

BAKER & MCKENZIE

A S I A P A C I F I C
Trade & Commerce

C L I E N T C O N F E R E N C E

Wednesday, 25 May 2016 | 28/F Ark Hills Sengokuyama
Mori Tower | Baker & McKenzie | Tokyo





9:00 am **Arrival and Registration**
Level 1, Ark Hills Sengokuyama Mori Tower

9:30 am – 9:40 am **Opening Remarks**

Eugene Lim
Head, Asia Pacific Trade & Commerce Practice
Baker & McKenzie.Wong & Leow

9:40 am – 10:30 am **TPP & ISDS**
Conference Room A&B, Level 28

A keynote panel will discuss key provisions of the Trans-Pacific Partnership Agreement, focusing especially on investor-state dispute settlement, comparing with other international dispute proceedings including WTO Dispute Settlement and commercial arbitrations.

Moderator:

Junko Suetomi
Counsel,
Baker & McKenzie
(Gaikokuho Joint Enterprise)

Panelists:

Koji Saito
Director, WTO Dispute
Settlement Division
Economic Bureau
Ministry of Foreign Affairs

Prof. Yasuhei Taniguchi
Professor Emeritus, Kyoto
University
Int'l Judge, Singapore Int'l
Commercial Court
Former appellate body member, WTO

10:30 am – 12:00 pm **Regional Trade & Commerce Updates and New Developments**
Conference Room A&B, Level 28

This session will provide a fast-paced overview of the significant trade and regulatory developments affecting all aspects of your supply chain from sanctions and trade compliance to consumer protection and data privacy.

Moderator:

Eugene Lim
Anne Petterd
Partner
Baker & McKenzie
Sydney
Frank Pan
Associate
Baker & McKenzie LLP
Shanghai
Anne Peng
Special Counsel
Baker & McKenzie
Hong Kong

Panelists:

Riza Buditomo
Associate Partner
Hadiputranto, Hadinoto & Partners
Jakarta
Kana Itabashi
Partner, Baker & McKenzie
(Gaikokuho Joint Enterprise)
Meng Yew Wong
Partner, Wong & Partners
Kuala Lumpur
Ronald Bernas
Partner, Quisumbing Torres
Manila

Panelists:

Zhixiang Ke
Associate
Baker & McKenzie.Wong & Leow
Singapore
Chris Tsai
Partner, Baker & McKenzie
Taipei
Panya Sittisakonsin
Partner, Baker & McKenzie
Bangkok
Thanh Vinh Nguyen
Partner, Baker & McKenzie
Ho Chi Minh
Mattias Hedwall
Partner, Baker & McKenzie
Stockholm

1:00 pm – 2:00 pm **Breakout Sessions (Part 1)**

Breakout 1A: Customs Issues in Difficult Jurisdictions

Asia Pacific represents the most complex customs duty and classification landscape, which multinationals must navigate for their cross-border business. This session will delve into key issues around ensuring your flow of goods remains smooth across the region, including dealing with customs audit policy for 2016 to 2017, to be successful in particularly tough jurisdictions in AP.

Moderator:

Ed Whatley
Partner
Baker & McKenzie
(Gaikokuho Joint Enterprise)

Panelists:

Riza Buditomo
Jakarta
Thanh Vinh Nguyen
Ho Chi Minh

Panelists:

Anne Peng
Hong Kong
Panya Sittisakonsin
Bangkok
Meng Yew Wong
Kuala Lumpur



Breakout 1B: Franchising in Asia Pacific

Franchising in Asia Pacific has become an increasingly popular way to establish new outlets in the region over the past five years and continues to grow. However, franchising is more highly regulated in the Asia Pacific region than elsewhere. This discussion will focus on the key commercial considerations when considering pursuing a franchise in countries across the region.

