

DRAFTING AND NEGOTIATING INTERNATIONAL COMMERCIAL CONTRACTS IN CHINA, KOREA, TAIWAN & SINGAPORE



Mr. Rainer Burkardt
CHINA



Mr. Joachim Nowak
KOREA



Mr. Hyung-Soo Lee
KOREA



Dr. Andreas Respondek
SINGAPORE



Mr. Nathan Kaiser
TAIWAN

TOPICS:

When?

Thursday,
20 March 2014

Where?






Raffles Hotel Singapore

Time?

8.30 hrs - 18.00 hrs

Seminar Fee?

SGD 1,250

-  Systematic review and analysis of all essential general contract clauses in China, Korea, Singapore and Taiwan
-  Pre-contract considerations to optimize your contract results
-  Avoiding typical drafting pitfalls
-  Financial issues in contracts
-  Thorough review of major international contract clauses

BENEFITS:

After attending the full-day seminar, delegates will be able to:

- Benefit from expert legal advice on a number of crucial contract questions in China, Korea, Singapore and Taiwan
- Maximize contract potential and minimize risks from poor contract drafting
- Have a good understanding of all important contract clauses
- Adopt new techniques in negotiating and drafting contracts
- Reduce future legal fees by improved in-house contract drafting capabilities

SPECIAL BONUS:

At the end of the seminar (17.00 to 18.30 hrs) the speakers will be available for one-on-one meetings with the delegates for specific questions

DRAFTING AND NEGOTIATING CONTRACTS IN CHINA, KOREA,

TIME	TOPIC	SPEAKER
09.00 - 09.10	Introduction	Dr. Andreas Respondek
09.10 - 10.00	CHINA (1) <ul style="list-style-type: none">• Origin and similarity of Chinese law with civil law countries and Chinese specialties• Specific “rules” to pay attention to when entering into MoU’s / LOI’s etc in China• Liability clauses in China	Mr. Rainer Burkardt
10.00 - 10.50	TAIWAN (1) <p>Basic legal concepts affecting contracts / pre-contractual documents / Typical contract clauses</p> <ul style="list-style-type: none">• Origin and similarity of Taiwanese law with German law, and Taiwanese specialties• Exceptions, typical problem areas• Taiwan specific “rules” to pay attention to when entering MoU’s / LOI’s• English vs Chinese contract language, pros and cons	Mr. Nathan Kaiser
10.50 - 11.00	COFFEE BREAK	
11.00 - 12.00	KOREA(1) <ul style="list-style-type: none">• Introduction of Korean Legal System• Mandatory contract requirements under Korean Law; Interpretation of contracts• Damage compensation• Governing Law; Dispute Settlement• Recognition and Enforcement of Foreign Judgments and Arbitration Awards in Korea	Mr. Lee Hyung-Soo
12.00 - 13.00	LUNCH BREAK	
13.00 - 13.50	SINGAPORE (1) <p>Basic legal concepts affecting contracts / pre-contractual documents / Typical contract clauses</p> <ul style="list-style-type: none">• Influence of English law, common Law vs civil law and consequences for contracts• Structure of international contracts• Special treaties: CISG, New York Convention etc	Dr. Andreas Respondek

INTERNATIONAL COMMERCIAL TAIWAN & SINGAPORE

TIME	TOPIC	SPEAKER
13.50 - 14.40	CHINA (2) <ul style="list-style-type: none">• Special treaties (CISG, New York Convention, Incoterms) and their influence on contracts in China• Dispute settlement• Update CIETAC vs SAIC	Mr. Rainer Burkardt
14.40 - 15.00	COFFEE BREAK	
15.00 - 15.50	TAIWAN (2) <p>Impact of absence of most treaties (CISG, New York Convention, Incoterms) and their influence on contracts in Taiwan</p> <ul style="list-style-type: none">• International recognition and enforcement issues• Arbitration in / with Taiwan?• Jurisdictional options and best practice <p><i>Special topics:</i></p> <ul style="list-style-type: none">• WTO and impact on doing business in Taiwan, FDI• Joint Venture contracts	Mr. Nathan Kaiser
15.10 - 16.00	KOREA(2) <ul style="list-style-type: none">• Surprises in contract negotiations with Korean parties from a Western point of view• How to prepare contract negotiations with Korean parties• When successful (or not) closing of negotiations will happen	Mr. Joachim Nowak Mr. Lee Hyung-Soo
16.00 - 16.10	COFFEE BREAK	
16.10 - 17.00	SINGAPORE (2) <p>Dispute resolution clauses in SGP</p> <ul style="list-style-type: none">• Arbitration in Singapore• Proceedings• Pros and cons• Current trends	Dr. Andreas Respondek
17.00 - 18.00	One-on-one meetings with speakers	All speakers

SPEAKERS' PROFILES

CHINA - MR. RAINER BURKARDT

(r.burkardt@BKTlegal.com)



Based in Shanghai, Mr. Burkardt has been living and working in China for 16 years. His legal practice focuses on foreign direct investments, mergers and acquisitions, compliance and anti-corruption, real estate and construction law.

Mr. Burkardt belongs to the few German lawyers who possess a long-time China professional experience. He was a member of the Board of Directors of the German Chamber of Commerce in Shanghai from 2008 to 2010 and was appointed as the trusted lawyer of the Consulate General of Austria in Shanghai by the Austrian Government in 2009. For two years, he served as Vice-chair of the European Union Chamber's Legal Working Group, Shanghai before he was elected as Chairman in 2010. Since 2013 he is appointed arbitrator at the Shanghai International Economic and Trade Arbitration Commission (SHIAC). Prior to establishing Burkardt & Partner Rechtsanwälte in 2011, Mr. Burkardt headed the German desk of the China practice of a multinational US law firm in Shanghai. Earlier in 2003 he established and subsequently headed the Shanghai office for a leading independent German law firm.

