## **Banking Law**



1

Clarke, William M. How the City of London works: an introduction to its financial markets. 7th ed. London: Sweet & Maxwell 2008.

2

Ellinger, E. P., Lomnicka, Eva Z., Hare, C. V. M., et al. Ellinger's modern banking law. 5th ed. Oxford: Oxford University Press 2011.

3

Penn, G. A., Shea, A. M., Wadsley, Joan. The law relating to domestic banking. 2nd ed. London: Sweet & Maxwell 2000.

4

Arora, Anu. Practical banking and building society law. London: Blackstone Press 1997.

5

Arora, Anu. Electronic banking and the law. 2nd ed. London: Banking Technology 1993.

6

Cranston, Ross. Principles of banking law. 2nd ed. Oxford: Oxford University Press 2002.

Ellinger ER. Ch 5 (pp 115-139; 154-171); Ch 7 (pp 223-248); Ch 8 (pp 319-332). Ellinger's modern banking law. Oxford: Oxford University Press 2011.

8

Ellinger EP. ch 7 (pp268-299) we will revisit this section in week 7. Ellinger's modern banking law. Oxford: Oxford University Press 2011.

9

Banks as constructive trustees: the English position. Journal of international banking law. 1993;8.

10

Banks as express and resulting trustees of customers' moneys. Journal of international banking law. 1992;7.

11

Banks as Fiduciaries: The UK Position. Journal of international banking law. 1992;7.

12

Arora A. The Bank's Liability as a Constructive Trustee. Journal of Business Law. Published Online First: 1990.

13

The Bank – An Attractive Deep-Pocket Defendant: Part 1. Journal of international banking law. 1998;14.

14

The Bank – An Attractive Deep-Pocket Defendant: Part 2. Journal of international banking law. 1999;14.

The Banker's Duty of Confidentiality. Journal of Business Law. 1989;14.

16

Spearman R. 'Disclosure of confidential information: Tournier and "disclosure in the interests of the bank" reappraised'. Journal of International Banking and Financial Law. 2012;2.

17

The Liability of UK Banks for Financial Advice. Journal of international banking law. 1996;11.

18

Data Protection, Confidentiality, Unfair Contract Terms, Consumer Protection and Credit Reference Agencies. Journal of Business Law.

19

Ellinger EP. Ch 10 (pp398-408; 412-417; 424-444). Ellinger's modern banking law. Oxford: Oxford University Press 2011.

20

Ellinger EP. ch 10 (pp390-398) for general information about the clearance of cheques. Ellinger's modern banking law. Oxford: Oxford University Press 2011.

21

Richardson, D. Guide to negotiable instruments and the Bills of Exchange Acts. [Place of publication not identified]: Butterworths 1983.

22

Ellinger EP. Ch 10 (pp418-421); ch 11 (pp.451-458; 484-498; 500-512) Ch 15 (pp690-695;698-705; 715-718). Ellinger's modern banking law. Oxford: Oxford University Press 2011.

23

Ellinger EP. Chapter 14. Ellinger's modern banking law. Oxford: Oxford University Press 2011.

24

Ellinger EP. ch 13 (pp557-586) For general information on clearance of giro payments and EFTs. Ellinger's modern banking law. Oxford: Oxford University Press 2011.

25

Debit cards, ATMs and negligence of the bank and customer. Butterworths Journal of International Banking and Financial Law. 2012;3.

26

Payment Services Directive: two years on has it delivered? The UK's experience. Butterworths journal of international banking and financial law. 2012;5.

27

'The Banking and Payment Services Conduct Regime: retail banking therapy? Butterworths journal of international banking and financial law. 2009;11.

28

Electronic Commerce: Who Carries the Risk of Fraud? Journal of Information, Law & Technology. 2000;3.

29

Credit Cards and Section 75: Time for a Change in the Law? Journal of international banking law. 1996;12.

Consumer Electronic Banking. Journal of international banking law. Published Online First: 1994.

31

Electronic cash and payment schemes. Butterworths Journal of International Banking and Financial Law. 1997;12.

32

Electronic cash - The Regulatory Issues. Butterworths journal of international banking and financial law. 1997;12.

33

Virtual Banking and Electronic Payments – Privacy and Related Issues. Butterworths journal of international banking and financial law. 1997;12.

34

Richards M, Palmer P, Bogdanova M. Irresponsible Lending? A Case Study of a Credit Industry Reform Initiative? Journal of Business Ethics. 2008;81:499–512.

35

Rodford P. APACS Response to 'Irresponsible Lending? A Case Study of a Credit Industry Reform Initiative? Journal of Business Ethics. 2009;86:535–9.

36

Ellinger EP. ch 12; ch 7 (pp 268-316). Ellinger's modern banking law. Oxford: Oxford University Press 2011.

37

Pearce RA. Ch 31 and 32. The law of trusts and equitable obligations. Oxford: Oxford University Press 2010.

38

The Development of Tracing Rules in Commercial Cases. Lloyd's Maritime and Commercial Law Quarterly. Published Online First: 1997.

39

Tracing the Proceeds of Fraud'. Law quarterly review. 1991;107.

40

Equity's Place in the Law of Commerce. Law quarterly review. 1998;114.

41

Ellinger, E. P., Lomnicka, Eva Z., Hare, C. V. M., et al. Ch 5 (pp 139-153); ch 18; ch 19 (pp. 838-841); ch 20 (pp. 856-862; 864-865); chapter 22 (pp. 901-918). Ellinger's modern banking law. Oxford: Oxford University Press 2011.

