

# 3rd Annual Corporate Legal Counsel

Perfecting your role as a business leader in achieving competitive advantages in today's emerging market

Prince Hotel & Residence,  
Kuala Lumpur

5th & 6th November 2008

## Your distinguished Chairperson:

**Dr Wafi Nazrin Abdul Hamid** General Manager Corporate Services  
Malaysia Airline System (MAS)

## Key benefits of attending this event:

- **Repositioning** the role of today's first-class corporate legal counsel in the global business environment
- **Developing** best practice strategies and frameworks to effectively manage the legal risks within your company
- **Gaining** comprehensive understanding on internal controls and improving efficiency of legal risk management and legal services
- **Capitalising** on globalisation of legal services to meet local requirements
- **Excelling** in cross border transaction to secure long term competitive advantage and profit maximisation
- **Reducing** risks and cost of your in-house legal by spending money strategically
- **Discussing** key issues to consider and effective negotiation strategies in handling international/cross-border contracts
- **Benchmarking** your legal function and practices with leading international organisations

## Testimonials from past marcus evans corporate legal counsel event within region:

*"marcus evans manages to merge selection of relevant topics and speakers to deliver a power and knowledge packed forum"*

**Inland Revenue Board Malaysia**

*"The topics brought into focus the "moving forward" for the corporate counsel as well as bringing to light new and important legislature."*

**Hyundai Sime Darby Motors**

*"A good forum to share with each other"*

**PT PLN Persero**

## Featuring an extended special presentation

Day Two, 6th November 2008

**Multi-jurisdictional litigation management: Practical strategies for preventing or winning international disputes**

Presented by:

**Ivan Loo** Partner  
**Skrine**

Media Partners



**AsiaInt.com**  
The Asia Intelligence Service

"Our struggle is neither unique nor insurmountable – **Globalisation** has brought many opportunities to our businesses. As in-house lawyers, we need, and want, to be fully integrated with the business and provide the legal infrastructure required to be successful in all markets in which we operate".

Tom Sabatino, General Counsel  
Schering-Plough

Managing complexity and mitigating risks of global legal operation in economic downturn to facilitate corporate expansion.

**marcusevans**

## Benefit from the practical experience and viewpoints from leading organisations:

**M R Prasanna** Group Executive President and General Counsel  
**Aditya Birla Group India**

*M R Prasanna was awarded the "Best In House Counsel 2007" by Asia Law Hong Kong*

**Dato Noorashikin Tan Sri Abdul Rahim** Director  
**Kuala Lumpur Regional Center for Arbitration (RCAKL)**

**Michael Remington** General Counsel Asia Pacific  
**Unisys**

**Megat Noor Ishak** Group General Counsel  
**UMW Corporation Sdn Bhd**

**Kevin John Theseira** Managing Counsel  
**Agilent Technologies Singapore Holding Pte Ltd**

**Pe Wynn Kin** Regional Counsel Asia Pacific  
**Avago Technologies Singapore**

**Leah Jose Sebastian** General Counsel and Corporate Secretary  
**Unilever Philippines, Inc**

**Maria Cristina S Samson** Vice President and Corporate Counsel  
**The Net Group Philippines**

**Carina Lenore S Bayon** Corporate Legal Counsel  
**Wyeth Philippines, Inc**

**Tan Mei Shan** Country Counsel  
**Citibank Hong Kong**

**Muhammad Suria Doshi Abdullah** General Counsel and Company Secretary  
**SIRIM**

**Robert Feinschreiber** COO  
**TransferPricingConsortium.com**

**Margaret Kent** Senior Vice President  
**TransferPricingConsortium.com**

**Ivan Loo** Partner  
**Skrine**

**Richard Howarth** Head of Legal and Contract Management: Australia, New Zealand and Pacific Island  
**Alcatel-Lucent New Zealand**

**\*Early Bird & Group Discounts**  
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**0830 Registration and morning coffee**

**0900 Opening & welcoming remarks by Chairperson**  
**Dr Wafi Nazrin Abdul Hamid** General Manager Corporate Services  
**Malaysia Airline System (MAS)**

