

IBPEBLA FEEDBACK

By

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REGULATION AND GOVERNANCE

- Conflicts of Interest
- Communication
- Risk Management
- Umbrella Funds
- Member Investment Choice
- Advice and Education
- Pension Increases

UNDERFUNDED FUNDS

- Employer Liability
- Restructuring
- Acquisitions and mergers

CLASS ACTIONS BY MEMBERS AND PENSIONERS

DEVELOPING LAW

Two different approaches:

- Common Law
 - ❖ Fiduciary Duties
 - ❖ The Duty of Good Faith
 - ❖ Discrimination
- Regulation

GOVERNMENT REGULATION

- South Africa
- Europe
- United States

COMMON LAW

- Canada
- United Kingdom

SUMMARY

- In a common law environment lawyers get creative in advancing the law
- In a regulatory environment lawyers get creative in finding loopholes.