

INTERLEGES

the international association of independent law firms

Newsletter Summer 2007

Interleges Annual General Meeting 2007 Puerto Vallarta, Mexico



The Interleges AGM 2007 group in the hotel's lobby on the first night of the trip

The Interleges AGM 2007 took place from the evening of Thursday 3rd May until the morning of Sunday 6th May in Puerto Vallarta, Mexico. The weekend was a great success and marked the progressive and committed stance which members of this network have taken since the death of the Interleges co-founder, Stephen Rayner, and the subsequent change in leadership two years ago.

Hosted by Mexico City member Roberto Marquez and his team, members and their guests were made to feel extremely welcome in Puerto Vallarta, and there was a tangibly friendly and relaxed atmosphere throughout the AGM.

The business meeting allowed time for members to share news of current interesting cases, alongside the general business of the network, which included amending the Rules to reflect the Executive Committee's new less-tolerant approach to members who settle their Subscription fees etc. late, and adding a clause on Exchanges to the Code of Practice, to encourage members to send or receive a trainee/solicitor on an exchange from or to another Interleges member firm once every three years from now on.

The rest of the three-day meeting was spent in each other's company, enjoying the sights and delights of Mexico, culminating in a spectacular Fiesta on the Saturday evening, held in the small, traditional village of Las Palmas.



The conclusion to the impressive fireworks display at the end of the Fiesta Mexicana

You can see more photographs from this year's AGM at www.interleges.com, in the new Interleges Photo Gallery section, which is a place for us to share the good memories we have of time together. Please send any photos of past AGMs you would like to see on the website, to our Administrator, Annalisa Gordon, at administrator@interleges.com

Tristan Jones, winner of the Stephen Rayner Award 2006, writes about his experience of the award

It is exactly a year ago today that I was in Zurich with Interleges, enjoying the football history and fine food of the FIFA headquarters – not to mention the all-singing, all-dancing company!

It was an honour to be the first recipient of the Stephen Rayner award, and all the more so after struggling through the fascinating but somewhat perplexing question of the interrelations between *Lex Mercatoria* and WTO law. I was pleased to see on the Interleges website that the question set this year was equally challenging and engaging.

I mentioned in Zurich that I would be using the generous prize money to fund some *pro bono* work, and accordingly I spent last summer doing voluntary work for the UK charity, the Independent Panel for Special Educational Advice (IPSEA). IPSEA helps children with special educational needs to get the right educational provision for them to fulfil their potential in life.



As an IPSEA representative, I used my legal skills to represent parents at Special Educational Needs Tribunals. These parents have normally tried everything else to secure the right support for their child, and finally take the last resort of legal action against the local education authority. They cannot get state funding for their legal case, and so unless they are wealthy they are normally unrepresented. Some of the parents I represented were themselves illiterate or had special needs, and would have struggled to put forward a strong case without assistance.



Over the course of the summer, I helped many children to get the education they deserve. One seven-year old boy, who could not go to school because he had a disorder which made him run away and put himself in danger, was awarded a full time supervisor to enable him to go to school. Another boy whose nursery school refused to accept him for two years because he was a disruption to the rest of the class was awarded a place in a special school for children with his difficulties. Another girl was given a place in a school adapted for her wheelchair.

It was also a thoroughly rewarding experience for me personally, and I will certainly continue to do *pro bono* work for IPSEA throughout my career. I hope that it is also a fitting start to the Stephen Rayner award, and reflects the spirit of generosity and excellence which inspired Interleges to found the prize.

Tristan Jones



Tristan, centre, receiving the Stephen Rayner Award 2006 on the final night of the Interleges AGM 2006, with Salim El Meouchi and Stefano de Bosio

AGM 2008

Next year's AGM is being hosted by Stefano de Bosio, our Italian member, 50km north of Rome, in a country resort in the southern part of Umbria. The resort is a closed environment and members will occupy the entire estate. The excellent restaurant, swimming pools, high quality accommodation and spacious meeting room will ensure this is a good venue for the conference, allowing members to both network together and relax, enjoying one another's company.

The AGM 2008 will take place from Thursday 22nd May to Sunday 25th May 2008. It is very

important that every member of Interleges attends this AGM, so please put these dates in your diary now!

For more information on the venue, please visit www.podernovo.com

Describe in 5 lines...

how, if at all, potential criminal sanctions against company directors for infringement of antitrust laws, and in particular cartel behaviour, could affect client advice.

From ABCR Cabinet d'Avocats, Paris:

According to French law, infringement of antitrust law or cartel behaviour can be sanctioned by heavy financial sanctions against companies. Criminal sanctions (maximum: 4-year prison sentence and damages) could also be pronounced against any individual who has fraudulently and willingly organized or realized such infringement. Therefore, major caution is requested to prove sincerity of individuals and moreover of company directors. For instance, the client must be specially advised, first, on the limits of the operation forecasted and, after, if it be, that he must cooperate in the administrative preliminary inquiry.

From Etude Badri & Salim El Meouchi, Beirut:

Lebanese Parliament has not adopted until now a special law on antitrust. However, a Decree-law enacted on September 1983 contains 3 articles that may be interesting in this respect. Article 14 of the said Decree-law provides for the following:

"Are considered as a cartel:
1- *Any agreement or group that aims to*

restrict the competition in the production or in the sale or importation or marketing of products, and that leads to facilitate the increase of the prices in an artificial manner or to avoid the decrease of the prices.

2- *Any agreement or group relating to services in order to restrict the competition in its furnishing, and that leads to facilitate the increase of the prices in an artificial manner or to avoid the decrease of the prices.*

3- *Any act that aims to gather the products or to hide them in order to increase their prices or to close the offices of the merchant for unlawful reasons and aiming to make profit, and which is not a natural result of the rule of offer and demand.”*

Moreover, article 15 of the same Decree-law provides that any act mentioned in article 14 is considered as null between the parties of the act, whether the act is open or hidden, and the parties are not allowed to invoke the nullity vis-à-vis others in order to release themselves from their responsibilities.

Therefore, companies that breach the abovementioned regulations will be subject to sanctions mentioned in article 34 of the Decree- Law (i.e.: fines, and imprisonment from ten days to three months or any of those two sanctions, and in case of second offence, the sanction will be doubled).

It is also possible that the director of the company be held liable for breaching article 14 of the Decree- law.

From Cermak Horejs Myslil, Prague:

Section 127 of the Criminal Code prohibits cartels and other types of competition-violating behavior, however, business attorneys and their clients tend to neglect possible criminal law implications

of their acts. Although some companies were penalized for violating antitrust laws, many directors omit to ask about their own potential liability, or do not take their liability into account at all.

Please e-mail our Administrator, Annalisa Gordon, at administrator@interleges.com with any pieces of News you would like to see in the next edition of the Interleges Newsletter.

The Interleges Summer 2007 Newsletter was edited by Annalisa Gordon.