

Risky Business?

Corporate Governance in Asia 2006

25th and 26th September 2006 : Hotel Nikko , Hong Kong

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Programme

Monday, 25 September 2006 (Day 1)	
8.30am	Registration (Grand Ballroom, 2F, Hotel Nikko Hong Kong)
9.00 ~ 9.30am	<p>Corporate governance and corporate social responsibility – links and differences</p> <p>Stephen Frost Director, CSR Asia and Assistant Professor, City University of HK</p> <p>This session will explore:</p> <ul style="list-style-type: none"> • Good corporate governance (CG) as the basis for CSR • Does focusing on CG prevent the dilution of the CSR agenda • Differences and links between CG and CSR • The legislative implications for CG and CSR • The (absent?) role of the state • Shareholders and stakeholders
9.30 ~ 10.00am	<p>Making business sustainable – the role of governance and social responsibility</p> <p>Peter Brew Director, Responsible Business Solutions, International Business Leaders Forum</p> <p>This session will:</p> <ul style="list-style-type: none"> • paint the overall context and environment within which business is operating in the 21st century; • explore the role of business in society and the development partnership between business, government and civil society; • highlight the importance of good governance and suggest its key components; • make the business case for responsible business practice; • give some examples of leading practice.
10.00 ~ 10.30am	<p>The failures of CSR</p> <p>Tom Leander Editor-in-Chief, CFO Asia</p> <p>This session will:</p> <ul style="list-style-type: none"> • Examine why CSR suffers from vague definitions and is tough to track • Discuss how the underlying economics of CSR are false • Explore the arguments that CSR leads to profits • Establish how companies often use the gloss of CSR to pursue their own advantage, a practice that can reduce social welfare • Discuss the current CSR imbroglio at the Sagittarius Mines in the Philippines
10.30 ~ 11.00am	Morning tea

Programme

Monday, 25 September 2006 (Day 1)

<p>11.00 ~ 11.30am</p>	<p>Corporate governance and the fight against corruption</p> <p>Teresa Barger Director, Corporate Governance and Capital Markets Department, IFC - World Bank</p> <p>This session will discuss:</p> <ul style="list-style-type: none"> • Corruption as a development issue • Four types of corruption: <ul style="list-style-type: none"> a. payment to avoid enforcement; b. payments to influence policy; c. procurement corruption; d. grand corruption • Five attributes of CG useful in different corruption types • SOEs: a special case
<p>11.30 ~ 12.00pm</p>	<p>The legal implications of CSR, the changing landscape of liability</p> <p>Christopher Tung Partner, Mallesons</p> <p>This session explores the sustainable development and legal principles which define and affect corporate social responsibility. Importantly, it highlights the often neglected risks associated with the adoption of CSR policies and practices without carefully considering whether their objectives can be met and whether that increases the exposure of the company to legal claims.</p>
<p>12.00 ~ 12.30pm</p>	<p>Fraud: a social phenomenon</p> <p>David C. Rule President of the Association of Certified Fraud Examiners, Hong Kong Chapter and Director, Analytical and Forensic Technology Practice, Deloitte</p> <p>This session will discuss:</p> <ul style="list-style-type: none"> • Why fraud is not an accounting problem • Understanding fraud prevention • Antifraud specialists • Financial transparency
<p>12.30 ~ 2.00pm</p>	<p>Lunch (Chinese Lunch in the Garden Room)</p>

Programme

Monday, 25 September 2006 (Day 1)

