

KLUWER LAW & LEGAL PLUS CONFERENCE FOR GENERAL COUNSELS

JAPAN: 5TH ANNUAL INTERNATIONAL ARBITRATION, REGULATORY AND COMPETITION LAW GLOBAL FORUM

(This conference will be conducted in English)

Thursday, 6 September 2018, 9:05am – 5:15pm

Keio Plaza Hotel, Tokyo

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SPEAKERS



Andrew Pullen
Fountain Court Chambers
Chairman – AM Session



Dr. Derek Ritzmann
Economic Expert,
Economics Partners
Chairman – PM Session



Dr. Wolfgang Peter
Partner, Peter & Partners
Keynote Speaker



Chris Bailey
Partner, King & Spalding
Moderator – 1st Grand Panel



Marcus Pollard
Solicitor, Competition &
Antitrust, Linklaters
Moderator – 2nd Grand Panel



Stephen Mavroghenis
Partner, Quinn Emanuel
Urquhart & Sullivan LLP



Christopher D. Frey
Counsel, Paul, Weiss, Rifkind,
Wharton & Garrison LLP



James Webber
Partner, Shearman & Sterling



Hideyuki Shimozu
Senior Planning Officer,
International Affairs Division,
Japan Fair Trade Commission
(JFTC)



Ronnie King
Special Counsel, Ashurst



Charles Allen
Partner, Orrick,
Herrington & Sutcliffe



Arvin Lee
Partner, Wee Swee Teow LLP



Kent Phillips
Partner, Hogan Lovells Lee & Lee



Ravi Shankar
Senior Partner, Law Senate



Hisako Matsuda
Registered Foreign Lawyer,
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This conference will be conducted in English

Venue: Keio Plaza Hotel

Harmony Room, 44/F, Keio Plaza Hotel
2-2-1 Nishi-Shinjuku, Shinjuku-ku, Tokyo, Japan 160-8330

Normal rate: US\$850

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(on or before 17 August 2018)

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SCHEDULE

9:05 – 9:20	Opening Welcome by Chairman Andrew Pullen, Fountain Court Chambers	12:45 – 13:45	Networking Lunch
9:20 – 9:45	Keynote Session – International Overview of Arbitration in 2018 and Where Its Needs to Improve for Companies Dr. Wolfgang Peter, Partner, Peter & Partners	13:45 – 13:50	Opening Welcome by Chairman Dr. Derek Ritzmann, Economic Expert, Economics Partners
9:45 – 10:10	Japan Arbitration Overview – Into the Future	13:50 – 14:10	Update on Trade in Japan in 2018 from JFTA Hideyuki Shimozu, Senior Planning Officer, International Affairs Division, Japan Fair Trade Commission (JFTC)
10:10 – 10:30	Arbitrating Insolvency Disputes Charles Allen, Partner, Orrick, Herrington & Sutcliffe	14:10 – 14:40	Merger Control in Asia James Webber, Partner, Shearman & Sterling
10:30 – 10:50	Networking & Morning Refreshment	14:40 – 15:10	Advising on Cartel Enforcement in Asia Stephen Mavroghenis, Partner, Quinn Emanuel Urquhart & Sullivan LLP
10:50 – 11:20	Funding International Arbitration – An Investor- State Case Study Chris Bailey, Partner, King & Spalding	15:10 – 15:35	Competition Law in Asia & Japan
11:20 – 11:40	Advising on Stakeholder/ Shareholder Disputes Ronnie King, Special Counsel, Ashurst	15:35 – 16:00	Networking Break & Afternoon Refreshment
11:40 – 12:00	Cross Border Disputes – What In-house Counsels Need to Know Representative from Harney Westwood & Riegels Singapore LLP	16:00 – 16:30	Managing Internal Investigations Christopher D. Frey, Counsel, Paul, Weiss, Rifkind, Wharton & Garrison LLP
12:00 – 12:45	1st Grand Panel – Ask the Experts – Expedited Procedures in International Arbitration – Panel Regional Discussion – Japan, India, China, US – Q/A Moderator • Chris Bailey, Partner, King & Spalding Panellists: • Ravi Shankar, Senior Partner, Law Senate • Kent Philips, Partner, Hogan Lovells Lee & Lee • Hisako Matsuda, Registered Foreign Lawyer, Oh- Ebashi LPC & Partners	16:30 – 17:15	2nd Grand Panel – Competition Law – Leniency in Japan – Regional Update Moderator • Marcus Pollard, Solicitor, Competition & Antitrust, Linklaters
		17:15 – 17:20	Closing Remarks & Lucky Draw
		17:20 – 18:20	Networking Cocktail

Andrew Pullen, Fountain Court Chambers

Andrew Pullen is an experienced dispute resolution lawyer and advocate. He practises principally in international arbitration and is based in Singapore. Prior to joining Fountain Court Chambers, Andrew practised for 15 years as a solicitor at Allen & Overy. He was admitted as a solicitor in England & Wales

in 2002 and granted the solicitors' higher courts (civil advocacy) qualification in 2011, before being called to the Bar of England & Wales in 2016 and taking up practice with Fountain Court in 2017. He also holds a full registration as a registered foreign lawyer with the Singapore International Commercial Court, entitling him to appear before that court.

