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**DR. BENJAMIN GEVA**

**Professor of Law**

**Osgoode Hall Law School**

York University, 4700 Keele Street

Toronto, Ontario, Canada M3J 1P3

Phone: (416) 736-5045, Fax: (416) 736-5736

E-mail: [bgeva@osgoode.yorku.ca](mailto:bgeva@osgoode.yorku.ca)

[Website](#)

[SSRN AUTHOR](#)

[Osgoode Digital Commons](#)

## **RÉSUMÉ - CURRICULUM VITA (CV)**

### **Personal History**

Born in Tel Aviv, Israel, October 30, 1946

Citizenship: Canadian and Israeli.

Married, two daughters

Languages: English and Hebrew (excellent), French (very good)

Previous family name: Greenberg

### **Educational Background**

1970 LL.B (cum laude); Hebrew University of Jerusalem

1975 LL.M; Harvard University

1980 S.J.D.; Harvard University (Commercial Law field)

**Co-Curricular Activities**

1968-72    Member of the (founding) editorial board of the law review, Hebrew University of Jerusalem

**Graduate Student Awards**

1974       Paul Annes Fellowship, a graduate student award of the Decalogue Society of Lawyers

1976       The Leo Guzick Award for a distinguished article in Mishpatim, (Vol. 5, pp.352-382 (1974))

**Honour**

**Special Festschrift Volume in Professor Benjamin Geva's honour:** 38 Banking and Finance Law Review (BFLR), October 2022, containing 20 contributions by 26 authors in different stages of their career from 13 countries in 5 continents, drawn from leading universities (including Harvard and Oxford) and practice.

**Bar Admission**

1971       Israel (inactive since 1974)

1982       Ontario

**PRINCIPAL AREAS OF SPECIALIZATION**

*Commercial, Financial and Banking Law-* (domestic, comparative and international): particularly payment and credit instruments, money & currency, negotiable instruments and funds transfers, digital currencies and assets, electronic transferable transport documents, letters of credits, secured transactions, securities transfers, financial transactions, electronic banking and the regulation of the payment and settlement systems; Legal History, and comparative aspects of private law subjects.

**PRACTICAL OTHER NON-UNIVERSITY FULL-TIME LEGAL EMPLOYMENT****(a) Israel**

- 1969-71      Articling student in the firm of G. Reubinoff, Esq., Jerusalem (a two-year qualification period is required by law as a prerequisite for admission to the Israeli Bar).
- 1971-72      Practising lawyer, the firm of G. Reubinoff, Esq., Jerusalem (general practice).
- Summer 1972      Assistant to the Legal Advisor, Ministry of Finance, Jerusalem, Israel.
- 1973          Information Coordinator, the Knesset, Jerusalem: advising the Chairman of the Economic Committee of the Knesset (The Israeli Parliament) in drafting Fair Trade Practices Bill.

**(b) Canada**

- Blake, Cassels & Graydon, Toronto (practice of law in banking, secured transactions and chattel leasing areas); Summer 1982, Summer/Fall 1983, Summer 1985

**Part-time Legal Practice & Consulting**

- 2012-      •      Torys, LLP, Toronto; Counsel; member of the Payments and Cards Practice Group.  
(Tel: 416.865.7987; <bgeva@torys.com>.

**LAW TEACHING EXPERIENCE****(a) Tutorial and Teaching Assistant (Israel)**

- 1970-71      Hebrew University of Jerusalem, Tutor in Property (Assistant to Professor Joshua Weisman)
- 1972-74      Hebrew University of Jerusalem, Teaching Assistant in Corporations (Assistant to Professor Aharon Barak)

**(b) Visiting Positions (United States, Israel, Australia, France, Hong Kong, Germany and Singapore)**

- 1976/77      University of Chicago, Visiting Lecturer in Law, offering courses in the Law of Consumer Transactions and Commercial Paper.
- 1980/81      University of Illinois at Urbana-Champaign, Visiting Associate Professor of Law, offering courses in Uniform Commercial Code (Commercial Paper and Personal Property Security) and Debtor and Creditor Law.

- 1984 Tel Aviv University, Adjunct Professor of Law (at a rank of Associate Professor), offering courses in Payment Mechanisms and Secured Transactions.
- July-Oct. 1988 Monash University, Melbourne, Visiting Professor (on exchange from Osgoode), offering a course on Australian Banking Law and taking part in the instruction of a graduate seminar on Legal Aspects of International Banking.
- July/Aug. 1992 Deakin University, Geelong (Australia), Commonwealth Bank Visiting Professor, teaching negotiable instruments and payment systems in the commercial law course.
- January 1993 Faculté de droit et de science politique d'Aix-Marseille, Professeur invité, lecturing on funds transfer law and Canadian commercial law.
- Summer 1995 University of Utah College of Law, Salt Lake City, Visiting Professor teaching Commercial Law: Negotiable Instruments and Payment Services.
- July/Aug. 1998 University of Melbourne Law School, Visiting Fellow, teaching in Graduate Studies Program, Global Banking and Financial Transactions.
- May 2001 Faculté de droit et de science politique d'Aix-Marseille, Professeur invité, lecturing on securities transfers and e-money.
- 2005/06 Northwestern University School of Law, Chicago, Illinois, Adjunct Professor and Visiting Scholar, teaching Commercial Law: Funds Transfers and Payment Systems.
- Summer 2006 Duke University School of Law & The University of Hong Kong Faculty of Law: 2006 Asia-America Institute in Transnational Law, Faculty member, teaching Facilitating Commerce: Payment Systems.
- Summer 2008 University of Hamburg Faculty of Law, Visiting Professor, offering a mini-course on global payment and settlement systems.
- July/Aug 2009 University of Melbourne Law School, Visiting Fellow, teaching in Graduate Studies Program, International Commercial Banking Law.
- August 2011 National University of Singapore, Faculty of Law, Visiting Professor, teaching an intensive course, International Public Monetary and Payment & Settlement Systems Law.

February 2014 National University of Singapore, Faculty of Law, Visiting Professor, teaching an intensive course, International Public Monetary and Payment Systems Law.

July 2015 University of Sydney Law School (Parsons Fellow and on the Law & Business international faculty), teaching an intensive graduate course, International Payments Law.

**c) Honorific Academic Affiliations [Research fellowships or appointments]**

November 1995 Oxford University, St. John's College, Academic Visitor.

Guest Lecturer, University of London, QMWC, speaking on international funds transfers.

Fall 2003 Cambridge University, Fitzwilliams College, Visiting Fellow and Visitor to the Faculty of Law.

June 2007 Max-Planck Institute for Comparative and Private International Law, Hamburg, Germany, Visiting Scholar ('Stipendiaten').

July 2008 Max-Planck Institute for Comparative and Private International Law, Hamburg, Germany, Visiting Scholar ('Stipendiaten').

Winter/

Spring 2009 New York University School of Law, Senior Global Research Fellow, Hauser Global Visitors Program.

February 2014 Visitor, Center for Banking and Finance Law (CBFL), National University of Singapore.

February 2019 Visitor, Research Capacity Building Fund, Singapore Management University (SMU) School of Law.

Winter 2021 1. Senior Research Fellow at the University of Vienna.  
2. Visiting Scholar at the International Trade Law Division of the United Nations Office of Legal Affairs, (the substantive secretariat of the United Nations Commission on International Trade Law (UNCITRAL)), Vienna).

Winter 2023 Senior Research Fellow at the University of Vienna.

**d) Permanent Faculty Position (Canada)**

1977/78 to

Present: Osgoode Hall Law School, York University, Toronto; faculty member (with tenure since 1980).

1977 - 1980: Assistant Professor

1980 –1988: Associate Professor

1989 - present: Professor

**Offering courses**

In Commercial, Financial and Banking Law areas (particularly in the secured transactions and payments (domestic and international, negotiable instruments and electronic & digital currencies and payments) areas), international business transactions, as well as a graduate study group in economic relations: money and monetary systems. In the past, also offered courses in History of the Common Law and Property I; participant in supervising and teaching in the Professional Graduate Law Program.

**Chairing Committees**

Academic Policy (1982-83), Priority and Finance (1986-87), Research Advisory, Library (1999/2000; 2000/2001; 2001/2002; 2002/2003; Winter 2018; 2018/19; 2019-20; Fall 2020, Fall 2021, fall 2022).

**Administration**

Director of the Part-time Graduate Programmes in International Business and Banking Law (intermittently between 1989 and 2019), the Kobe Exchange (1989-99), the Aix Exchange (1999- 2004) and the informal exchanges with Hebrew University of Jerusalem and Haifa University in Israel (2001- 2006; 2011).

**Committee Membership**

(Over the years): Academic Standing, Academic Policy, Library, Faculty Seminars, Priority and Finance, Recruitment, Research Advisory, Graduate Studies (Osgoode and OPD), Admission, Tenure and Promotions Adjudicating Committee; Grade Review Committee; Senate Academic Policy and Planning Committee (APPC);

Senate Committee on Research (SCOR); Senate Tenure and Promotion; Chief Law Librarian Search Committee.

### **Miscellaneous**

(over the years): Faculty Advisor to the Osgoode Hall Law Journal, member of the International Business & Trade Law Programme of the Ontario Centre for International Business, coordinator for the Jewish Law course, liaison with the financial services program at the Faculty of Administrative Studies, member of the Professional Development Program advisory board, member of the Executive Committee of the Nathanson Centre for the Study of Organized Crime and Corruption; director of the Part-time Professional LL. M Program on Banking and Financial Services (at Osgoode Professional Development -- OPD); Affiliated Faculty with Israel and Golda Koschitzky Centre for Jewish Studies.

### **RESEARCH GRANTS, AWARDS AND FELLOWSHIPS**

- 1984            Foundation for Legal Research of the Canadian Bar Association, research grant for a study on the allocation of commercial risks in payment mechanisms (towards the writing of a textbook on funds transfer and payment law).
- Winter 1988    1) Osgoode Hall Law School Research Fellowship.
- 2) The Social Science and Humanities Research Council of Canada (S.S.H.R.C.C.) and the Japan Society for the Promotion of Science (J.S.P.S.), Bilateral Exchange Program: visit to Kobe University Faculty of Law. (Research on Banking: Funds Transfer and Payment Law).
- 1989            International Business and Trade Law Programme Competition of the Ontario Centre for International Business (Foreign Currency Payments Research Project).
- 1990-1997      S.S.H.R.C.C. Grant on funds transfer and payment law.
- 2001            Centre for Innovation Law and Policy – University of Toronto Faculty of Law: Faculty Grant, research on legal aspects of electronic money.

- 2002 Centre for Innovation Law and Policy Faculty Grant – “Consumer Liability in EFT Systems”.
- 2005 SSHRC Standard Research Grant, “The Payment Order—A Legal History”, 3-year grant, ranked 5th out of 94 applications reviewed by the committee.
- 2008 Osgoode Hall Law School Research Fellowship.
- 2012 Foundation For Legal Research (sponsored by the Canadian Bar Association) , Grant towards writing a textbook on Negotiable instruments, Bank Deposits and Account Transfers in Canada: General Principles.
- 2017 Foundation For Legal Research (sponsored by the Canadian Bar Association) , Grant towards writing a textbook “Canadian Law of Negotiable Instruments and Payments: General Principles.”
- 2018 Osgoode Hall Law School Research Fellowship (Winter term).
- April 2020 The European Central Bank (ECB) Legal Research Programme 2020 (together with Seraina Neva GRÜNEWALD, Professor of Law, Chair for European and Comparative Law, Radboud, University Nijmegen; and Corinne ZELLWEGER-GUTKNECHT Professor of Law, University of Basel) € 8,000 Scholarship/award for preparing a research paper on “Could the ECB issue an electronic equivalent of paper-based euro banknotes? Under what conditions might such ‘electronic banknotes’ have legal tender status?”
- December 7, 2021: Turning Banking, Payments & Negotiable Instruments into an experiential course Experiential Education Office, Osgoode Hall Law School
- March 7, 2023: Research-related Teaching Credit 2023-24, in recognition of outstanding research output.
- S.S.H.R.C.C. Travel and Small Grants—Winter 1983, 1985/86, 1995, 1996, Summer-Fall 2015, Summer 2016.