<p>2.00 ~ 2.30pm</p>	<p>Corporate social responsibility in South East Asia and its implications for corporate governance</p> <p>Sebastian Bombaci Chairman, Business Management Committee, CPA Australia</p> <p>Corporate Social Responsibility (CSR) is increasingly being accepted by companies around the world. Companies that embrace CSR will enjoy the long term benefits of being socially conscious as well as consolidating their leadership positions.</p> <p>Whilst the concept of CSR in South East Asia is relatively new, it has been evolving for over 15 years in the United Kingdom, Europe and many other developed nations. Glance through the Annual Report of a company listed on the London Stock Exchange and there is a strong chance that it will contain some mention of the corporation's "socially responsible" activities.</p> <p>This presentation discusses the awareness, opinions and behaviours about CSR in the business communities in Hong Kong, Singapore and Malaysia and the implications for directors in how they carry out their corporate governance obligations.</p>
<p>2.30 ~ 3.00pm</p>	<p>Corporate governance in Asia – unique aspects</p> <p>Simon S.M. Ho Dean of the School of Business, Hong Kong Baptist University</p> <p>This session will discuss:</p> <ul style="list-style-type: none"> • An integrated conceptual framework of Corporate Governance (CG) • Roles of codes and regulations (including SOX) • Determinants and impacts of CG • Empirical evidence of the impact of CG on firm performance • Is CG a fad? • Why some companies are more successful than other companies on CG? • Why one size does not fit all? • Does East meet West? Recent developments of CG in Asia • How to tell which company is good or bad in CG? • Introduction to a newly-developed CG assessment system
<p>3.00 ~ 3.30pm</p>	<p>Implementation of corporate governance best practices in Asia: have we gone too far?</p> <p>Mak Yuen Teen Director, Corporate Governance & Financial Reporting Centre, NUS Business School</p> <p>Since the 1997 financial crisis in the region, most Asian countries have embarked on wide-ranging reviews of their corporate governance rules, regulations and codes of best practice. With continuing scandals in the region and globally, pressure to improve corporate governance has not abated. While corporate governance proponents have argued that further improvements are required, others feel that things may have gone too far and that the push to adopt better corporate governance standards has started to undermine the conduct of business. It has also been argued that corporate governance best practices which have been advocated are based on the Anglo-American model and ignore the realities of the Asian environment.</p> <p>In this talk, the speaker will discuss the major corporate governance best practices which have been advocated in Asia, the current state of implementation of these best practices, current deficiencies in their application and the source of these deficiencies, and whether Asian countries have indeed gone too far in embracing best practices which ignore the unique features of the Asian environment.</p>
<p>3.30 ~ 4.00pm</p>	<p>Summary of Day 1: Stephen Frost</p>

Programme

Tuesday, 26 September 2006 (Day 2)		
8.30am	Registration (Grand Ballroom, 2F, Hotel Nikko Hong Kong)	
9.00 ~ 9.30am	<p>Corporate governance, CSR and risk management</p> <p>Richard Welford Director, CSR Asia & Professor, Hong Kong University</p> <p>This session will discuss:</p> <ul style="list-style-type: none"> • Links between corporate governance and CSR • CSR trends in Asia and implications for corporate governance • Corporate governance along supply chains • Linking governance to stakeholder dialogue • Emerging CSR standards and their implications for governance • Corporate risks and business opportunities 	
9.30 ~ 10.00am	<p>The ultimate risk: civil suits for gross human rights violations</p> <p>Hurst Hannum Sir Y K Pao Professor of Public Law, Hong Kong University</p> <p>Under the U.S. Alien Tort Claims Act, businesses may be civilly liable for certain violations of international law that they commit anywhere in the world. The potential scope of that liability is analysed through two recent cases concerning, respectively, the activities of Unocal in Myanmar and Rio Tinto in Papua New Guinea.</p>	
10.00 ~ 10.30am	Morning tea	
10.30 ~ 11.30am : Transparency & Disclosure (choose one)		
<p>Investor protections: how Asia stacks up</p> <p>Melissa Johns, World Bank, John Fotiadis, Tilleke & Gibbins & Nicolas Audier, Gide Loyrette Nouel</p> <p>The World Bank's Doing Business project measures the business environment in 175 countries (see www.doingbusiness.org/ExploreTopics/ProtectingInvestors/). In a session looking specifically at Asian countries' legal protections against corporate looting, presenters will outline the different approaches taken across the region and how they match up against global best practices. The findings from this global, cross-country comparative study will be distributed at the session. Practitioners will also discuss recent reforms affecting corporate governance in their jurisdictions and their impact.</p> <p>Participants in this workshop will receive a copy of <i>Doing Business 2007 – How to reform</i> which presents quantitative indicators on business regulations and the protection of property rights that can be compared across 175 economies over time.</p>	<p>ESG Disclosure – a cat and mouse game for investors</p> <p>Sophie Le Clue ASrIA</p> <p>Environmental, social and governance (ESG) issues are now recognised by leading financial institutions as material to investment decisions. These issues are highly visible in the fast-growing supply chains of Southern Asia, where companies from a range of sectors increasingly provide services to leading global brands. At the same time, we are also seeing an increasing trend of these supply chain companies listing on the Hong Kong stock exchange (HKEx). The question for investors is how are Asia's listed supply chain companies managing these and other ESG risks in an extremely dynamic and competitive environment?</p> <p>As part of the listing process the issuance of public offering (IPO) documents such as the company prospectus, provides a rare opportunity for investors to assess the materiality of ESG risks, prior to investing. Indeed this is often the only time that such companies will publicly disclose this information.</p> <p>But how informative are these disclosures in practice? Do they provide clear indication of ESG risks, or do they leave the reader with more questions than answers? This interactive session, provides the opportunity to hear the latest research from the Association for Sustainable and Responsible Investment in Asia on ESG disclosure, in relation to 24 supply chain companies that listed on the Hong Kong Stock Exchange in 2005.</p>	<p>Fraud and corruption investigations in China</p> <p>Rupert Utley Deloitte</p> <ul style="list-style-type: none"> • Fraud and corruption typologies and examples in China. • Investigative techniques, including engagement planning, investigative interviewing, investigative visual analysis, document management, forensic evidence, computer forensics techniques, reporting and disclosure. • Fraud, money laundering and FCPA investigation case examples in China.

