdeen

See above for speaker information

Wednesday 29 May 12.30 – 14.00





## Local Government and the Regulation of Investigatory Powers (Scotland) Act

This webinar will provide an overview of local authority obligations and processes under RIPSAs, including:

- The statutory framework and codes of practice
- Key concepts such as intrusive surveillance, directed surveillance and covert human intelligence sources
- Authorisation requirements, including the legal tests of necessity and proportionality
- The relationship with RIPA in respect of communications data
- RIPSAs application to the monitoring of social media
- The role of the Investigatory Powers Commissioner and the Judicial Commissioners



## Mapping the boundaries of Advertising Standards Authority enforcement and protecting your brand

A series of short presentations followed by a panel session will discuss:

- Recent cases and arising trends from ASA rulings
- How intellectual property law influences advertising, focussing on boundaries of acceptable use of a competitor's brand for comparative advertising and what you can do to protect your valuable brand from infringement

### Webinar

Charles Livingstone, Partner

Wednesday 8 May 13.00 – 14.00



### Glasgow

Grant Strachan, Associate  
Andrew McWhirter, Senior Solicitor

Tuesday 18 June 08.30 – 10.00

### Edinburgh

See above for speaker information

Wednesday 19 June 08.30 – 10.00





## Mediation: the ADR solution of choice in complex and multi-party disputes

Mediation is fast becoming the ADR solution of choice for resolving complex and multi-party disputes.

### In this seminar we will cover:

- The pros and cons of taking a case to mediation
- Essential preparation to get the most out of the day
- Negotiating strategies and practical examples



## Navigating employee departure settlement agreements

**This seminar will look at the practicalities of settling claims. We will focus on the familiar situation of managing an employee's departure and consider:**

- Choosing the right termination date, including the options in relation to notice and garden leave
- Pitching a settlement offer at the right time and appropriate level
- How to treat benefits such as bonuses, holidays, vehicles and share rights
- How a settlement package will be taxed and ways to make it more tax effective
- Other terms to offer, or ask for, as part of a deal
- Common negotiation scenarios and how to get the best out of them

### Glasgow

Louise Kelso, Partner  
James Jerman, Senior Solicitor

**Thursday 25 April 08.30 – 10.00**

### Edinburgh

See above for speaker information

**Thursday 9 May 08.30 – 10.00**



### Aberdeen

Karen Davidson, Partner  
Brian Campbell, Legal Director  
Ashley Topping, Legal Director

**Tuesday 14 May 08.00 – 09.30**

### Glasgow

See above for speaker information

**Wednesday 22 May 08.30 – 10.00**

### Edinburgh

See above for speaker information

**Thursday 30 May 08.30 – 10.00**





## Oil and Gas Academy Spring 2019

Brodies Oil and Gas Academy is a half day seminar providing an update on legal matters relevant to the oil and gas industry. Delivered by Brodies' top ranked oil and gas team as well as other specialist Brodies lawyers and industry guest speakers, the Spring Academy qualifies for three hours of verifiable CPD and provides an invaluable opportunity for delegates to take away practical legal guidance and top tips from key lawyers in the industry.

### In this seminar we will cover:

- Force majeure
- Competition compliance
- Privilege
- Legal issues in JOA disputes
- Overview of recent oil and gas developments

### Aberdeen

Tuesday 30 April 08.00 – 12.00

Charles Livingstone, Partner  
 Iain Rutherford, Partner  
 Suzanne Hopkinson, Legal Director  
 Fran Hutchison, Associate  
 Jared Oyston, Associate  
 Caroline Sodersten, Senior Solicitor

**Guest speaker:** Eve Brazier, Senior  
 Legal Advisor at Repsol Sinopec



## Optimising subsidy free wind

The UK Government has withdrawn subsidy from new onshore wind, saying that the sector no longer requires subsidy. Since then new deployment has fallen dramatically. Will subsidy free wind ever be viable? In this seminar, the Brodies and WSP Renewable Energy teams will look at how developers are seeking to develop deliverable subsidy free schemes, and how schemes might be optimised to maximise returns and find a route to market.

### Glasgow

Tuesday 16 April 12.30 – 14.00

Keith Patterson, Partner  
 Sarah-Jane McArthur, Partner  
 Neil Collar, Partner





## Protective measures for stakeholders in construction projects

A summary of the key protections required for any interested parties in construction projects such as warranties, bonds, guarantees, escrow accounts and any necessary practical rights to be granted. This will be of interest to any developers / investors, purchasers of development companies or assets or any parties providing finance in relation to developments. It will also be of interest to any tenants of recently constructed premises, or embarking on fit out works.