#### **SSRN NOTATIONS:**



- As of throughout 2018: Frequently top 10% of Authors on SSRN by total new downloads either in all times or within the last 12 months:
- Frequently various papers in Top Ten downloads in various lists.
- October 08 2022, reached 5539 paper download.

## **VARIOUS EDITORIAL AND PROFESSIONAL APPOINTMENTS AND POSITIONS**

- 1986 - 2018 (Founding) Editor-in-Chief of the Banking and Finance Law Review (B.F.L.R.) published three times a year by Carswell (since Volume 21/2006: overseeing a General Editor).  
Since 2019: Chair of the Advisory Board.
- 1990- Canadian Overseas Editor for the Journal of Banking and Finance: Law and Practice, (Australia) (1992-2018: co-editor).
- 1990-1992 Chair of the Working Group in International Commercial Law of the International and Trade Law Programme of the Ontario Centre for International Business.
- 1994- Member of the International Academy of Commercial and Consumer Law.
- 1995- Visiting Professorial Fellow and Member of the Academic Board of International Scholars at the Centre of Commercial Law Studies, Queen Mary and Westfield College of the University of London (U.K.).
- 1996- Member of the Editorial Advisory Board of Kluwer Law International's Yearbook of International Financial and Economic Law and book series on International Banking, Finance and Economic Law (at present: International Banking and Finance Law Series of Wolters Kluwer Law & Business).
- 1997- Participating Professional Fellow of the Institute of International Banking and Finance of the Southern Methodist University, Dallas, Texas (USA).

- 1999- Member of the Academic Advisory Board and External Professional Fellow of the Asian Institute of International Financial Law of the University of Hong Kong Law Faculty.
- 2000- Member of the Editorial Advisory Board of the Lloyd's of London Book series on Banking Law.
- 2008- Member of Committee on International Monetary Law of the International Law Association (MOCOMILA) [Observer since 2006].
- 2009- Member of the Advisory Board of the *Journal of International Commercial Law (JICL)* at George Mason University School of Law, Arlington, Virginia, USA.
- 2011 Member of Steering Committee of FINLAWMETRICS: an annual international conference on central banking and financial regulation, Bocconi University, Milano, Italy.
- 2012/13 Legal Agent of the Minister of Justice and Attorney General of Canada to provide services as external counsel on an ongoing basis and to provide advice to the Minister of Finance and the Department of Finance for the purposes of implementing certain regulatory reforms of the Canadian payments system.
- 2013 - 2015 Member of the Editorial Board, *CJIEIF: The Canadian Journal of Islamic Economics & Islamic Finance*, ISSN: 2292-0579 Library & Archive Canada, <http://www.eco-ena.ca/islamic-economics-journal.html>.

#### **MEMBERSHIP AND ACTIVE PARTICIPATION IN VARIOUS LAW REFORM COMMITTEES AND WORKING GROUPS**

- 1994- Member of the Personal Property Security Law Committee of the Canadian Bar Association—Ontario (Among other matters, actively involved in drafting amendments to the Personal Security Property Act that were adopted by 2006).

- 1996-2002 Member of the tiered security holding law project of the Uniform Law Conference of Canada (Work finalized with the adoption of Uniform Securities Transfers Act, passed in 2006 by Ontario and Alberta).
- 2007-2009 Member of:
- i. Working Group established by the Federal Ministry of Justice-Civil Law Section (Canada) mandated to develop a uniform act and commentaries to implement the United Nations Convention on Independent Guarantees and Stand-by Letters of Credit and consider the drafting (as a ULCC project) of a uniform letter of credit law in Canada and (in coordination with NCCUSL in the US);
  - ii. Joint North American (US-Canada-Mexico) Drafting Committee for the implementation of the aforesaid UN Convention.
- 2008-2011 Observer, Study Committee on Regulation of Financial Institutions and Payment Systems, appointed by the United States Uniform Law Commission (ULC) [formerly known as NCUSL].
- 2011 Member of the Regulatory Advisory Group of the Task Force for the Payments System Review (Department of Finance Canada) [Final Report was submitted in December 2011 and released by the Minister of Finance (Canada) on March 23, 2012].
- 2019 - 2022 Observer, Joint Study & Drafting Committee on the Uniform Commercial Code (UCC) and Emerging Technologies (A United States Project of the Uniform Law Commission (ULC) and the American Law Institute (ALI)); Participant in Virtual Currency and Payment Systems Other Than Checks Subgroups.
- 2022 Observer, Working Group on Model Law on Warehouse Receipts Project; (International Institute for the Unification of Private Law)

**AD HOC ASSIGNMENTS, POSITIONS AND HONOURS (GENERAL)**

- April 1991      Guest Lecturer, Bar Ilan University Faculty of Law, Israel (visitor at the Commercial Law Centre), speaking to students, faculty and at the Association of Banks in Israel on international funds transfer, payment into a bank account, and defences to an action on a bill or note.
- April 1991      Participant in the submission of the Canadian Bar Association International Law Section on the Report of the UNCITRAL Group 14th Session re: Independent Undertakings; 12 pages by John Lancaster.
- December 1993      Guest Lecturer, Bar Ilan University Faculty of Law, Israel, speaking on consumer notes and funds transfers.
- 1994-1995      Expert witness in Industrial Bank of Korea and Pusan Bank v. Bank of Montreal (sworn affidavits on various letter of credit issues under Canadian law submitted to a court in South Korea).
- 1995      Chairing Unauthorized Discharge Subcommittee for the PPSL-CBA Ontario Committee. (Report written by Bradley Crawford).
- 1995      Participant in the preparation of the Short Form of Model Funds Transfer Services Agreement and Commentary, written by Paul S. Turner with the assistance of the Working Group on Electronic Financial Services under the auspices of the Subcommittee on Electronic Commercial Practices, Uniform Commercial Code Committee, Business Law Section of the American Bar Association.
- 1995      Expert assistance (and testimony) for the US Government in US v. BCCI (wire transfer issues under American law).
- December 1996      Guest Lecturer, Haifa University Faculty of Law, Israel, speaking on electronic banking and standard banking contracts.
- 1997      Expert assistance in Gilbey v. ABSA Bank (South African case concerning wire transfer issues).

September 1998 Guest Lecturer, Southern Methodist University Law School, Dallas, speaking on international funds transfers.

June 2001 Guest Lecturer, University of London, QMWC, England, speaking on global funds transfers.

2001 Consultant to the Ontario Securities Commission providing ongoing advisory role in connection with the CSA (Canadian Securities Administrators) Settlement Rules Project and the development of a uniform provincial Securities Transfer Act.

December 2001 Guest Lecturer, Bar Ilan University Faculty of Law, Israel, speaking on negotiable instruments.

December 2003 Member of ad-hoc CBA Working Group on practical implications of CPA Rule on the exclusion from the clearing of high-value drafts.

Nov. 7, 2003 Guest Lecturer, Cambridge University England, speaking in an LL.M class on international banking and financial law, on payment system law reform.

Nov. 28, 2003 Guest Lecturer, University of London QMWC, England, speaking to LL.M students on payment system law reform.

Summer 2006 Visitor, Hong Kong University, Shanghai University of Finance and Commerce (SUFE), China.

November 2007 Guest Lecturer, University of Ghent, Belgium:

- a. At a graduate seminar in the Department of Ancient History and Archaeology, speaking on “The Payment Order in Antiquity – A Legal History” (Nov. 28, 2007);
- b. At the Faculty of Law, in a course on economic and financial law, providing a North American perspective on “Consumer Protection in Electronic Funds Transfers” and “Payment System Law Reform: Scope and Components” (Nov. 29, 2007); and

- c. At the Faculty of Law, in a course on legal history, speaking on “The Legal Traditions of the Bible”.

February 2008 Expert witness (on global funds transfers), Hamel v. Bank of Montreal (assisting on the file since 2002), Quebec Superior Court (District of Montreal).

April 28, 2009 Guest Lecturer, Talmud text course for rabbinical students at the Jewish Theological Seminary of America (JTS), discussing the treatment of cheques and non-cash payments in the Talmud.

March 1, 2013 “Role and Scope of Regulation in Promoting Efficiency, Safety and Innovation in Payment Services”, talk given in Torys LLP Business and Law Pre-eminent Scholars Series, at Faculty of Law University of Western Ontario, London, On, October 22-24.

2015 Lecturing on “The Central Bank and Payments and Settlement Systems”, in Jean Monnet Autumn School, 2nd Edition: The Europeanisation of the Payment System, Business and Law Department, University of Siena, Italy, Piazza S. Francesco.

January 18, 2018: Distinguished Visitor lecture at Robson Hall, Faculty of Law the University of Manitoba, Winnipeg, Manitoba: "Money and Payments Digitization: Evolution, Revolution and the Law".

February 21, 2018: Guest Lecturer in Winter School of Wurzburg University Faculty of Law, Germany: "Digital Currencies: Bitcoin and Beyond -The Legal Challenge."

October 19, 2019: Keynote Address: “To CBDC or not CBDC- What is the Question (and Answer) for Central Bank Digital Currencies,” Commercial Law Symposium, 2019 University of Windsor Faculty of Law.

Summer 2020: Guest Lecture (recorded/asynchronous), “The Scope of Ontario Personal Property Law,” University of Ottawa Faculty of Law (Common Law Section); class of Professor (Part-time) M. E. Hecht [Repeated Summer 2021].

March 17 & 24

2021: Guest Lecturer, University of Manitoba Faculty of Law, Negotiable instruments class, lecturing (via Zoom) on contract defences: consumer paper and the Bills of Exchange Act;

June 02, 2021: “The ECB and CBDC: Is the E-Banknote a ‘Banknote’?” Research seminar (on Zoom), The Department of Innovation and Digitalisation in Law jointly with the Civil Law Department at the University of Vienna Faculty of Law.

June 14, 2021: Public Lecture (virtual): “Non-cash Payment Mechanisms under the Talmud: Interaction with Medieval Islamic Payment Instruments and Comparison with Roman Law”, ‘Jour Fix,’ University of Vienna.

May 25, 2022: Guest Lecturer (virtual), CEU Vienna Law Doctoral Seminar –SPRING 2022  
CBDC Legal Requirements- The Quest for an Optimal Design“

### **AD HOC INTERNATIONAL EXPERT ASSIGNMENTS**

#### **LEGAL EXPERT UNDER TECHNICAL ASSISTANCE PROGRAM OF THE INTERNATIONAL MONETARY FUND (IMF)**

Advising, reviewing, and drafting financial sector laws and regulations on currency, funds transfers and payment transactions, negotiable instruments, interbank clearing and settlement, the regulation of the payment system, central banking, and the regulation of financial institutions for various countries, particularly:

- Missions to Bosnia and Herzegovina: June 1997, February 1998, January-February 1999, June 1999.
- Missions to Federal Republic of Yugoslavia - Kosovo: August 1999, March 2000.
- Missions to Haiti: May 2000, September 2000.
- Missions to the Federal Republic of Yugoslavia (Belgrade): February 2001, December 2001.
- Missions to Cambodia: August 2001, November 2001, March 2002, May 2002, March 2005, June-July 2005, December 2005; April 2006.
- Mission to India (regarding Afghanistan): December 2002.

- Missions to Timor-Leste (East Timor): August 2003, February 2004.
- Missions to Sri Lanka: February 2004, May 2004, December 2004.

Mission work includes closely working and discussing with, as well as making detailed presentations to, local authorities (such as the central bank, government, civil servants, and occasionally parliamentarians and relevant stakeholders).

