

Charles Marquand

Called: 1987



Cases Of Interest

Clarion Ltd v National Provident Institution (fax switching, SIB principles as implied terms) ([2000] 1 WLR 1888);
 Tequila Cuervo v Diageo plc (2001) (English company law issues arising in Texas litigation);
 Needler Financial Services v Taber (test case on pensions misselling) ([2002] 3 AER 501); Williams' Life, Pension & Mortgage Services v FSA (2002) FIN/2002/0011 (whether variation of permission "necessary", before FSMT);
 PNC Telecom plc v Thomas [2003] BCC 202 (members' requisition of EGM);
 Eurosure Investment Services Ltd. v FSA (2003) FIN/2003/0015 (whether exercise by FSA of own-initiative power "proportionate", before FSMT).
 Evolution Beeson Gregory (2004) (before FSA Regulatory Decision Ctte) (market abuse - first market manipulation case brought by FSA)
 Saudi Arabian Monetary Agency v Dresdner Bank AG (bank's right of set-off) [2004] EWCA Civ 1074);
 Pace Micro Technology (2005) (before FSA Regulatory Decisions Ctte) (breach of listing rules).

Publications

Various publications on financial services and related areas (list and copies available on request). Also co-author of Halsbury's Laws of England, 4th edition re-issue, volume on Money. Tolley's Company Law – chapter on Investor Protection, Companies and the FSMA. Seminars/lectures to solicitors and at conferences on financial services topics and related areas.

Overseas Qualifications

Member of the Bar of Northern Ireland.

Employment

1988-1993 Practised at the Chambers of John Rowe QC (2 Pump Crt.) at the common law bar.

1993-1996 Legal Adviser to HM Treasury, dealing with financial services, "City" regulation, European law, company/commercial law. Involved in drafting legislation (including the Public Offers of Securities Regulations 1995, Uncertificated Securities Regulations 1995 (CREST), Financial Markets and Insolvency Regulations 1996, investment advertisement exemption orders) and oversight of overseas investment exchanges doing business in London. Assisted in negotiation of directives in Brussels dealing with retail aspects of financial services.

1996 Returned to the Bar, practising in specialist areas and other areas of practice (see above).

Languages

Fluent spoken French

Academic

M.A (Oxon), M.A in Law (City), Dip. EC Law (Kings Coll. Lond.) Dip. EC Competition Law (Kings Coll. Lond.)

Professional

Member of the Commercial Bar Association, the Chancery Bar Association and the Bar European Group. Fellow of the Chartered Institute of Arbitrators.

Areas of Practice

- Financial Services (including insurance, banking & pensions)
- "City" Regulation
- Disciplinary Tribunals
- Financial & Commodity Markets
- Financial Services Ombudsmen & Arbitrations
- European law aspects of the foregoing
- Company / Commercial / Insolvency
- Arbitrations (both as advocate & arbitrator)

Notes

Arbitrator for London Metal Exchange. Advising eastern & central European, central Asian and Vietnamese govts. on modernisation of legal and regulatory systems. Worked as agent temporaire at European Commission of Human Rights in 1990.



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Lincoln's Inn, London WC2A 3XT
 tel: 020 7242 5524
 fax: 020 7831 7907
 DX: 385 Chancery Lane