

WHAT EVERY LAWYER SHOULD KNOW ABOUT SINGAPORE'S COMPETITION LAWS

Monday, 15 May 2006, 2.00pm to 5.00pm



About this Seminar

The Singapore Corporate Counsel Association (SCCA) and the Law Society's Corporate Practice Committee proudly present this competition law seminar which aims to provide a general update to legal professionals on Singapore's competition law regime and share practical insights into how the law works, the economic aspects and what lawyers can do. The Competition Act came into force on 1 January 2006 changing the business and legal landscape in Singapore. The new laws spare no one, not even lawyers. As indicated, this session is intended to provide all participants an opportunity to hear the Competition Commission, other lawyers and the accountants provide thoughts, pointers and suggestions about the way the law works, the issues businesses face, the practical concerns that lawyers have in advising and the useful dimension that the economists add. The session will be discursive and very interactive.

Seminar Outline

1.45-2.00pm	Registration & Refreshments
2.00-2.10pm	Chairperson's Opening Remarks - Competition Law and its Impact for Lawyers
	<i>Ms Kala Anandarajah – Chairperson, Corporate Practice Committee, The Law Society of Singapore; Partner, Rajah & Tann</i>
2.10-3.00pm	Overview of the Key Elements of Competition Laws 1) Structure of the Competition Act 2) The 3 main prohibitions 3) Differences between the EU/UK regime and Singapore Role of Lawyers 1) Compliance programmes 2) Self assessment 3) Filing notifications for guidance and decisions 4) Public consultation on guidelines & block exemption orders 5) Handling investigations and enforcement action 6) General advocacy
	<u>Speaker</u> <i>Ms Sia Aik Kor, Director (Legal and Enforcement), Competition Commission of Singapore</i>
3.00-3.15pm	Tea Break
3.15-4.05pm	Panel Discussion and Q&A Session: The Current Practice of Competition Law 1) Conducting the Due Diligence - Why and How? 2) Preparing the Compliance Programme - Necessary Steps and Why is This Essential 3) Competition Law and its Impact on Other Practice Areas, e.g. Corporate Advisory, M&A, IP/IT 4) Preparing for an Application for Guidance and/or Decision - When is this Done and Why? 5) Handling an Investigation and a Raid - What Does the Law Require and What Steps Need to be Put in Place? 6) Can Competition Law be Incorporated into Main Stream Corporate Practice? How is It, if at All, Different? 7) A Corporate Counsel's Perspective on Competition & Antitrust: "How Philips Does It"
	<u>Panellists</u> ▪ <i>Mr Daren Shiau – Partner, Competition & Antitrust, Allen & Gledhill</i> ▪ <i>Ms Dominique Lombardi – Foreign Lawyer, Competition & Trade Law Practice Group, Rajah & Tann</i> ▪ <i>Mr Eugene Phua – Senior Associate, Competition Law Practice Group, Drew & Napier LLC</i> ▪ <i>Ms Neoh Sue Lynn – Legal Manager (S'pore) / Regional Counsel (Semiconductors, Asia), Philips Electronics Singapore Pte Ltd</i>
4.05-4.50pm	Panel Discussion and Q&A Session: The Economics of Competition Law 1) How Economists Work with Lawyers 2) The Importance of Economic Analysis for Market Definition 3) The Data Collection and Analysis Process 4) The Importance of Forensics during Investigations
	<u>Panellists</u> ▪ <i>Mr Alvin Tey – Assistant Manager, KPMG Business Advisory Pte Ltd</i> ▪ <i>Mr Loo Wei Choong – Director, Financial Advisory Services, Deloitte & Touche (Singapore)</i>
4.50-5.00pm	Closing comments

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About the Speaker

Ms Sia Aik Kor – Director (Legal and Enforcement), Competition Commission of Singapore

Aik Kor is Director (Legal & Enforcement) at the Competition Commission of Singapore. She has previously served as a Justices' Law Clerk and Assistant Registrar in the Supreme Court, as a Deputy Public Prosecutor/State Counsel with the Attorney-General's Chambers and as a District Judge in the Subordinate Courts of Singapore. Aik Kor was involved in the drafting of the regulations and guidelines issued under the Competition Act.