## **HIGHLIGHTS OF IMF WORK**

### ■ Drafter of laws adopted as follows:

- Payment transactions legislation for Bosnia and Herzegovina, Kosovo, and Federal Republic of Yugoslavia (1999-2001);
- Currency issue regulations in Bosnia and Herzegovina;
- REGULATION NO.1999/4 ON THE CURRENCY PERMITTED TO BE USED IN KOSOVO, Currency UNMIK/REG/1999/4, 2 September 1999, Regulation issued by the UN Administration in Kosovo (UNMIK Regulation No. 1999/4.
- Payment & Settlement Systems Act, Payment & Settlement Systems Act, No. 28 of 2005 for Sri Lanka,
- Payment transactions and negotiable instruments legislation [NIPTL] (2005) and implementing regulations for Cambodia; LAW ON NEGOTIABLE INSTRUMENTS AND PAYMENT TRANSACTIONS 24 October 2005.
- ■ As part of same IMF TA work – complete bills drafted and submitted (and yet not adopted for domestic reasons):
  - Banking and central banking laws for Haiti;
  - Payment transactions law and comprehensive amendments to the Bills of Exchange Ordinance in Sri Lanka; and
  - Payment transactions and negotiable instruments in Timor-Leste (East Timor). IMF work included extensive consultation and joint work with local authorities as well as accountability to and discussions with IMF various departments.

### ■ As well for the IMF:



participated in drafting central banking legislation for Afghanistan, and occasionally reviewed financial services legislation for various countries as part of oversight for compliance with best international standards.

**ON BEHALF OF THE INTERNATIONAL TRADE CENTRE (ITC) OF THE UNITED NATIONS (UN)**

- September 2-6, 2019: Mission to Sri Lanka: ELECTRONIC PAYMENT LAW EXPERT, EU-Sri Lanka Trade –Related Assistance, 3<sup>rd</sup> National Public-Private Dialogue on E-Commerce Reforms in Sri Lanka, presenting on discussing with Central Bank legislative changes, and preparing an E-Payment Law Guide for Developing Countries.

**UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW (UNCITRAL), VIENNA.**

- Summer-Fall 2021:

Expert on an assignment to prepare a survey on laws, regulations, standard practices and case law pertaining to Electronic Transferable Transports Records (ETTR), to assist in the consideration of possible future work by UNCITRAL towards the development of an electronic negotiable transport document.

**ON BEHALF OF THE WORLD BANK/IFC (INTERNATIONAL FINANCE CORPORATION)**

- 2022/23:

A short-Term International Consultant appointment to support negotiable instruments and banking transactions law reform in Ethiopia, providing Inception Report, White Paper, Diagnostic Report, and Draft Legislation particularly covering the bank and customer relationship, factoring, finance leases, negotiable instruments (paper and electronic), letters of credit and independent guarantees, payment transactions, loan syndication.

## ON BEHALF OF THE ASIAN DEVELOPMENT BANK (ADB)

### • 2023:

Senior Legal Specialist, assessing the legal ability and readiness of Bhutan to issue CBDC, including reviewing all relevant legislation, including those pertaining to legal tender designations.

● Mission – September 30 – October 06, 2023 [Forthcoming]

## PARTICIPATION IN LEGISLATIVE DRAFTING COMMITTEES: LIST OF STATUTES ADOPTED

- 2006    1. Comprehensive amendments to the Ontario Personal Property Security Act.
2. Uniform Securities Transfers Act; adopted in Ontario and other provinces.

## PUBLICATIONS

### (a) Books

- *COMMERCIAL AND CONSUMER TRANSACTIONS: Cases, Text and Materials*. Toronto: Emond-Montgomery:

***Originally published:*** 1981; with Jacob S. Ziegel (1,230 pages); principal author of pp. 657-1197, consisting of Part II dealing with payment mechanisms (negotiable instruments, credit cards, electronic funds transfers, and letters of credit) and Part III dealing with financing commercial and consumer transactions (secured transactions and consumer credit).

***Second edition:*** 1987; with Jacob S. Ziegel and R.C.C. Cumming (1,404 pages); principal author of Part II: Negotiable Instruments and Payment Mechanisms.

Second revised edition: 1990; with Jacob S. Ziegel and R.C.C. Cumming (1,404 pages); principal author of Part II: Negotiable Instruments and Payment Mechanisms.

***Third edition:*** 1995; with Jacob S. Ziegel and R.C.C. Cumming; exclusive author of Volume II: NEGOTIABLE INSTRUMENTS AND BANKING (705 + xxiii pages).

- *FINANCING CONSUMER SALES AND PRODUCT DEFENCES in Canada and the United States*; text on Part V of the Bills of Exchange Act, FTC Trade Regulation Rule, provincial, federal and uniform state legislation, legal doctrines and statutes pertaining to the financing

assignee, holder for value, holder in due course, direct lender or credit card issuer, and related topics. Carswell Legal Publications, Toronto, 1984 (340+x1ii pages).

- *THE LAW OF ELECTRONIC FUNDS TRANSFERS* (original author: 1992-2020): text on global and domestic wire transfers, ACH payments and consumer transactions, under UCC Article 4A— Funds Transfers, UNCITRAL Model Law on International Credit Transfers, Electronic Fund Transfer Act and Reg E, Federal Reserve Regulations and Circulars, and clearing-house rules (around 900 pages text plus 300 pages appendix). Matthew Bender, New York, 1992, with annual updates to 2020 (As of 1997 - annual update is with sub-contributors and remaining sole contributor for funds transfer law and international developments).
- *BANK COLLECTIONS AND PAYMENT TRANSACTIONS: A Comparative Legal Analysis*. A study of the law governing the bank-customer relationship pertaining to the disposition of funds by cheques and credit transfers in various common and civil law jurisdictions. Oxford: Oxford University Press, 2001 (575+liii pages).
- *THE PAYMENT ORDER OF ANTIQUITY AND THE MIDDLE AGES — A LEGAL HISTORY*, In a quest for global Law Merchant: the emergence and development of basic concepts for a coherent transnational payment law; A study in Roman, Jewish, Islamic and Medieval laws of the origins, early evolution and impact on modern law of universally accepted principles and instruments relating to money, banking, funds transfers and the discharge of a debt by means of the creditor's agreement to look to a paymaster instructed by the debtor. Oxford and Portland Oregon: Hart Publishing: 2011 (736 + xlvi pages).
- *INTERNATIONAL NEGOTIABLE INSTRUMENTS*, co-authored with Dr. Sagi Peari; a text on conflict of law rules applicable to negotiable instruments, challenging their isolation and encouraging their assimilation with mainstream choice of law theory governing contract and property (Oxford University Press, published December 2020, 266 + xxix pages) ; Isbn/Ean 0198828683 / 9780198828686.

## **(b) Law Review Publications and Various Legal Essays**

### **Articles, Book Chapters and Comments**

1. "Misrepresentation Amounting to Mistake" (1969), 1 Mishpatim 411-19 (law review of the Hebrew University of Jerusalem, published in Hebrew).
2. "The Relationship Between the Offences of Conspiracy and Incitement" (1969), 1 Mishpatim 621-27 [in Hebrew].
3. "The Division of Powers Between the High Court of Justice and the Labour Tribunal" (1979), 2 Mishpatim, 622-31 [in Hebrew].
4. "Consumer's Liability on a Negotiable Instrument: Towards a Special Order" (1974), 5 Mishpatim 352-82 [in Hebrew].
5. "On the Proper Balance Between the Security of the State and Civil and Human Rights" (1974), 5 Mishpatim 685-95. [in Hebrew].
6. "Purchase of Consumer Paper and Subjection to Collateral Defenses" (1977), 12 U. Rich. L. Rev. 53-83.
7. "The Fictitious Payee and Payroll Padding: Royal Bank of Canada v. Concrete Column Clamps (1961) Ltd." (1978), 2 Can. Bus. L.J. 418-36.
8. "Close Business Relationship Between a Purchase Money Lender and a Seller of Goods—Bank of Montreal v. Kon" (1978), 3 Can. Bus. L.J. 90-106.
9. "Contractual Defenses as Claims to the Instrument: The Right to Block Payment on a Banker's Instrument" (1979), 58 Oregon Law Review 283-310.
10. "Authority for Sale and Privity of Contract: The Proprietary Basis of the Right to the Proceeds of Sale in the Common Law" (1979), 25 McGill L.J. 32-63.
11. "Preservation of Consumer Defences Against Third Party Financiers—Statutory Developments in the United States", in J.S. Ziegel (ed.), Papers and Comments Delivered at the Eighth Annual Workshop on Commercial and Consumer Law (Toronto, 1978), 72-109 (Butterworths, Toronto, 1980).

12. "Bonded Construction Contracts: What Are a Surety's Rights to Withheld Funds?" (1980), 3 Corp L. Rev. 50-67.
13. "Absence of Consideration in the Law of Bills and Notes", [1980] Cambridge L.J. 360-370.
14. "Equities as to Liability on Bills and Notes: Rights of a Holder Not in Due Course" (1980), 5 Can. Bus. L.J. 53-91.
15. "Optimality and Preservation of Consumer Defenses—A Model for Reform" (1981), 31 Case W. Res. L. Rev. 51-83.
16. "Preservation of Consumer Defences: Statutes and Jurisdiction" (1982), 32 U. of Toronto L.J. 176-213.
17. "Reflections on the Need to Revise the Bills of Exchange Act—Some Doctrinal Aspects" (1982), 6 Can. Bus. L.J. 269-331.
18. "Security Interests in Secured Obligations" (1982), 60 Can. Bar Rev. 151-171.
19. "The Financing Assignee and the Contract for Sale in the United States and Canada" (1982), 23 Boston College Law Review 665-709.
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4. "Protection of a Good Faith Buyer of a Motor Vehicle under the New Ontario Personal Property Security Act" (1990), 1 Jour. of Bk'ing and Fin. Law and Practice (Aust.), 244-47.
5. "Electronic Funds Transfer and General Principles of Law: Emerging Canadian Jurisprudence" (1991), 2 Jour. of Bk'ing and Fin. Law and Practice (August.), 61-62.
6. "Negotiability Fundamentals Re-examined" (1991) 2 Jour. of Bk'ng and Fin. Law and Practice (Aust.), 289-290.
7. "Certification of Cheques" (1992), 3 Jour. of Bk'ng and Fin. Law and Practice (Aust.), 143-144.
8. "Canadian Code of Practice for Consumer Debit Card Services" (1993), 4 Jour. of Bk'ng and Fin. Law and Practice 78-80.
9. "Transferts de fonds internationaux: loi applicable," Bulletin d'information, No. 535 Juin 1993, office de Coordination bancaire et financière, pp. 2.09-2.13.
10. "Major LVTS (Large Value Transfer Systems) in Europe", Forum (Canadian Payments Association), Vol. 9, No. 4 (December 1993).
11. "Recent Jurisprudence in Negotiable Instruments and Banking" (1995), 6 Jour. of Bk'ng and Fin. Law and Practice (Aust.), 153-157.
12. "Enhancing the Safety and Soundness of the Canadian Financial System" (1996), 7 Jour. of Bk'ng and Fin. Law and Practice (Aust.), 87-88.