## Real estate case law update

This seminar will provide an overview of the most important court cases relating to real estate in the last year, including cases dealing with rent review, service charge, access, overage, boundaries and development title conditions. There will also be an update from our tax team on LBTT three yearly returns cases, Brexit and VAT. This event is for anyone who is involved in the real estate industry in Scotland and would like to stay up to date with the most recent case law.

### Edinburgh

Jane McMonagle, Partner  
Alistair McLean, Partner  
Juliet Haldane, Legal Director

Thursday 2 May 08.30 – 10.00

### Aberdeen

See above for speaker information

Wednesday 15 May 08.00 – 09.30

### Glasgow

See above for speaker information

Tuesday 21 May 08.30 – 10.00



### Aberdeen

Laurence Douglas, Partner  
Catherine Reilly, Director of Knowledge and Innovation  
Isobel d'Inverno, Director of Corporate Tax

Tuesday 19 March 08.00 – 09.30

### Glasgow

See above for speaker information

Wednesday 20 March 08.30 – 10.00

### Edinburgh

See above for speaker information

Wednesday 27 March 08.30 – 10.00



## Rural business briefing

Our rural business briefing will feature content relevant to every stage of the rural business and growth lifecycle – from protecting, managing and reducing threats to your assets, to how to successfully pass your assets on. The briefing is aimed at forward thinking owners and managers of estates, farms and businesses in the rural community with presentations on the pressing issues and the latest updates to keep you informed.

### Land ownership and land registration

The Scottish Government has given Registers of Scotland until 2024 to map and register all land in Scotland. We will provide an overview of the system and discuss the benefits. We'll look specifically at boundaries, borrowing for purchase of additional land and diversification projects and ease of title transfers in succession planning.

### Right to buy

We explore the new rights to allow community bodies to purchase land which is abandoned or neglected, even in circumstances where the land owner is unwilling to sell.

### Embracing change and farming structures

We will look at the new ways of doing business and accessing land. We review the types of leases which are available as well as the business models that may work for you, such as contract and share farming. This topic may be particularly relevant to those farmers who are looking to take a step back from hands-on farming and also those farmers who are looking for ways to expand their business.

### Family and succession matters

We discuss how farmers can succeed at succession planning. We'll cover legal rights, partnership property, divorce, taxation reliefs for agricultural and business property, as well as the essential succession dos and don'ts.



### Haddington

Scott Logan, Managing Associate  
Graeme Leith, Managing Associate  
Kate McLeish, Associate

Wednesday 6 March 18:30 – 20:30

### Perth

Odell Milne, Partner  
Scott Logan, Managing Associate  
Fiona Scott, Associate

Tuesday 19 March 18:30 – 20:30

### Fort William

Clive Phillips, Partner  
Karren Smith, Senior Associate  
Karen Barclay, Senior Solicitor

Thursday 28 March 18:30 – 20:30

### Cupar

Odell Milne, Partner  
Andrew Askew Blain, Associate

Thursday 4 April 18:30 – 20:30

### Elgin

Martin Mackay, Consultant  
Leigh Gould, Managing Associate  
Karren Smith, Senior Associate  
Karen Barclay, Senior Solicitor

Tuesday 23 April 18:30 – 20:30





## Realising compliance – communicating with, selecting and monitoring associated persons

### In this seminar we will cover:

- What are ‘Associated Persons’ and how you can be exposed by them
- How to communicate your compliance measures to those who need to know
- What is meant by due diligence
- When is diligence due
- How much diligence is due – assessing what’s proportionate
- Dealing with red flags
- Audit trail for evidence and defence options
- Diligence outcomes
- Is it working in practice?
- How and when to monitor your arrangements

### Aberdeen

Paul Marshall, Partner  
Fran Hutchison, Associate



*This seminar forms part three of our compliance mini-series – [click here for part one](#) and [click here for part two](#)*

**Wednesday 22 May 08.00 – 09.30**



## Safely at sea? Are you and your boats ILO 188 compliant?

Are you familiar with ILO 188 – otherwise known as the International Labour Organisation’s (ILO) Work in Fishing Convention of 2007?

New Regulations (The Merchant Shipping (Work in Fishing Convention) Regulations 2018) have given effect to ILO 188 in the UK, the majority of which came into force on 31 December 2018. Fishing vessel owners, skippers and crews will have to be familiar with this.

### In this seminar we will cover:

- What is ILO 188?
- What should I be doing about it?
- How can I be sure that I comply?
- What are the risks to me and my business if I don’t comply?