Moderator:

Kana Itabashi
Partner
Baker & McKenzie
(Gaikokuho Joint Enterprise)
Tokyo

Panelists:

Anne Petterd
Sydney

Frank Pan
Shanghai

Panelists:

Chris Tsai
Taipei

Lan Phuong Nguyen
Partner, Baker & McKenzie
Ho Chi Minh

2:00 pm – 3:00 pm **Breakout Sessions (Part 2)**

Breakout 2A: Regional Headquarters in Asia Pacific

The establishment of a regional headquarters has proved a beneficial move for multinationals to assist with their Asia Pacific and Southeast Asia operations. This session will explore the various commercial incentives offered for these entities in Asia Pacific, focusing especially on Hong Kong, Singapore, Malaysia and Thailand in Southeast Asia.

Moderator:

Eugene Lim
Singapore

Panelists:

Howard Weitzman
Baker & McKenzie
(Gaikokuho Joint Enterprise)

Panelists:

Meng Yew Wong
Kuala Lumpur

Panya Sittisakosin
Bangkok

Panelists:

Miguel Noyola
Partner, Baker & McKenzie
Chicago

Zhixiang Ke
Singapore

Breakout 2B: Export Controls and Sanctions Developments

Export controls and sanctions have, over the last decade, started to be increasingly important to trade compliance professionals operating in Asia Pacific. This session will focus on key developments in export controls and sanctions in Asia Pacific over the past year and provide practical advice on coping with these rapidly evolving changes.

Moderator:

Anne Petterd
Sydney

Panelists:

Ronald Bernas
Manila

Mina Arai-Ito
Of Counsel
Baker & McKenzie
(Gaikokuho Joint Enterprise)

Panelists:

Thuy Nguyen
Singapore

Anne Peng
Hong Kong

3:00 pm – 3:10 pm **Coffee Break**

3:10 pm – 4:00 pm **360 View of Supply Chain Operations and Compliance** Conference Room A&B, Level 28

How to bring it all together to protect your supply chain, while ensuring that your operations are maximized for efficiency

- Optimized tax structures for your supply chain
- Supplier/vendor compliance policies
- Audit
- Corrective actions

Moderator:

Ed Whatley
Tokyo

Panelists:

Frank Pan
Shanghai

Kana Itabashi
Tokyo

Panelists:

Thuy Nguyen
Singapore

Zhixiang Ke
Singapore

Mattias Hedwall
Partner
Baker & McKenzie Advokatbyrå KB
Stockholm



4:00 pm – 4:55 pm **What the New Era of Free Trade Agreements Mean for Japanese Companies**
Conference Room A&B, Level 28

This panel will provide an update on what the development of mega-regional trade initiatives like the AEC, TPP and RCEP means for Japanese companies operating in Asia Pacific.

Moderator:
Eugene Lim
Singapore

Panelists:
Junko Suetomi
Tokyo

Anne Petterd
Sydney

Miguel Noyola
Chicago

Panelists:
Meng Yew Wong
Kuala Lumpur

Zhixiang Ke
Singapore

Thuy Nguyen
Singapore

Anne Peng
Hong Kong

4:55 pm – 5:00 pm **Closing**

Eugene Lim
Singapore

4:55 pm – 6:30 pm **Closing**

All attendees are invited to attend the cocktail reception with the conference speakers immediately following the event.

Baker & McKenzie Speakers



Ronald Bernas

Partner, Quisumbing Torres, Manila

Ronald Bernas has advised clients on various tax issues, including general tax planning, tax controversies, tax litigation, and customs issues and procedures. He is a member of the Tax Management Association of the Philippines. He was recently recognized as a Tax Controversy Leader by the International Tax Review 2014. His practice focuses on general tax planning, protests of assessments, claims for refund and tax credits, and taxation of commercial transactions, mergers and acquisitions, and business reorganizations.



Riza Buditomo

Associate Partner, Hadiputranto, Hadinoto & Parters, Jakarta

Riza has more than 10 years of experience in the legal industry in Indonesia. He focuses on corporate commercial and trade work, including export/import, customs, supply chain, food industry, anti-dumping and acquisitions. Highly regarded in his field, Riza is now one of the go-to persons for trade work or matters particularly for customs. He is admitted in the Tax Court of Indonesia for customs matters after passing the state examination and actively litigating in the Tax Court.