Programme

Tuesday, 26 September 2006 (Day 2)

11.30 ~ 12.30pm : **Fraud & corruption (choose one)**

Analytical and forensic technology

Ben Pasco & David Rule
Deloitte

It is almost impossible to carry out any sort of financial crime without involving computers at some if not every stage of the process, yet many professionals involved in fraud investigations shy away from employing computer forensic examiners and if they do it is usually at a later stage in the investigation after tracks have been covered and/or vital digital evidence destroyed.

There is however a growing group of enlightened fraud investigators who deploy computer forensic examiners at the outset of an investigation and without exception, these wise few have benefited from such an action.

Not every computer forensic examiner is qualified and experienced to assist at all levels in a case and some cases can be highly complex where dynamic and static forensic techniques have to be deployed.

This workshop will examine current practices and trends in computer forensics, the benefits of deploying computer forensic examiners at the earliest opportunity, what you should expect from a computer forensic service provider, an overview of current tools and what can be found from a MS Windows® based examination.

The business response to corruption – achieving real results

Peter Brew
IBLF

The issue of corruption is high on the international agenda. The United Nations Convention on Corruption has recently come into play and it is an essential ingredient in the development agenda. Increasingly governments are being held to account internally and externally for their actions and behaviour.

This workshop will explore how business can and should respond to the challenge of corruption. It is often regarded as the 'supply side' of corruption, yet it is clear that corruption is a major cost to business and undermines trust and confidence internally and externally. So how can a business respond without excluding itself from its markets and business opportunities?

This workshop will draw on international experience to demonstrate practical examples of progress and will highlight the value of collective action by business in meeting local and particular business sector challenges. Participants will be encouraged to share their experiences and to challenge and debate the issues.

Anti-money laundering

Clint Stinger
Deloitte

- The commitment to combat money laundering
- Who is watching? – key stakeholders
- Money laundering risks at the institutional level
- Sustainable AML compliance programs
- Role of independent auditors/reviewers
- Key questions to ask
- Practical tools and methodologies

12.30 ~ 2.00pm

Lunch (Western Buffet in Café Serena)

Programme

Tuesday, 26 September 2006 (Day 2)

2.00 ~ 3.00pm : Stakeholders (choose one)

The mythical rights of minority shareholders in HK

Low Chee Keong
Chinese University of HK

REALITY CHECK: Do minority shareholders have any rights? Is the "Wall Street Walk" their only realistic option? Should this be purely and exclusively a shareholder problem?

This interactive workshop will open with an overview of the legal rights of shareholders. It then proceeds to discuss a couple of cases to ask whether such rights are "mythical" before concluding with some proposals for reform.

The emerging discourse of CSR in the PRC

Jing Leng
Hong Kong University

While the corporate social responsibility (CSR) movement has rapidly spread worldwide over the last decade or so and is becoming a pressing global concern for both businesses and national governments, in China it is still a new concept that was only introduced a couple of years ago. In November 2005, the China Committee of Corporate Citizenship, a collective initiative of the Chinese business community to promote CSR, was established in Beijing, marking the first significant effort of Chinese enterprises to join the global CSR discourse. Shortly after, with strong endorsement of the Chinese government, a high-profile international conference on CSR was held in Beijing, with a main theme of calling for the promotion of CSR at the global level as a channel to build social harmony.

China's fresh encounter with CSR is largely prompted by two factors. The first factor is China's remarkable integration into the global economy, which has made the "world's workshop" increasingly exposed to CSR concerns that have arisen in its major trading partners in recent years. The other factor is the latest adjustment made by the Chinese government to its growth policy, which started to emphasize the need to establish a harmonious society and to protect the environment in the course of economic development. Though the CSR discourse in China is just emerging, its significance cannot be underestimated as it is likely to have a profound impact on how Chinese enterprises will adapt their business pattern to meet the challenge of both globalization and transition, and how the government could employ CSR as a potential tool to help realize its policy objectives associated with building social and environmental harmony in economic development.