Andrew specialises in international arbitration, with experience of both commercial and investment treaty arbitration. He has extensive experience of international arbitration in both Asia and Europe, having been based in Singapore (since 2011) and London (2002-2011). He has acted for clients in Asia, Europe and South America across a variety of business sectors, including finance, energy, automotive, defence, utilities, steel, manufacturing, brewing and media.

Andrew has acted in arbitrations held under a wide variety of arbitral rules (ICC, LCIA, SIAC, SCMA, SCC, JCAA, AAA, Swiss Rules, UNCITRAL, and ICSID), in London, Hong Kong, Singapore, Stockholm, The Hague, Tokyo, Washington D.C. and Zurich.

Dr. Derek Ritzmann, Economic Expert, Economics Partners

Dr. Derek Ritzmann is an Economic Expert at Economics Partners, working across the Asia-Pacific region based in Hong Kong. He has been practicing as an economist for over 20 years and specializes in the economics of competition, regulation, and arbitration. Dr. Ritzmann has worked on a wide range of competition and regulation matters as an economist in both the private and public sectors, including many mergers, anti-competitive agreements, abuse of dominance cases, and economic regulation. Dr. Ritzmann spent over a decade as a senior economist at competition and regulatory agencies and consequently has significant expertise in dealing with agencies on such matters. He was the first Chief Economist of the Hong Kong Competition Commission, in the Chief Economist Team at the European Commission's Competition Directorate, and the Principal Economist (for both competition and telecommunications regulation) at the Australian Competition and Consumer Commission. Most recently, he headed the Asia-Pacific practice based in Hong Kong of a large economic consulting firm; previously, he worked in private practice as an economist at two leading consulting firms in Europe and as a competition lawyer in Australia. He is listed in the Who's Who Legal Directory as a Competition Economist and is a recent winner of a Concurrences Antitrust Writing Award. He holds a Ph.D. in Economics from Oxford University, an M.Sc. in Economics from the London School of Economics, and is a qualified lawyer in the USA, the UK, and Australia.

Dr. Wolfgang Peter, Partner, Peter & Partners

Dr. Wolfgang Peter is founding partner of Peter & Partners Int'l Ltd, and is recognized by clients and his peers as one of the most in-demand counsels and arbitrators in Europe and globally.

Dr Peter has acted as counsel and arbitrator in over 240 arbitrations under most major international arbitration rules as well as in ad hoc arbitrations. He is particularly active in post-M&A disputes, as well as cases involving gas & oil contracts, such as price reviews under long-term gas supply agreements.

Prior to his new venture at Peter & Partners, Dr. Peter founded and headed the arbitration group of Python & Peter, and acted as a CEO of two luxury watch-making companies, for 12 years.

Chris Bailey, Partner, King & Spalding

Chris Bailey leads our Global Disputes practice in Tokyo and specializes in arbitration, litigation and all forms of alternative dispute resolution. A partner in our International Arbitration practice, Chris represents clients in cross-border disputes and regulatory matters across a range of industries, with the core of his practice in the construction, energy and resource sectors. Chris has practiced for over 10 years in Tokyo, including a two-year secondment with one of Japan's leading trading houses, and is a member of the Dai-ichi Bar Association and registered as a Gaikokuho Jimu Bengoshi.

Chris is a Fellow of the Chartered Institute of Arbitrators, a Member of the SIAC Japan Users Counsel, has been selected to become a member of the SIAC Panel of Arbitrators and appears as an advocate in international arbitration. He is also a Solicitor Advocate with rights of audience in the English High Courts. From Tokyo, he represents clients in a wide variety of commercial disputes submitted to arbitration under ICC, JCAA and SIAC Rules, amongst others; and in national courts including England, Japan, Singapore, Thailand and the U.S. In London, Chris was a commercial litigator appearing before the Commercial Court at the Royal Courts of Justice.