Mattias Hedwall

Head, Global Trade & Commerce, Baker & McKenzie Advokatbyrå KB, Stockholm

Mattias Hedwall is seasoned in corporate and commercial agreements, export and trade, compliance, and mergers and acquisitions. His practice includes privately negotiated commercial transactions and agreements, compliance and export trade issues, mergers, reorganizations and investments. This includes all kind of agreements, such as supply chain, agency, distribution and franchising. He also has extensive experience in domestic and international law and policy related to his areas of practice.



Kana Itabashi

Partner, Baker & McKenzie (Gaikokuho Joint Enterprise), Tokyo

Kana Itabashi's practice focuses on the areas of domestic and cross-border M&A, private equity investment and organizational restructuring as well as commercial matters. She also has extensive experience in handling matters involving domestic and international employment law, general employment advice, employment litigation, employment regulation, cross-border counseling and privacy transactions.



Mina Arai-Ito

Of Counsel, Baker & McKenzie (Gaikokuho Joint Enterprise), Tokyo

Mina Arai-Ito is the head of the Firm's Middle East & Africa Focus Group in Tokyo, where she handles and coordinates investment deals and litigation matters on behalf of Japanese companies operating or wishing to invest in the Middle East and Africa regions as well as other emerging countries. Having practiced law in many jurisdictions around the world, including Cairo, Brussels, Taiwan and Washington, D.C., Mina is truly an international lawyer with local connections and in-depth knowledge and experience. She also assists multinational clients in acquisition projects in Japan.



Zhixiang Ke

Associate, Baker & McKenzie.Wong & Leow, Singapore

Zhixiang Ke's practice focuses on Singapore corporate tax matters. He advises clients on income tax, stamp duty and GST issues, particularly in the context of Singapore tax incentives and corporate restructuring. His practice also extends into the wealth management sector, where he represents high-net-worth clients in probate and administration matters.



Eugene Lim

Head, Asia Pacific Trade & Commerce Practice
Baker & McKenzie.Wong & Leow Singapore

Eugene Lim has extensive experience relating to the structuring of supply chain and distribution strategies in the region. His practice focuses on international trade, international tax planning, tax controversies, indirect tax, customs and excise, export controls, trade sanctions matters in Singapore, China and the Asia Pacific region. He also covers trade law developments in the WTO, APEC, ASEAN and under the various free trade agreements in the Asia Pacific region.



Lan Phuong Nguyen

Partner, Baker & McKenzie (Vietnam) Ltd, Ho Chi Minh City

Lan Phuong Nguyen's practice focuses on corporate transactions with a particular emphasis on foreign direct investment, real estate, international trade, mergers and acquisitions, regulatory and commercial, as well as employment matters. She is a member of the Lawyers Association of Ho Chi Minh City, the American Chamber of Commerce and the British Business Group in Vietnam.



Thanh Vinh Nguyen

Partner, Baker & McKenzie (Vietnam) Ltd, Ho Chi Minh City

Prior to joining the Firm, Thanh Vinh Nguyen practiced tax and consultancy work for two international accounting firms and worked as a compliance counsel for an international insurance company. His practice focuses on tax advice and planning on corporate and individual tax issues, customs, and other general corporate commercial matters. He has co-written *Business Operations in Vietnam*, published by The Bureau of National Affairs, Inc.



Thuy Nguyen

Associate, Baker & McKenzie (Vietnam) Ltd, Ho Chi Minh City

Thuy Nguyen is a member of the Singapore tax practice group. She earned her first master's degree in Switzerland, focusing on international trade law and economics. After her internship at the Secretariat of the World Trade Organization, Thuy joined B&M Vietnam's trade and commerce and TMT practice groups in Vietnam where she helped promote trade liberalization, free movement of information across borders, administrative procedures reforms, and government's compliance with international treaties among other things. She has advised multinational corporations on the legal aspects of cyber security, data privacy, e-commerce, online content, Internet governance, and IT/telecommunications.