About the Chairperson

Ms Kala Anandarajah – Chairperson, Law Society's Corporate Practice Committee; Partner, Rajah & Tann

Kala heads the Knowledge & Risk Management Group and the Competition and Trade Law Practice and leads the Corporate Governance Practice. She is a Member of Ministry of Manpower Workplace Safety And Health Advisory Committee. In 2004-2005, she was a member of the Review Committee established by CCDG that reviewed and issued a revised Singapore's Code of Corporate Governance. Kala has been cited on numerous occasions as a leading lawyer in Corporate Governance, Competition & Anti-Trust Laws and Environmental Laws by international legal ranking journals. Kala practices in the field of Corporate and Banking advisory (particularly Corporate Governance), Competition Law, Employment Law and Environmental Law. She has advised multi-nationals, TLCs and financial institutions extensively on Competition Law matters, ranging from advisory to compliance, advising on handling raids and on making applications to the Competition Commission for Guidance and Decisions.

About the Panellists

Mr Daren Shiau – Partner, Competition & Antitrust, Allen & Gledhill

Daren Shiau is a Partner in Corporate & Commercial and is the Co-head of the Firm's competition and antitrust practice. Besides his main practice areas of mergers and acquisitions, joint ventures and direct investments, Daren specialises in competition law. Daren has provided industry-specific antitrust compliance services to clients ranging from government-linked corporations to international trade associations. In 2004, Daren was seconded to the London and Brussels offices of Linklaters' EU Competition Practice where he worked on matters involving the Office of Fair Trading. He is recommended as a leading antitrust practitioner in *The International Who's Who of Competition Lawyers* (2006/2007).

Ms Dominique Lombardi – Foreign Lawyer, Competition & Trade Law Practice Group, Rajah & Tann

Dominique was called to the Paris bar in 1992 and has extensive experience in European competition law and regulatory issues. She began her career as a competition lawyer in France in a private law firm advising clients in various industry areas, from super and hypermarkets chains to entertainment parks. As an 'avocat' she conducted both cases in court as well as at arbitration. She subsequently went in-house, where her experience extended to anti-competitive practices, restrictive practices, merger control, and deregulation law. She is especially knowledgeable in the energy business having spent a substantial amount of time on competition law work in that industry.

Mr Eugene Phua – Senior Associate, Competition Law Practice Group, Drew & Napier LLC

Eugene Phua has acted for regulators in both the telecommunications and media industry on a variety of competition law enforcement matters and is a member of the firm's active competition practice. As an undergraduate, Eugene represented the National University of Singapore at the Vis Moot Arbitration Competition in Vienna and received the *Frédéric Eisemann Award* for the best team performance. In 2003, he pursued his LL.M. at Columbia Law School on a *Kathryn Worth Foundation Scholarship* and specialised in Antitrust and Telecommunications law. In recognition of his academic standing, Eugene was named *Harlan Fiske Stone Scholar* by the Columbia Faculty.

Ms Neoh Sue Lynn – Legal Manager (S'pore) / Regional Counsel (Semiconductors, Asia), Philips Electronics Singapore Pte Ltd

Neoh Sue Lynn, LL.B. (LSE, Univ of London), LL.M. (King's College, Univ of London), is an inhouse lawyer with the Philips group of companies. Currently, her work is primarily in the Semiconductors industry where Philips is one of the world's leading semiconductor suppliers. It was recently announced in December 2005 that Philips would be placing its worldwide Semiconductors business into a separate legal structure in order to increase the business' flexibility to invest, grow and build scale in the competitive semiconductor market while continuing to leverage the strengths of Philips overall. Before joining Philips, Sue Lynn was briefly with a subsidiary of SembCorp as legal manager, and before that, she was a practising lawyer in the litigation department of Helen Yeo & Partners, which has since merged with Rodyk & Davidson.