13. “Entry to the Canadian Retail Payment System — Recent Developments”, co-authored with Shameela Chinoy, (1998), 9 Jour. of Bk’ng and Fin. Law and Practice (Aust.), 167-173.
14. “From Barter to Modern Payment Law in Thirty Years: Cambodia Passed a Negotiable Instruments and Payment Transactions Law” National Bank of Cambodia Review No 18, 4<sup>th</sup> Quarter 2006, 41-46.
15. “Securities transfers in the Indirect Holding system-Law Reform in Canada in the Footsteps of UCC Article 8”, (2007), 18 Jour. of Bk’ng and Fin. Law and Practice (Australia), 72-77.
16. “Tribute to Cowen’s Work on Negotiable Instruments: A Canadian Perspective”, in S. Cowen, (ed.) COWEN ON LAW; SELECTED ESSAYS, (Cape Town: Juta, 2008) at 363-365.
17. “Is Canada Ready for the Paperless Cheque? An Analysis of the Historical and Practical Implications of Going Paperless” (August 2012), 31 Nat. B. L. R. 49-53.
18. “Electronic Deposit of Official Images: A reply to Bradley Crawford, QC” (October 2012), 31 Nat. B. L. Rev. 69-70.
19. “Mobile Payments: Is There Anything New Under the Sun?” (with E. Rahaman), (October 2012), 31 Nat. B. L. Rev. 75-77.
20. “Final Report of the Task Force for the Payment System Review Proposes Major Overhaul of the Canadian Payments System”, (with B. Keefe and E. Monas) (2012), 23 Jour. Banking and Finance Law and Practice, 315-317.
21. “Forgery Losses: Banks Beware!” (December 2012), 31 Nat. B. L. Rev. 91- 93.
22. “Best Practice for the Uniform Treatment of Wire Payments (June 2013), 32 Nat.B.L.Rev. , 42-43.
23. “The Processor and the Contractual Matrix in a Card Scheme: How Privity Fell and Resurrected in *Aldo v. Moneris*” (October 2013), 32:5 Nat.B.L.Rev., 73-77.

24. “Electronic Presentment and Deposit of Cheques: Canadian Developments” (2014), 25 Jour. of Bk’ng and Fin. Law and Practice (Australia) 201-203.
25. “Understanding Block Chain and Distributed Financial Technology: New Rails for Payments and an Analysis of Article 4A of the UCC,” *Business Law Today* 25 no. 7 (March 2016), second author, co-authored with Jessie Cheng.
26. “Virtual Currencies and Block Chains: Developments and Issues”, (June 2016) 35.3 Nat.B.L.Rev.36-42.
27. “Guidance Documents for Card Industry Code of Conduct Open for Public Consultation” (with Peter Aziz, Steven Slavens, and Elliot Che) (June 2016) 35.3 Nat.B.L.Rev. 43-44.
28. “CANADA: A Retail Payments Oversight Framework- Invitation for Comments by Department of Finance, Canada” (2017), 28 Jour. Banking and Finance Law and Practice (Australia) 285-87; lead author (together with Peter A. Aziz, Marissa A. Daniels).
29. “The Fictitious Payee and the Collecting Bank: The End of the Road” (December 2017), 36:6 Nat. B. L. Rev. 65-70.
30. “Central Bank Digital Currencies: The New Era of Modern-day Banking” (June 2018), 37:3 Nat. B. L. Rev. 25-27.
31. “Is Cryptographic Currency Money and Why Does It matter” (August 2018), Nat. B. L. Rev. (August 2018), 37:4 Nat. B. L. Rev. 38-40.
32. “CANADA: Ontario Introduces the Electronic Chattel Paper into Personal Property Security Legislation” (2019), 30:2 Jour. Banking and Finance Law and Practice (Australia) 145-147.
33. “Payment in Virtual Currency”, Virtual Currencies and the State Roundtable, *Just Money*, posted April 22, 2020.
34. “Supreme Court clarifies risk of loss due to fraudulent EFTs” (February 2021) 40:1 Nat. B.L. Rev. 1 -3 (Second author; together with Christopher Richter, Matthew Angelus, and Eli Monas).

35. “Central Bank Digital Currencies Coming to Your Wallet Soon,” (third author), together with Brigitte Goulard, Robin Asgari, and Peter Aziz, (August, 2021), 40:4 Nat. B. L. Rev. 49-53.
36. “The Multimodal Electronic Transferable Transport Record: A New UNCITRAL Project in the Making” (November-December 2021) 25:10 World Documentary Credit (WDC), 48 – 52.

#### **MISCELLANEOUS: TECHNICAL REPORTS, LAW REFORM AND UNPUBLISHED WORK**

1. "Funds Transfer and Electronic Banking—A New Agenda for Payments Law Reform in Canada", Fall 1987, 66 pages, research paper for the Law Reform Commission of Canada on electronic banking and funds transfer.
2. “Study of the Payments Systems of Four Countries: The United States, United Kingdom, Australia and the Netherlands with an Addendum on New Zealand”, summer 1997, 116 pages, submitted to the Department of Finance Canada (in connection with the payment system review process).
3. Participant in “Bosnia and Herzegovina — Vol. II: The Payment System”, a confidential report prepared by the Monetary Exchange Affairs Department of the International Monetary Fund, July 1997.
4. Participant in “Bosnia and Herzegovina — Further Development of the Central Bank and Payment System and Introduction of Currency Notes”, a confidential report prepared by the Monetary Exchange Affairs Department of the International Monetary Fund, April 1998.
5. Participant in “Bosnia and Herzegovina — Payment System and Its Development”, report prepared by the Monetary Exchange Affairs Department of the International Monetary Fund, August 1998.

6. Participant in Submission to the Ontario Minister of Consumer and Commercial Relations Concerning the Personal Property Security Act, CBAO (Canadian Bar Association - Ontario), October 1998.
7. Participant in “Bosnia and Herzegovina — Vol. I: Central Bank Activities in Foreign Exchange, Currency Board, Accounting and Auditing” and “Bosnia and Herzegovina — Vol. II: Reforming and Modernizing the Payment System”, report (of which Vol. I is confidential) prepared by the Monetary Exchange Affairs Department of the International Monetary Fund, March 1999.
8. Participant in “Federal Republic of Yugoslavia — Kosovo: Restoration and Transformation of Payments and Banking in Kosovo”, a confidential report prepared by the Monetary Exchange Affairs Department of the International Monetary Fund, September 1999.
9. Participant in “Federal Republic of Yugoslavia – Kosovo: Report No. 3 – Further Steps in Transforming the Payment and Banking Systems”, a confidential report prepared by the monetary Exchange Affairs Department of the International Monetary Fund, June 2000.
10. Participant in “Federal Republic of Yugoslavia: Continuation of the Reform of the Banking Sector, Payment Bureau, and Monetary and Exchange Rate Policy Operations of the National Bank of Yugoslavia,” a strictly confidential report prepared by the Monetary and Exchange Affairs Department of the International Monetary Fund, April 2001.
11. Participant in “Cambodia: Banking System Restructuring and Payment Issues”, a strictly confidential report prepared by the Monetary and Exchange Affairs Department of the International Monetary Fund, December 2001.
12. “Uniform Securities Transfer ACT (“USTA”) - Constitutional Issues”, to the OSC (Ontario Securities Commission) and CSA (Canadian Securities Regulators) on December 5, 2001.
13. “Consumer Protection in Electronic Funds Transfers”, around 120 page research study on consumer protection in funds transfer over systems or networks directed at low-value or retail payments in Canada and concluding with a proposed Statement of Principles to guide in the preparation of a new voluntary code of practice for consumer protection in electronic



- funds transfers in Canada, presented to the EFT Working Group in February 05, 2002, and submitted to the Office of Consumer Affairs Industry Canada on March 21, 2002.
14. “Israel Payment System Reform: Assessment of Legal Requirements and Available Options,” Confidential Report submitted to the Bank of Israel, February 27, 2003.
  15. Participant in “Timor-Leste: Report No. 6: Introducing Payment System Legislation and Preparing for Insurance Supervision”, a report (for official use only) prepared by the Monetary Financial Systems Department of the International Monetary Fund, November 2003.
  16. Confidential Reports and Draft Laws on behalf of the IMF to *Sri Lanka* on payment law reform, particularly, Payment and Settlement System Act; Payment Transactions Act; and Bills of Exchange Ordinance Amendment Act; and to *Cambodia* on Negotiable Instruments and Payment Transactions Act. (2004/05).
  17. Participant in “Cambodia: Strengthening Central Bank Operations: Payment and Settlement Systems, Framework for Monetary Policy, and Bank Supervision”, Report (for official use only) prepared by the Monetary and Financial Systems Department of the International Monetary Fund, October 2005.
  18. “The Medieval *Hawale*: The Legal Nature of the *Suftaj* and Other Islamic Payment Instruments”, accepted for publication on-line (2009) by the Global Hauser Program at New York University School of Law.
  19. Is ‘Deposit Taking’ Tantamount to ‘Banking’? An Argument for Federal Jurisdiction over Payment Services in Canada, Research paper submitted to the Canadian Bankers’ Association (in connection with Payments System Review, Department of Finance Canada) in September 2011 (67 pages).
  20. “The Legal Framework For Payment Systems In Canada: The Regulation of Market Conduct, Legal Risk and Payment Service Providers” (with the assistance of Melissa Prado; Submitted to Department of Finance Government of Canada May 10, 2013, rev. June 5, 2013; 134 pages plus Appendices).

21. “Federal Legislative Power in Relation to ‘Bills of Exchange’ and Its Reach to Credit Card Payments”, Submitted to Department of Finance Government of Canada June 24, 2013; 30 pages.
22. Contributor on ‘Bitcoin’ to: International Law Association, Committee on International Monetary Law, Washington Conference Report (2014);  
online:<https://www.mocomila.org/publication/2014-mocomila-washington-report.pdf>
23. Contributor on ‘Payments Recent Developments: Virtual Currencies’ to: International Law Association, Committee on International Monetary Law, Johannesburg Conference Report (2016); online: <https://www.mocomila.org/publication/2016-mocomila-Johannesburg-report.pdf>
24. Contributor on ‘Central Bank Digital Currencies (CBDC) Tokenized Schemes – An Overview’ to: International Law Association, Committee on International Monetary Law, Sydney Conference Report (2018); online: <https://www.mocomila.org/publication/2018-mocomila-sydney-report.pdf>
25. Participant among (17) Solution Proposal Authors and Contributors, “Faster Payments Network Solution Proposal” (167 pages) – Faster Payment Task Force of the US Federal Reserve, April 29, 2016 Submitted by: W. Bradley Wilkes, WingCash  
<http://fasterpaymentsnetwork.com/> ;  
[https://drive.google.com/file/d/0B\\_CNPQWTRQwuc1hhWIAzOEIjNGs/view](https://drive.google.com/file/d/0B_CNPQWTRQwuc1hhWIAzOEIjNGs/view) ; and  
[https://drive.google.com/file/d/0B\\_CNPQWTRQwuZWhqbDUzNVJsNGc/view](https://drive.google.com/file/d/0B_CNPQWTRQwuZWhqbDUzNVJsNGc/view).

The Faster Payments Proposal (FPN) was evaluated against the Faster Payments Task Force’s (FPTF) Effectiveness Criteria by the Qualified Independent Assessment Team (QIAT), hired by the Federal Reserve on behalf of the FPTF **and ranked first (of 16 proposals)**:  
<https://fasterpaymentsnetwork.com/>.