F. Miguel Noyola

Partner, Baker & McKenzie LLP, Chicago

F. Miguel Noyola is a partner of Baker & McKenzie LLP where he chairs the International Commercial Practice Group in the Chicago office. He works primarily in the areas of foreign investment, corporate compliance, international joint ventures, restructurings and mergers and acquisitions in Latin America, particularly with respect to Mexico. He advises multinational companies on cross-border transactions and complex commercial and licensing arrangements.



Frank Pan

Associate, Baker & McKenzie LLP, Shanghai

Frank Pan works in a broad range of trade actions, including advising various multinational companies on trade law compliance, transfer pricing, indirect tax optimization and other PRC regulatory, tax and customs issues related to supply chain planning and managing disputes with PRC Customs. Before joining Baker & McKenzie, Frank was an associate and subsequently junior partner with a boutique PRC trade law firm for eight years, specializing in inbound and outbound trade remedy cases before the authorities of various jurisdictions.



Anne Peng

Special Counsel, Baker & McKenzie, Hong Kong

Anne Peng's practice focuses on PRC customs and tax matters. She has extensive experience assisting companies deal with disclosures and audit defenses with Chinese authorities on various trade-related matters. She also advises many well-known multinational companies on export controls and trade compliance issues. Prior to joining Baker & McKenzie, Anne worked with the General Administration of PRC Customs (GAC) for 8 years and held the rank of Deputy Director.



Anne Petterd

Partner, Baker & McKenzie, Sydney

Anne Petterd's practice predominantly involves acting for parties in major defense and government projects and advising on procurement requirements. Anne also focuses on the telecommunications industry, advising on a range of telecommunications regulatory and transactional matters. These include matters relating to the NBN legislative scheme and rollout, service provider regulation, and agreements for supplying telecommunications services and for operating a telecommunications business.



Panya Sittisakonsin

Partner, Baker & McKenzie, Bangkok

Panya Sittisakonsin has practiced in the areas of international tax and international trade since 2002. He provides tax, customs, and excise tax advice from both a planning and a compliance perspective. During his time spent with the Tax Practice Group of Baker & McKenzie's Sydney Office, as well as with the Trade Practice Group of the Washington, D.C. Office, he gained extensive experience in international tax planning and U.S. customs valuations. He is part of a team that has successfully litigated several cases of tax planning, transfer pricing, customs valuation, excise tax, and investment privileges.



Junko Suetomi

Counsel, Baker & McKenzie (Gaikokuho Joint Enterprise), Tokyo

Junko Suetomi has experience practicing law in Japan and the United States. Prior to joining Baker & McKenzie, she worked in the WTO Dispute Settlement Division of the Ministry of Foreign Affairs' Economic Bureau. She has also worked for a global law firm in Washington DC and New York, and served as a court-appointed defense attorney in many criminal cases. She has been a member of the Attorney's Ethics Committee of the Osaka Bar Association and vice chair of the Human Rights Committee of the Tokyo Bar Association. She delivers lectures at Waseda University. She is recognized as a leading lawyer in her field by Chambers International and Chambers Asia, Best Lawyers, Who's Who Legal and other ranking publications.



Chris H.C. Tsai

Partner, Baker & McKenzie, Taipei

Chris Tsai's practice covers mergers and acquisitions, venture capital and private equity, as well as antitrust and non-performing loans. Prior to joining Baker & McKenzie, Mr. Tsai worked as an analyst at Concord Venture Capital Co., Ltd and as a credit analyst at the Taipei branch of Banque Nationale de Paris. He has considerable experience advising on several transactions of non-performing loan sales in Taiwan.



Howard Weitzman

Counsel, Baker & McKenzie, Washington, D.C.

