



The City of London Law Society

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Department for Business, Energy & Industrial Strategy

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31st October 2017

Dear Sirs

THE BUSINESS CONTRACT TERMS (ASSIGNMENT OF RECEIVABLES) REGULATIONS

The City of London Law Society (“**CLLS**”) represents approximately 17,000 City lawyers through individual and corporate membership including some of the largest international law firms in the world. These law firms advise a variety of clients from multinational companies and financial institutions to Government departments, often in relation to complex, multi-jurisdictional legal issues. The CLLS responds to a variety of consultations on issues of importance to its members through its 18 specialist committees.

We write on behalf of the Insolvency Law Committee of the City of London Law Society to express our agreement with the submission of the Financial Law Committee of the City of London Law Society in their letter of 13th October 2017 attached.

Members of the Insolvency Law Committee are particularly concerned that the uncertainty and ambiguity of the Regulations in their current draft form may have unintended consequences for corporates, including SMEs, making it difficult to preserve rights of set-off, and deterring rather than encouraging lenders to SMEs. Such members are particularly concerned about the ambiguity in the drafting of the regulations. We would be happy to work with the drafters of the legislation to try to sort out the ambiguities if that would be helpful.

Yours sincerely

Jennifer Marshall
Chair
CLLS Insolvency Law Committee

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**THE CITY OF LONDON LAW SOCIETY
INSOLVENCY LAW COMMITTEE**

Individuals and firms represented on this Committee are as follows:

Ms Jennifer Marshall (Allen & Overy LLP) (Chair)
Ms C. Balmond (Freshfields Bruckhaus Deringer LLP) (Deputy Chair)
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