26. “Banking in the Digital Age – Who is Afraid of Payment Disintermediation?” presented in Frankfurt, Germany on 23 & 24 February 2018 at the EBI Global Annual Conference on Banking Regulation), European Banking Institute Working Paper Series 2018 - no. 23, 59 Pages Posted: 2 Apr 2018; can be downloaded from: <http://ssrn.com/abstract=3153760>.
27. Electronic Payments: Guide on Legal and Regulatory Reforms and Best Practices for Developing Countries (June 19, 2020, ITC: 68 pages). Available at SSRN: <https://ssrn.com/abstract=3631155> and [https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=3796&context=scholarly\\_works](https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=3796&context=scholarly_works).
28. Contributor on “Third-Party Service Providers Under the EU PSD2” to: International Law Association, Committee on International Monetary Law, Kyoto Conference Report (2020), MOCOMILA. Available online: <https://www.mocomila.org/publication/2020-mocomila-kyoto-report.pdf>.
29. THE ECB AND € E-BANKNOTES: Could the ECB issue an electronic equivalent of paper-based euro banknotes? Under which conditions might such 'electronic banknotes' have legal tender status?, ECB Legal Research Programme 2020 (topic 2) Co-authored with Corinne ZELLWEGER-GUTKNECHT (lead author) and Seraina Neva GRÜNEWALD [Draft submitted on 31 July 2020]; <http://ssrn.com/abstract=3671007> [125 pages].
30. “The Multimodal Electronic Transferrable Transport Record (ETTR): A survey of laws and basic concepts”, research paper for the United Nations Commission on International Trade Law (UNCITRAL), [October 29, 2021]; 57 pages, 27,953 words; online: [https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=3867&context=scholarly\\_works](https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=3867&context=scholarly_works)
31. Contributor on ‘Focus on a Specific Case: Bitcoin as Legal Tender - What did El Salvador Get Wrong in Going CBDC?’ to: International Law Association, Committee on International Monetary Law, *Lisbon Conference Report* (2022); **online:** [https://www.ila-hq.org/en\\_GB/documents/int-monetary-law-mocomila-interim-report-2022](https://www.ila-hq.org/en_GB/documents/int-monetary-law-mocomila-interim-report-2022)

**Torlys LLP - Bulletins and short articles - Payments and Cards Practice Group - available on Torlys website:**

<<http://www.torlys.com/OurExpertise/PracticeAreasandIndustryGroups/Pages/PaymentsandCards.aspx>>

**[Some of which are published and listed above as publications]**

1. “Task Force Proposes Overhaul of Canada Payment Industry” (March 28, 2012).
2. “Is Canada Ready for the Paperless Cheque?” (May 4, 2012).\*\*
3. “Is Canada Ready for the Paperless Cheque? An Analysis of the Historical and Practical Implications of Going Paperless” (May 4, 2012).\*\*\*
4. “Mobile Payments: Is there Anything New under the Sun?” (June 11, 2012).\*\*
5. ”Proposed Regulation Addresses Governance Framework for the Canadian Payments Association” (March 25, 2015).\*
6. “Major Update to Credit and Debit Card Industry Code of Conduct” (April 15, 2015).\*
7. “Guidance Documents for Card Industry Code of Conduct Open for Public Consultation” (March 18, 2016).\*
8. “Virtual Currencies and Block Chains: A Primer”, (April 14, 2016).\*\*\*
9. “FCAC: More Transparency in Merchant-Acquirer Agreements to Protect Merchants,” (August 15, 2016).\*
10. “A Retail Payments Oversight Framework: Invitation for Comments by Department of Finance, Canada” (July 12, 2017).
11. “Supreme Court Rules Banks Liable for Cheque Fraud?” November 3, 2017,
12. “Central Bank Digital Currencies: The New Era of Modern-Day Banking,” (April 23, 2017).\*\*\*
13. “Is Cryptographic Currency Money and Why Does It matter” (June 6, 2018). \*\*\*

14. “Supreme Court clarifies risk of loss due to fraudulent EFTs” (December 15, 2020).\*

\* *Participating author*

\*\* *Principal/lead author*

\*\*\* *Sole author*

## **CURRENT RESEARCH (AND WORK IN PROGRESS)**

- A book tentatively titled Principles of NEGOTIABLE INSTRUMENTS AND PAYMENT TRANSACTIONS LAW in Canada (to be published by Irwin Law).
- Digital cash, virtual currencies, DLT technology, digital assets, and other innovations in payment and settlement systems.
- Negotiable multi-modal transport records and documents of title.
- The evolution and future of money in Canada: Implications for the digital age

## **LECTURES, SEMINAR AND CONFERENCE PRESENTATIONS, AND INVITED ADDRESSES**

1. "Preservation of Consumer Defences Against Third Party Financiers—Statutory Developments in the United States", paper presented at the Eighth Annual Workshop on Commercial and Consumer Law, Toronto, October 1978.
2. "The Distribution of Legislative Powers in Relation to Bills and Notes in Canada", faculty seminar, presented at Osgoode Hall Law School, summer 1980.
3. "Reflections on the Need to Revise the Bills of Exchange Act—Some Doctrinal Aspects", a paper presented at the Eleventh Annual Workshop on Commercial and Consumer Law, Toronto, October 1981.
4. "Documentary Credits—Introduction to Canadian Law and Practice", a joint paper with Gordon B. Graham, presented at the Thirteenth Annual Workshop on Commercial and Consumer Law, Toronto, October 1983.

5. "The Autonomy of the Banker's Obligation", a faculty seminar presented at Tel-Aviv University Faculty of Law, May 1984.
6. "The Scope of the Israeli Pledges Law", lecture delivered at Continuing Legal Education, Tel-Aviv, June 1984.
7. "Consumer Bills and Notes and Defences", paper presented at Insight Seminar on "Bills and Notes—Fundamentals and Current Topics", Toronto Metro Convention Centre, October 18, 1985.
8. "Negotiable Instruments and Funds Transfers—Finality of Payment of Cheques, Bank Drafts and Interbank Wires", paper presented at a program on Canadian Banks and their Borrowers, Law Society of Upper Canada, Continuing Legal Education, Osgoode Hall, Toronto, October 24, 1985.
9. "From Commodity to Currency in Ancient History—On Commerce, Tyranny and the Modern Law of Money", Osgoode Hall Law Journal Faculty Seminar, presented on October 8, 1986.
10. "The Evolving Law of Payment by Wire Transfer", a paper presented at the Seventeenth Annual Workshop on Commercial and Consumer Law, Toronto, October 17, 1987.
11. "Wire Transfers—Legislative and Regulatory International Developments", presented at a Dinner Meeting of the International Law Section of the Can. Bar Assoc.—Ontario; Toronto, November 23, 1987.
12. "U.S. Dollar Same-Day Wire Payment Systems", paper presented at Insight Seminar on "Money and Electronic Banking: The Law of Payment and Clearing"; Toronto, February 2, 1988.
13. "The Canadian Payment System and Cheque Clearing in the Electronic Age", lecture at Kobe University Faculty of Law; Kobe, Japan, April 27, 1988.
- 14-18. During a visit to Australia, July to October 1988, workshops and C.L.E. programs sponsored by Monash University, University of New South Wales, and University of Western Australia; Staff seminars at Sydney and Monash law faculties and Trade Practices

Commission; In-house seminars at major law firms in Sydney and Melbourne; Lunch presentation and discussion with Perth Judges of the Federal Court and of the Supreme Court of Western Australia; A visiting class lecture in Melbourne University Law School, on the following topics:

- "The Evolving Law of Payment by Wire Transfer—Common Law, UNCITRAL Project, and UCC Draft Article 4A".
  - "Same-Day International Wire Payments – FedWire, CHIPS and CHAPS."
  - "Transaction Defences to Actions on Bills and Notes, Bank Cheques, and Letters of Credit".
  - "Debt as Security: Miscellaneous Legal Issues".
  - "Debit Cards and EFTPOS Payments—Emerging Issues in Competition and Consumer Protection".
19. "International Funds Transfers—Performance by Wire Payment", a paper presented at the International Business and Trade Law Programme on "International Banking at the Crossroads: The Legal Challenge", Toronto, June 22-23, 1989.
  20. "Canadian Payments System in the Electronic Age: Recent Developments and Forthcoming Issues", faculty seminar at Osgoode Hall Law School, summer/1989.
  21. Canadian Perspective on UCC Article 4A" a paper presented at the 20th Annual Workshop on Commercial and Consumer Law, Toronto, October 12, 1990.
  22. "The Smart Card as a Payment Card," expert panel on advanced cards and the law, Advanced Card Symposium '90 of the Advanced Card Technology Association of Canada, Toronto, November 22, 1990.
  23. "Electronic-Funds Transfers—a Primer on Fundamentals", paper presented at Insight seminar on "Negotiable Instruments and Electronic Banking", Toronto, May 31, 1991.
  24. "International Funds Transfers—Recent Developments", presented at Kobe University Faculty of Law, Japan, July 25, 1991.

25. "Negotiable Instruments and EFT—Fundamentals and Recent Developments", presentation at a meeting of Provincial Court (Civil Division) Judges, Niagara-on-the-Lake, Ontario, October 16, 1991.
26. "Major Currency International Funds Transfers: Mechanisms and Issues", public lecture at the Commonwealth Bank of Australia, Melbourne, July 16, 1992.
27. "Recent Legislative Developments in Funds Transfer Law: UCC Article 4A and UNCITRAL Model Law", in-house seminars at major law firms in Melbourne, Australia, July 1992.
28. "Transferts de fonds internationaux: loi applicable", presentation at the Commission Juridique de l'O.C.B.F., Paris, France, May 27, 1993.
29. "Netting: an International Payment Systems Perspective", presented at a Seminar "Legal Perspective on Netting", presented by the Canadian Bankers Association and the B.F.L.R. Toronto, April 5, 1995.
30. "The Domestic Payment System: Policies, Structure, Operation and Risk", presented at the Emerging Financial Markets and IFIs Conference (Cosponsored by the European Bank for Reconstruction and Development, Queen Mary's College, King's College and Southern Methodist University), London, England, May 25-26, 1995.
31. "Uniformity in Commercial Law—Is the UCC Exportable?", faculty seminar at the University of Utah College of Law, Salt Lake City, Utah, U.S.A. July 26, 1995.
32. "Banking and Bank Operations in Canada—The Legal Framework", presentation to a delegation from the Bank of China at the American-Asian & Associates Corp., Toronto, October 31, 1995.
33. "The Law of EFT," C.L.E. at Bar Ilan University, Israel, December 25, 1995.
34. "Allocation of Sender Risks in Wire Transfers," Annual Banking Law Update (ABLU), Johannesburg; presentation in Cape Town University, South Africa, April 29, May 13, 1996.



35. “International Funds Transfers: Mechanisms, Risks and Laws”, presentation at the Department of Management, Bogazici University, Istanbul, Turkey, July 17, 1996.
36. “Unauthorized Payment Instructions—Comparative Aspects”, paper presented at the 8th bi-annual conference of the International Academy of Commercial and Consumer Law, Bar Ilan University, Israel, August 19, 1996.
37. Participant in a Roundtable on Technology Change (noting on legal aspects relating to unauthorized electronic authorization and indirect securities holding) in Insight Conference on “Keeping Pace with the Technological Transformation of the Capital Markets”, Toronto, February 11, 1997.
38. “Business to Business Electronic Payments”, paper presented at the CLE Electronic Commerce Program at the Osgoode Hall Law School Professional Development Programme, as well as participant in the legislative reform panel, Toronto, March 25, 1997.
39. Speaker in a Workshop on the Australian FSI Recommendations for Payments Systems Reform (The Wallis Committee Report), Ottawa, June 4, 1997.
40. “Large-Value Transfers Recent International Developments—Canada, the European Union, and Some Reflections on the Need and Adequacy of UCC Article 4A Solutions”, speaker at American Bar Association Section of Business Law, “Payments” session, St. Louis, MO, April 4, 1998.
41. “Non-Depository Account Holding Institutions and Access to the Payment System”, paper presented at the 9th bi-annual conference of the International Academy of Commercial and Consumer Law, Bond University, the Gold Coast, Australia, August 8, 1998.
42. Resource Person at an International Finance Seminar of the Asian Development Bank (ADB) Institute in Tokyo, Japan, November 25-27, 1998:
  - i. Discussant in the Euro and Its Implications session.
  - ii. Moderator in Financial Sector Regulations session; and
  - iii. Presented paper on “Promoting Stability in International Finance: Regulatory and Legislative Reforms in Payment and Settlement Systems”.

