INTERNALISING EXTERNALITIES: AN ENTERPRISE RISK APPROACH TO VICARIOUS LIABILITY IN THE 21ST CENTURY

By
Associate Professor David Tan, NUS Faculty of Law

2 MARCH 2016, WEDNESDAY, 5:30PM TO 7:30PM
SEMINAR ROOM 4-2, BLOCK B, LEVEL 4, NUS BUKIT TIMAH CAMPUS

ABOUT THE SEMINAR
This seminar discusses how the law of vicarious liability should evolve to meet the exigencies of contemporary times. These include recognising the multiplicity of modern work arrangements beyond the traditional employment contract, as well as deterring sexual assault of young and vulnerable victims by those placed in positions of power, and ensuring that such victims receive just and adequate compensation for the ordeal they have suffered. Over the last decade, courts have gravitated towards an overarching rationale of “enterprise risk” when imposing vicarious liability for intentional torts, and this seminar suggests that a more explicit acceptance of a new paradigm of “internalising externalities” can assist courts in deciding the appropriate legal responsibility to be assigned to entities – whether profit-maximising companies, volunteer organisations or religious bodies – that benefit from carrying on an enterprise that necessarily introduces risks to others. More specifically, this seminar will explore how the Singapore Court of Appeal’s 2011 decision in Skandinaviska Enskilda Banken AB v. Asia Pacific Breweries (S) Pte Ltd has set the stage for adopting an enterprise risk framework for the law of vicarious liability.

ABOUT THE SPEAKER
Associate Professor David Tan is Vice Dean (Academic Affairs) at the Faculty of Law, National University of Singapore, and oversees the academic curriculum for both undergraduate and master degree programs. He holds PhD, LLB (First Class Hons) and BCom degrees from the University of Melbourne and a LLM from Harvard.


PROGRAMME
5:00 – 5:30 PM : Registration
5:30 – 6:30 PM : Seminar by Associate Professor David Tan
6:30 – 7:00 PM : Question & Answer Session
7:00 PM : Networking

REGISTRATION FEE
Public : $149.80
Academics : $74.90
NUS Students (Non – Law) : $10.70
Faculty of Law Staff & Students : Complimentary
*Includes 7% GST, refreshment and materials

To register, please click here and you will receive an automated message upon submission.

For enquiries, please contact Ms. Poova at Tel: 6516 3644 or email us at clemail@nus.edu.sg

Closing date: Wednesday, 24 February 2016

Directions to the law school may be found at http://law.nus.edu.sg/about_us/location.html

Public CPD Points: 1
Practice Area: Corporate/Commercial
Training Level: General

Participants who wish to claim CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. This includes signing in on arrival and signing out at the conclusion of the activity in the manner required by the organiser, and not being absent from the entire activity for more than 15 minutes. Participants who do not comply with the Attendance Policy will not be able to obtain CPD Points for attending the activity. Please refer to www.sileCPDcentre.sg for more information.