

9th Annual Asset Management Asia Seminar

Legal, Regulatory and Compliance Issues

4-5 September 2014, Singapore

- Assess the recent regulatory developments for Singapore, Hong Kong, China, Japan, Myanmar, Thailand, Vietnam, Indonesia and more
- Examine the key challenges that Asset Managers are facing today and learn compliance tips to ensure potentially higher investment returns
- Overcome the market, technology and regulatory threats with comprehensive compliance and internal control procedures
- Seize every investment opportunity by adjusting adroitly to the developing asset management regulatory environment and to client demands

Presented in association with:

Ali Budiardjo, Nugroho, Reksodiputro

Anderson Mori & Tomotsune

Arendt & Medernach

Duane Morris & Selvam

Kim & Chang

Mayer Brown JSM

Nishith Desai Associates

Russin & Vecchi

Shook Lin & Bok

Simmons & Simmons

SyCip Salazar Hernandez & Gatmaitan

Tilleke & Gibbins

Zaid Ibrahim & Co

Zhong Lun Law Firm

“
Very useful, good structure.
It is helpful to obtain a
snapshot of the various Asian
jurisdictions”

Legal Counsel
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Who Should Attend

- Compliance managers
- In-house legal counsel
- Risk managers
- Prime brokers
- Fund management service providers
- Fund managers and distributors
- Hedge fund managers
- Investment fund managers
- Lawyers
- Pension fund managers and trustees
- Capital market managers
- Regulators

OVERVIEW

The complex web of international regulations and increased investor demands continues to present challenges for the Asset Management industry. Now in its 9th year, Euromoney Legal Training is proud to present its annual Asset Management Asia Seminar covering legal, regulatory and compliance issues. How will investor expectations and the new era of regulation affect your business performance?

Join this dynamic gathering of Asset Managers, Compliance and Legal Professionals to share the challenges of and strategies for investing in Asia. The Seminar will bring together seasoned Asset Management specialists to discuss the regulatory development, compliance requirements, corporate governance, disclosure and transparency in investments, funds and products. This is a seminar you won't want to miss!



“
This is my 3rd attendance, and I'm still enjoying it. Very Informative!”

JPMorgan Asset Management (Singapore) Limited

This programme is held in association with the following institutions: **Shook Lin & Bok, Zhong Lun Law Firm, Arendt & Medernach, Ali Budiardjo, Nugroho, Reksodiputro (ABNR), Simmons & Simmons, Anderson Mori & Tomotsune, Duane Morris & Selvam, Mayer Brown JSM, Nishith Desai Associates, Tilleke & Gibbins, Russin & Vecchi, Kim & Chang, Zaid Ibrahim & Co and SyCip Salazar Hernandez & Gatmaitan.**

imas**INVESTMENT MANAGEMENT ASSOCIATION OF SINGAPORE**

The Investment Management Association of Singapore (IMAS) was formed on 22nd September 1997. It is a representative body of investment managers spearheading the development and growth of the industry in Singapore.

By fostering high standards of professionalism and promoting exemplary practice among members, IMAS seeks to set the benchmark for the investment and fund management industry in Singapore.

It also serves as a forum for members in discussions as well as a collective voice where representation is needed on behalf of the investment management industry, facilitating training for its members, and contributing towards investor education.

For more information, visit the IMAS website at www.imas.org.sg.



The Hong Kong Investment Funds Association (“HKIFA”) is a non-profit-making organization that represents the asset management industry in Hong Kong. We have two major roles, namely consultation and education. On consultation, we work closely with the authorities to relay the views of our members on issues that have implications for the asset management industry. On education, we spearhead initiatives to enable Hong Kong people to understand more about the risk/return characteristics of mutual funds; and to use them effectively for retirement investment and other financial planning purposes. We have 61 fund management companies as full/overseas members. They manage about 1,200 SFC-authorized funds as at the end of February 2014, involving total assets of about US\$980 billion. In addition, we have 63 affiliate and associate members. (www.hkifa.org.hk)

Agenda

Day 1 4 September 2014

08:30 Registration

09:00 Chairperson Opening

Sally Wong

Chief Executive Officer

Hong Kong Investment Fund Association

09:10 Singapore asset management industry: Formation, management and distribution