On the regulatory front, Chris has been involved in full-scale corruption investigations involving the U.S. Department of Justice, the UK Serious Fraud Office and the Nigerian Economic and Financial Crimes Commission, as well as investigations arising out of transactions in Africa and the Middle East. Chris was also involved in the recent global investigations into the trading activities of the major financial institutions.

Since 2013, Chris has been featured in the Asia Pacific legal directories for Disputes and Projects & Energy, and in recent years, has been individually recommended in both Chambers and Legal 500 directories for Japan Dispute Resolution: International Firms. In addition, Chris is included on Who's Who Legal: Arbitration's Future Leaders - Partners list and was named in Asian Legal Business' 40 Under 40 list in 2016.

Chris speaks on investment protection, arbitration, dispute resolution and anti-corruption matters throughout Asia. His articles have been featured in publications such as Bloomberg Law Report and on the Lexology website.

Marcus Pollard, Solicitor, Competition & Antitrust, Linklaters

Marcus Pollard is based in Hong Kong in Linklaters' Asia Antitrust & Competition practice advising companies on a wide range of Asian and global competition law issues.

Marcus is widely recognised amongst his peers in the region. In 2017, Marcus was named as a "Next Generation Lawyer" by Legal 500. In 2017 and 2018, Marcus was named as a 'Who's Who Legal Future Leaders for Competition'. In the past year, Marcus has taken a leading role in advising a client through the challenges of litigation in the Hong Kong Competition Tribunal, and supporting multinational clients in three of Hong Kong's first and ongoing antitrust investigations by the Hong Kong Competition Commission. Marcus recently spent 2 years at the Hong Kong Competition Commission assisting the organisation develop its Guidelines, Leniency Policy and act as Case Manager on some of its initial enforcement cases.

Prior to moving to Asia, Marcus was based in Brussels and worked on a range of global cartel and antitrust matters - including investigations with complex remedy/commitment processes in the EU and China, leniency applications, and multinational litigation. Marcus also has had a wide experience of merger control and handled a large number of multi-jurisdictional transactions, including global matters with a strong Asia-Pacific focus and in-depth investigations with remedies. He has experience of working with clients in several industries, including the financial services, healthcare, IT, telecommunications, food & beverage, and retail sectors. Marcus graduated from Oxford University and the College of Europe. He is a solicitor in Hong Kong and England & Wales.

Stephen Mavroghenis, Partner, Quinn Emanuel Urquhart & Sullivan LLP

Stephen Mavroghenis is Partner of Quinn Emanuel Urquhart & Sullivan LLP. Prior to joining Quinn Emanuel Urquhart & Sullivan LLP, Stephen was the head of Shearman & Sterling's Brussels office and cohead of the Global Antitrust Group. His practice focuses on competition law and policy. Stephen's practice focuses on EU and UK competition law, in addition to EU regulatory and intellectual property law. Stephen has extensive experience in the aviation, chemicals, energy, high-tech and information technology, pharmaceuticals and medical devices, manufacturing, and media and entertainment industries. He regularly appears in proceedings before the European Commission and the European Courts in Luxembourg. He also appears before the national competition authorities of several member states. Stephen regularly advises multinational corporations on international mergers, acquisitions, joint ventures and corporate takeovers and defends clients against allegations of cartel participation and abuses of dominance, including issues relating to refusals to deal/license, intellectual property rights, rebates, predatory and excessive pricing. Stephen also regularly counsels clients on a broad variety of business practices including licensing and supply agreements, distribution, agency and the establishment and maintenance of compliance programs.

Stephen has published widely on competition issues and is a contributor to multiple legal publications, and is a frequent speaker on competition law and policy.

Christopher D. Frey, Counsel, Paul, Weiss, Rifkind, Wharton & Garrison LLP

Christopher Frey is counsel in the Tokyo office of Paul, Weiss, Rifkind, Wharton & Garrison LLP. He focuses his practice on white-collar defense, government investigations, regulatory enforcement matters, internal investigations and complex business litigation. Christopher regularly advises corporations and senior executives in internal investigations and in all stages of criminal and regulatory investigations and proceedings.

Prior to joining Paul, Weiss, Christopher served for over six years as an Assistant U.S. Attorney in the Criminal Division of the U.S. Attorney's Office for the Southern District of New York. There, he investigated and prosecuted a wide array of complex white-collar matters, including FCPA violations, insider trading, accounting fraud, market manipulation, investment advisor fraud, money laundering, intellectual property and cybercrimes, and criminal tax offenses. During his tenure as a prosecutor, Christopher was the lead trial lawyer in numerous jury trials, and he has substantial appellate experience, having briefed and/or argued over a dozen appeals before the U.S. Court of Appeals for the Second Circuit.

