Ukraine Legislative Drafting
Project opens new academic
year with two seminars

SIXTH SEMINAR: ‘EU ENLARGEMENT AND
UKRAINE ON ITS WAY TO ACCESSION’

The sixth two-day in-country seminar took place on
October 28-29, 2002 and opened the new academic
year of the Ukraine Legislative Drafting Project. In keeping
with recent tradition, the seminar covered issues of
interest to its Ukrainian audience. The target group of
those seminars is Ukrainian civil servants who work in
legal departments of different governmental bodies and
who wish to improve their knowledge of legislative
drafting. This year the Project management has scheduled
six seminars on topics that are relevant to drafting. In
addition, the Project has identified a desperate need to
offer some introductory lectures on EU law, and the
political, economic and institutional structure of the EU.
The sixth seminar gathered experts to deliver lectures
under the common topic ‘EU enlargement and Ukraine
on its way to accession’. Professor Jackie Gower from the
University of Kent in Canterbury was invited as a foreign
expert to cover the topic of EU enlargement. As a
Ukrainian trainer’s contribution Mr Eugene Bereznitskiy,
ULDP Officer in Ukraine, spoke on ‘Ukraine and the EU:
on the way to unification’.

Both lectures attracted common interest. The issue of
European integration remains among most attractive and
interesting topics for Ukrainians, and it is very unfortunate
that the Ukrainian Civil Service is still to some extent
ignorant of EU structural and legal issues. Professor
Gower was speaking about forthcoming wave of
enlargement, disclosing its positive and negative aspects,
and stressing the need for Ukraine to be more active in
accessing the EU. Eugene Bereznitskiy described current
Ukrainian progress towards EU accession, pointing to
existing problems with the adaptation of legislation,
economic growth and political instability. Both lecturers
underlined that adaptation of legislation is a necessity, even
if there is no intention to access, because this would allow
Ukraine to trade with EU.

SEVENTH SEMINAR: ‘COMPANIES IN THE
CONTEXT OF EU LAW AND THE ISSUE OF
COMPANIES’ REGISTRATION IN UKRAINE’

The seventh two-day in-country seminar held on
November 25-26, 2002 was the second event in Project’s
new academic year, and the seminar topic was ‘Companies
in the context of EU law and the issue of companies’
registration in Ukraine’. In the light of Ukraine’s intention
to become a member of the EU, a detailed consideration
of the problematic issues concerning Ukrainian legislation
is necessary to overcome the complexities and problems of
the transitional period. Solving the internal legislation’s
problems will help to speed up Ukraine’s movement
towards European integration. The seminar assisted the
process by giving Ukrainian drafters more important
information on one of the priority spheres of adaptation.

Professor Janet Dine, of the University of Essex,
lectured on company registration procedure and how this
issue is reflected in sources of European law. She also
touched on the issue of development of national laws in
this sphere, and the complexities of harmonisation. Alina
Panchenko, Director of the Department of Commercial
Law of the Ministry of Justice of Ukraine, is an expert in
the company law field who received special training at the
Project London Course 2002. Her topic was ‘State
registration of companies in Ukraine’. In her lecture she
analysed the current situation with regard to the
registration of companies, disclosing problematic issues
that need to be resolved. She also analysed current
legislation in this sphere and drafts that are now being
scrutinised in Ukraine’s Parliament, including a new Civil
Code, commenting on substantive and technical
mistakes.

The seminars were prepared with assistance from the
Centre for Legal Reform and Legislative Drafting at the
Ministry of Justice of Ukraine, and funded by Ukraine
Legislative Drafting Project. The seminars each attracted
40 representatives of legal services of central bodies of
executive power, such as the Administration of the
President of Ukraine, the Ministry of Justice, the Ministry
of Economy and European Integration, the Ministry of
Agricultural Policy, the Ministry of Defence, the Ministry
of Industrial Policy, the Ministry of Interior Affairs, the Tax
Administration of Ukraine, and various State Committees
such as the Committee on Entrepreneurship and
Regulatory Policy. Representatives were of at least counsel
level.
US students arrive for ‘Law in London’ programme

Students participating in this year’s ‘Law in London’ programme offered jointly by the Institute of Advanced Legal Studies and the Pennsylvania State Dickinson School of Law have arrived at Russell Square. The study programme, which is open to students from Dickinson and other American Bar Association accredited law schools, is conducted at the IALS between January and May. It is designed to provide students from US law schools with an opportunity to study in the UK and develop legal practice skills. The programme is ABA approved, and credits earned can be applied toward the JD degree.