This session will discuss the main causes, key players, and important initiatives of the emerging CSR movement in China, as well as the controversies and debates that arise.

Stakeholder engagement

Richard Welford
CSR Asia and HK University

Corporate social responsibility will vary from place to place, industry to industry and will change over time. The only way for a company to define CSR for itself is through engagement with its stakeholders. It is the interaction between the stakeholders and the company that should set the CSR priorities for the company.

Consultation and dialogue with stakeholders is therefore increasingly a part of good business practice and is a good way of gathering important information and ideas, anticipating and managing potential conflicts, improving decision-making processes, building trust and consensus amongst diverse stakeholders, strengthening relationships and enhancing corporate reputation, brand and image. But stakeholder engagement is also about managing risks by being aware of the issues and concerns that exist in markets where companies operate.

This session will provide practical advice for identifying and prioritizing stakeholders using a six-stage methodology developed by CSR Asia. The methodology is consistent with the AA1000SE standard but it has been simplified in response to criticisms that the AA1000SE is too daunting.

Programme

Tuesday, 26 September 2006 (Day 2)

3.00 ~ 4.00pm : **Improving corporate governance (choose one)**

<p>Fraud detection & prevention</p> <p>Chris Fordham Deloitte</p> <p>Elements of a fraud control program</p> <p>Including:</p> <ul style="list-style-type: none"> • Ethical survey tools • Risk assessment tools • Whistle blowing schemes • Fraud risk health checks • Anti-corruption measures • Practical tips in the compliance of anti-corruption laws 	<p>Corporate governance – foundations and trends</p> <p>Dr Arthur McInnis Director, International Law Institute; Fellow, Asian Institute of International Financial Law, Hong Kong University</p> <ul style="list-style-type: none"> • The OECD Principles • The UK Combined Code – the Cadbury and Greenbury Reports • Committee on Corporate Governance Recommendations • The Higgs and Turnbull Reports • The Myners Review • Reaction of the National Association of Pension Funds • The Institutional Shareholders Committee Position • Sarbanes Oxley • The current European Union direction • Conclusions 	<p>Improving corporate governance - discussion of case studies</p> <p>Royce Miller Managing Director and Asia Pacific General Counsel, Citigroup Corporate and Investment Banking</p> <p>Discussion of hypothetical and real life examples of corporate behaviour. Presenter and attendees will consider various scenarios that raise corporate governance issues. Attendees will be encouraged to make recommendations for improving corporate governance based on these scenarios.</p>
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Speaker Profiles

Nicolas Audier: Partner, Gide Loyrette Nouel (Vietnam)

Nicolas is a partner with Gide Loyrette Nouel, a member of the Paris Bar with 12 years experience in Vietnam and head of the Vietnam Office since 1999. He graduated from Paris University (Advanced Specialised Degree – DESS - with High Honours), and New York University (LLM). His particular areas of expertise are Corporate Law, Commercial Law, and Foreign Investment Law in Vietnam. Nicolas is a special trade advisor on Vietnam for the French Ministry of Foreign Affairs (Chairman of the Vietnam Chapter), Professor of Law at Tours University where he teaches Project Finance in Vietnam, and various universities in Vietnam including the Faculty of Law and Economics of Hanoi, and is frequently appointed as a UNDP expert in Vietnam to advise on the drafting of laws and regulations. Nicolas has been honoured, (“Bang Khen”), by the Vietnamese Minister of Justice in recognition of his substantial contribution to the development of Vietnam’s legal system. This award is the highest award that the Ministry of Justice can bestow on a foreign lawyer on behalf of the Vietnamese government and this is the first time it has been bestowed.

Teresa Barger: Director, Corporate Governance and Capital Markets Department, IFC—World Bank

Teresa supervises both the World Bank and the International Finance Corporation’s (IFC) activities in the field of corporate governance and has been doing so since 2004. Previous to her current post, Ms Barger established the IFC’s Private Equity and Investment Funds Department. Prior to that she was Associate Director of Credit Review; Senior Manager for Securities Markets Development; and Division Manager for Capital Markets, Africa. Before joining the IFC, Ms Barger was with McKinsey & Company, the consulting firm where she was a member of the Financial Institutions Group. Teresa Barger is a member of the Council on Foreign Relations and is on the boards of the Pacific Pension Institute and the Emerging Markets Private Equity Association. Ms Barger received an AB from Harvard University and an MBA from Yale University. She also attended the American University in Cairo, a post-graduate fellowship.

