



Dispute resolution lawyers stress importance of board minutes in regulatory investigations

News - 18/04/2019

Today Guernsey dispute resolution specialists Michael Rogers and Sandie Lyne presented to the NED forum on the topic of regulatory investigations, providing advice on strategies and protocols which non-executive directors should consider when an investigation is underway. In particular, the talk highlighted why keeping board minutes is essential in proving to the Commission that directors take their responsibilities seriously.

Alongside covering the major stages of a regulatory investigation, Michael and Sandie provided practical guidance on how organisations should respond to an investigation, highlighted the importance of understanding legal privilege, and covered key considerations for settlement discussion and sanctions.

Michael said: "Regulatory investigations repeatedly highlight the importance of having clear records of board meetings. Often a lack of documents is a sticking point for companies as directors may not have clear evidence of what their thoughts/intentions were if the Commission is taking issue with a licensee's policies and procedures. As a member of the board, a minute is likely to be the main method to prove that you were exercising your role properly."

Ogier regularly advises directors on regulatory matters - should you have any queries please get in touch with the contacts listed on the right.

About Ogier

Ogier is a professional services firm with the knowledge and expertise to handle the most demanding and complex transactions and provide expert, efficient and cost-effective services to all our clients. We regularly win awards for the quality of our client service, our work and our people.

Disclaimer

This client briefing has been prepared for clients and professional associates of Ogier. The

information and expressions of opinion which it contains are not intended to be a comprehensive study or to provide legal advice and should not be treated as a substitute for specific advice concerning individual situations.

Regulatory information can be found under [Legal Notice](#)

Key Contacts



[Mathew Newman](#)

Partner

[Guernsey](#)

E: mathew.newman@ogier.com

T: [+44 1481 752253](tel:+441481752253)



[Alex Horsbrugh-Porter](#)

Partner

[Guernsey](#)

E: alex.horsbrugh-porter@ogier.com

T: [+44 1481 752272](tel:+441481752272)



Sandie Lyne

Partner

Guernsey

E: sandie.lyne@ogier.com

T: [+44 1481 752224](tel:+441481752224)



Michael Rogers

Managing Associate

Guernsey

E: michael.rogers@ogier.com

T: [+44 1481 752264](tel:+441481752264)

Related Services

Dispute Resolution

Regulatory

Legal