



LONDON PROGRAMME:
COMMON LAW VS CIVIL LAW WHAT
INTERNATIONAL LAWYERS AND
COMMERCIAL PROFESSIONALS MUST KNOW

PRESENTED BY:
ELAHE GHAZINOORI



LONDON PROGRAMME:
COMMON LAW Vs CIVIL LAW
WHAT INTERNATIONAL
LAWYERS AND COMMERCIAL
PROFESSIONALS MUST KNOW

Presented by UK qualified lawyers



Where Knowledge becomes Confidence



The Welbeck Hotel
57-59 Welbeck St
London W1G 9BL



MONDAY – FRIDAY



09:30AM TO 14:30PM



£4500

[00]

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In international transactions, assumptions based on one legal tradition can lead to serious commercial risk. Differences between common law and civil law systems affect contract formation, interpretation, remedies, corporate governance, liability, and dispute outcomes.

This highly practical five-day programme examines the real commercial consequences of operating across legal systems. Rather than focusing on legal history, the course explores how common law and civil law principles shape contracts, negotiations, risk allocation, enforcement, and dispute strategy in international business.

Participants will analyse how identical clauses can produce different outcomes in different jurisdictions, how legal culture influences negotiation behaviour, and how cross-border transactions must be structured to minimise uncertainty.

This programme is designed for international lawyers, in-house counsel, and commercial professionals working across jurisdictions.



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Day 01

Legal Systems and Commercial Reality

Focus: Understanding how legal culture shapes commercial outcomes and risk.

Precedent vs codification: practical implications

Drafting style differences

Judicial reasoning and predictability

Assumptions that create cross border risk

Role of good faith in commercial relationships

Rescue versus liquidation: strategic decision making

Practical Work:

Comparing how a contractual obligation may be interpreted under both systems.

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Day 02

Contract Formation and Interpretation

● Focus: Identifying how contractual clauses operate differently across legal systems.

Consideration vs cause

Interpretation principles in commercial contracts

Implied terms and judicial intervention

Enforceability of penalty clauses and liquidated damages

Good faith and abuse of rights

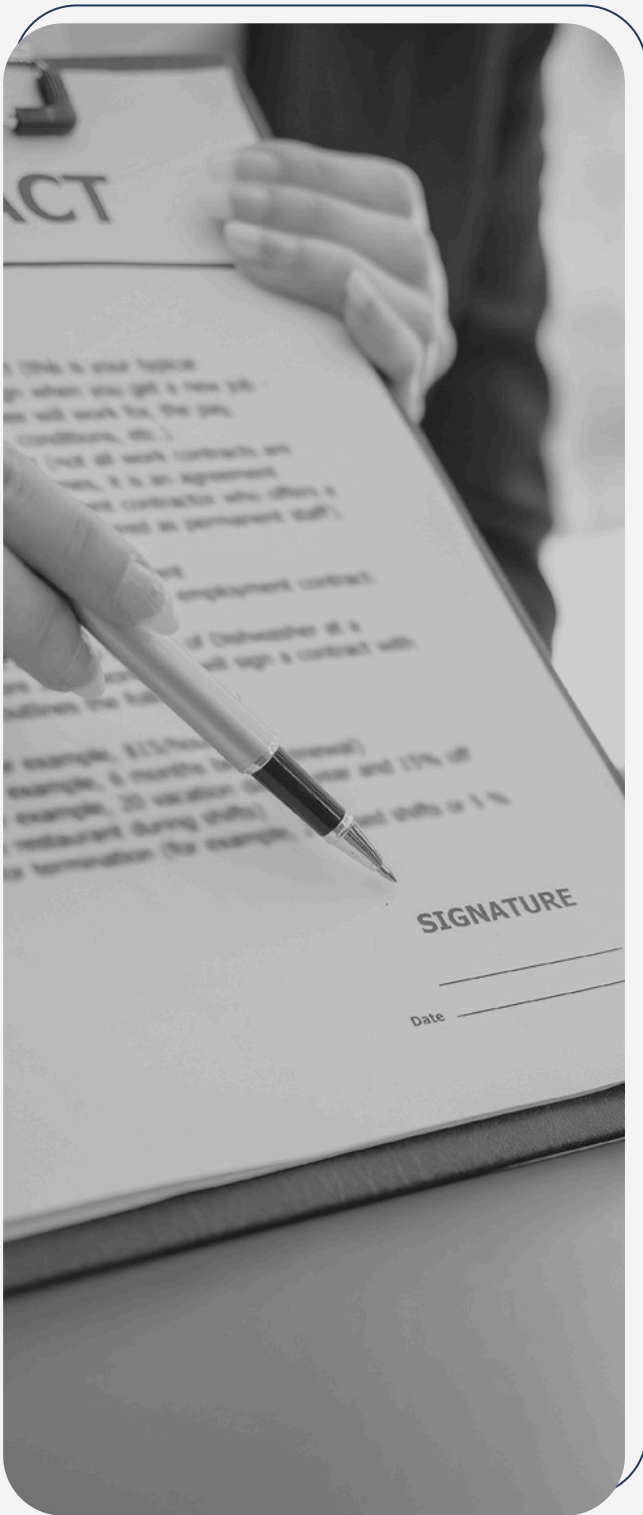
● Practical Work:

Designing a restructuring plan involving banks and trade creditors.