Christopher also served as Associate Counsel in the Office of the White House Counsel. In that capacity, he helped develop and execute the White House's response to various Congressional investigations, and provided legal and strategic advice to White House staff and Executive Branch officials on compliance, oversight and risk management issues.

James Webber, Partner, Shearman & Sterling

James Webber is a partner in the Antitrust practice in Brussels and London.

He focuses on EU and UK antitrust law.

James's competition practice and experience are very broad covering merger control, behavioural competition, State aid and litigation. His work has included acting as lead advisor on EUMR and CMA merger approvals, State aid notifications and litigation, defending cartel damages actions, advising in respect of UK market investigations and studies as well as counseling clients on on-going antitrust and competition matters.

Hideyuki Shimozu, Senior Planning Officer, International Affairs Division, Japan Fair Trade Commission (JFTC)

Mr. Hideyuki SHIMOZU is Senior Planning Officer in international affairs division, Japan Fair Trade Commission (JFTC). He has been working for JFTC since 1997 and has experienced in many areas of the antitrust policy such as case investigation, leniency program, international affairs, merger review, economic research and others.

He is also the strategist in Economic Analysis Team, JFTC. JFTC is very positive to utilize economic analysis in its policy making, sector research and others. He has been involved in economic analysis or data analysis in several sector researches and plays a role as an engine to promote an economic analysis in JFTC.

Ronnie King, Special Counsel, Ashurst

Ronnie has practised with Ashurst since 1984 and is currently a Special Counsel in our Tokyo office. Ronnie moved to the Tokyo office having been Managing Partner of Ashurst Singapore for two years and prior to that, a partner in the Ashurst London dispute resolution department. He is one of the most experienced arbitration practitioners based in Asia and has extensive experience handling disputes for clients in a variety of industries, in particular, the energy, power and mining, telecoms and insurance and re-insurance sectors.

Ronnie appears as an advocate in international arbitrations and also sits as an arbitrator. Prior to his relocation to Asia, Ronnie acted on some of the highest value commercial arbitration and litigation cases in the London market, including the largest ever claim for competition law damages and several major disputes between Russian oligarchs. He has experience of arbitrating claims involving allegations of bribery and influence peddling and in advising clients on potential breaches of UN and other sanctions. Ronnie's current arbitral appointments include arbitrations in the telecommunications, finance and medical sectors. He has long been recognised in major independent guides in the legal profession as a specialist for his arbitration, investigations and energy sector disputes work.

Charles Allen, Partner, Orrick, Herrington & Sutcliffe

Charles Allen, a partner in Orrick's Hong Kong office, heads the Commercial Litigation and International Arbitration practice in Hong Kong. Charles Allen has over 20 years' experience conducting high-value complex commercial litigation and arbitration in the Asia Pacific Region. Advising and assisting on a variety of business disputes, as well as regulatory and other investigations, employment law issues and transactions, Charles acts for a range of clients, including individuals, private and listed companies, multinationals, conglomerates and financial institutions. Charles conducts litigation in the High Court of the Hong Kong SAR, and is regularly involved in cases taking place in courts in other jurisdictions around the Region, including Mainland China, Singapore and India.

On behalf of clients, Charles has handled numerous ad hoc and institutional arbitrations in Hong Kong, London, Lausanne, Paris and elsewhere under various rules including ICC, LCIA, UNCITRAL and LMAA, and has handled some of the highest profile arbitration-related litigation adjudicated on by the Hong Kong courts in recent years. He also sits as an arbitrator, and has been appointed to the Singapore International Arbitration Centre's Reserve Panel of Arbitrators.

Charles has been consistently recognized by various prestigious legal publications such as Chambers Asia, Asia-Pacific Legal 500 and Who's Who Legal. He gains high praise from his clients and peers for being "very knowledgeable, experienced and down-to-earth". One impressed source refers to him as a "shrewd tactician" who "brings a wealth of experience to his cases," adding that he is "very hands-on in his approach." He is "a very sharp and tactical lawyer - one of the best people to instruct in Hong Kong." Prior to joining Orrick, Charles was since 2007 a partner and a member of the Office of General Counsel of Sidley Austin in Hong Kong.

Arvin Lee, Partner, Wee Swee Teow LLP

Arvin Lee is a Partner of Wee Swee Teow LLP, a 106-year-old Singapore law firm with strong capabilities in international commercial and construction dispute resolution, helmed by a renowned Senior Counsel, as well as real estate and trusts work.