Howard Weitzman is a member of the Firm's Tax & Transfer Pricing group in Baker & McKenzie's Tokyo office with more than 13 years of experience practicing as a tax lawyer in Tokyo and Washington DC. Mr. Weitzman has extensive experience assisting international clients with tax planning and transfer pricing issues, as well as more broadly with respect to general legal issues involving operations in Japan.



Edwin Whatley

Partner, Baker & McKenzie (Gaikokuho Joint Enterprise), Tokyo

Edwin Whatley leads the Firm's Tax Practice Group in Tokyo and is highly experienced in both US and Japanese tax law. He is recognized as a leader in his field by the Asia Pacific Legal 500, Tax Directors Handbook and Chambers Asia. His practices focuses on international taxation, corporate and international tax planning, transfer pricing and tax controversies for Japanese and foreign corporations.



Meng Yew Wong

Partner, Wong & Partners, Kuala Lumpur

Meng Yew Wong is well versed in the areas of international trade and commerce, customs compliance, trade remedy and indirect tax. Prior to focusing on tax and trade matters, he was part of the civil and commercial litigation practice in the Firm. He has also worked in the Firm's Hong Kong office. He is listed as a specialist in the field of trade and customs by the International Who's Who of Trade & Customs Lawyers.

External Speakers

Koji Saito

Director, WTO Dispute Settlement Division
Economic Bureau, Ministry of Foreign Affairs

Koji Saito is the director of the International Trade and Investment Dispute Settlement Division, Economic Affairs Bureau of the Ministry of Foreign Affairs. He was the director of the WTO Dispute Settlement Division and a legal advisor on WTO Law to the Ministry of Foreign Affairs. He is well versed in external trade policies and has deep experience in the enforcement of compliance in trade disputes.

Yasuhei Taniguchi

Professor Emeritus, Kyoto University
Int'l Judge, Singapore Int'l Commercial Court
Former appellate body member, WTO

Outside of various academic activities, Prof. Taniguchi has served as arbitrator in several major international arbitration cases under the rules of Japan Commercial Arbitration Association (JCAA) as well as International Chamber of Commerce (ICC), CIETAC (China), FICCI (India) and NAI (The Netherlands). In the field of arbitration, he served as the chairman of the Rule Making Committee of JCAA to draft the new Administrative and Procedural Rules for Arbitration under the UNCITRAL Arbitration Rules (effective 1991) and the totally amended Rules of Commercial Arbitration of JCAA (effective 1992). In the same capacity, he also helped drafting the new Rules for Simplified Arbitration of JCAA (effective 1997). From 1994 he served as a member and later as the chairman of a special study commission for improvement of the Japanese international commercial arbitration system created jointly by Ministry of International Trade and Industry (MITI, presently METI) and JCAA. In addition, he has served in many occasions as an expert on a variety of points of law by submitting an opinion orally and/or in writing in the courts and arbitral tribunals around the world. In particular, he served as an expert witness in a litigation involving international insolvency law issues in Canadian Federal Court in Montreal. Among several experts who testified in that case, only his name was mentioned in the opinion as "a leading authority in Japan" (*Orient Leasing Co., Ltd. v. The Ship "Kosei Maru"*, 94 D.L.R. 658 (1978) at 666). In the insolvency law field, he served for several years as the principal advisor to the Vietnamese government for drafting a new bankruptcy law of Vietnam of 2004. His book in Chinese (translation by Y.X. Wang & R.J. Liu, 1996) "Procedural Justice and Litigation" was widely read and reputedly instrumental in the modernization of civil procedure in China. Professor Taniguchi has published many books and articles including more than 50 articles in Western languages published in various parts of the world. Collection of his articles in Japanese have been published in five volumes so far. His service to the international community as stated above and particularly as a member and the chairman of the Appellate Body of the World Trade Organization recently led to his appointment to the bench of the newly created Singapore International Commercial Court in 2015.

Baker & McKenzie has been global since inception. Being global is part of our DNA.

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