The party of 13 students is studying a range of subjects including aspects of anti-trust law, international trade law, intellectual property, comparative criminal justice systems, European Union commercial law, and UK constitutional law. The students, who are accompanied by Professors Beth Farmer and Geoffrey Scott from the Dickinson School of Law, are also taken on field trips to visit various institutions.

IALS helps to develop LawPaths project

The IALS library is participating as a project partner in an initiative to develop a resource bank of customisable legal information skills materials on the web. The project will create a new service called LawPaths, a database containing the best existing skills materials produced by librarians and legal academics and publishers and newly created materials including guides, tutorials, and workbooks in a form that can be re-used and adapted by other institutions.

Materials featured in LawPaths will demonstrate best practice in guidance on building information skills - how to make effective use of a multiplicity of legal resources, especially the increasingly important electronic resources, now available to aid legal study and research. LawPaths will be freely available on the web to teachers and librarians and students of law at all levels, and hopes to be particularly relevant for those working offsite and requiring 24-7 support. LawPaths aims to establish an online community of users who will receive updates and information on new developments and provide feedback to the service.

The LawPaths project is led by the Templeman Library, University of Kent under the direction of Sarah Carter (Project Director and Law Librarian) assisted by Melissa Bowden (Project Officer). The project partners are: University of Kent, Institute of Advanced Legal Studies, and UK Centre for Legal Education, in collaboration with Bristol University Law Library, Cardiff University Law Library and the Institute for Learning and Research Technology.

The project commenced in August 2002 and is funded nationally by the Joint Information Systems Committee (JISC) of the UK higher education funding bodies for three years under the Exchange for Learning Programme (X4L). Further information can be found on the project website, under construction at http://library.ukc.ac.uk/library/lawpaths/

SASCAT is re-launched

SASCAT is the web catalogue of the libraries of the School of Advanced Study and can be found at this URL: http://library.sas.ac.uk/

SASCAT was re-launched on February 17 with a new design and some new features.

The main menu has been redesigned to allow quicker searching and improved links to each library web site. A pop-up help menu provides a comprehensive guide to the new design.

The results screens have also been re-designed and now have links to external resources such as the Resource
Discovery network and COPAC (the combined library of the Consortium of University Research Libraries).

**New functionality**

Library users will also be able to view their library record on-line and can save their favourite searches on the catalogue and set up email alerts for newly acquired material. Future enhancements will include the ability to renew and request books on-line. For further details please contact michael.loran@sas.ac.uk.

**Responsibilities of senior managers**

The Library has appointed three new senior managers over the past two years. The posts are new but the faces will be familiar to readers at the library because they have all been trained at IALS and have considerable experience in the Library. They are David Gee, Reader Services Manager; Steve Whittle, Information Systems Manager; and Lesley Young, Information Resources Manager. There is a profile of each person below outlining their responsibilities in the library.

The reason for the restructuring is the retirement of several of our most experienced senior library staff, taking with them over a hundred years of experience at IALS. Jennifer Jones, former Deputy Librarian and Head of Reader Services, retired in November 2001 after about 30 years of service; Jill Newell, Collection Development Librarian, retired in July 2000 after 42 years of service and a tribute to her work was published in issue 29 of *Amicus Curiae*; and Marion Birch, System Manager for the School of Advanced Study and Head of Technical Services at IALS Library retired from her post in July 2002 having first started at IALS in 1971. The Institute is fortunate to have retained Marion’s services as a part-time Bibliographic Projects Officer to help carry through the large technical changes to the computing systems taking place.

Such a wealth of experience is sorely missed but its loss would have been tremendous blow to the Institute were it not for the skills and knowledge of those who have stepped into their places.

David Gee, Reader Services Manager

David Gee is responsible for the provision and development of services to all users of the library, whether in person or at a distance, to enable the Institute library to play its full part in the national legal research infrastructure. The post plays a major role in the formulation and implementation of policy for legal research provision. The services are the public services in support of use of the library, including reference, enquiry, and information services to ensure delivery of expertise to support research in person, by telephone, email and letter. David manages reading room services, a circulation and short loan service, document delivery and interlibrary loans services, and programmes of training for both staff and readers. David is responsible for managing a team of law librarians, maintaining and developing existing and new services, promoting the services nationally, and also generating revenue for the library through services to the practising profession.