- Regulatory framework
- Licensing and exemption regime
- Distribution of funds
- Safe harbours
- Regulatory updates

Tan Woon Hum

Partner, Shook Lin & Bok

10:00 Legal updates on asset management in China

- Regulatory updates
- RMB liberalization
- Policy changes
- Liberalization of the financial services industry in China
- Challenges and opportunities for global asset managers

Basil Hwang

Partner, Zhong Lun Law Firm

10:50 Networking Break

“ This seminar provided me with valuable insight into the regional regulatory and compliance asset management environment and helped me to rethink opportunities for my firm”

Legal & Compliance Secretarial
Valuecap Sdn Bhd

11:20 Developments in the Hong Kong regime

- OEIC, MOUs and other market developments and trends
- Fund raising and challenges in the institutional and retail space
- Other regulatory developments for managers and funds

Rolfe Hayden

Partner, Simmons & Simmons

12:10 Japan's asset management business

- Laws and regulations overview
- Asset class and market players overviews
- NISA: Japanese version of UK individual saving account
- Challenges for asset managers

Atsutoshi Maeda

Partner, Anderson Mori & Tomotsune

13:00 Lunch

14:00 Updates on EU existing and new regulation/new products

- Investment funds: UCITS V and VI, AIFMD, PRIIPS, EMIR, etc
- UCITS ETF and other specific regulation
- New strategies in UCITS: PRC access through QFII and R-QFII
- AIFMD: Focus on substance, delegations, and the third countries rules
- Private placement rules in the EU

Stéphane Karolczuk

Senior Associate, Arendt & Medernach

14:50 Malaysia investment updates

- Overview of legal and regulatory framework
- Distribution of funds in Malaysia
- Outlook and growth potential of the Islamic funds industry in Malaysia

Tan Wooi Hong

Partner, Zaid Ibrahim & Co

Madzlan Mohamad Hussain

Partner, Zaid Ibrahim & Co

15:40 Networking Break

16:10 Legal updates on fund regulation in Indonesia

- Overview of regulatory and licensing framework
- The Reksadana: Recent developments
- Distribution of funds into Indonesia
- Investor challenges and opportunities

Theodoor Bakker

Foreign Counsel

Ali Budiardjo, Nugroho, Reksodiputro (ABNR)

“ This event gives a good overview of the regulatory requirements in the various key jurisdictions”

Head of Compliance
Schroder Investment Management (SG) Ltd

17:00 End of Day 1

Day 2 5 September 2014

09:00 Chairperson Opening

Sally Wong

Chief Executive Officer

Hong Kong Investment Fund Association

- Myanmar's financial sector: Latest reforms and developments

Krishna Ramachandra

Managing Director, Duane Morris & Selvam

09:10 Overview of Korea's investment management regulatory regime

- Managing assets for and providing investment advice to Korean investors
- Offer and sale of offshore funds to Korean investors
- Sale of offshore funds to Korean feeder funds and fund of funds
- Hedge funds
- Recent developments

Partner, Kim & Chang

13:00 Lunch

14:00 Vietnam's regulatory framework for funds

- Overview of the market and recent trends
- Regulatory framework applicable to onshore and offshore funds
- Impact of restructuring the banking sector on investments
- Investor sentiment and current opportunities in Vietnam
- Legal considerations related to investing in Vietnam
- Offshore issuance of synthetic products

David Harrison

Consultant, Mayer Brown JSM

10:00 Taiwan: Regulatory pressures on cross border distribution

- Fund registration becoming more complex and costly
- Pressures and inducements to "come onshore"
- Reshuffling master agent and sales agent relationships
- Private placement safe harbor
- The "OBU" channel

Thomas H. McGowan

Partner, Russin & Vecchi

14:50 India investment strategy

- Key trends and strategies for India-focused funds in Singapore
- Entry routes and investment opportunities
- Foreign portfolio investments
- Key Indian regulatory issues
- Strategies for managing tax risks and current perspective on Singapore vs. Mauritius

Pratibha Jain

Partner, Nishith Desai Associates

10:50 Networking Break

11:20 Growth opportunities for asset management in Thailand

- Thai regulation in asset management
- Regulatory and licensing framework
- Roles of asset management companies in Thailand
- Recent development in REIT regulations

