emg ASSOCIATES

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

emg ASSOCIATES

Where Knowledge becomes Confidence

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

MONDAY – FRIDAY

09:30AM TO 14:30PM

£4500

[00]

BROCHURE CODE EMG-SUM26M

LONDON PROGRAMME:

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

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.



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

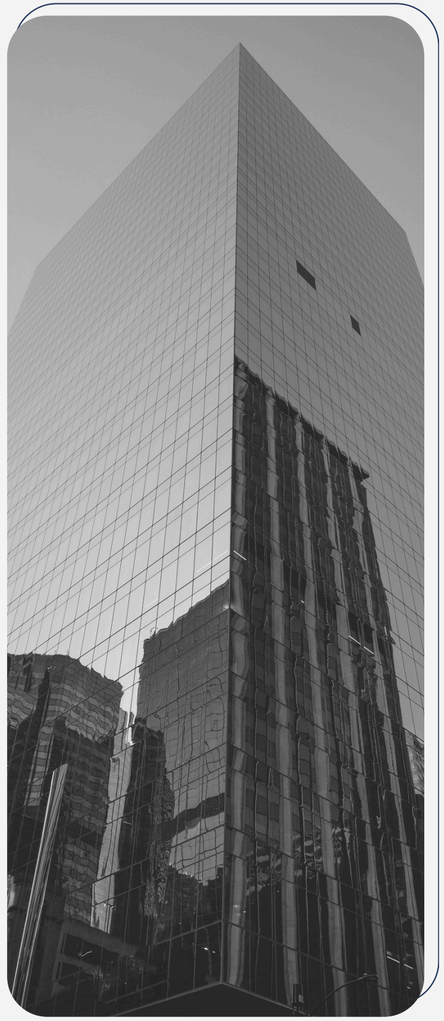
Remedies, Liability, and Risk Allocation

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.



Day 04

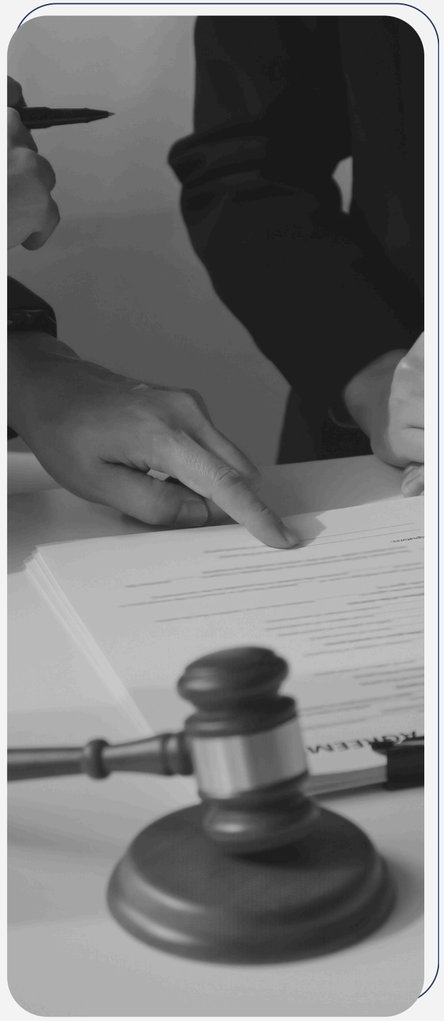
Corporate Governance and Financial Distress

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.



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.

Accreditation:

EMG Associates (UK) Limited is an accredited training provider of the Government of Dubai Legal Affairs Department (GLAD), under the Continuing Legal Professional Development (CLPD) Programme (Provider Code: BB18).

Eligible EMG programmes, where accredited by the Department, may qualify for CLPD points for registered Dubai legal consultants, subject to the applicable programme requirements.

Our programmes are also designed to support the continuing professional development and competence of legal professionals, including solicitors regulated by the Solicitors Regulation Authority (SRA) in England and Wales, in accordance with their individual professional development obligations.

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THE GOVERNMENT OF DUBAI LEGAL AFFAIRS DEPARTMENT

Solicitors Regulation Authority

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TO REGISTER PLEASE VISIT

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