43. “Forged Check Endorsement Losses Under the UCC — The Role of Policy in the Emergence of Law Merchant from Common Law”, paper presented in a seminar, “Commercial Law: Escape from Contract?”, presented by the Wayne Law Review and the International Law Section of the State Bar of Michigan, Detroit, Michigan, March 12, 1999.
- 44-45. Bar Ilan University Faculty of Law, Israel (Professional Development Program in Banking), December 1999.
  - (i) “Legal Nature of Credit Transfer”
  - (ii) “Clearing and Settlement of Funds and Securities Transfers”
46. “The Credit Transfer Payment: Three Legislative Models”, paper presented at the 10<sup>th</sup> bi-annual conference of the International Academy of Commercial and Consumer Law, The Dickinson School of Law of the Pennsylvania State University, Carlisle, Pennsylvania, August 10, 2000.
47. Comment on paper by Professor Ron Cuming and Catherine Walsh, “How Much of New Article 9 is Suitable for Adoption in Canada?” in the 30<sup>th</sup> Annual Workshop on Commercial and Consumer Law, Toronto, October 21, 2000.
48. “Working with Negotiable Instruments, Letters of Credit and the Bills of Exchange Act – Advanced Session”, presented at the 5<sup>th</sup> Annual Forum of Banking Litigation of the Canadian Institute, Toronto, November 14, 2000.
49. “Legal Aspects Relating to Payment by E-Money: Review of Retail Payment Systems Fundamentals”, presented at a Research Seminar on Global Legal Framework for E-Finance, University of London, June 7, 2001, England.
50. “The International Payment System and Global Funds Transfers” presented at Executive Training Program for the Hong Kong Monetary Authority (HKMA), London, England, June 11, 2001.
51. “Promissory Notes, Bills of Exchange and Negotiable Instruments” presented at a CLE seminar on The Essential Curriculum in Banking Law and Practice, Osgoode Hall Law School PDP, Toronto, October, 16, 2001.

52. “E-Money: Selected Legal Aspects in a Session of Payment Systems and Supporting Framework”, in an IMF Legal Department and IMF Institute Seminar on Current Developments in Monetary and Financial Laws, Washington DC, US, May 16, 2002.
53. “Settlement Finality and Associated Risks in Funds Transfers – When Does Interbank Payment Occur?”; Paper presented at the 11<sup>th</sup> Biannual Conference of the International Academy of Commercial and Consumer Law (IACCL), Hamburg, Germany, August 14-18, 2002.
54. “Consumer Liability In Unauthorized Electronic Funds Transfer”; Paper presented in the 32<sup>nd</sup> Annual Workshop on Commercial and Consumer Law University of Toronto Faculty of Law, October 19, 2002.
55. During a visit to South Africa: “The Beneficiary’s Bank and Beneficiary Described by Name and Number: Liability Chain and Standard in Wire Transfers”, Annual Banking Law Update (ABLU), Johannesburg; The Law and E-Commerce Conference at Stellenbosch University Law Faculty, April 23 and 30, 2003; Guest Lecturer in Graduate Law class in Rand Afrikaans University (RAU) Johannesburg, speaking on wire transfers, April 24, 2003; “Payment Law in the Electronic Age”, Guest speaker at a workshop held by Sonnenberg Hoffman, Galombik law firm, Johannesburg, April 25, 2003.
56. Distinguished speaker (Designated by UNCITRAL) and discussant in a seminar and technical/legal, discussion on “Urgency of Funds Transfer Act for Increasing Legal Certainty and Smoothness of National Payment System,” Bank Indonesia, Jakarta, speaking on “Payment System Law Reform: Scope and Components” and participating in Working group discussions on Draft Act for Indonesia, September 17-18, 2003.
57. Public Lecture sponsored by the Central Bank of Sri Lanka and presided by the Governor, “Payment System Law Reform: Scope and Components”, Colombo, Sri Lanka, February 16, 2004.
58. “General Introduction on the Law of Negotiable Instruments and Payment Transactions”; in Symposium: “Law drafting in the monetary Sector”, Information Session on “The Draft Law on Negotiable Instruments and Payment Transactions” for Distinguished Members of the National Assembly and Senate of the Kingdom of Cambodia, sponsored by the National

- Bank of Cambodia, the IMF and the Konrad Adenauer Foundation, March 11, 2005 Phnom Penh, Cambodia.
59. “From Barter to E-money: on the Evolution of the Legal Theory of Money and Payment Systems”; Faculty Workshop Series, Northwestern University School of Law, Chicago, January 19, 2006.
  60. “Recent International Developments in the Law of Negotiable Instruments and Payment and Settlement Systems”:
    - i. Hong Kong, July 6, 2006, sponsored by the Asian Institute of International Financial Law, The University of Hong Kong Faculty of Law, Asia-America Institute in Transnational Law, Duke University School of Law;
    - ii. Shanghai, China: July 13, 2006, lecture at the International Department of the Shanghai Branch of the of the People’s Bank of China;
    - iii. Austin, Texas, August 10, 2006, 13<sup>th</sup> Biennial Conference of the International Academy of Commercial and Consumer Law.
  61. “Legal Aspects Relating to Electronic Payments”, invited address, (National Association of Credit Management) NACM-Canada 8<sup>th</sup> Annual Credit Conference & Expo, Toronto, Metro Toronto Convention Centre, October 27, 2006.
  62. "Cheques and Cards: the Bumpy Road Towards a Cashless Society", faculty seminar, Bar Ilan University Faculty of Law, Ramat Gan Israel, December 19, 2006.
  63. “Financial and Payment System Regulation”, lecture at Institute of Finance and Banking of the Chinese Academy of Social Science, Beijing, China, January 12, 2007.
  64. “Electronic Payments: Mechanisms and Legal Framework”, lecture at the People’s Bank of China (the central bank of China), Beijing, China, January 16, 2007.
  65. “Payment Finality and Discharge in Funds Transfers”, paper presented at Rethinking Payment Law’ Symposium, Federal Reserve Bank of New York, Co-sponsored by Brooklyn Law School, Columbia Law School, Hofstra University School of Law, New York University School of Law, and St. John’s University School of Law, April 27, 2007.

66. “The Order to Pay Money: A Legal History”, seminar presentation at the weekly departmental workshop in Max-Planck Institute, Hamburg, June 14, 2007.
67. “Cheques, Cards, and Account Transfers: the Bumpy Road towards the Cashless Society”, lecture delivered at the Law Faculty of the Julius-Maxmillians University of Wuerzburg, Germany, June 21, 2007.
68. “The Limits of the Freedom of Contract Principle in the Development of Banking Law”, presentation made at the “Courts and Free Markets” Session at the ‘Commercial law—where from and where to?’ conference, Queen Mary – University of London, School of Law, Centre of Commercial Law Studies (CCLS) London, England, New Connaught Rooms February 7-8, 2008.
69. In 2008 Annual Survey of Letter of Credit Law & Practice Conference, Sponsored by Institute of International Banking Law & Practice, Tampa, Florida, March 13-14, 2008, Panelist in:
  - i. “UN Convention: US Adoption?” – speaking on behalf of the Working Group established by the Federal Ministry of Justice-Civil Law Section (Canada) mandated to develop a uniform act and commentaries to implement the United Nations Convention on Independent Guarantees and Stand-by Letters of Credit and consider the drafting (as a ULCC project) of a uniform letter of credit law in Canada; and
  - ii. Major Commercial Letter of Credit (LC) Cases.
70. “Payment System Modernization and Law Reform in Developing Nations: Lessons from Cambodia and Sri Lanka”, in-house staff seminar at the Legal Department of the International Monetary Fund, Washington DC, March 28, 2008.
71. “Global Payment and Settlement Systems under the Uniform Commercial Code”, presentation to the Legal Department of the Central European Bank (ECB), Frankfurt, Germany, July 17, 2008.
72. “The Legal Traditions of the Bible”, a seminar presentation to comparative law students at the Law Faculty of the Julius-Maxmillians University of Würzburg, Germany, July 18, 2008.

73. "The EU Payment Services Directive: An Outsider's View", University of Bamberg, Germany, July 31, 2008, 14<sup>th</sup> Biennial Meeting of the International Academy of Commercial and Consumer Law.
74. "The Payment Order- A Legal History:", presentation and the Global Hauser Forum, New York university School of Law, New York, January 28, 2009.
75. Participant in Waseda Law School Transnational Program, and Symposium - "Reorganizing the Global Financial Regulation", lecturing and presenting a paper on funds transfers and global payments, Tokyo, March 9-14, 2009.
76. Participant in MOCOMILA (Committee on International Monetary Law of the International Law Association) 86<sup>th</sup> meeting, presenting a commentary on recent developments in funds transfers and payment law, Paris, March 20-21, 2009.
77. "The Harmonization of Payment Services Law in Europe and Uniform and Federal Funds Transfer Legislation in the USA: Which is a Better Model for Reform?" in "The European harmonization of the payment services: the implementation of the Directive 2007/64/CE", Conference at Bank of Italy, Palazzo Koch, via Nazionale, Rome; organized by Banca d'Italia, Università degli Studi di Siena, Università degli Studi di Foggia, Università Federico II di Napoli, Università Cattolica del Sacro Cuore di Milano, sede di Piacenza (June 11-12, 2009).
78. "The EU Payment Services Directive: A View from Across the Ocean", in Conference&Expo "SPIN 2009 - Payments in Europe in the years of turmoil. Sounder with PSD and SEPA", conference organized by Italian Banking Association (ABI), at Palazzo dei Congressi, Rome (June 15-16, 2009),
79. "A Framework for Debit Cards and other Electronic Funds Transfers in Canada: Is there a Lesson from Foreign Jurisdictions?", Comments in banking law session on Professor Marc Lacoursière's paper on regulating the use of debit cards in Canada, at the 39th Annual Workshop on Commercial and Consumer Law, Montreal, October 16-17, 2009.

80. “M-money”, teleconference presentation to VTNWG, the Working Group of IBFed (International Banking Federation) Value Transfer Networks Working Group, March 25, 2010.
81. “M-Money-Legal and Regulatory Issues”; paper presented at “The Macroeconomics of Mobile Money”, conference organized by the Columbia Institute for Tele-Information (CITI) at Columbia Business School, April 2, 2010, Columbia University, New York.
82. “The Harmonization of Payment Services Law in Europe and Uniform and Federal Funds Transfer Legislation in the USA: Which is a Better Model for Reform?” Annual Banking Law Update (ABLU), Johannesburg; Guest Lecturer in Graduate Law class at the University of Johannesburg; Johannesburg, South Africa, April 21-22, 2010.
83. “Large-value payment systems-- legal and regulatory issues”, lecture given at the Central Bank in Taiwan, Taipei, June 3, 2010.
84. “Securities Holdings: *Legal frameworks and mechanisms for transfers*” comments given in ‘Internationalization – Challenges and Opportunities’ session, in International Conference on Financial Law Reform, Centre for Corporate and Financial law, College of Law, National Taiwan University, Taipei, June 4, 2010.
85. “Retail payment systems and laws: the challenge of innovation”, public lecture at the College of Law, National Taiwan University, Taipei, June 8, 2010.
86. “The Legal Traditions of the Bible”, a lecture to comparative law students at the Law Faculty of the Julius-Maxmillians University of Würzburg, Germany, June, 21 2008.
87. “Origins of Banking, Payment Systems and Universal 'Law Merchant': Reflections on the Role of Government, Commerce and Culture”; lecture in the Global Systems and Intercultural Competence’, Law Faculty of the Julius-Maxmillians, University of Würzburg, Germany, June 22, 2010.
88. “The Harmonization of Payment Services Law in Europe and Uniform and Federal Funds Transfer Legislation in the USA: Which is a Better Model for Reform?”, Law Faculty of the Julius-Maxmillians, University of Würzburg, Germany, June 23, 2010.