Cynthia M. Pornavalai

Partner, Tilleke & Gibbins

15:40 Regulatory framework for fund management in the Philippines

- The Philippines investment landscape
- Development of the capital and financial markets
- Funding requirements and Investment Regulations
- Lesson learned from recent cases

Philbert E. Varona

Partner, SyCip Salazar Hernandez & Gatmaitan

12:10 Overview of Myanmar's regulation of asset management

- An overview on Myanmar's investment regulatory framework
- Entering the Myanmar market: Rules, incentives and pitfalls
- Taxation: Obligations, exemptions and relief

16:30 Networking Session

17:00 End of Seminar

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Speaker biographies

Sally Wong
Chief Executive Officer

Hong Kong Investment Fund Association

Sally Wong is the CEO of the Hong Kong Investment Funds Association, a non-profit-making organization that represents the fund management industry in Hong Kong. She represents the industry in liaising with the authorities, legislators, media and other stakeholder groups to discuss issues that have implications to the mutual fund market and the Mandatory Provident Fund ("MPF") Schemes market. She also takes an active role in investor education and research initiatives. Mrs. Wong is a member of the Hang Seng Index Advisory Committee and a member of the MPF Guidelines Committee. She was an unofficial member of the Hong Kong SAR Government Advisory Committee on Bond Market Development. She chairs the International Regulatory Affairs Working Committee of the International Investment Funds Association.

Tan Woon Hum
Partner, Shook Lin & Bok

Woon Hum has advised on a wide range of investment funds, REITs, trust and corporate matters since 1996. He heads a team of specialist lawyers in the Trust, Asset & Wealth Management practice and co-heads the Corporate Real Estate practice. He advises on the establishment of traditional and alternative funds using Singapore and offshore funds structures such as unit trusts, corporate funds, limited partnership funds and listed REITs. He drafts and reviews the full range of fund documents. With his regulatory-related work, he works closely with the client and the regulators on the start-up phase, licence and exemption applications (including AIFM and RFMC), and the safe harbours and waivers applications. He also advises on the recognition of foreign funds, collective investment schemes and UCITs.

Basil Hwang
Partner, Zhong Lun Law Firm

Basil is a specialist in cross-border M&A, private equity, and financial markets regulation. He has represented major corporations, listed companies, pension funds and private equity firms on transactions including M&A, public takeovers, private equity and venture capital, corporate finance transactions and joint ventures. He is recognized by clients for his business insight and the quality of his advice, his familiarity with regulations and business practices in China and Hong Kong, and his ability to reliably and successfully execute transactions. He has led several award-winning transactions in Greater China and Asia, including the restructuring by a consortium of private equity funds of Delphi Automotive's holdings and assets in 12 different jurisdictions; the sale of Delphi's steering business to General Motors in Australia, India, Japan, and Korea; and the maintenance and perfection of the lenders' security interests throughout the transaction.

Rolfé Hayden
Partner, Simmons & Simmons

Rolfé is a partner in the Hong Kong office where he is head of the Financial Services Practice. He joined Simmons & Simmons in 2002 from a major City firm having worked in London and Bahrain (Law Office of Sheikh Isa Bin Mohammed Al Khalifa) before moving to Hong Kong in 1995. Rolfé has experience in all types of collective investment schemes, including ETFs, hedge funds, private equity funds, guaranteed funds and listed investment companies. He advises on offshore closed and open ended corporates, units trusts and limited partnerships as well as licensing, regulatory and securities issues connected with asset management in Hong Kong and Asia. Rolfé also has experience in bank regulation under the Banking Ordinance, mergers by way of private ordinance, SFC licensing issues as well as disclosure of interests under the Securities and Futures Ordinance.

Thomas H. McGowan
Partner, Russin & Vecchi

Tom is a US licensed attorney with 37 years of Asia-based experience. He worked in Korea for five years before joining Russin & Vecchi, Taipei, as a foreign legal consultant in 1982. Tom's practice focus is the financial services sector representing major MNC and investment banks, asset managers and private equity investors. Tom and his firm have an active practice in all aspects of the financial service business in Taiwan and offer in-depth knowledge of both the history and current status of the Taiwan legal and regulatory environment. He is the author of the Taiwan Chapter of the Asia Development Bank's "Guide to Restructuring in Asia, 2001", "Marketing Unit Trusts and Mutual Funds in Taiwan", "Capital Guide to Marketing Unit Trusts and Mutual Funds in Asia, (2006)" and the Taiwan chapter of the "Capital Report on Asian-Pacific Fund Markets to 2010".