Speaker Profiles

Sebastian Bombaci: Chairman, Business Management Committee, CPA Australia Hong Kong China Division

Dr. Sebastian Bombaci has more than 25 years of experience working with multinational companies in the financial services, telecommunications and energy sectors to enhance and implement their distribution channels. Dr. Bombaci has just completed his engagement as Regional Business Development Consultant for the Commonwealth Bank Group regional office in Hong Kong. Dr Bombaci has also been an active contributor to CPA Australia Hong Kong China Division as Chairman of the Business Management Committee. In 2005, the committee undertook a detailed study of staff retention practices and trends in Hong Kong. Dr Bombaci was also panel Chairman for discussion groups during two of CPA Australia's public forums focusing on the Wealth Management Industry in Hong Kong and Sustainable Development in the Pearl River Delta. Dr Bombaci has a B.Sc. (Honours) degree from Monash University, a Ph.D. from the University of Melbourne and an MBA from the University of New England.

Peter Brew : Director, Responsible Business Solutions, Int'l Business Leaders Forum

Peter oversees the Governance and Corruption, HIV/Aids, Human Rights, Conflict and Enterprise Development programmes of the IBLF. He has also been directly involved in IBLF's partnership initiatives in China, Vietnam, the Philippines and Indonesia. Before joining the IBLF, Peter worked for 37 years in international employee benefit services, 30 of which were at senior executive level. He retired at the end of 1998 as Deputy Chairman of Sedgwick Noble Lowndes, where he had been Chief Executive in both Ireland and North America. Peter founded the Employee Benefit Forum for China. He is a Fellow of the Pensions Management Institute, an Associate of the Chartered Insurance Institute, a Fellow of the Royal Society of Arts and an Honorary Fellow of the Pre retirement Association. He co-authored The Business of Enterprise, published by the IBLF in 2002.

Chris Fordham: Principal, Deloitte

Chris is a principal of Deloitte Touche Tohmatsu and leads the Forensic & Dispute Services Group in Hong Kong and China. Chris has led a large number of fraud and misfeasance investigations in the Asia Pacific region over the last few years, working within many different industries for multinational as well as owner managed businesses. In addition, Chris has been involved in a number of FCPA assignments for US listed companies, either reviewing systems and controls for compliance to the regulations or enquiring into suspected irregularities. Chris is a member of the Association of Chartered Certified Accountants, The Hong Kong Institute of Certified Public Accountants, the Insolvency Practitioners Association and the Association of Business Recovery Professionals, a certified member of the Association of Certified Fraud Examiners, a practicing associate of the Academy of Experts and has qualified to be on The Academy of Expert's Register of Mediators.

John Fotiadis: Director, Int'l trade & Anti-Dumping Group, Tilleke & Gibbins, Bangkok

John is the Director of the International Trade and Anti-Dumping Group for Tilleke & Gibbins in Bangkok, Thailand, and a Senior Consultant with the Corporate/Commercial Department. He is presently lead counsel in representing the two largest steel wire manufacturers of China in a trade dispute with Thailand and has recently argued on behalf of Thailand in the United States' pending review of GSP graduation and the shrimp anti-dumping investigation. Prior to relocating to Thailand, John worked with Haythe & Curley in New York City in the area of commercial finance and real property. Subsequently as a member of Nicholas & Fotiadis, John expanded his legal experience to include aspects of corporate/commercial litigation, trying several matters through the New York Appellate Division and Supreme Court. John is one of the regular contributors to the World Bank research project on Corporate Governance in Thailand. John received his BA in Political Sciences from Columbia University, and JD from Stanford Law School. He is presently a member of the bars of New York State and Washington D.C., as well as the Federal District Courts of New York, the US Court of Appeals, and the US Supreme Court.

Stephen Frost: Director, CSR Asia and Assistant Professor, City University of HK

Stephen Frost is widely published on labour standards, auditing, CSR in supply chains, and has worked with numerous companies on key supply chain issues in Asia . His recent research has focused on the dilemmas surrounding labour standards and workplace conditions in China for the sustainable and responsible investment (SRI) community, China's complicated and rapidly changing occupational health and safety environment, the effect of foreign direct investment on industrial relations, and corporate social responsibility in Asia . He is a co-editor of the *Asia-Pacific Labour Law Review: Workers' Rights for the New Century* , (AMRC, 2003) and holds a PhD in Asian Studies from Murdoch University in Australia.

