

LATEST ISSUES IN LEGAL DOCUMENTATION FOR ISLAMIC FINANCE

Murabahah, Tawarruq, Ijarah, Rahn, Kafalah, Musharakah, Wa'ad & Wakalah



5th - 6th December 2018, KUALA LUMPUR

REDmoney Seminars present a fully updated two-day program to provide a comprehensive understanding and update on Shariah compliant legal documentation for various forms of Islamic financial transactions. The programme will analyse the process of structuring legal documentation for major Islamic financial transactions, including latest updates on Murabahah, Tawarruq, Ijarah, Rahn & Kafalah as well as equity based products such as Musharakah. We shall cover various Bank Negara Malaysia Policy Documents in detail. This workshop is meant to be interactive, focusing on case studies and practical examples from actual transactions executed in the industry.

KEY LEARNING OUTCOMES

- Evaluate latest Shariah Issues in legal documentation for Islamic products
- Examine latest legal and documentation issues for Murabahah and Ijarah, including Bank Negara Malaysia's Policy Documents
- Examine latest legal and documentation issues for Tawarruq, Waad and Wakalah, including Bank Negara Malaysia's Policy Documents
- Analyze latest legal documentation issues for equity financing products, including Bank Negara Malaysia's Policy Documents
- Discuss the key Shariah requirements of Rahn & Kafalah
- Employ risk management strategies through effective legal documentation

AGENDA

Day 1

Shariah aspects of Legal documentation

- Islamic law of contract – essential elements
- Shariah rules regarding conditions to the contract
- Essential Shariah rules for sale – the base of all contracts
- Difference between different Shariah contracts
- Difference between conventional legal documentation and Islamic legal documentation
- Discussion on Aqad and collateral

Legal documentation for Murabahah

- Structure of Murabahah documentation
- Bank Negara Malaysia's Policy Document regarding Murabahah Legal Documentation
- Practice of Islamic banks – examples from the industry
- The structure and nature of the Ibra' Tawidh and Gharammah clauses
- The structure, nature and enforcement of security documents

Legal documentation for Tawarruq

- Introduction to Tawarruq practise
- Bank Negara Malaysia's Policy Document regarding Tawarruq Legal Documentation
- Bank Negara Malaysia's Policy Document regarding Waad Legal Documentation
- Bank Negara Malaysia's Policy Document regarding Wakalah Legal Documentation
- Case study – Execution process of Tawarruq legal documentation (Practical example from actual transactions executed in the industry)

Day 2

Legal documentation for Ijarah

- Bank Negara Malaysia's Policy Document regarding Ijarah legal documentation
- Various types of Ijarah transactions and the risks involved
- Structuring Ijarah documentation – issues, mitigating risks and adhering to Shariah principles
 - o Plain vanilla Ijarah
 - o Master Ijarah structure
 - o Ijarah - sale and lease back
 - o Ijarah - hire purchase/financial lease
- Practice of Islamic banks – examples from the industry
- The structure, nature and enforcement of security documents
- Nature and applicability of purchase undertaking (Waad)

Legal documentation for Equity Financing Products and Diminishing Musharakah

- Bank Negara Malaysia's Policy Document regarding Legal Documentation for Equity Products
- Documentation and issues for equity financing products
- Documentation and issues for Diminishing Musharakah
- Comparison of Diminishing Musharakah vs. sale contracts
- Various forms of Diminishing Musharakah transactions and documentation

Shariah Requirements of Rahn & Kafalah

- Bank Negara Malaysia's Policy Document regarding Rahn (pledge)
- Bank Negara Malaysia's Policy Document regarding Kafalah (guarantee)
- Documentation and issues for Rahn
- Documentation and issues for Kafalah

Close of Program

Who Will Benefit?

- Islamic retail, commercial, corporate and investment bankers
- In-house counsel and compliance professionals from banks and corporates
- Lawyers, consultants and advisors
- Regulators and banking supervisors

SPEAKERS



Dr Mohd Johan Lee
Managing Partner
J. Lee & Associates

Johan is the senior partner of J. Lee & Associates, a medium-size award-winning legal firm in Malaysia. The firm is now a member of Primerus law, an international legal chambers group. Primerus law is one of the top three biggest legal firm groups in the world. Johan is a leading Shariah advisor of JLA Shariah Consultancy.

Johan graduated with LLB (Hons) degree from International Islamic University Malaysia. He holds a Master of Comparative Laws degree, a post-graduate Diploma in Shariah and Legal Practice from International Islamic University Malaysia, an MA in Economics for Competition Law from King's Collage London and a PhD in Business and Commercial Law from Monash University Australia. He is a qualified member of the Chartered Institute of Arbitrators, UK as well as a mediator of the Malaysian Bar. He is an advocate and solicitor of the High Court of Malaya, High Court of Sabah & Sawarak, the Shariah Court and the Supreme Court of Brunei.

Johan lectures part-time in local law schools and has lectured and provided training for the Institute Latihan Kehakiman (ILKAP), Jabatan Kehakiman Syariah Malaysia (JKSM) for both civil courts and Shariah courts judges on Islamic banking. He has trained officers from BNM, local banks and a number of central banks throughout the world. In 2006, he was a visiting scholar to the Asian Law Centre of the University of Washington. He is currently a Shariah consultant to a number of governmental agencies as well as government-funded banks. He was a member of the Board of Studies of the Institute of Islamic Banking and Finance, International Islamic University Malaysia for the 2010-2012 tenure. He was also a member of the Board of Studies of the Faculty of Law of University Malaya for the 2015-2017 tenure. He was in the syllabus endorsement committee in for INCEIF and the CIMA. He is recently accredited as a senior trainer of the IBFIM and a trainer of the Associations of Shariah Advisors (ASAS), Securities Commission (SC), International Council of Islamic Finance Educators (ICIFE) and the Securities Industry Development Corporation (SIDC). He was part of the law reform committee established by the Attorney General office. Johan has authored a number of text books, reference books and articles on Islamic banking published globally.

Johan is a member of the Shariah Advisory Council (SAC) of the Association of Islamic Banks Malaysia (AIBIM). He is a consultant to a number of law firms and practices in Malaysia, Brunei, Singapore, Indonesia, the Philippines, and the UK. He has drafted and developed numerous Islamic banking legal documents and products in Malaysia and overseas.

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RM 17,500

- Logo on all promotional activities
- 5 invitations for your colleagues and clients
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REDmoney Group

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BOOKING DETAILS

I am booking:	Price per Delegate	Total Price	Early Bird (10% Discount)
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Please tell us who we should invoice. It is also helpful for us to have the name of an administrator with whom we can liaise directly.

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