Arvin is an early advocate of third party funding, and maintains good working relationships with various third party funders through fair assessments. He works with claimant clients to obtain such funding for international commercial arbitrations that reduces their financial exposure, and sends a

strong signal about the merits of their claim(s). He also has instructed funders with sophisticated enforcement and recovery capabilities to recover award and judgment debts in "difficult" jurisdictions.

As his dispute resolution practice relates to Southeast Asia and Greater China, he has honed practical instincts to getting results across jurisdictions. In 2017, the PRC Courts enforced (with finality) an SIAC Expedited Procedure arbitral award he obtained as lead counsel for a Singapore listed company client for specific performance by Chinese parties for the transfer back of his client's trademark. He regularly receives instructions to strategise and coordinate with local counsel in commercial disputes, where ultimate enforcement is to take place in Southeast Asian jurisdictions.

Arvin is an Arbitrator of the Korean Commercial Arbitration Board (International) and the Beijing Arbitration Commission. He is a Fellow of the Chartered Institute of Arbitrators (UK), and holds law degrees from Harvard and the London School of Economics.

Kent Phillips, Partner, Hogan Lovells Lee & Lee

Kent has over 15 years' experience as a dispute resolution lawyer, concentrating on international arbitration in both London and Singapore. Kent has conducted arbitrations under leading institutional rules in most major seats, under both civil and common applicable laws. His extensive trial experience includes high value commercial disputes across a number of sectors and jurisdictions. His final years in London were spent leading disputes between high profile Russian oligarchs, with merits hearing of claims involving some US\$3bn. From Singapore he is routinely involved in disputes relating to services and infrastructure in the resources, energy and oil & gas sectors. These include construction and commodities matters and often involve South East Asia or India.

He conducts all stages of proceedings, from interim measures to advocacy at trial. He also holds full registration as a foreign lawyer to appear before the Singapore International Commercial Court. Kent is recognised by Chambers Asia Pacific as a leading individual for Dispute Resolution: Arbitration (Singapore) in 2014 and 2015. He regularly sits as an arbitrator and is on the SIAC panel. He is a director of the Chartered Institute of Arbitrators - Singapore branch.

Ravi Shankar, Senior Partner, Law Senate

S. Ravi Shankar is an International arbitration lawyer practising in the field of arbitration and corporate dispute resolution. He is a Senior partner in the New Delhi based Lawsenate law firm. He is a qualified Advocate on Record in the Supreme Court of India. He is also the president of "Arbitration Association of

India" which is a national body of practitioners, arbitrators and users. He is holding a Post graduate degree in Business Administration and a degree in the field of law. He is having about 20 years of experience in the field of dispute resolution and has travelled across the globe on various assignments. He has published various publications in the field of law particularly in the field of Arbitration. He also has addressed various international and domestic conferences in the field of Dispute resolution. He has handled various high value arbitrations and litigations in India and outside India. He is an active member of various international professional organisations including IBA, ICCA, IAA, IAI, AAI etc..

Hisako Matsuda, Registered Foreign Lawyer, Oh-Ebashi LPC & Partners

Hisako Matsuda (Ms.) of Oh-Ebashi LPC & Partners (Tokyo Office) is a solicitor licensed in Hong Kong, England & Wales. In Japan, she has been a Registered Foreign Lawyer (Gaikokuho Jimu Bengoshi) since 2004. She focuses her practice on cross border matters, both commercial disputes and international transactions for Japanese and foreign clients. For the transaction side, her expertise are in drafting and negotiating various international commercial contracts such as joint venture agreements, M&A agreements, license agreements, distribution agreements and others for long decades. Her legal insights have helped so many clients to develop international commercial businesses. For cross border disputes, she has been involved in international commercial disputes in various overseas court proceedings and ADRs including representing clients in ICC and JCAA commercial arbitration in the cases of major construction disputes, IP license disputes, etc. She also assists the lawyers in the firm in many major international disputes. She is a Fellow of the Chartered Institute of Arbitrators (FCIArb) and a Specialist Mediator of Singapore International Mediation Centre (SIMC). She writes monthly on the Journal of the Japan Commercial Arbitration Association regarding English Contract Law for Japanese in-house counsels and practitioners ("The Key Principles and Practice in English Contract Law"). She also teaches at Graduate School of Law in Chuo University. Her classes are English Contract Law and Asian Business Law.

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The Organiser

Wolters Kluwer offers opportunities for our delegates to receive business critical information and timely insight and analysis from our expert presenters. Our events also provide a platform for discussion to allow delegates to explore the intricacies of the information presented while interacting and exchanging news and experiences with peers. Our programmes are conducted by industry experts, practitioners and academics who are able to provide participants a well-balanced blend of theoretical fundamentals and practical applications.