Speaker Profiles

Hurst Hannum: Sir Y.K. Pao Professor of Public Law , University of Hong Kong

Hurst Hannum has been Sir Y.K. Pao Professor of Public Law at the University of Hong Kong since January 2006 and is also Professor of International Law at The Fletcher School of Law and Diplomacy, Tufts University. He teaches primarily in the areas of public international law and human rights and has served as a consultant to the United Nations and other international organisations. He has worked for a number of years with the International Center for Alcohol Policies on issues related to corporate responsibility and with Reebok International in connection with its human rights awards. Among numerous other works, Professor Hannum is the author of *Autonomy, Sovereignty, and Self-Determination: The Accommodation of Conflicting Rights* (1996), co-author of *International Human Rights: Problems of Law, Policy, and Practice* (2006), and editor of *Guide to International Human Rights Practice* (4th ed. 2004).

Professor Simon S.M. Ho: Dean of the School of Business, Hong Kong Baptist University

Prof. Simon S.M. Ho joined the Hong Kong Baptist University (HKBU) as Dean of the School of Business in January 2004. Since November 2004, he has been serving concurrently as Director of the Centre for Corporate Governance and Financial Policy (CCGFP). Professor Ho was the first Hong Kong expert to serve on the Working Group of Experts on International Standards of Accounting & Reporting (ISAR) of the United Nations Conference on Trade and Development (UNCTAD). He has assisted the Working Group in developing international corporate governance & disclosure guidelines and the Global Accounting Curriculum Model. In 2004, he developed and launched the world's first MSc in Corporate Governance & Directorship Programme as well as the Inaugural Asia-Pacific Corporate Governance Conference held in HK. Since 2005, under the sponsorship of the World Bank, he has served as Lecturer on "International Corporate Governance" at the Research Institute of the Ministry of Finance, PRC. He is currently also Chairman of the Hong Kong Corporate Governance Council, and Associate Editor of International Journal of Disclosure and Governance and Member of the Editorial Board of the "Corporate Governance Literature Series" of Nankai University.

Melissa Johns: Private Sector Development Specialist, World Bank

Melissa Johns is an Investment Policy Specialist with the World Bank. She leads the "Protecting Investors" research for the Doing Business report, a flagship publication of the World Bank which measures business regulations in 175 countries. Before joining the World Bank in 2004, Ms. Johns practiced law with Cleary, Gottlieb, Steen & Hamilton in its Washington office, specializing in securities and corporate law. Ms. Johns holds a Juris Doctorate from Stanford University and a Bachelor of Arts in public policy studies from Duke University.

Tom Leander: Editor-in-Chief, CFO Asia

Tom Leander was appointed editor-in-chief of *CFO Asia* magazine in December 2001, after serving as deputy editor since November 1999. He has covered CFO stories across Asia, from profiling top CFOs in China to exploring how one CFO successfully fought local unions by teaching finance to coal miners in a mine north of Hyderabad. Leander's story, "The Great Debate," the first cover to be published globally by all three *CFO* magazines, won an award for feature writing from the American Society of Business Publications Editors for 2001. Leander previously worked at *Global Finance* magazine in New York as managing editor, and traveled frequently to Asia to cover the market's boom and subsequent collapse.

Sophie Le Clue: Assoc. Director, Association for Sustainable and Responsible Investment in Asia (ASRIA)

Sophie has a background in environmental protection. She started her career in the UK in 1989 working for an engineering consultancy before moving to Hong Kong, where she has gained 13 years experience in environmental assessment and research in the Asia Pacific region. Her experience includes working on sustainability related issues for both the private sector in a consultant capacity as well as for the non profit sector. For several years she has been involved in sustainable development initiatives in Hong Kong and has been devoting time to furthering the interest and knowledge of sustainability and sustainable development locally through working with corporates, government and business associations, and including specific training to inform finance institutions about environmental and social considerations in project lending.

Speaker Profiles

Leng, Jing: Post-doctoral fellow, Hong Kong University Law Faculty

Dr. Leng Jing was born in mainland China and educated in China, Japan and Canada. She received her LLB degree from Peking University with the highest distinction and graduated first in her class. She was also awarded two LLM degrees by Peking University and Kyushu University of Japan, respectively. She earned her doctorate (Doctor of Juridical Science) from the University of Toronto. Dr. Leng has multidisciplinary research interests and has published in the areas of financial regulation, constitutional law and comparative corporate governance. Her work has appeared or is forthcoming in several prestigious journals within and outside mainland China, including *Peking University Law Journal*, *Peking University Law Review* and *Virginia Law Review*. Dr. Leng currently holds an academic appointment at the University of Hong Kong Department of Law as a Post-doctoral Fellow in financial regulation. Her research focuses on comparative corporate governance, banking reform in China and more generally law, institutions and development.

