



Prof John Farrar and the Dean: Prof Johan Henning

Dekaan Prestige Lesingsreeks

Eerste lesing in Dekaan van Regsgeleerdheid se reeks gelewer deur 'n hoogaangeskrewe kundige met internasionale aansien.

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Prof. John Farrar, 'n hoogaangeskrewe kundige met internasionale aansien in Maatskappyereg, het die eerste lesing in die *Dekaan van Regsgeleerdheid se Prestige-lesingreeks* by die Universiteit van die Vrystaat (UV) aangebied. Die tema van sy referaat was *Directors' duties of care – Issues of classification, solvency and business judgement and the dangers of legal transplants*.

Hierdie onderwerp is van die uiterste belang vir Suid-Afrikaanse regsgeleerdes in die lig van die baie omstrede voorwaardes van die nuwe Maatskappyewet, no. 71 van 2008, wat daarna streef om die "Business judgement rule" in die Suid-Afrikaanse Maatskappyereg in te voer, en sodoende direkteure van maatskappye se gemenereg-pligte met betrekking tot sorgsaamheid en vaardigheid te hervorm wanneer hierdie wetgewing uiteindelik in werking tree.

Prof. Farrar is 'n professor in Korporatiewe Regeerkunde aan die Universiteit van Auckland se Besigheidskool, en een van die direkteure van die Nieu-Seeland se Sentrum vir Regeerkunde. Hierdie is deeltydse rolle en die res van sy tyd bestee hy as emeritus-professor in Regsgeleerdheid aan die Bond-universiteit in Queensland.

Prof. Farrar het uitgebreide ervaring in die hervorming van Handelsreg, deur byvoorbeeld as konsultant op te getree het vir die Nieu-Seelandse Tesourie, die Regskommissie, die Besigheidsraad van Australië en die VK se Departement van Handel en Nywerheid.

Hy is in Engeland gebore maar is 'n Nieu-Seelandse burger en het uitvoerige werk in Nieu-Seeland verrig. Hy het tien jaar by Canterbury-universiteit deurgebring, waarvan drie jaar as regsdekaan in die 1980s was, en het ook as regsprofessor by Victoria-universiteit in die vroeë 1990s gedien. Hy was 'n vennoot in die regsfirma Bell Gully Buddle Weir in die vroeë 1990s voordat hy na Australië getrek het om poste by die Universiteit van Melbourne en Bond-universiteit te beklee.

Hy was die hoof van Australië se Instituut vir Korporatiewe Regering en 'n lid van die Regskomitee van die Australiese Instituut van Maatskappydirekteure. Professor Farrar is 'n lid van die redaksie van 'n aantal tydskrifte wat handel oor korporatiewe en kommersiële reg, en het talle boeke en artikels geskryf oor hierdie veld in Nieu-Seeland, Australië en die VK.

In 2005 is hy aangestel om te dien op die Legislation Advisory Committee, met sir Geoffrey Palmer as voorsitter.

Professor Farrar, wat ook 'n professionele genootskaplid is van die Regskool van die Universiteit van Melbourne, is ook Ere- Lewenslange Lid van die Australasiese Regsonderwysers-vereniging gemaak "ter erkenning van sy uitstekende bydrae tot die bevordering van regs onderrig in beide Nieu-Seeland en Australië".

Prof John Farrar, a well-respected Corporate Law Specialist of high international repute, delivered the very first lecture in the Law Dean's Prestige Lecture Series on Wednesday, October 13, 2010. The theme of his paper was *Directors' Duties of Care – Issues of Classification, Solvency and Business Judgement and the Dangers of Legal Transplants*.

The topic is of the utmost importance to South African lawyers in view of the very contentious provisions of the new Companies Act 71 of 2008 endeavouring to introduce the business judgement rule into South African company law and thus reforming company directors' common law duties of care and skill, if and when this legislation at long last becomes operative.

Prof Farrar served as Dean of Law at the University of Waikato from October 2004 until August 2008. He was previously Professor of Law at Queensland's Bond University and Professorial Fellow of the University of Melbourne. He is currently Professor of Corporate Governance at the University of Auckland Business School, and Joint Director of the New Zealand Governance Centre.

These are part-time roles and the remainder of his time is spent as Emeritus Professor of Law at Bond University, Queensland.

Professor Farrar has had extensive experience in commercial law reform, having, for example, acted as a consultant to the New Zealand Treasury, the Law Commission, the Business Council of Australia and the UK Department of Trade and Industry.

He is English-born but a New Zealand citizen and has worked extensively in New Zealand, having spent ten years at Canterbury University, including three years as law dean in the 1980s, and as Professor of Law at Victoria University in the early 1990s.

He was a partner in the law firm Bell Gully Buddle Weir in the early 1990s before moving to Australia to posts at the University of Melbourne and Bond University.

He was director of Australia's Institute for Corporate Governance and a member of the Legal Committee of the Australian Institute of Company Directors.

Professor Farrar is a member of the editorial boards of a number of journals dealing with corporate and commercial law and is the author of many books and articles in this field in New Zealand, Australia and the UK.

In 2005, he was appointed to the Legislation Advisory Committee chaired by Sir Geoffrey Palmer. Professor Farrar, who is also a Professorial Fellow of the Law School of the University of Melbourne, has recently been made an Honorary Life Member of the Australasian Law .