### Leading practices for achieving high performance and quality

**0915 Session One**

#### Redefining the changing role of today corporate legal counsel in global market place

- Gaining insights and perspective on pressing issues facing corporate legal department leaders
  - Exploring the potential liability of in-house counsel as acting in-house counsel as well as a director or officer of a corporation
  - Weighing the impact of the globalisation on the role of in-house counsels
  - Balancing legal profession versus commercial interest
- Speaker to be advised

**1000 Session Two – Case Study**

#### Building credibility with your board of directors to achieve trusting long-term relationship for mutual benefits

- Determining legal function as a key strategic business partner – a deal maker, not a deal breaker
- Demonstrating your legal value to the business
- Building a rapport with key employees
- Contributing to the company's development in the early stages
- Submitting your update report to the company's main board

**M R Prasanna** Group Executive President and General Counsel  
**Aditya Birla Group India**

*M R Prasanna was awarded the "Best In House Counsel 2007" by Asia Law Hong Kong*

**1045 Morning refreshments and networking breaks****1115 Session Three – Case Study**

#### Rising role of the regional corporate counsel

In multinational companies, in-house counsel may be assigned responsibility for multiple jurisdiction or regions, often with a direct reporting relationship to general counsel and dotted-line reporting relationship to other senior managers located around the world.

- Determining the role of the regional corporate counsel in managing the legal and business issues
- Outlining the challenges and opportunities exist for companies that choose to structure their in-house legal team
- Setting responsibilities and priorities of a regional corporate counsel
- Advising management and board members which corporation's differing legal and compliance obligations in other countries

**Richard Howarth** Head of Legal and Contract Management: Australia, New Zealand and Pacific Island  
**Alcatel-Lucent New Zealand**

**1200 Session Four – Case Study**

#### Effectively managing in-house legal teams within the global organisation

- Overcoming geographic, organisational and culture barriers
- Aligning the broader business goals with objectives of the organisation
- Working with global and regional legal teams: A local legal counsel perspective
- Managing staffing difficulties due to limited resources
- Balancing the legal work support to parent and

**Leah Jose Sebastian** General Counsel and Corporate Secretary  
**Unilever Philippines, Inc**

**1245 Networking luncheon****1400 Session Five**

#### Contrasting and comparing: Managing international governance, compliance and ethics

- Exploring and comparing emerging governance trends in several key markets
- Ensuring board and management complying with all new governance requirements arising from new regulations
- Increasing accountability and exposure of directors and offices
- The growing influence of shareholder activism on corporate governance

**Carina Lenore S Bayon** Corporate Legal Counsel  
**Wyeth Philippines, Inc**

**1445 Session Six**

#### Establishing and sticking to your internal legal budget

Cost control is an essential part of the in-house legal function. The identification of a company's total legal expenditure may be a daunting challenge. Where a company is decentralised or the central legal function has historically been weak, individual business units may instruct external law firms independently. This session will discuss:

- Identifying significant potential cost savings
- Capturing and monitoring key areas of external legal expense
- Producing a strategy for effective cost reduction
- Leveraging your internal resources and lowering your legal cost through global outsourcing

**Tan Mei Shan** Country Counsel  
**Citibank Hong Kong** (Tentative topic)

**1530 Afternoon refreshments and networking breaks****1600 Session Seven**

#### Strategic management of in-house legal outfit

- Selecting the right and complex strategic approaches to suit with your legal objectives
- Developing standard checklist to identify the core matters of the company
- Identifying the levels of legal services
- Implementing operating tools and specific software for your legal department

**Megat Noor Ishak** Group General Counsel  
**UMW Corporation Sdn Bhd**

**1645 Session Eight – Case Study**

#### Analysing and examining the role of corporate legal counsel as a gatekeeper to avert corporate frauds

- Increasing attention to corporate governance issues
- Management committing wrongdoing – Role of corporate legal counsel as whistleblowers
- Detecting and preventing fraud to minimise damage on company's reputation
- Developing global implementation to an effective anti-corruption kit
- Ensuring transparency on company business policy
- Sharing best practices

**Muhammad Suria Doshi Abdullah** General Counsel and Company Secretary  
**SIRIM**

**1730 Closing remarks from the chair and end of Day One**

### Why you cannot miss this event

The role of the Corporate Legal Counsel is evolving again with expansion into the management of corporate consolidation, complex compliance and governance structure and globalisation.