KOREA - MR. JOACHIM NOWAK

(nowak@hmplaw.com)



Joachim Nowak is a Senior Foreign Lawyer at Hwang Mok Park, P.C. He is a German "Rechtsanwalt", and in 1997 became the first German attorney ever to be engaged as a foreign legal consultant in Korea. Mr. Nowak has also been an arbitrator at the Korean Commercial Arbitration Board since 1999. Mr. Nowak uses his wide range of experience to represent clients in matters relating to corporate law, mergers & acquisitions, labor law, banking, anti-trust matters, insurance & reinsurance, and antitrust law. Prior to joining HMP in 2007 as part of HMP's merger with Seoul Law Group, Mr. Nowak worked for 10 years as an attorney at different firms in Korea, seven years as an elected official (ward mayor or Ortsvorsteher) in the city of Überlingen, Germany, and three years in banking. He is well-positioned to assist European clients doing business in Korea as his varied experience enables him to work out successful practical legal solutions with his Korean colleagues.

Married to a Korean businesswoman since 1993, Mr. Nowak has learned about Korean culture and business practices from his extensive experience and insights. His many years engagement in German politics, in which he held a position as ward mayor at a record young age, his bank traineeship, and his origin as the son of entrepreneurs has given him a keen grounding in business.

KOREA - MR. HYUNG-SOO LEE

(hslee94@hmplaw.com)



Hyung-Soo Lee is a partner at Hwang Mok Park P.C.'s Corporate Group. Mr. Lee primarily advises multinational corporate clients, whether publicly or privately held, with respect to cross-border M&A and financial transactions, corporate governance, and other general business matters.

Mr. Lee's experiences include providing legal services to a Spanish multinational IT group with respect to its sale of shares, technology outsourcing and establishment of a subsidiary, worth in excess of USD one (1) billion. Mr. Lee represented a US private equity fund in its various business acquisition, as well as the defense of criminal and civil allegations of breach of fiduciary duties, stock price manipulation and tax evasions in connection with its acquisition of financial institutions. Mr. Lee also advised a German reinsurance group in respect of its refund guarantee claims and led the negotiations during the settlements and recoveries. Mr. Lee frequently assists many other foreign and domestic investors in their formulation and implementation of inbound and outbound investment strategies.

SPEAKERS' PROFILES



SINGAPORE - DR. ANDREAS RESPONDEK
(respondek@rflegal.com)

Andreas is an American Attorney at Law, a German "Rechtsanwalt" as well as a Chartered Arbitrator (FCIArb). After heading the Legal Department of an MNC in Europe, he moved to Asia to establish the Asia Pacific Legal Department of a leading international Healthcare Company. Thereafter he led multinational companies in Asia as Managing Director (Thailand; Greater China) and Regional Managing Director Asia Pacific and established RESPONDEK & FAN in 1998 in Singapore and its counterpart in 2000 in Bangkok.

Living and working since more than 20 years in Asia, Andreas advises successful corporate investors in the Asia Pacific region on their day-today legal issues and secures their continued growth on the legal side, focussing on Corporate & Commercial Law, International Contracts, Health Care, Mergers & Acquisitions and International Arbitration. He is on the panel of the SIAC, HKIAC and KLRCA, is regularly appointed as Arbitrator and Party Representative in institutional and ad-hoc proceedings and editor / co-author of the ASIA ARBITRATION GUIDE.

TAIWAN - MR. NATHAN KAISER
(nathan.kaiser@eigerlaw.com)



Nathan has over 15 years of professional experience in China, notably in Shanghai, Beijing, Hong Kong and Taipei, advising clients in all matters pertaining to investment, corporate law, commercial trade, employment law and commercial disputes. As a founding partner of the firm Eiger, Nathan spends his time in the Greater China area, with regular visits to Switzerland. He serves on the board of companies in Greater China, as well as in his native Switzerland. Nathan further provides advice with regard to various international private law issues arising out of cross-border inheritance matters and related tax issues. He is also involved in litigation and arbitration, serving as a panel arbitrator in both mainland China and Taiwan. Originally from Solothurn, Nathan studied in Lausanne, Strasbourg and St. Gallen. Prior to coming to Asia, he worked in Zurich, Lausanne and Paris. He was admitted to the Zurich Bar in 1999 and is a Registered Foreign Attorney in Taipei, Hong Kong and Berlin

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Please register by 20 February 2014

Please register Mr/Ms/Dr:

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If you wish to attend this seminar, kindly fax or email this invitation to the SGC via:

Fax : +65 6433 5359 or Email: zerrin.arslanoglu@sgc.org.sg

Venue: Raffles Hotel Singapore

1 Beach Road Singapore 189673

Phone: +65 6337 1886, Fax: +65 6339 7650

Seminar Venue: Jubilee Lounge

SEMINAR FEES:

The full Registration Fee is SGD 1,250 per person. This fee includes the costs for all sessions, luncheon, break refreshments and seminar material. Payment is required with registration and must be received prior to the event to guarantee your participation.

METHOD OF PAYMENT:

Please send payments to the event organizer.

Cheque payment

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GROUP DISCOUNT:

For two or more participants from the same company, the fee per person is reduced to SGD 900.

CANCELLATION, REFUND & TRANSFER:

A full refund less 10% administrative charge will be made for all cancellations that the organizer receives at latest by 20 February 2014. A complete set of conference documentation and a 50% refund will be given for cancellations received by 28 February 2014. We regret that no refund can be made for a cancellation received after 28 February 2014.

Organised by:

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