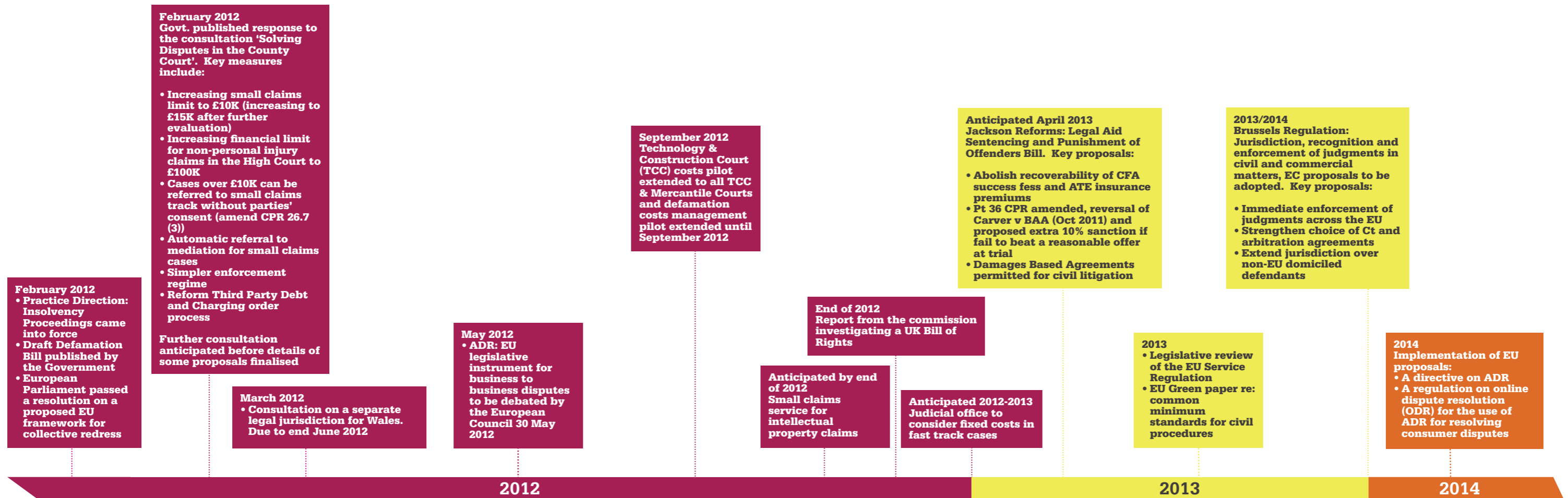


Commercial litigation timeline 2012 - 2014

Key developments, legislation and cases



March 2012
Perry and others v Serious Organised Crime Agency

The Supreme Court heard an appeal from the Court of Appeal's decision that the courts of England and Wales have power under Pt 5 of the Proceeds of Crime Act 2002 to make a recovery order in favour of a trustee for civil recovery of removable property outside this jurisdiction, whether moveable or immovable. Awaiting judgment

October
Loyalty Management UK (LMUK) v HMRC

The Supreme Court to hear an appeal concerning VAT payments made by LMUK, which runs the Nectar card points scheme. The ruling will have implications for all loyalty card schemes

November
R (Prudential plc and another) v Special Commissioner of Income Tax and another

The Supreme Court to hear on appeal from the Court of Appeal's decision that common law legal privilege only applies to qualified lawyers

Other proposals to consider (no implementation date available)

- Proposed European Account Preservation Order to facilitate cross-border debt recovery in civil and commercial matters. Passing through EU legislative procedure. In October 2011 the UK decided not to opt in
- EC draft regulation on a Common European Sales Law (CESL) published October 2011. The CESL will sit alongside member state's existing national contract laws, and applies on a voluntary basis, upon express agreement of the parties to a cross-border contract. December 2011 the UK launched a challenge to the proposals. In February 2012 the UK Government called for evidence in relation to the CESL. European Commission hopes to have the CESL agreed by 1 January 2013

Please note that this timeline does not cover all commercial litigation developments. If you would like additional information please let us know.