

# Help your company plan for the future and never look back

⌚ Speculate to accumulate ⌚

⌚ No pain, no gain ⌚

⌚ Who dares wins ⌚

In the good times, decisions that don't turn out as planned can be put down to experience. But if creditors lose out, transactions can be set aside, payments made clawed back and directors may be personally liable or disqualified from directorship. This is also a problem for those acting as if they are directors ("shadow directors") and designated members of LLPs.

Our experience of challenges to directors' conduct will give you the foresight to make sure that you don't wish you'd had the benefit of hindsight.

Every day decisions, such as paying or providing security to creditors, transferring assets and giving loans to group companies, can be challenged and potentially set aside if things go wrong, by liquidators and administrators and aggrieved creditors. Challenges can be made even 2 or more years after the event.

These decisions and others, such as carrying on trading when times are hard, decisions that lead to a reduction in company assets or breach a director's duties (duties such as avoiding conflicts with personal interests and acting in the best interests of the business' creditors) can lead to personal liability. On occasion such decisions can lead to disqualification from directorship.

Awareness of the pitfalls will help to avoid them.

Our experience, of making and defending challenges to the decisions made by directors, means that we can provide the pragmatic advice that directors need to make sure that the right decisions are made for the right reasons and with the right results.

For more information, please contact our team:



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