Stéphane Karolczuk
Senior Associate, Arendt & Medernach

Stéphane is Head of Arendt & Medernach's office in Hong Kong, where he advises APAC clients on their Luxembourg legal and regulatory questions. He advises international clients on all issues relating to investment funds, such as the structuring, registration, marketing, public offering and listing of Luxembourg and foreign investment funds. He also advises and assists clients in relation to the selection and setting-up of investment structures, drafting of contractual and marketing documentation, and liaises with the Luxembourg financial regulator, and the Luxembourg Stock Exchange in relation to such matters. Stéphane has taken part in the activities of the Association of the Luxembourg Fund Industry (ALFI), the Hong Kong Investment Funds Association (HKIFA), the Hong Kong Private Equity and Venture Capital Association (HKVCA).

Theodoor Bakker
Foreign Counsel, Ali Budiardjo, Nugroho, Reksodiputro (ABNR)

Theodoor is admitted to the Amsterdam bar and is a registered Foreign Lawyer under the Indonesian Advocates Law. He has worked in Southeast Asia since 1984 and has built up extensive experience in foreign direct investment, project finance, including private power, aircraft finance, infrastructure development and general manufacturing investment. During the Asian financial crisis he was involved in many aspects of restructuring and insolvency and has advised on foreign law issues of bankruptcy reform in Indonesia. His practice now also encompasses structured finance and M&A. He is an international commercial arbitrator registered at the National Indonesian Arbitration Institute. He has published various articles on insolvency and cross-border investment issues and teaches at the Faculty of Law at the University of Indonesia and at the Ministry of Law and Human Rights.

Atsutoshi Maeda
Partner, Anderson Mori & Tomotsune

Atsutoshi Maeda has been engaged in an extensive range of legal matters. In particular, he has provided general corporate advice on issues regarding various commercial laws and compliance problems, as well as negotiated contracts in a broad range of industries and tackled disputes for domestic and overseas clients. Mr. Maeda also specializes in finance law, where he has extensive experience in banking and securitization deals and regulatory advisory work for domestic and foreign financial institutions, including various types of funds. For foreign clients, Mr. Maeda aims to demystify Japanese law and local market practice. He qualified and joined Anderson Mori & Tomotsune in 2000, and became a partner in 2008. He is currently in charge of the firm's relationships with foreign law firms.

Cynthia M. Pornaivalai
Partner, Tilleke & Gibbins

Cynthia is a champion of business rights in Thailand. From advising foreign investors on M&A and investing in Thailand to counseling major players in the Thai property market to helping lenders or debtors through debt restructuring and business reorganization matters, Cynthia's practice is as varied as the business goals of her successful clients. She is fluent in English, Japanese, Filipino, and Thai. Cynthia received a Doctor of Laws course in 1991 from Kyoto University. Drawing on her strong Japanese language and legal skills, she has developed a niche practice helping Japanese businesses invest and succeed in Thailand. Also a prolific author and an in-demand speaker, Cynthia has penned numerous authoritative texts and has lectured on business law at Thammasat University and Schiller-Stamford International College in Bangkok.

Krishna Ramachandra
Managing Director, Duane Morris & Selvam

Mr. Ramachandra is head of Duane Morris & Selvam's Corporate Finance and Investment and Private Client Practice Groups. His practice expertise includes M&A and capital markets, investments funds/private equity and Islamic finance law. He has many years of experience advising issuers, funds, investment banks, listed and private companies and HNWI in Asia, Europe and the U.S. on a wide range of equity and debt securities issuances, compliance and regulatory matters. His extensive experience in M&A and take-overs, private equity participation and exit strategies has led to his being regularly cited by various publications as a leading lawyer. Mr. Ramachandra is an Advocate & Solicitor of the Supreme Court of Singapore and a Solicitor of England and Wales. He speaks regularly on a wide range of topics relating to M&A, corporate governance, listings, fund raising and establishment of an Asian presence at venues around the world.