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Day 03

Remedies, Liability, and Risk Allocation

Focus: Comparing damages, liability exposure, and enforceability in cross-border disputes.

- Damages calculation differences
- Consequential loss and foreseeability
- Specific performance vs compensation
- Enforceability of indemnities
- Limitation of liability and exclusion clauses

Practical Work:
Evaluating breach outcomes under common law and civil law frameworks.

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Day 04

Corporate Governance and Financial Distress

● Focus: Managing director liability, shareholder rights, and restructuring risk across systems.

Directors' duties and liability standards

Insolvency triggers and restructuring approaches

Shareholder rights and minority protection

Creditor protection differences

Corporate governance models

● Practical Work:

Structuring a cross border joint venture to reduce legal system exposure.

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Day 05

Dispute Strategy and Enforcement

● Focus: Designing effective dispute strategies in mixed common law and civil law environments.

Litigation culture differences

Arbitration as a neutral bridge between systems

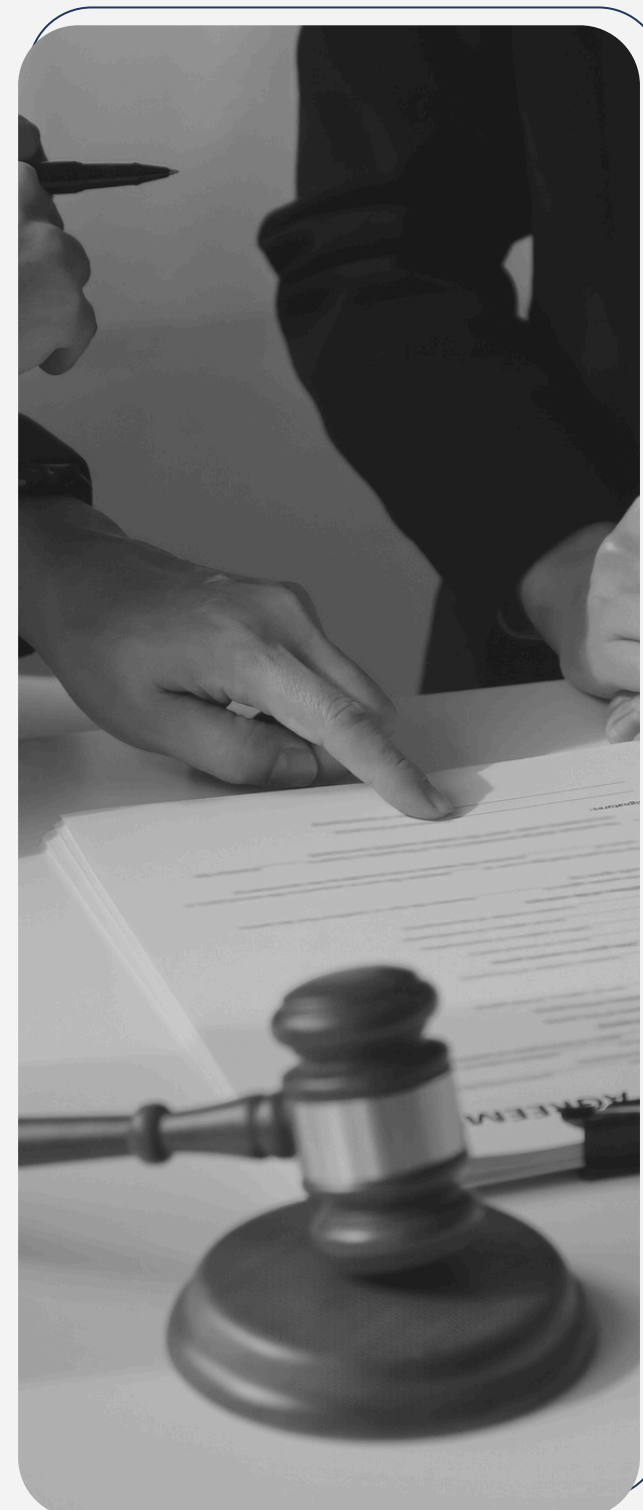
Role of judges and procedural control

Recognition and enforcement of judgments and awards

Evidence and procedural flexibility

● Practical Work:

Designing a cross border dispute strategy involving parties from different legal traditions.



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Learning Outcome

By the end of the course, participants will be able to:

- Distinguish clearly between common law and civil law principles.
- Identify how legal culture affects contract interpretation and negotiation.
- Assess how remedies and liability differ across systems.

- Evaluate cross-border legal risk in international transactions.
- Structure agreements to minimise uncertainty and enforceability issues.
- Develop informed dispute strategies in mixed legal environments.

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Our Training Strategy

is based on personalised learning, where we aim to develop the competence of every delegate by actively engaging them in the course.

EMG Associates' Principal Presenter:

Elahe Ghazinoori is a Non-Practising Solicitor, Founder, Director, and Principal presenter at EMG Associates, with over 20 years of experience in professional legal training. She specialises in business and commercial law, contract drafting, dispute resolution, and cross border legal practice, and works extensively with professionals from civil law and common law jurisdictions to develop practical skills for international transactions and disputes.

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Accreditation:

EMG Associates (UK) Limited is authorised to provide Continuing Professional Development (CPD) by the Solicitors Regulation Authority (SRA) and the Dubai Government Legal Affairs Department (GLAD). Participation in this programme may therefore be counted towards applicable CPD/CLPD requirements, subject to the relevant professional rules.

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