As the world economy becomes increasingly independent, corporations transaction often involve **multiple jurisdictions and require the assessment of complex international legal issues**. Due to that, organizations have led to increased decentralization of the legal function.

The 3rd Corporate Legal counsel will address the evolving role of in-house counsel will present valuable, practical information to help corporate counsels contribute to the financial health and stability of their company and ensure that the corporation's strategic goals and objectives are met.

By attending this conference, you will learn innovative, winning strategies from preeminent counterparts on how to become a highly successful corporate legal counsel, how to effectively manage your international legal department, resolve complex issues in a timely fashion and safeguard property and reputational through the legal and business challenges of global markets.

This exclusive 2 days conference brings together major international companies and experts to demonstrate the latest legal counsel management strategies and also their success stories.

### About the Media Partners

**ReviewAsia** is a luxury lifestyle, travel, business and general-interest monthly magazine that relies on local reporting with a regional perspective to capture newsmakers and events with global impact. Each issue also features well-researched and topical Special Reports such as on wealth management and private banking, luxury properties and shopping, high-end travel, the best dining in the region, and the annual Icons of Asia Awards-featuring the best of the best personalities, business establishments and destinations. Media Magazine, an industry publication for marketing and advertising, has cited ReviewAsia as one of the Top 10 regional print-media launches for 2007.

**Asialnt** is a specialist provider of economic and political intelligence on Asia. Through its Asia Intelligence and China Watch services it provides a comprehensive one-stop information resource for all those with a professional interest in Asia. Asialnt combines three specialist information resources geared specifically to China with five Asia-wide information resources and a range of 'bespoke' benefits geared to the needs of individual organizations. It also has a specialist resource dedicated to monitoring Asian infrastructure developments. A FREE seven-day evaluation of all Asialnt's resources is available from <http://www.asialnt.com>.

**marcus evans** would like to thank everyone who has helped with the research and organisation of this event, particularly the speakers and their staff for their support and commitment.

**0830 Registration and morning coffee****0900 Opening & welcoming remarks by Chairperson****Excelling in cross border transactions****0915 Session One – Case Study****Managing mergers and acquisitions in achieving effective and efficient cross border transaction**

Cross-border mergers and acquisitions, although presenting many of the same issues as domestic deals are usually more complex and rife with surprises and other pitfalls. In recent years this complexity has grown along with the pace of globalisation. The sheer range of concerns has expanded as the speed and volume of international deals have increased. This session will discuss:

- Ensuring relationship exists before negotiations with international partners begin
- Gaining support from a large global legal team – outside and inside counsel working together
- Assigning local counsel to handle local issues – languages, custom and legal nuance
- Emphasising the cost and effects of taxation while structuring cross border transaction

**Maria Cristina S Samson** Vice President and Corporate Counsel  
**The Net Group Philippines**

**1000 Session Two – Case Study****Anti-trust liability – An exposure corporate counsels cannot ignore**

Of late, anti-trust regulators across the globe have stepped up their activities resulting in jail term and unprecedented fines and civil liabilities. Corporations operating or transacting in multiple jurisdictions face the risk of infringing various anti-trust laws if their business are not conducted in an appropriate manner. Even local corporations will have to adapt as Malaysia is setting the groundwork for anti-trust laws. While his role is to enable and not to stifle business, Corporate Counsel has the duty to ensure that the corporation's exposure to anti-trust infringement is mitigated.

- Explaining the background and true meaning of anti-trust law
- The international nature of anti-trust regulation
- The implication of anti-trust to your business
- Developing and strengthening corporate antitrust liability and compliance program

**Dr Wafi Nazrin Abdul Hamid** General Manager Corporate Services  
**Malaysia Airline System (MAS)**

**1045 Morning refreshments****1115 Session Three – Expert insight****Transfer pricing issues for the multinational taxpayer**

Each major country in Asia is developing its transfer pricing tax system. But note that each country, in developing its own transfer pricing system, can frequently lead to increasing multinational conflicts. The multinational taxpayer, then, needs to address these lurking issues to curtail the risks of double taxation. This session will explain the salient differences transfer pricing regimes in Singapore, Malaysia, India, Vietnam, and other countries in the region.