89. “International remittance”, July 16, 2010, teleconference presentation to VTNWG, the Working Group of IBFed (International Banking Federation) Value Transfer Networks Working Group.
90. “Material Negotiability in English Law: Historical Re-Examination of Commercial Paper Circulation Free From Claims and Defences”, July 22, 2010, Toronto, 15<sup>th</sup> Biennial Meeting of the International Academy of Commercial and Consumer Law.
91. “The Harmonization of the Bills of Exchange Act: A Proposal”, paper presented in the 40<sup>th</sup> Annual Workshop on Commercial and Consumer Law, Toronto, October 16, 2010.
92. “Legal Aspects Relating to Electronic Payments”, invited address, (National Association of Credit Management) NACM-Canada 12<sup>th</sup> Annual Credit Conference & Expo, Toronto, Sutton Place Hotel, October 21, 2010.
- 93-94. “M-Payments - Legal and Regulatory Issues”.
  - i. in a session titled ‘What Will it Take to Make Mobile Payments Mainstream in North America?’ in a program on ”Mobile Payments: Global Markets, Empowered Consumers and New Rules?” October 29, 2010, University of Washington School of Law, Seattle, USA.
  - ii. in MOCOMILA (Committee on International Monetary Law of the International Law Association), hosted by the Eastern Caribbean Central Bank, Basseterre, St. Kitts, November 12-13 2010.
95. “UNCITRAL Model Law on International Credit Transfers and M-Payments: Do They Match?”, paper presented in UNCITRAL Colloquium on Electronic Commerce, 14-16 February 2011, New York, Session II. Mobile commerce, Tuesday, 15 February 2011.
- 96-97. Seminar presentation at Norges Bank (central bank of Norway), Oslo – May 19, 2011:
  - (i) Interbank settlement: mechanism, risks, and legal aspects.
  - (ii) Systematically important payment systems and financial stability: core principles, oversight, regulation and the evolving role of the central bank.
98. “The Payment Order of Antiquity and the Middle Ages”, A faculty seminar, National University of Singapore, August 10, 2011.



99. “The Old Origins of Modern Funds Transfers and Payment Laws: The contribution of the Talmud in the context of its contemporaries in Antiquity and the early Middle Ages”, faculty seminar, Bar Ilan University, Ramat Gan Israel, December 06, 2011.
100. “Medieval Islamic payment instruments as forerunners of the European bill of exchange”, Lunchtime remarks in the 92<sup>nd</sup> Meeting, MOCOMILA (Committee on International Monetary Law of the International Law Association), hosted by the Saudi Arabian Monetary Agency (SAMA), Riyadh, Saudi Arabia, 7 January 2012.
101. “Innovation and Crisis Management: Payment Systems, Payment Laws and Central Banking in the Cross-roads”, Lecture, College of Law, UNISA, Pretoria, South Africa., May 22, 2012.
102. “Priorities in Bank Deposits and Account Balances” Annual Banking Law Update (ABLU), Johannesburg, South Africa, May 23, 2012.
103. “Innovation and Crisis Management: Payment Systems, Payment Laws and Central Banking in the Cross-roads”, presentation before the national Payment Department of the Reserve Bank of South Africa (RBSA), May 24, 2012.
104. "Dissecting the Task Force Report on the Payments Industry", co-speaking (with Blair Keefe), in Cardware 2012: Payments Insight, conference presented by ACT Canada, June 19, 2012, Niagara Falls, ON.
105. “Proprietary Rights in Bank Deposits and Account Balances”, 16<sup>th</sup> Biennial conference of the International Academy of Commercial and Consumer Law (IACCL) June 27, 2012, Ciudad University, Mexico City, Mexico.
106. “‘Bank Money’: The Rise, Fall and Metamorphosis of the ‘Transferable Deposit’ in the Common Law,” Money in the Western Legal Tradition Conference, August 14, 2012, Cambridge University faculty of Law, Cambridge, England.
107. “The Order to Pay Money in Medieval Continental Europe,” Money in the Western Legal Tradition Conference, August 14, 2012, Cambridge University Faculty of Law, Cambridge, England.

108. “Mobile Payments in Canada: Emerging Legal Issues”, presentation for OBA –Professional Development in Information Technology & E-Commerce Mobile Computing Part II: Payment Systems, Toronto, September 27, 2012.<sup>109</sup>.
109. “The Payment Industry After the Task Force Report: Can Canada Learn from the Experience of Others?”, *Comments on one aspect of the Final report of the Task Force for Payment System review, presented in a session on the Future of Canada’s Payment System: Reaction to the Final report of the Canadian Payment System Review Task Force, in the 42<sup>nd</sup> Annual Workshop on Commercial & Consumer Law, Dalhousie University Schulich School of Law, Halifax, NS, October 12, 2012.*<sup>110</sup>.
110. “The Payment Order of Antiquity and the Middle Ages: A Legal History”, a lecture sponsored by the National Centre for Business Law, at the University of British Columbia Faculty of Law, Vancouver, BC. November 1, 2012.
111. “The Canadian Payment System and Its Trajectory to the Digital Age: An Assessment of a Visionary Review”, A lecture sponsored by the National Centre for Business Law, Four Seasons Hotel Vancouver, BC, November 2, 2012.
112. “The Regulation of Money Transmitters,” presented in a Business Law Conference organized by the Uganda Law Reform Commission on improving Uganda’s competitiveness within the East African Community Context, November 14-15, 2012, at Speke Resort Munyonyo, Kampala, Uganda.
113. “International Remittance Transfers – Regulatory and Private Law Issues”, a panelist in session on international & cross-border payments – international and regulatory compliance considerations Part II”. In International & Cross-Border Payments” Conference Organized by the American Conference Institute (ACI), New York City, November 27-28, 2012.
114. “The Canadian Payment System at a Cross-Roads: Legal Aspects”, co-speaker on mobile payments in a CARSWELL WEBINAR SERIES, December 12, 2012.
115. Discussant in a Restitution Law Panel (discussing failure of consideration), Symposium in honour of John McCamus, Osgoode Hall Law School York University, Toronto, February 7, 2013; <https://vimeo.com/130551781>.

116. “Globalization and Harmonization of Regulatory and Industry Standards in Payment Services: A Canadian Perspective”, in Payment Compliance in Canada, The Canadian Institute, Novotel Toronto Centre, Toronto, February 28, 2013.
117. “Mobile Payments: Overview of Emerging Legal Issues”, speaker in a session on “Emerging Payments Mechanisms, Remittances, and Mobile Payments”, in the 94<sup>th</sup> Meeting, MOCOMILA (Committee on International Monetary Law of the International Law Association), hosted by the Central Bank of Peru, Lima, April 5, 2013.
118. Panelist in “Panel discussion: Compliance & Legislation landscape,” 6<sup>th</sup> Annual Prepaid & Payments Retreat Canada, Toronto, June 6. 2013.
119. “Retail Payment Systems: Role and Scope of Regulation in Promoting Efficiency, Safety and Innovation”, Beijing, July 16, 2013, presentation to the legal and payment system departments of the People’s Bank of China (POBC—the central bank of China).
120. “Mobile Payments: A Guide to the Perplexed Lawyer, August 10<sup>th</sup>”, at the Fairmont Hotel Fountain Room Lobby Level, San Francisco, Joint Subcommittee of the ABA (American Bar Association)’s UCC Payments Law Subcommittee and the Banking Law Payment and Electronic Banking Subcommittee Meeting.
121. “Medieval Jewish and Islamic payment instruments: Their Interaction and Lasting Heritage,” presented on August 31, 2013, in Chestnut Conference Centre Armoury Suite 2nd floor, University of Toronto, Toronto, at the first annual conference of Islamic Economics , Islamic Finance, & Religious Studies, organized by: ECO-ENA: Economics & ECO-Engineering Associates, Inc, Ottawa, Ontario, Canada.
122. “The Single Currency Payment Systems (TARGET2 and EURO1),” MOCOMILA (Committee on International Monetary Law of the International Law Association), 95<sup>th</sup> Meeting -19-20 September 2013, Madrid, Spain.
123. “Constitutional Challenge to the Application of Consumer Protection Legislation to Banks”, Panel on Consumer Claims: Current Issues in Class Actions and Substantive Law, 43<sup>rd</sup> Annual Workshop on Commercial and Consumer Law, Faculty of Law, McGill University Montreal, 11-12 October, 2013.

124. “Mobile Payments: Emerging Legal Issues,” presentation to the Payment Systems Department, Bank of Israel, Jerusalem, Israel, December 24, 2013.
125. “Mobile payments: The Legal Challenge”, National University of Singapore, CBFL., National University of Singapore (NUS) Faculty of Law, Singapore, February 12, 2014.
126. “Recent Developments: Mobile Payments and Bitcoin: New Legal Challenges” presentation to the legal and payment systems departments of the Monetary Authority of Singapore (MAS), Singapore, February 17, 2014.
127. “Bitcoin-An Overview“, presented in the\_MOCOMILA (Committee on International Monetary Law of the International Law Association), 97<sup>th</sup> Meeting, Washington DC, April 7, 2014.
128. “Death of the Paper Cheque Upon Us? Examining Challenges with Remote Capture Imaging”, The Canadian Institute’s 9th Annual Payments Compliance Conference, Toronto, May 27, 2014.
129. “Recent Payment System Developments: Canada: New Legal Challenges”, the Norges Bank (Central Bank of Norway), informal presentation to payment systems and financial infrastructure staff members. Oslo, Norway. June 19, 2014,
130. “Innovative Payment Methods: Legal and Regulatory Challenges- A Canadian Perspective”, lecture in “*Payments Developments: Issues and Challenges*” Seminar at Lietuvos Bankas (Central Bank of Lithuania), Vilnius, Lithuania, July 4, 2014.
131. “From Paper to Electronic Order: The Digitalization of the Check in the USA and Canada”, 17<sup>th</sup> Biennial conference of the International Academy of Commercial and Consumer Law (IACCL), In "FREEDOM OF CONTRACT VS. CONTROL – THE NEED TO LIMIT PARTY AUTONOMY?" July 17, 2014, İstanbul Bilgi University, Turkey.
132. “The Monetary Theory Under the Talmud” – Jewish Economics, presented on October 30, 2014, in Chestnut Conference Centre, University of Toronto, at the second annual conference of Islamic Economics & Islamic Finance, organized by: ECO-ENA: Economics & ECO-Engineering Associates, Inc.

133. Panelist, Conference on Retail Payment Systems, by Harvard Law School Program on International Financial Systems,” What are the risks for global interoperability posed by a lack of coordinated national regulation and state interventions in the operation of retail payment systems?”, Harvard Club of New York City, February 26, 2015.
134. “Current Topics of Interest: Recent Canadian Payment Law / System Reform”, presented at MOCOMILA (Committee on International Monetary Law of the International Law Association), 99<sup>th</sup> Meeting, 9-10 April 2015, Beijing, China.
135. “Canadian Payment System Reform: Regulation, Governance and Digitization”, presentation at the South African Reserve Bank (SARB), Pretoria, South Africa, May 26, 2015.
136. “Reform of the Regulation and Governance of the Canadian Payment System”, Annual Banking Law Update (ABLU), University of Johannesburg, Sandton City/Johannesburg, South Africa, May 28, 2015.
137. “The Quickening Pace of innovation in Retail Payment Systems: Are we ready to meet the legal and regulatory challenge?”, King & Wood Mallesons, Sydney, NSW, Australia, July 14, 2015.
138. “Canadian Payment System Reform: Regulation, Governance and Digitization”, Reserve Bank of Australia (RBA), Sydney, Australia, July 15, 2015.
139. “Introduction to Clearing and Settlement System Issues”, presented at MOCOMILA (Committee on International Monetary Law of the International Law Association), 100<sup>th</sup> Meeting, 9-10 September 2015, Berlin, Germany.
140. “The Central Bank and Payments and Settlement Systems”, in a program on the Europeanisation of the Payment System, at the Department of Business and Law University of Siena, Italy, October 22-24, 2015.
141. In Cross-Border & Global Payments and Technologies Conference Organized by the American Conference Institute (ACI), New York City, November 19-20, 2015:

- (a) Panelist in ‘U.S. v. Cross-Border Landscape: Same Day Transfers, Real Time Transfers or ACH Type Payments.’
  - (b) Speaker in post-conference master class on “Prepaid cards in the Global market Space, New Regulations and Reforms and Their Impact on ‘Traditional’ Payment Methods”.
142. Panelist in “Virtual Currencies: Virtual or Currencies?” at MOCOMILA (Committee on International Monetary Law of the International Law Association), 101<sup>st</sup> Meeting in Athens, June 3-4, 2016.
  143. Panelist in “The Changing Faces of Central Banking: Beyond Conventional Monetary Policy” (speaking on central banking and payment system risk) in “Central Banking in the Institutional Context”, 4<sup>th</sup> Annual CCLS-Bank of England Conference, 20-21 June 2016, CCBS, Bank of England, London UK.
  144. “Payment Systems Innovations: Legal Aspects”
    - (a) April 19, 2017, Jerusalem, Israel; Bank of Israel: Bank Supervision Department.
    - (b) April 26, 2017, Tel Aviv, Israel, Bank Leumi Le-Israel, Legal Department.
  145. “Towards Digital Payment System: The Legal Challenge”. April 26, 2017, Netanya College of Law. Netanya, Israel.
  146. “The Changing Nature of Money: Digital Currencies”, Colloquium (Part II) on “Innovations in Financial Law and Systems”: A tribute to Professor Joseph J. Norton May 5, 2017, Southern Methodist University, Dedman School of Law, Dallas, Texas.
  147. “Payment Fraud Risk – Unauthorized Instructions”, speaking on the Legal Panel at The Payments Canada Summit, May 25, 2017, at the Westin Castle Harbour, Toronto.
  148. “Expert Presentation: Current Developments in Digital-Currencies—*Blockchain-based interbank settlement systems*” at MOCOMILA (Committee on International Monetary Law of the International Law Association), 103<sup>th</sup> Meeting (in conjunction with the 5<sup>th</sup> Annual CCLS-Bank of England Conference), at the Bank of England, London, UK, , 6-7 July, 2017.