42

Revisiting Barclays Bank v. O'Brien: Independent Legal Advice for Vulnerable Sureties. Journal of business law. 2002;439–56.

43

Penn GA. Chapter 18 (pp. 515-552). The law relating to domestic banking. London: Sweet & Maxwell 2000.

44

Mujih E. Legitimising Charge-backs. Insolvency lawyer. 2001;3.

Triple Cocktail becomes Single Malt? Some thoughts on the practical consequences of the decision of the House of Lords in Morris v Agrichemicals. Journal of international banking law. 2001;13:115–8.

46

Drafting an Enforceable Guarantee: A Lender's Perspective. Butterworths Journal of International Banking and Financial Law. 1993;8.

47

BCCI in the Court of Appeal: The Implications for Security over Cash and "Principal Debtor" Clauses in Guarantees. Butterworths journal of international banking and financial law. 1993;8.

48

Securities by way of Pledge and Letter of Hypothecation'. Butterworths journal of international banking and financial law. 1992;7.

49

Fehlberg B. The Husband, the Bank, the Wife and her Signature - the Sequel. Modern law review. 1996;59:675–94.

50

Fehlberg B. The Husband, the Bank, the Wife and her Signature. Modern law review. 1994;57:467–75.

51

Wong S. No man can serve two masters: independent legal advice and solicitor's duty of confidentiality. The Conveyancer and Property Lawyer. Published Online First: 1998.

Undue Influence and Unconscionable Bargains. Lloyd's Maritime and Commercial Law Quarterly. 1997;17.

53

Ellinger, E. P., Lomnicka, Eva Z., Hare, C. V. M., et al. Chapter 19 (pp. 821-838; 842-855); Chapter 21 (pp. 868-882; 884-891). Ellinger's modern banking law. Oxford: Oxford University Press 2011.

54

Penn GA. Ch 19; ch 21 (pp 603-624; 636-660). The law relating to domestic banking. London: Sweet & Maxwell 2000.

55

Charge Card Revisited (For the Last Time?). Journal of international banking law. Published Online First: 1998.

56

Charge card: a fatal blow? Journal of international banking law. 1992;7.

57

Security over Deposits after Re BCCI. Butterworths Journal of International Banking and Financial Law. 1996;11.

58

Ellinger, E. P., Lomnicka, Eva Z., Hare, C. V. M., et al. Chapter 18 (pp. 813-816); chapter 19 (pp. 830-833; 851-855). Ellinger's modern banking law. Oxford: Oxford University Press 2011.

59

Penn GA. pp. 624-634; Chapter 24 (pp. 683-697, 705-709, 740-744). The law relating to domestic banking. London: Sweet & Maxwell 2000.

Cranston, Ross. Principles of banking law. 2nd ed. Oxford: Oxford University Press 2002.

61

McCormack G. Chapter 4 & 6. Proprietary claims and insolvency. London: Sweet & Maxwell 1997.

62

Enforcing security: the challenges. Butterworths journal of international banking and financial law. 2009;4.

63

Mortgage arrears: the repossession crunch'. Butterworths journal of international banking and financial law. 2009;3.

64

Duties of a Mortgagee and a Receiver. Journal of business law. Published Online First: 1993.

65

Equity and the Position of Mortgagees'. Journal of international banking law. 1993;8.

66

Jumping the Queue'. Journal of business law. 1997;1–22.

67

Proprietary Claims in Insolvencies'. Butterworths journal of international banking and

financial law. 1995;10.

68

Ellinger, E. P., Lomnicka, Eva Z., Hare, C. V. M., et al. Chapter 4. Ellinger's modern banking law. Oxford: Oxford University Press 2011.

69

Gilmore, William C. Dirty money: the evolution of international measures to counter money laundering and the financing of terrorism. 3rd ed. rev. and expanded. Strasbourg: Council of Europe Publishing 2004.

70

Clark. The Impact of Recent Money Laundering Legislation. Money laundering control. Dublin: Round Hall/Sweet & Maxwell 1996.

71

'Are the anti-laundering laws failing? Butterworths journal of international banking and financial law. 2011;8.

72

Does Shah v HSBC Private Bank Ltd make the anti-money laundering consent regime unworkable? Journal of international banking law. 2010;5.

73

POCA: difficulties in reading Parliament's hand: exactly what mischief is s 328 POCA intended to address? Journal of international banking law. 2009;5.

74

Developments in accountability for the money laundering reporting officer in the United Kingdom'. Journal of International Financial Markets. 2001;3.

Banks in a bind: the implications of the Money Laundering legislation'. Journal of international banking law. 2001;16.

76

Recent International Developments in the Fight against Money Laundering'. Journal of international banking law. Published Online First: 2002.

77

review of the new investigation powers under the Proceeds of Crime Act 2002'. Journal of international banking law. Published Online First: 2003.

78

Criminal Conduct under Part 7 of the Proceeds of Crime Act 2002: A Requirement for Double Criminality? Butterworths Journal of International Banking and Financial Law. Published Online First: 2003.

79

The Duty to Report Under the Money Laundering Legislation within the UK'. Journal of business law. Published Online First: 2004.

80

Equity and the Money-launderer's. Conveyancer & property lawyer. Published Online First: 1992.

81

UK money laundering law after the reforms of 1993'. Butterworths journal of international banking and financial law. 1993;8.

Money Laundering: A European and UK Perspective'. Journal of international banking law. Published Online First: 1997.