David Harrison
Consultant, Mayer Brown JSM

David is a Consultant in the Ho Chi Minh City office of Mayer Brown JSM. He focuses on international cross-border M&A and on banking and finance. He has advised foreign investors on numerous M&A, including Vietnamese commercial banks and corporate targets in Vietnam and other Asian jurisdictions, such as Sri Lanka and Bangladesh. David recently represented a global insurer on the first warranty and indemnity policy used in a Vietnamese acquisition transaction and frequently advises investors on the Vietnamese securities markets. He has advised multilateral and commercial lenders and agents on a broad range of project financings and secured and subordinated credit facilities extended to banks and corporations in Vietnam and other Asian jurisdictions such as Cambodia, Mongolia, and Sri Lanka. David has also advised lenders and borrowers on out-of-court workouts and insolvency and restructuring matters in both Vietnam and the US.

Pratibha Jain
Partner, Nishith Desai Associates

Pratibha, Head of the New Delhi Office of Nishith Desai Associates, also heads the Regulatory Practice. Her areas of practice include banking and finance, M&A, private equity investments and structured finance. She was the Vice President and Counsel for Goldman Sachs in Mumbai, India. She has earlier worked with Sullivan & Cromwell, LLP in New York, Tokyo and Hong Kong and with Skadden Arps Slate Meagher and Flom, LLP in Hong Kong. Pratibha has bachelors degrees both from the University of Delhi and the University of Oxford, where she was St. Catherine's College Bursary holder. She has a masters degree in Law, from Harvard Law School. Pratibha was admitted to the New York State Bar and the Bar Council of Delhi, India. Her research article on "Multiculturalism and its Impact on Women's Rights in India" was published in Berkeley Journal of International Law.

Philbert E. Varona
Partner, SyCip Salazar Hernandez & Gatmaitan

Mr. Varona is a member of the firm's Special Projects and Banking, Finance & Securities groups. His practice areas include M&A, finance and securities, foreign investments, and infrastructure and government contracts. The significant transactions that Mr. Varona has worked on include: the PhP69.2 billion acquisition by Philippine Long Distance Telephone Company in Digital Telecommunications Philippines, Inc.; the PhP12.2 billion acquisition by Metro Pacific Investments Corporation in the operator of the North Luzon Tollway; and the PhP4.1 billion acquisition by the Dairy Farm Group in Rustan Supercenters, Inc., one of the largest retail chains in the Philippines. He co-authored the Philippine chapter of the 2011/2012 edition of *Privatisation & Public Private Partnership*, as well as the Philippine chapter of *M&A in Asia*, an upcoming publication on the legal framework on M&A in the region. Mr. Varona also worked as a foreign attorney at Mori Hamada & Matsumoto in Tokyo in 2007.

Tan Wooi Hong
Partner, Zaid Ibrahim & Co

Wooi Hong is a Partner of the Corporate & Commercial Practice Group for Zaid Ibrahim & Co, Kuala Lumpur. He joined the firm as a Partner in 2011. Prior to this, he was a Partner with a boutique corporate firm in Kuala Lumpur. He regularly advises on commercial transactions, takeovers and mergers, corporate finance and securities related transactions, foreign investments to Malaysia and collective investment schemes. Recently, Wooi Hong has been involved in several headline M&A deals that have been acknowledged in the Asia Pacific Legal 500. His practice areas include Capital Market, Corporate Commercial, Derivatives, Foreign Direct Investment, Joint Ventures & Shareholders Arrangements, Securities & Regulatory Compliance.

Madzlan Mohamad Hussain
Partner, Zaid Ibrahim & Co

Madzlan is a Partner and Head of the Islamic Financial Services Practice Group for Zaid Ibrahim & Co. (ZICOLaw). His engagements include advising government authorities on Islamic finance prudential framework and advising financial institutions on the legal and regulatory compliances for their Islamic finance operations; standardisation of Islamic finance documentation; structuring and designing Shari'ah-compliant financial products; handling Islamic corporate financing transactions; and issuance of Islamic securities/Sukuk. Between 2004 and 2010 Madzlan served the Islamic Financial Services Board (IFSB). At the IFSB, he was responsible in overseeing the development of a prudential framework for corporate governance practices for all segments of Islamic financial services and was instrumental in spearheading its initiatives in addressing legal issues in Islamic finance.

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