

# CV for appointment as a UNIDROIT Consultant

## Bruce Whittaker

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### 1. EDUCATION

University of Melbourne, Australia

- Bachelor of Arts (Hons), 1984
- Bachelor of Laws (Hons), 1984.

### 2. CURRENT PROFESSIONAL ROLES

- Honorary Senior Fellow – Melbourne Law School, University of Melbourne.
- Senior Consultant - Kozolchik National Law Center.

### 3. SUMMARY EMPLOYMENT HISTORY

- **From 2018 to present**
  - Self-employed consultant, including to Kozolchik National Law Center
- **From 2015 to 2018**
  - Employer: Ashurst
  - Position Held: Senior Consultant
- **From 1990 to 2015**
  - Employer: Ashurst
  - Position Held: Partner
- **From 1984 to 1990**
  - Employer: Ashurst (then known as Blake & Riggall)
  - Positions Held: lawyer/senior associate
- **1989**
  - Employer: Boden Oppenhoff & Schneider, Cologne, Germany
  - Position held: Foreign attorney
- **From September 1987 to early 1989**
  - Employer: Davis Polk & Wardwell, New York, USA
  - Position held: Foreign attorney

#### 4. RELEVANT EXPERIENCE

- **Australia**

For most of my professional career I worked as a legal practitioner with Ashurst, one of the world's leading commercial law firms. This included 25 years as a partner in the firm's finance practice. My practice covered both domestic and cross-border finance, including secured finance.

In 2014 I began to transition my work into the field of law reform. In that year I was appointed by the Australian Attorney-General to conduct a review into the operation of Australia's secured transactions laws (the *Personal Property Securities Act 2009*). I have continued since then to consult to the Attorney-General's department on the implementation of the reforms that I recommended in my report.

I have also been active in the broader Australian banking and finance industry. This has included a term as President of the Banking and Financial Services Law Association, the peak industry body for banking and finance lawyers in Australia and New Zealand.

- **UNCITRAL**

In early 2016 I was appointed the Australian delegate to Working Group VI of the United Nations Commission on International Trade Law (UNCITRAL), dealing with secured transactions law reform initiatives. As part of Working Group VI, I participated in the drafting of UNCITRAL's Model Law on Secured Transactions (2016) and the accompanying Guide to Enactment and Practice Guide.

I was also appointed as the chair of Working Group VI in 2017.

- **World Bank**

Since leaving Ashurst, I have worked as an independent consultant in the field of secured transactions law reform, principally through the Kozolchuk National Law Center. This has involved advising on projects for the reform of secured transactions laws in a number of developing countries.

- **UNIDROIT**

Over the past 5 years, I have been actively involved in a number of UNIDROIT projects.

**MAC Protocol:** In 2017, I represented Australia at meetings of the Committee of Governmental Experts that were convened by UNIDROIT to negotiate the text of the proposed MAC Protocol to the Cape Town Convention. I also represented Australia at the Diplomatic Convention that was convened by UNIDROIT in Pretoria to adopt the Protocol, and I continue to represent Australia as a member of the Preparatory Commission. I have played a leading role in the drafting of the Regulations that will support the implementation of the Protocol, including the operation of the Registry.

**Model Law on Factoring:** I am a member of the expert group that UNIDROIT has established to prepare a Model Law on Factoring. In addition to participating in the formal Working Group sessions, I have also played an active intersessional role, particularly in preparing draft text for the Model Law.

**Model Law on Warehouse Receipts:** I am also a member of the expert group that UNIDROIT has established to prepare a Model Law on Warehouse Receipts. Similar to my role in relation to the Model Law on Factoring, I have played an active intersessional role for this project as well, particularly in preparing draft text for the Model Law.

## **5. PERSONAL DETAILS**

I am married, with three adult children. I speak good German, and conversational Italian.