### Boddam

Malcolm Mackay, Partner  
Sarah Polson, Senior Solicitor



**Wednesday 20 March 12.00 – 14.00**



## The increasing scope of an employer's liability

In this seminar we will cover:

- The expanding scope of vicarious liability and the potential for employers to be liable for the actions of those not employed by them
- Health and Safety prosecutions for harm caused to third parties, not employees
- Recent significant case law and look at what the future might bring
- Guidance in relation to what organisations can and should do to protect themselves from claims and their consequences



## The life of a professional negligence claim

This interactive session will encompass updates on key issues which arise at different stages of a professional negligence claim such as:

- Jurisdiction: update on the Courts Reform (Scotland) Act 2014
- Funding: update on the Taylor Reforms and other funding options for claimants
- Prescription and limitation: case law update on this timely issue
- How courts approach causation and damages (case law update)
- Impact of insolvency on professional negligence claims

### Aberdeen

Laura McMillan, Partner  
Kate Donachie, Managing Associate

**Wednesday 24 April 12.30 – 14.00**

### Glasgow

See above for speaker information

**Wednesday 1 May 08.30 – 10.00**

### Edinburgh

See above for speaker information

**Wednesday 29 May 08.30 – 10.00**

### Edinburgh

Alan Calvert, Partner  
Alisdair Matheson, Partner  
Louise Kelso, Partner

**Wednesday 24 April 08.30 – 10.00**

### Glasgow

See above for speaker information

**Wednesday 29 May 08.30 – 10.00**





## The risk assessment – foundations of compliance

As recent enforcement action has shown, the risk assessment is crucial to compliance.

**This seminar focuses on the mechanisms of conducting a regulatory risk assessment, including:**

- The basics of what a risk assessment does in this context
- How to prepare the risk assessment – the key elements and types of risk in a regulatory risk assessment
- When and how to prepare a transaction-specific risk assessment
- How the risk assessment informs the rest of the compliance programme's procedures
- Assessing what's proportionate

### Aberdeen

Paul Marshall, Partner  
Fran Hutchison, Associate



*This seminar forms part two of our compliance mini-series – [click here for part one](#) and [click here for part three](#)*

**Wednesday 17 April 08.00 – 09.30**



## To disclose or not to disclose: using legal privilege effectively in internal local government investigations

**In this webinar we will cover:**

- Highlight the benefits of maintaining legal privilege in internal local government investigations and other sensitive matters
- Focus on the criteria for asserting legal privilege and the potential pitfalls
- Discuss recent developments in legal privilege and how they might impact on local government investigations and other activities
- Consider how FOI applies to legally privileged information

### Webinar

Fran Hutchison, Associate



**Wednesday 6 March 13.00 – 14.00**





## Top tech trends and their legal implications

Technology and business should go hand in hand, but what are the legal implications of new and developing tech trends? Members of Brodies' IP and Technology team along with Richard Marshall from Concept Gap will present on this year's top tech trends and their legal consequences:

### In this seminar we will cover:

- Artificial intelligence
- Digital transformation
- Data protection



## What is franchising and how do those involved deal with real estate?

Did you know that many household names (e.g. McDonald's, Domino's Pizza, Europcar, Marriott Hotels) operate as franchise businesses? It is a common business model, but how do they work?

This seminar will explain how they work for both the franchisor and franchisee and explain how those involved deal with retail space.

### In this seminar we will cover:

- The different types of franchise out there – the man in a van; home (or life style) franchises; retail, take away and restaurants; hotels; and railways
- The franchise agreement – and what might be typical
- Franchising as a way to expand a business
- The property contracts typically used to deal with concessions, shops, restaurants and hotels that use a licenced brand

### Edinburgh

Monica Connolly, Associate  
Cara McGlynn, Solicitor

**Guest speaker:** Richard Marshall,  
Founder of Concept Gap

### Aberdeen

See above for speaker information

### Glasgow

See above for speaker information

**Tuesday 26 March 12.30 – 14.00**

**Thursday 25 April 12.30 – 14.00**

**Tuesday 30 April 12.30 – 14.00**

### Glasgow

Julian Voge, Partner  
Laurence Douglas, Partner

### Edinburgh

See above for speaker information

### Aberdeen

See above for speaker information

**Tuesday 26 March 08.30 – 10.00**

**Thursday 4 April 08.30 – 10.00**

**Thursday 2 May 08.00 – 09.30**





## Without prejudice and subject to contract

Subject to contract and without prejudice terms are frequently used in pre-contractual and settlement negotiations respectively, but their meanings are often misunderstood.

Attendees at this seminar will understand the definition and application of the terms, and better understand the benefits and pitfalls of each.

### We will:

- Define 'subject to contract'
- Define 'without prejudice'
- Provide examples of use and misuse

### Edinburgh

Alisdair Matheson, Partner  
Jo Kelbrick, Senior Solicitor

**Tuesday 14 May 12.30 – 14.00**

### Glasgow

See above for speaker information

**Wednesday 19 June 08.30 – 10.00**