149. “Payment Systems Innovations: Legal Aspects”, Banco Central do Brasil, Legal, banking Operations, Payment Systems and Regulatory Departments, Brasilia, Brazil, August 9, 2017.
150. “Digital Currencies and the Integrity of the Monetary and Payment Systems: Will Safety, Certainty, and Stability be Preserved?” speaker in Financial Technology Law Conference, Deakin University, Melbourne, Australia, September 15, 2017.
151. "Banking in the digital age - who is afraid of payments disintermediation?" EBI's Global Annual Conference on Banking Regulation in Frankfurt am Main (jointly organised by the European Banking Institute and Goethe University), February 23 -24, 2018.
152. “The Electronic Bill of Exchange and Its Use in International Trade”, presented in *Trade Finance for the 21st Century* symposium, of the Centre for Banking & Finance Law (CBFL) at the NUS (National University of Singapore) Law Faculty March 8-9, 2018).
153. “Legal regimes of digital currencies in North America”, panelist in Panel III: Innovation in Finance, at MOCOMILA (Committee on International Monetary Law of the International Law Association), Spring Meeting in Barcelona, May 18-19, 2018.
154. “The Substantive Reach of the Uniform Regulation of Virtual-Currency Business Act (*URVCBA*): Critical Analysis” 19<sup>th</sup> biennial meeting of the International Academy of Commercial and Consumer Law, (IACCL), Durham, UK, July 4-7, 2018.
155. “Pledged Land Harvested Produce under the Talmud”; presented on November 01, 2018, in Chestnut Conference Centre, University of Toronto, at the fourth annual conference of Islamic Economics & Islamic Finance, organized by: ECO-ENA: Economics & ECO-Engineering Associates, Inc.
- 156–159. “The Quickening Pace of Money and Payment Digitization: Operational and Legal Aspects”,
  - Faculty Seminar; Singapore Management University School of Law, 21 February, 2019.
  - Asian Institute of International Financial law, Faculty of Law, the University of Hong Kong, 25 April 2019.

- (together with “Securities Settlement in Central Bank Money”) -- Hong Kong Securities and Futures Commission (SFC), 25 April 2019.
  - MOCOMILA (Committee on International Monetary Law of the International Law Association), 106<sup>th</sup> Meeting in Hong Kong, April 26-27, 2019.
160. ” E-Payments,” in the 3<sup>rd</sup> National Public-Private Dialogue on international trade aspects of E-Commerce Reform in Sri Lanka, (*EU – Sri Lanka Trade-Related Assistance Project*), Colombo, September 03, 2019.
162. “Securities settlement systems in central bank money, “presenting at a Panel on recent financial law developments, at MOCOMILA (Committee on International Monetary Law of the International Law Association), Bank of International Settlements (BIS), Basel, Switzerland, 16 November 2019.
163. “Could the ECB issue an electronic equivalent of paper-based euro banknotes? Under what conditions might such ‘electronic banknotes’ have legal tender status?” WebEx Seminar to the European Central Bank (Frankfurt, Germany), ECB 2020 Legal Research Programme,, jointly with Professors Corrine Zellweger - Gutknecht (Universities of Zurich and Basel) and Seraina Neva Grünwald (Radboud Universiteit), June 2 2020.
164. “Third-party service providers under the EU PSD2”, presentation as part of the online Report submission by the Committee on International Monetary Law” to ILA Bi-Annual Meeting in Kyoto, December 11, 2020.
165. “CBDC – Is the E-banknote a ‘Banknote’?” presented at a Panel on legal aspects of central bank digital currencies and of crypto-assets, at MOCOMILA (Committee on International Monetary Law of the International Law Association), 109<sup>th</sup> Meeting, 17-18 June 2021, Frankfurt, Germany (Virtual).
166. “The e-banknote as a ‘banknote’ & optimal retail CBDC: Law, design, and architecture – [The ECB and Euro banknotes],” in-person presentation at the Sveriges Riksbank Stockholm [Central Bank of Sweden], August 20, 2021.
167. “The e-banknote as a ‘banknote’- & optimal retail CBDC: Law, design, and architecture:



- monetary law interpreted”, online presentation to Bank of Canada staff (legal & CBDC teams), October 28, 2021.
168. "The ECB and the digital Euro – old wine in a new bottle?", a keynote speaker in the 5th EBI Academic Debate of the European Banking Institute (EBI), webinar, 18th January 2022.
  169. “CBDC Legal Requirements: The Quest for an Optimal Design”; webinar, presented to the Legal Department and other staff members of the International Monetary Fund (IMF), 29 March, 2022.
  170. “CBDC Legal Requirements: The Optimal Design of the Berar Digital Coins as an E-banknote,” in-person presentation at the Bank of Israel – Legal Department and Digital Shekel Team, Jerusalem, May 23, 2022.
- =>► In 110<sup>th</sup> Meeting, MOCOMILA (Committee on International Monetary Law of the International Law Association) 19-24 June 2022 Lisbon, Portugal:
171. “Focus on a Specific Case. Bitcoin as Legal Tender: What Did El Salvador Get Wrong in Going CBDC?”
  172. Legal Consequences and Legal Issues Raised by the Imposition of Financial Sanctions Following the Russian Military Attack on Ukraine: “Legal Issues Arising from the Exclusion from Swift of Some Banks”
  173. “Securities / Negotiable Instrument – Conflict of Law Rules Applicable to Negotiable Instruments”, jointly with Dr. Sagi Peari, University of Western Australia Law School, remote-pre-recorded, **CODIFI: Commercial, Digital and Financial Law Across Borders** **HCCH: Hague Conference on Private International Law**, 14 September 2022
  174. “The bearer digital banknote: optimal design and legal features,” 12 October 2022, opening session: Payments, currencies and credit in the open finance framework, in ELSOBA-EUROPEAN LEGAL STRATEGIES FOR PAYMENT SYSTEMS IN THE OPEN BANKING AGE, Department of Law of the University of Siena (Italy), 12-15 October 2022.

175. “The Negotiable Transport Document”, 6<sup>th</sup> Canadian Commercial Law Symposium, University of Manitoba- Winnipeg, Virtual, October 21, 2022.
176. “The Bearer Digital Coin as CBDC: Optimal Design and Legal Issues” Panel on Crypto Assets, and CBDC, MOCOMILA (Monetary Committee of the International Law Association) 111<sup>th</sup> meeting -Central Bank mandates in an Evolving World, Bank of England, London, December 01, 2022, presented remotely.
177. “Towards a New NMTD (Negotiable Multimodal Trade Document) in International Trade”, UNCITRAL Asia Pacific Day 2022, UNCITRAL-UM Joint Conference 2022, UNCITRA: instruments governing international transport and the emerging agenda on negotiable multimodal transport documents, Macau, SAR, 02 December 2022, presented remotely.
178. “Regulatory Reforms and the Evolution of Banking, Money and Payment,s” presented in International Conference TOWARDS PSD3: THE DYNAMICS OF DIGITALIZED PAYMENT SERVICES MARKET, Rome, 14 April 2023.
179. “Commercial Transactions in and Holding of Digital Assets under Uniform State Laws in the US,” DIGITAL ASSETS IN ENFORCEMENT AND INSOLVENCY CONFERENCE (European Law Institute & European Banking Institute, University of Vienna) 4 and 5 May 2023 Vienna, Austria.
180. “The Bearer Digital Coin: Optimal Design and Legal Features,” before the United States Treasury led interagency working group on central bank digital currency (CBDC) - CBDC Implications for Financial Inclusion, Privacy, and Illicit Finance, 10 May 2023, presented remotely.
181. “Stablecoins: Concept, Risks and Regulation”, The 21<sup>th</sup> Biennial Meeting of the International Academy of Commercial and Consumer Law Bar Ilan University, Israel, July 9-12, 2023: “Global Value Chains and Other Current Isssues in Commercial and Consumer Law”

**CHAIRING CONFERENCES, CONFERENCE SESSIONS AND SPECIAL PROGRAMS**

1. Co-chairing a one-day seminar offered by Insight on "Money and Electronic Banking: The Law of Payment and Clearing", Toronto, February 2, 1988.
2. Co-chairing a 1½ day conference offered by the International Business and Trade Law Programme of Osgoode/U. of T. on "International Banking at the Crossroads: The Legal Challenge", Toronto, June 22-23, 1989.
3. Chairing an afternoon Special Program of the International Business and Trade Law Programme of the O.C.I.B. on "Implication of EEC Single Market for Canadian Business—Challenges and Opportunities", Toronto, Nov. 8, 1990.
4. Chairing an afternoon Special Program of the International Business and Trade Law Programme of the O.C.I.B. on "International E.D.I.", Toronto, May 23, 1991.
5. Co-chairing a one-day seminar offered by Insight on "Negotiable Instruments and Electronic Banking", Toronto, May 31, 1991.
6. Chairing a session on "Payment and Settlement Systems for the Monetary Union" at a "Contracts and Payments in the Transition to a Single Currency" conference, organized by the Commercial Law Studies of the University of London, London, England, October 12, 1996.
7. Co-chairing CLE Electronic Commerce Program of the Osgoode Hall Law School Professional Development Programme, Toronto, March 25, 1997.
8. Chairing a session on E-Finance Law and Practice in Emerging and Transition Economies at a Research Seminar on Global Legal Framework for E-Finance, University of London, England, June 8, 2001.
9. Chairing a Session on Technology and the Financial Sector at an IMF Legal Department and IMF Institute Seminar on Current Developments in Monetary and Financial Law, Washington DC, USA, May 15, 2002.

10. Moderating “secured transactions” session, July 23, 2012, Toronto, 15th Biennial Meeting of the International Academy of Commercial and Consumer Law.
11. Chairing Session 1, International Academy of Commercial and Consumer Law  
14-15 July 2021 / Virtual meeting (Bar Ilan University, Israel)
12. Chairing Anthony Duggan presenting *Quinquagenaries: 50 Years of Secured Transaction Law*, Commentator Norman Siebrasse, 5th Annual Canadian Commercial Law Symposium, 22 October 2021, through Zoom.

### PROFESSIONAL FULL COURSES

▲ "Money Transfer and Currency Contracts", a two-day seminar for the Singapore Institute of Banking and Finance, designated for legal officers handling funds transfer, corporate treasurers, lawyers and accountants, Singapore, Pavilion Inter-Continental Hotel, May 9-10, 1988.

▲ “Global payment and settlement systems”; 2-day Workshop at the Monetary Authority of Singapore July 21-22, 2011.