Steve Whittle, Information Systems Librarian

Steve Whittle is Responsible to the Librarian for the strategic planning, introduction and operation of automated systems, and co-ordinating the implementation of electronic solutions, procedures and services. Steve manages the Innopac / Millennium Internet catalogue and integrated library system on behalf of the School of Advanced Study for IALS and the other six Institute research libraries of the School. He and his team manage, develop and integrate other IALS information systems and computing facilities throughout the Institute including servers and local area networks, the CD-ROM network and delivery of other electronic information services, the IALS web site, Intranet, and gateways to legal information on the Internet.

Lesley Young, Information Resources Manager

Lesley’s overall role is to support scholarship and research nationally and internationally through the selection of material and the development, management and promotion of the collections. Liaison and collaboration with library partners, and consultation with collection users, are part of her responsibilities. Lesley manages the Information Resources Department whose team deals with the purchase of information resources, control of ongoing purchase, processing, binding and preservation, bibliographic control and the provision of access to information resources via the catalogue and other public records. Lesley advises on all aspects of collection development and management for all types of material,
both printed and electronic, including budgeting and space planning to accommodate and arrange the collections.

**Charity money raised**

**Tanzania Bike Safari Challenge**

Narayana Harave, Computer Services Librarian at the Institute, has successfully completed the 300km Bike Safari Challenge in Tanzania and raised a total of £2,545 for the charity SCOPE. Along with 81 participants from all over the UK Narayana left London on January 20, and he reached Lake Manyara Hotel on January 26 after cycling for five days. Despite the hard terrain and high temperatures, which at times reached 53°C, Narayana thoroughly enjoyed the experience and the group as a whole raised over £230,000 for SCOPE. He sends his thanks to everyone who sponsored him.

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**Legal Skills Research Group**

**2003 Spring Seminar Series**

**Tuesday, March 18, 1-2 pm**

FIONA COWIE
Senior Lecturer in law, University of Leicester

*Exploring values in legal education*

Admission free – all welcome. The seminar will be held at the IALS, and light refreshments will be available from 12.30 pm. For further information contact Fiona Cowie on 0116 252 2372 or Professor Avrom Sherr on 020 7862 5859. Those wishing to attend the seminar should email Eliza Boudier on eliza.boudier@sas.ac.uk

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**SALS News**

**Watson Burton organise SALS event on ‘Causation and current events in the light of Henry Boot v Malmaison’**

The northern section of SALS staged an afternoon seminar on January 10, 2003 which was organised by solicitors Watson Burton Law Firm, of Newcastle upon Tyne and attended by some 60 delegates. Held at the Gosforth Park Marriott Hotel, Newcastle upon Tyne, the seminar featured Paul Darling QC of Keating Chambers, who spoke on ‘Causation and concurrent events in the light of Henry Boot v Malmaison’. Robert Langley, of Watson Burton, also spoke on issues raised by the case, which raises issues of concern to everyone involved in commercial disputes particularly forensic analysis, claims consultancy, risk management, loss adjusting and commercial law. The event was chaired by Professor Alan Reed of the University of Sunderland in the absence of Judge Langan, who was unable to attend.

Mr Darling’s lecture, which will be featured in a future issue of *Amicus Curiae*, looked at the issue of how the law deals in general terms with an event or matter which results from more than one cause.

**Lord Woolf addresses Sixth SALS Annual Dinner**

Over 230 people attended the Sixth Annual Dinner of the Society for Advanced Legal Studies at Middle Temple Hall on November 6, 2002 with The Rt Hon The Lord Woolf, Lord Chief Justice of England & Wales, as speaker. Lord Woolf was introduced by Professor Avrom Sherr, Woolf Professor of Legal Education at the Institute of Advanced Legal Studies and a member of the Executive Committee of the Society for Advanced Legal Studies (SALS). Toasts were given by Dr Chizu Nakajima, Director of the Anglo-Japanese Centre for Financial Regulation at City University Business School and a member of the Advisory Council of SALS; Richard Alexander, Research Officer in European & Financial Services Law at the IALS; and Julian Harris, The Secretary, SALS. A vote of thanks was given by The Rt Hon Dame Sian Elias, Chief Justice of New Zealand and an Honorary Fellow of SALS.
IALS Lectures

Wednesday, March 12, 2003
DAMIAN CHALMERS
Reader in Law, London School of Economics
Talking through Europe's problems

Thursday, April 10
THE HON JAMES BACCHUS
Chairman, Appellate Body, the World Trade Organisation
The WTO and international law in the 21st century

The Company Lawyer lectures
Monday, 10 March 2003
PROFESSOR ROBERT PENNINGTON
Emeritus Professor of Commercial Law, University of Birmingham
Recent developments in the law and practice relating to the creation of securities for company indebtedness

Wednesday, 7 May
IAN SNAITH
Senior Lecturer and Nelsons Fellow in Law, University of Leicester; consultant, Cobbetts, Manchester
Legal structure for mutuality and altruism: new directions?

