



**Baker  
McKenzie.**



# 2018 ASIA PACIFIC RISK AND CRISIS MANAGEMENT SYMPOSIUM

Helping Companies Mitigate and Manage Legal,  
Business and Regulatory Risks

Baker McKenzie office - Hutchison House, Central, Hong Kong | Thursday, 27 September 2018



# ABOUT THE EVENT

## 2018 Asia Pacific Risk and Crisis Management Symposium

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In today's world, the rapid pace of how information is exchanged and disseminated means news about a particular event can affect an organization's reputation and brand at a frightening speed. Geopolitical events, cyber threats, disruptive innovation, regulatory shifts, legal sanctions and changing demographics represent just a sampling of issues that may trigger significant legal and financial risks and liabilities for an organization.

Join Baker McKenzie partners from across Asia Pacific, alongside guest speakers, as we lead interactive plenary sessions on the following:

- What are the biggest risks that we see businesses in Asia face today?
- How can companies build effective risk and crisis management systems?
- How best to manage a crisis by handling multi-dimensional issues and stakeholder relationships?
- How often should companies assess the vulnerability of their anti-bribery, anti-corruption and compliance protocols? What risks do changing regulations in this arena pose?

The symposium will also feature specialist breakout sessions discussing key risks we see emerging from new market trends and technologies in the e-commerce space, as well as how teams can better identify and plan for transactional risks. Some of the topics that will be addressed include:

- Given the rapid growth of the e-commerce sector, what are the key challenges of competing online?
- What are the key considerations that should be monitored during a due diligence process?
- How can you better allocate risk in deal documents?
- How do you plan for a non-contentious exit?

**Understanding your risk is not enough – developing an inventory of responses to your top risks can mean the difference between success and failure.** To help bring things to life and share practical best practices, our panel will also talk through a case study of how a company deals with a crisis in the form of a global regulatory investigation, commencing with a dawn raid.

We look forward to having you and your peers join us for an insightful discussion.



# AGENDA

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Thursday, 27 September 2018

Helping companies mitigate and manage legal, business and regulatory risks

12:30 pm - 1:15 pm

**Lunch, arrival and registration**

1:15 pm - 1:30 pm

**Welcome address**

1:30 pm - 2:30 pm

**Plenary 1**

**Identifying your risks**

In this session we will talk through a case study of how a company deals with a crisis in the form of a global regulatory investigation, commencing with a dawn raid. We will consider legal and communication issues and practical challenges that arise from crisis situations, including dealing with social media disruptions and corporate management duties.

2:30 pm - 2:45 pm

**Refreshment break**

2:45 pm - 4:15 pm

**Breakout 1**

**E-commerce: Mitigate and manage your risks**

- Competing in a digital world
- Data privacy and cybersecurity
- Product safety, liability and recall

2:45 pm - 4:15 pm

**Breakout 2**

**Corporate transactions: Mitigate and manage your risks**

- Mitigating your risk - Compliance due diligence in M&A and JVs
- Manage your risk - Indemnities, warranties, audit provisions and terminations rights: how to use them to manage risk effectively
- Examples of what to do when things go wrong

4:15 pm - 4:30 pm

**Refreshment break**

4:30 pm - 5:30 pm

**Plenary 2**

**Managing a crisis**

Continuing with the case study introduced in the first session, we will consider each stage of the crisis situation, identify what issues arise, and discuss what the company could have done - both in advance of, and at the time of the crisis, to minimize the negative impact on the business.

This session will be led by Baker McKenzie lawyers from Hong Kong, Singapore and Australia, who will consider the legal and compliance risks that arise. The panel will be joined by FTI Consulting, experts in communication strategy.

5:30 pm - 6:00 pm

**Closing remarks**

# SPEAKERS

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### **Yoshiaki Muto**

Chair, Asia Pacific Dispute Resolution | Tokyo

Yoshiaki has more than 25 years of experience handling international dispute and compliance matters. He focuses his practice in the areas of domestic and international dispute resolution, including litigation and arbitration, corporate investigation and compliance, and crisis handling. He also regularly advises his clients on corporate transactions and general corporate and commercial matters. Yoshiaki is currently the Chair of Baker McKenzie's Asia Pacific Dispute Resolution Practice Group and also leads the Tokyo office Dispute Resolution Group.



### **Cynthia Tang**

Partner | Hong Kong

Cynthia heads the Dispute Resolution Group of Baker McKenzie Hong Kong Office. She has over 25 years of experience in Hong Kong and Asia and is well-recognized as one of the region's leading dispute lawyers. Her practice focuses on domestic as well as cross-border disputes and regulatory enforcement, and she has substantial experience in dealing with the HK regulators and regulators in all major jurisdictions where financial services companies operate. She regularly advises financial institutions and the wider financial services industry, directors and employees in regulatory enforcement matters. She is also an expert in listed company regulatory issues. Cynthia has been acknowledged as a leading regulatory lawyer over consecutive years by major legal publications, including *Chambers Asia Pacific*, *Asia Pacific Legal 500* and *IFLR1000*.



### **Celeste Ang**

Partner | Singapore

Celeste's practice encompasses corporate litigation and arbitration, both domestic and cross-border. Celeste also has significant experience advising clients on compliance and regulatory issues in the context of cross-border investigations. She has advised clients from various industries, such as financial/financial services, energy, oil and gas, healthcare, technology, on compliance and regulatory issues, and assisted them in internal and external investigations (including cross-border investigations) on anti-bribery/anti-corruption, antitrust, tax, customs/export control and fraud issues and incidents. Additionally, she advises clients on a wide range of employment and employment-related issues, with a focus on contentious or potentially contentious issues.