- Understanding country differences within the broad scope of the OECD
- Why activities that business undertakes in other jurisdictions can lead to double taxation in these jurisdictions and in the business home country
- Examining the challenges of case law transfer pricing confrontations
- Maximising the benefits of advance pricing agreement programs

**Robert Feinschreiber** COO  
**TransferPricingConsortium.com**  
**Margaret Kent** Senior Vice President  
**TransferPricingConsortium.com**

**1200 Session Four – Case Study****Addressing the growing trend of international and regional contracting and meeting its challenges**

As more and more organisations move in the direction of growing and developing new business regionally and internationally, contracting with multiple vendors and suppliers are moving at a record pace. It is often difficult to develop, accommodate and manage the different contacts with constraints such as the difference in jurisdiction, regulation and the differences in each country's principles and best practices in drafting and development of contracts. This session will discuss:

- Examining the challenges of cross regional/international contracting
- Discussing taxation issues as a major driver to contract structure
- Overview of the choice of law and dispute resolution
- Taking account of relevant laws and practices in drafting clauses
- Deliberating regulatory issues from around the region

**Michael Remington** General Counsel Asia Pacific  
**Unisys**

**1245 Networking luncheon****1400 Session Five – Case study****Drafting and negotiation effective commercial contract in safeguarding company's interest**

Negotiation and drafting an effective and watertight contract on an international level is a complex issue. It can be difficult for even the most equipped in-house counsel and most often it is not the lawyer in the driving seat. Commercial managers from all areas of the company are leading negotiations, drafting and managing key contracts on a daily basis. It is vital that both legal counsel and commercial executives not only have the key skills and tactics to create a win:win scenario but also the knowledge to ensure any agreement is within the laws and regulations.

- Analysing the commercial and legal issues affecting contract agreements
- Evaluating important terms, clauses and conditions
- Explores unnecessary risk and potential costly disputes
- Developing win-win negotiation skills and powerful techniques to ensure efficient communication to obtain a good outcome

**Pe Wynn Kin** Regional Counsel Asia Pacific  
**Avago Technologies Singapore** (Tentative topic)

**1445 Session Six – Expert insight****Multi-jurisdictional litigation management: Practical strategies on preventing and winning international disputes**

- Understanding recent changes in regulation and developments in international litigation and claims
- Increasing awareness of growing multinational business exposure
- Dealing with heightened risk of civil and criminal litigation in today's global environment
- Mastering key strategies for monitoring and co-ordinating parallel proceedings and foreign counsel
- Minimizing the fallout from litigation and how to prevent it in the first place

**Ivan Loo** Partner  
**Skrine**

**1615 Afternoon Refreshments****Common ethical issues facing today's corporate legal counsel****1630 Session Seven – Case study****Maximising the rule of arbitration and dispute resolution to protect the organisation's best interest**

- Determining remedies for multi party disputes and settlement
- Minimising client's loss and maximising the interest
- Forstering a deeper understanding on the issues and laws relating to claims and dispute resolution
- Intensifying skills and procedures needed in debt recovery contracts and provision of a particular situation of legal disputes

**Dato Noorashikin Tan Sri Abdul Rahim** Director  
**Kuala Lumpur Regional Center for Arbitration (RCAKL)**

**1715 Session Eight – Case study****Securing patent, intellectual property defense and brand protection**

- Protecting your IP and reputation in a global environment
- Strategies and guidance for controlling costs and managing litigation
- Fighting against counterfeiting and piracy in problematic jurisdictions
- Adopting effective methods for strengthening cross-border enforcement of IP rights

**Kevin John Theseira** Managing Counsel  
**Agilent Technologies Singapore Holding Pte Ltd**

**1800 Closing remarks from the chair and end of conference****Who should attend**

Individuals holding the following job titles:

- General Counsel
- Deputy General Counsel
- Vice-President Legal Services
- Head of Legal
- Group Head of Legal
- Corporate Legal Counsel
- Assistant General Counsel
- Regional counsel
- Chief Legal Officer
- Vice President of Legal Services
- Chief Compliance Officer
- Company Secretary

From the following industries:

- FMCG
- Electrical and electronic
- Healthcare and Pharmaceutical
- Banking
- Aviation
- IT
- Telecommunication
- Automotive
- Semiconductor
- Others

Secondary market:

- Legal Consultants
- Lawyers
- Solution Providers
- Senior Legal Practitioners
- Media/Publications
- Academics