Monday, 23 June
LETITIA CRABB
Senior Lecturer in Law, University of Reading
The Commonhold and Leasehold Reform Act 2002: a company law perspective

Issues in commercial law
Monday, March 3, 2003
PROFESSOR HARRY ARTHURS
Professor of Law, Osgoode Hall Law School, York University, and Professor Emeritus, York University, Canada; IALS Visiting Fellow
How globalisation does (or doesn’t) shape law; the case of labour law

Monday, May 19
PROFESSOR JOHN BIRDS
Head of Department and Professor of Commercial Law, University of Sheffield
Good faith in the reform of insurance law

Issues in international justice
Monday, March 17, 2003
PROFESSOR GEOFFREY GILBERT
Professor of Law and Head of Department of Law, University of Essex
Obtaining jurisdiction over CEOs of trans-national corporations where ‘crimes’ occur away from the country of incorporation

Wednesday, April 30
PROFESSOR NIGEL WHITE
Professor of International Organisations Law and Head of the School of Law, University of Nottingham
The UN Security Council: an impediment to international justice?

Issues in financial regulation
Thursday, March 13, 2003
HELEN PARRY
Reader in Law, London Metropolitan University
Aliens, presidents and smoking dogs: distinguishing fact from fiction in high yield investment fraud

Wednesday, May 21
ROBERT DUNBAR
Senior Lecturer in law, University of Glasgow
The impact of the WTO on tax systems

Lectures held from 6-7 pm at the Institute of Advanced Legal Studies, 17 Russell Square, London WC1. Admission free – all welcome. For further information please contact Belinda Crothers (tel: 020 7862 5841; fax: 020 7862 5850).
SALS Lectures

Thursday, March 27, 2003

MORAG ELLIS
2-3 Gray's Inn Square; Member, SALS Planning and Environment Law Reform Working Group

New town and village greens: proposals for reform*

Thursday, May 8

STEPHEN MASON
Partner, Pario Communications Ltd: barrister

A comparison of the risks between the use of manuscript and electronic signatures

* A SALS report New town and village greens: proposals for reform by the Planning and Environmental Law Reform Working Group was published in December 2002.

Seminars

Thursday, April 10, 6 – 7.30 pm

Joint SALS and Law Commission seminar and discussion session

Trustee exemption clauses

Chair: STUART BRIDGE
Law Commissioner

PROFESSOR DAVID HAYTON
Kings College, University of London

Other events

Wednesday, June 11, 2003
Annual General Meeting and Sixth Annual Lecture

Speaker: Sir ROGER TOULSON ,
Chairman of the Law Commission

Wednesday, November 12, 2003
Seventh SALS Annual Dinner
Middle Temple Hall

Speaker: THE RT HON THE LORD IRVINE OF LAIRG
The Lord Chancellor of Great Britain

New Secretary at SALS

Julian Harris has taken over as The Secretary of SALS, replacing Tracy Paradise who left at the end of October. He will combine the post with his existing role as Senior Information Officer of the Institute of Advanced Legal Studies, and work with Sue Rogers who has become Administrative Secretary of the Society.

Publications

PLANNING GROUP PUBLISHES REPORT ON NEW TOWN AND VILLAGE GREENS

The SALS Planning and Environmental Law Reform Working Group published a report in December 2002 entitled New town and village greens: proposals for reform. In the group’s view there are two main reasons for the difficulties and lack of certainty surrounding the law in this area: the incomplete and piecemeal nature of the legislation and the problems of trying to apply an antiquated form of land use control in contemporary society. A procedure for and process of registering all town and village greens (TVGs) was contained in the Commons Registration Act 1965 (CRA) during a five-year period, which came to an end on July 31, 1970. It was anticipated that further regulations would be made after this period, but none have been enacted, although the CRA has been amended by the Countryside and Rights of Way Act 2000.

The situation for applicants for registration of TVGs was described as ‘unsatisfactory’ by the DETR Consultation Paper Greater protection and better management of common land in England and Wales, which was published in February 2000. Anecdotal evidence and the experience of members of the group would suggest that since 1990 applications to register new town and village greens (TVGs) has increased, thereby exacerbating problems further. The report looks at the current law, and submits proposals for reform.