



# **ELECTRONIC BANKING: LEGAL ISSUES**

*Thursday - Friday  
28 – 29 October 2010  
Kuala Lumpur*

14 CPE  
credit hours  
for CRP  
holders

**INSTITUT BANK-BANK MALAYSIA**

Upon completion of the programme, participants will be able to:

- gain an overview of the laws on electronic banking governing financial institutions, including the Payment Systems Act 2003 and the Electronic Commerce Act 2006
- recognise the legal implications of electronic and internet banking
- understand the banker's rights, duties and liabilities in electronic banking
- understand the banker's risks in electronic banking and how to minimise these risks

- **Introduction**
  - Legal definition of Electronic Banking and Electronic Funds Transfer (EFT)
  - EFT as a means of payment
  - Categories of Electronic Banking Systems
- **Non-Consumer-Activated Electronic Banking Systems**
  - The nature of credit and debit transfers
  - Electronic credit and debit transfers
  - International electronic funds transfer
  - Cheque Truncation and Conversion System (CTCS)
- **Legal Implications of Non-Consumer-Activated Electronic Banking**
  - Sources of law
  - The legal nature of a funds transfer instruction
  - Agency relationships (the paying bank, the correspondent bank and the receiving bank)
  - Countermand
  - Completion of payment
  - Recovery of incorrect payment
- **Consumer-Activated Electronic Banking Systems**
  - Cash dispensers and ATMs
  - Electronic Funds Transfer at Point of Sale (EFTPOS)
  - Tele-shopping
  - Digital cash
  - Credit cards
  - Home and office banking
  - Internet banking
- **Specific Aspects of Consumer-Activated Electronic Banking**
  - Terms and conditions of the banker-customer contract
  - Variation of the banker-customer contract
  - Liability for unauthorised transactions
  - Liability for technical malfunction
  - Countermand
- **Confidentiality and Data Protection**
  - Payment Systems Act 2003
  - Banking secrecy

Lectures, case studies and group discussions to enhance overall learning.

Banking and finance personnel in operations and MIS/EDP departments and IT auditors who need to understand the legal issues and implications of electronic banking.

**Professor Dr Lee Mei Pheng**, Advocate and Solicitor of the High Court of Malaya and Advocate of High Court in Sabah and Sarawak, had served as the Head of Operations, Credit and Administration, as well as Head of Legal Department of OCBC Bank for a total of 10 years. Since moving back to law practice more than 12 years ago, Dr Lee has been conducting lectures for local and foreign banks and financial institutions internationally. In addition to conducting training programmes for IBBM, Dr Lee has also lectured for about a year at the Law Faculty of the University of Malaya and she now lectures at the Faculty of Law, Bond University, Gold Coast, Queensland, Australia and is their Adjunct Professor.

She has several publications to her credit such as 'Banking Law', 'Commercial Law', 'Forged Cheques and The Law', 'Islamic Banking and Finance Law' and 'General Principles of Malaysian Law' and a few of her books are published by IBBM, including 'Law and Practice of Banking', 'Malaysian Law on Banking and Finance', 'Law of Guarantees' and 'Law of Cheques'.

A LLB First Class Honours graduate, she received her doctorate in Law from the University of Liverpool, England, UK. She is also an Associate Fellow of IBBM and a Senior Associate of the Financial Services Institute of Australasia, Australia.

<b>Date</b>	Thursday – Friday, 28 – 29 October 2010
<b>Time</b>	9.00 a.m. – 5.00 p.m.
<b>Venue</b>	Institut Bank-Bank Malaysia Wisma IBI, 5 Jalan Semantan Damansara Heights 50490 Kuala Lumpur
<b>Attire</b>	Office attire
<b>Fee</b>	STF Member : RM900 IBBM Member: RM1,550 Non-Member : RM2,050
	The above fee includes programme materials, meals and refreshments. Payment of fee must be made BEFORE commencement of the programme.
<b>Closing date</b>	Thursday, 14 October 2010
<b>Enquiries</b>	Kindly contact Wani / Zubidhah at 03-2095 8922 (ext 174 / 135).
<b>Nominations</b>	Participation is limited to 20 person on a first-come first-served basis. IBBM reserves the right to decline any nomination, without the obligation of providing any reason. Confirmation of participation is by way of official notification from the Institute.
<b>Kindly address nomination form(s) to</b>	The Executive (Learning Solution 3) Institut Bank-Bank Malaysia Wisma IBI, 5 Jalan Semantan Damansara Heights 50490 Kuala Lumpur
	Fax : 03-2095 7822 Email : <a href="mailto:lead@ibbm.org.my">lead@ibbm.org.my</a>
<b>Commitment to programme</b>	The intensive nature of IBBM programmes requires the participants' full attention and attendance at all sessions. Participants should be free of their professional obligations for the duration of the programme.

**Notice of withdrawal:**

Unless written notice of withdrawal is received before the closing date of the programme, the full fee is still due in the event of non-attendance. The Institute accepts replacement(s), which must be in writing, prior to the programme's commencement date. However, no substitution of participant(s) will be allowed for the duration of the programme. The Institute reserves the right to make changes to the schedules, venue or cancel the event altogether.

**REGISTRATION FORM****ELECTRONIC BANKING : LEGAL ISSUES****28 – 29 OCTOBER 2010**

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**Name & Signature of Nominating Officer (Please stamp)**

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**Name & Address of Nominating Organisation (Please stamp)**

**FEE**

Please make bank draft/cheque payable to **INSTITUT BANK-BANK MALAYSIA**. Payment of fees must be made **BEFORE** commencement of the programme

Bank Draft/Cheque No
RM

**Please register the following participant(s) for the above programme.**

PARTICIPANT 1												
Name												
New NRIC No. (Mandatory)									-			
Individual Membership No. (if any)												
Designation and Department												
Email												
Telephone												
Fax												
PARTICIPANT 2												
Name												
New NRIC No. (Mandatory)									-			
Individual Membership No. (if any)												
Designation and Department												
Email												
Telephone												
Fax												

CONTACT PERSON	
Name	
Name of Organisation	
Address of Organisation	
Email	
Telephone	
Fax	

Please photocopy for additional participants.

**Please complete and return this form to the Institute before 14 October 2010**