### **Georgie Farrant**

Partner | Sydney

Georgie focuses on commercial disputes, including multijurisdictional disputes, civil and criminal actions relating to financial services and financial products, and internal investigations. She also advises on compliance and regulatory issues such as anti-corruption, anti-money laundering, whistleblowing and regulatory investigations. She currently leads the Firm's Compliance & Investigations team in Australia. Georgie has practiced both in the UK and Australia and her experience includes working for a regulator and working in an in-house compliance team.

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### **Simon Hui**

Partner | Shanghai

Simon has in-depth experience in handling compliance/regulatory matters including arbitration, anti-bribery/anti-corruption and unfair competition issues. His extensive experience in compliance & investigation covers a broad range of industries including pharmaceutical, life science, automotive, outsourcing and media. He has conducted complex internal investigations for a large number of multinational companies. He has also performed due diligence/risk assessment and provided training to multinational companies' management and business teams focusing on anti-bribery/anti-corruption issues.



### **Roberta Chan**

Special Counsel | Hong Kong

Roberta's practice focuses on all aspects of commercial and corporate litigation including company and shareholder disputes, contract and tort claims. She also has extensive experience in insurance and employment matters, including policy interpretation and defense of claims involving contractors' risks, public liability, employees' compensation, professional indemnity and other specialist insurance policies.



### **Bryan Ng**

Partner | Hong Kong

Bryan's practice focuses on disputes related to financial services, regulatory investigations, white-collar crime, commercial disputes and insolvency-related matters. He advises international financial institutions in investigations and disciplinary proceedings by the Securities and Futures Commission, the Hong Kong Monetary Authority and The Stock Exchange of Hong Kong Limited. He conducts and manages complex cross-border internal investigations and reviews. He is also experienced in advising on strategy in managing and reviewing electronic data.



### **Paolo Sbuttoni**

Partner | Hong Kong

Paolo advises clients in a broad range of industry sectors on IT contracts/outsourcing, privacy/data protection, e-commerce, and telecommunications/internet regulatory issues. He has recently advised a number of companies on establishing comprehensive data governance frameworks across the region. Other recent experience includes assisting clients with the establishment of e-commerce platforms in Asia and related technology agreements and privacy compliance. He also has extensive experience in general commercial issues and agreements and regularly assists clients with licensing, franchise, supply, agency and distribution agreements and on compliance with consumer laws.



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### **Yvette Yu**

Special Counsel | Hong Kong

Yvette advises clients on a broad range of contentious matters, with a particular focus on commercial and trade disputes, product compliance and liability, public and regulatory law, media and defamation, as well as antitrust/competition investigations and enforcement actions. She is a Solicitor Advocate with full rights of audience to appear before all levels of Hong Kong courts in civil proceedings.



### **Tom Jenkins**

Special Counsel | Hong Kong

Tom's practice covers a broad range of Asia Pacific and EU competition law issues including merger control, competition investigations, distribution arrangements, abuse of dominance, joint ventures, issues relating to intellectual property and competition law and competition compliance. He advises clients in a broad range of sectors such as the insurance/financial services, life sciences, energy/mining, fast moving consumer goods, media, logistics & IT.



### **Robert Wright**

Special Counsel | Hong Kong

Robert is a member of the Baker McKenzie Asia Pacific M&A and Private Equity Group. His practice focuses on private equity M&A transactions as well as investments and corporate restructurings for financial sponsors, and listed and unlisted companies. He also specializes in advising regionally based clients on Australian inbound investments. Robert has worked closely with multi-national corporate clients and private equity sponsors across Technology, Media and Telecommunications (TMT), Health, Financial Services, Consumer/FMCG and Infrastructure sectors.



### **Rowena Lee**

Assistant Vice President, Private Equity and M&A Services, Asia | Marsh

Rowena Lee is part of the Transaction Risk Practice of Marsh's Private Equity and M&A Team in Hong Kong, which develops tailor-made solutions for Marsh's private equity and corporate clients across the Asia region. Rowena's principal responsibility is to advise clients on risk solutions throughout their deal cycle. Specializing in warranties and indemnities insurance (W&I), Rowena leads negotiations of W&I policies for M&A transactions and assists clients in securing favorable terms. She is also the key liaison person with the insurance markets and maintains relationships to provide clients with access to the best providers. Rowena joined Marsh from Baker McKenzie, and has practiced in their Malaysian and Hong Kong offices as a Senior Associate. She specialized in international and regional cross-border M&A, corporate restructurings, joint ventures and strategic alliances.

*\*Further speaker information to be added.*

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### **Henry Chen**

Special Counsel | Shanghai

Henry has extensive experience advising clients on international regulatory and compliance investigation matters. He has assisted many multinational corporations in complying with anticorruption and fraud-prevention laws, including the U.S. Foreign Corrupt Practices Act ("FCPA"), the UK Bribery Act, and PRC anti-bribery laws. Henry has conducted numerous complex internal compliance investigations in a wide variety of industries.



### **Stanley Lui**

Head of Legal and Compliance AP - Hilti | Hong Kong

Stanley Lui has been Hilti's Head of Legal and Compliance for the APAC region since Sept'2015; one of his key functions is formulating and directing compliance programs. Prior to joining Hilti, Stanley worked five and a half years at Nobel Biocare – a medical device manufacturer – as its General Counsel for APAC where he was responsible for procuring legal, compliance and risk related advice to various business functions. Stanley has also worked for the Fire and Security unit of United Technology Corporation (2007 to 2009) and local apparel retailer G2000 (2005 to 2007).

*\*Further speaker information to be added.*

[www.bakermckenzie.com](http://www.bakermckenzie.com)

## Key contacts:

### Meeting Agenda

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### Event Manager

#### **Samia Choudhury**

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*An application has been made for Hong Kong CPD points with the Law Society of Hong Kong. General CLE credit hours will also be available for California and New York.*