

IN THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF APPEAL

IN THE MATTER OF ARTICLE 5(B)(1)(b) OF THE JUDICIAL AUTHORITY LAW

AND IN THE MATTER OF AN APPLICATION RELATING TO THE INTERPRETATION
OF THE DIFC TRUST LAW AND THE DIFC FOUNDATIONS LAW

ON THE APPLICATION OF

THE DUBAI INTERNATIONAL FINANCIAL CENTRE AUTHORITY

Applicant

INDEX OF AUTHORITIES ON BEHALF OF ATCO

1. Companies Law No. 5 of 2018, Article 132
2. Law on the Application of Civil and Commercial Laws in the DIFC, Article 8(2)
3. Prescribed Company Regulations
4. Extracts from Regulatory Law and the Rulebook re Provision of Trust Services (to be confirmed)
5. Registrar's Direction No. 3 of 2017
6. Convention on the Law Applicable to Trusts and on their Recognition
7. *Explanatory Report on the 1985 Hague Trusts Convention*, paragraph 137
8. *In re the Regulation and Control of Aeronautics in Canada* [1932] A.C. 54
9. *A-G (Canada) v A-G (Ontario)* [1914] A.C. 153
10. *Akers and Others v Samba Financial Group* [2017] AC 424
11. *Investec Trust (Guernsey) Ltd v Glenalla Properties Ltd* [2019] AC 271
12. *Clark and Whitehouse (Joint Administrators of Rangers Football Club plc), Re Directions* [2012] SLT 599
13. *Lambton (Earl of Durham) v Lady Lambton* [2013] EWHC 3566 (Ch)
14. *Ithmar Capital v. 8 Investments Inc. and 8 Investment Group Fze* [2007] DIFC CFI 008
15. *Dutch Equity Partners Limited v Daman Real Estate Capital Partners Limited* [2006] DIFC CFI 001
16. ARB-004-2018, judgement of HE Justice Shamlan Al Sawalehi dated 20 June 2019 (to be anonymised and to follow)
17. *Dajani v Mustafa El Khaldi* [1946] AC 383

18. *Dicey, Morris & Collins on the Conflict of Laws (15th Ed, Fifth Supplement)* 22-048
19. *Lewin on Trusts* (19th Ed.) paragraph 11-238
20. Lord Justice Briggs, *Does England Need a Trusts Act?* (2019) 34 BJB&FL 359
21. Gaillard & Trautman, *Trusts in Non-Trust Countries: Conflict of laws and the Hague Convention on Trusts* (1987) 35 Am J Comp L 307
22. Stuckey-Clarke, *The International Trust Litigation Committee report for jurisdictions other than the USA* (2019) 25 T&T 156
23. Brown & Kemp, *Achieving Certainty in the Global Litigation Market* (Littleton Chambers, 2016)
24. *Forsyth Partners Global Distributors Limited, Forsyth Partners Group Holdings Limited and Forsyth Partners (Middle East) Limited* [2007] DIFC CFI 005/006/007, judgment of 30 January 2007