Low, Chee Keong: Associate Professor in Corporate Law, Chinese University of HK

Low Chee Keong ("CK") holds degrees in both economics and law from Monash University in Australia and obtained his Master of Laws at the University of Hong Kong. He joined The Chinese University of Hong Kong following his admission as an Advocate and Solicitor of the High Court of Malaya in 1992. He is a member of the Listing Committees of the Stock Exchange of Hong Kong and serves in various academic advisory capacities to the Hong Kong Institute of Certified Public Accountants and the Hong Kong Institute of Chartered Secretaries. CK was previously a member of the Project Advisory Board on the Guidelines on Corporate Governance for Small and Medium Enterprises (SMEs) that was initiated by the Hong Kong Institute of Directors and the SME Development Fund of the Government of the Hong Kong Special Administrative Region.

Arthur McInnis: Director, International Law Institute; Fellow, Asian Institute of International Financial Law, Hong Kong University

Arthur holds Diplomas in both Civil Law and Comparative Law from Sherbrooke and Dalhousie Universities respectively. His first degree in Economics and Political Science (Regina) was followed by a Bachelor of Laws degree (Sask). He also holds a Bachelor of Civil Laws degree and a Master of Laws degree from McGill University in Montreal and a Doctor of Philosophy degree in law from Queen Mary and Westfield College at the University of London. Arthur was admitted to practice as a Barrister and Solicitor in Saskatchewan in 1981 and British Columbia in 1985 and as a Solicitor in Hong Kong in 1990. He became a Fellow of the Chartered Institute of Arbitrators in 1994. Prior to coming to Hong Kong in 1988 Arthur was in private practice in Canada. In Hong Kong he has served as Counsel to Baker & McKenzie and Clifford Chance.

Mak Yuen Teen : Director, Corporate Governance & Financial Reporting Centre, NUS Business School

Prof. Mak is a fellow of the Singapore Institute of Directors (SID) and was a council member of SID from 2000-2005. He is Deputy Chairman of the Corporate Governance Committee of the Institute of Certified Public Accountants of Singapore (ICPAS) and a core member of the OECD/World Bank's Asian Corporate Governance Roundtable. Prof. Mak was a member of the Council on Corporate Disclosure and Governance (CCDG) from 2002-2005 and was also a member of the Corporate Governance Committee which released the first Code of Corporate Governance. Prof. Mak has consulted for and given talks to various organizations such as the OECD, World Bank, New Zealand Securities Commission, Singapore Productivity and Standards Board, Telenor, Oracle and other companies. He has published widely in international academic journals on accounting and corporate governance issues, including *Journal of Corporate Finance*, *Journal of Accounting and Public Policy* and *Accounting Horizons*. He is an editorial board member of *Journal of Accounting Policy* and *Pacific Accounting Review*, and reviewer for many international journals. He is also a frequent commentator in the local media on corporate governance and accounting issues. His book "From Conformance to Performance: Best Corporate Governance Practices for Asian Companies" was published by McGraw-Hill in July 2005.

Royce Miller: Managing Director and Asia Pacific General Counsel, Citigroup CIB

Royce Miller is a Managing Director and General Counsel of Citigroup's Corporate and Investment Banking division ("CIB") for the Asia Pacific region. Until September 2003, Mr. Miller was the Deputy General Counsel for Citigroup CIB EMEA, based in London. In addition to his legal role, Mr. Miller was administrator for the Citigroup Europe Governance Committee and the Citigroup Europe Audit Committee. He has been with Citigroup (or its predecessor firms) in various legal roles since 1994. Prior to that, Mr. Miller was in private practice at Cleary, Gottlieb, Steen & Hamilton in both London and the US. Mr. Miller qualified as an attorney in 1986 and is a member of the Massachusetts and District of Columbia Bar Associations. He holds a Doctorate of Jurisprudence from New York University School of Law and a Bachelor of Arts with a concentration in music from Harvard College.

Speaker Profiles

Ben Pasco: Director, Analytical and Forensic Technology Practice, Deloitte

Ben has extensive experience using technology solutions in fraud-related and other investigations, including asset tracing assignments, intellectual property theft and infringement cases, employee misconduct and sexual harassment cases. Ben has been involved in the enforcement of Anton Pillar orders for the retrieval of evidence on computers and other data storage devices, and has given Expert Oral Testimony as a Computer Forensics Practitioner & Examiner in criminal and commercial cases. Ben is a Professional Member of the Forensic Science Society (MFSSoc), the Expert Witness Institute (MEWI), a Certified Forensic Consultant (CFC), a Certified Fraud Examiner (CFE), an EnCase Certified Examiner (EnCE), and a member of the Association of Anti Money Laundering Specialists (ACAMS). He is currently a director of the Hong Kong Chapter of the Association of Certified Fraud Examiners and vice-director of the China Computer Forensics Research Team.

David Rule: President, Association of Certified Fraud Examiners (HK Chapter) and Director, Analytical and Forensic Technology Practice, Deloitte

David is a Director of Deloitte & Touche Forensic Services Limited and co-head of their Analytical & Forensic Technology practice in China based out of Hong Kong. Prior to joining Deloitte, David was COO of a private forensic investigative practice working throughout Asia. David started his career in the Royal Navy in 1979 where he served for 10 years. He served in the Regulating Branch (Naval Provost) and was involved with general policing and investigation work. On his discharge, he started his own business in Asia focusing on security and information technology products and services. David has extensive experience using technology solutions in fraud related and other investigations, including asset tracing assignments, intellectual property theft and infringement cases, counterfeiting operations and litigation support matters. He has also been involved in the enforcement of Anton Pillar orders for the retrieval of digital evidence on computers as well as working on several high profile cases in Asia. David has been trained in the i2 range of analytical tools, as well as the AccessData and Guidance Software forensics tools. He is a Certified Protection Professional (CPP) member of the American Society for Industrial Security, a Certified Forensic Consultant (CFC) and a Certified Medical Investigator (CMI^{II}) of The American College of Forensic Examiners Institute of Forensic Science. He holds an MBA from the University of Western Sydney Australia. He is also a Certified Fraud Examiner (CFE) member of the Association of Certified Fraud Examiners and is currently the President of the Hong Kong Chapter www.acfehk.com.

Clint Stinger: Senior Manager, Deloitte

Clint is a Senior Manager in our Forensic & Dispute Services practice in Hong Kong. He has more than 13 years of financial services industry consulting experience and currently leads Deloitte's Anti Money Laundering (AML) team in Hong Kong, serving investment, commercial and retail financial institutions and regulatory authorities in the Asia Pacific region. Clint recently led a Deloitte team in Hong Kong that assisted a major global investment bank to improve its anti money laundering (AML) compliance programs in 13 Asian jurisdictions. He has also recently led AML reviews of a global fund manager and a leading international consumer finance business with extensive Asian operations and an AML due diligence review for a US bank considering a financial services industry acquisition in China. Throughout 2003 he served as banking and securities industry advisor to Indonesia's financial intelligence unit, PPATK, established under Indonesia's recent AML Law.

Christopher Tung : Partner, Mallesons Stephen Jaques (HK)

Christopher Tung is a partner of Mallesons Stephen Jaques based in Hong Kong and Lead Counsel of the Centre for International Sustainable Development Law based in Montreal, Canada. Chris specialises in sustainable development law and advises a wide range of companies and organisations in the Asia Pacific on legal risk management and mitigation. This regularly involves the cutting edge application of sustainable development principles to law and policy tools to underpin effective corporate risk management and corporate social responsibility practices. Chris is a graduate of London University, holding a LLB and LLM from University College London. He is the President of the Environment Committee and a Councillor of the French Chamber of Commerce in Hong Kong and is also a member of the Hong Kong Sustainable Development Forum and the Sustainable Development Committee of the Australian Chamber of Commerce.

Speaker Profiles

Rupert Utley: Partner, Deloitte Touche Tohmatsu, China

Rupert is a Partner in Deloitte's Forensic & Dispute Services Practice based in Hong Kong. Rupert has over 24 years investigation experience throughout Europe, Asia and North America across a number industry sectors. His experience includes forensic investigations, fraud, corruption and money laundering risk consulting and integrity due diligence. This experience includes leading a forensic accounting team to search Swiss banks for dormant accounts of Holocaust victims and leading a global investigation into one of the largest online pyramid and money laundering schemes. Rupert has an honours degree in criminology, a diploma in criminal justice and is a certified member of the Association of Certified Fraud Examiners.

Richard Welford: Director, CSR Asia, ERP Environment & Professor, HK University

Richard has considerable expertise in international business, environmental management and corporate social responsibility. He has been working with businesses in these areas for 20 years. He has worked for the Samsung Corporation in Korea and carried out research for the UN in South East Asia . He currently advises the Swire Group and Cathay Pacific and has worked as a consultant to the MTR Corporation in Hong Kong . Other clients have included the World Bank, the International Finance Corporation, Oxfam, the Business Environment Council, TXU Europe and The Body Shop. He has written 15 books and over 100 articles relating to globalization, international business, environmental management, human rights and social responsibility. He has carried out a number of surveys on corporate social responsibility and sustainable development across the world, making him one of the few people to be able to evaluate exactly the state of play with regards to Asia .

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