Sue Lynn serves on the General Committee and one Sub-Committee of the Singapore Corporate Counsel Association. She has been a speaker or panel member at various legal-related events and last year, became qualified as an Associate Mediator of the Singapore Mediation Centre.

Mr Alvin Tey – Assistant Manager, KPMG Business Advisory Pte Ltd

Alvin is an Assistant Manager in KPMG Business Advisory Pte Ltd where his main areas of practice are in competition, regulatory and strategy advisory. In KPMG, he has been involved in a review of the Media Market Conduct Code in Singapore. Prior to joining KPMG, he worked in the Maritime and Port Authority of Singapore (MPA) from 1999-2005. An MPA Overseas Scholarship holder, some of the competition related issues he handled while at MPA included drafting the alternative competition framework for the Singapore cargo terminals sector which is carved-out of the Competition Act, regulation of competition in maritime sectors, and the proposed granting of block exemptions to shipping liner agreements under the Competition Act.

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Mr Loo Wei Choong – Director, Financial Advisory Services, Deloitte & Touche (Singapore)

Wei has more than 14 years of working experience both in International Accounting Firms and Investment /Merchant Banks. Presently, amongst his other portfolios, he also coordinates the Competition Economics Services for the Singapore office, working closely with our Competition Practice in Deloitte UK and US. Wei was involved directly in a "Predatory Pricing Review" that successfully defended allegations made against a large local corporate client by a competitor to the Media Development Authority.

Venue:

**NTUC Amphitheatre
Level 9, One Marina Boulevard**

(Registrations will begin at 1.45pm)

Fee:

S\$ 63.00

(Law Society Members, SCCA Members
& employees of Singapore law practices)

S\$ 84.00 (non-Members)

(includes 5% GST, materials & refreshments)

REGISTRATION FORM

Name (Dr/Mr/Mrs/Miss/Mdm): _____

Name and Address of Law Firm/Law Corporation/Organisation: _____

Date of Admission: _____ Number of years in Practice: _____

AAS No: _____ NRIC/Passport No: _____
(Law Society Members) (Law Society Associate Members & Non Law Society Members)

Position in Law Firm/Law Corporation/Organisation: _____

Tel number: _____ Fax number: _____ Email: _____

(A valid email address is required for confirmation of registration.)

Mode of payment:

GIRO DDA ☐

(Only for law practices with GIRO accounts with the Law Society)

Cheque ☐

Law Society Member ☐

Employee of Singapore law practice ☐

SCCA Member ☐

Other ☐

Cheque payments should be made payable to "The Law Society of Singapore" & arrive at our office with the completed registration form on or before the closing date, **Monday, 8 May 2006**:

The Training & CPD Department
The Law Society of Singapore
39 South Bridge Road (S) 058673

For further enquiries, please contact
The Training & CPD Department at
Tel: (65) 6557 2747 Fax: (65) 6557 2751
E-mail: cpd@lawsoc.org.sg
CPD Portal: www.lawsociety.org.sg/CPD
Website: www.lawsociety.org.sg

REGISTRATION, REFUND & CANCELLATION POLICY

1. Registrations will be confirmed upon receipt of full payment accompanied by a duly completed registration form.
2. The Organisers reserve the right to refuse to register or admit any participant, and to cancel or postpone the course.
3. Substitute delegates are welcomed, subject to the Organisers being notified at least 2 working days before the course of the details of the substitute delegate.
4. The Organisers reserve the right to impose a cancellation fee in the event any registrant wishes to withdraw from the course after the registration closing date.
5. The Organisers will not entertain any request for a refund of fees made later than 24 hours before course commencement. However a confirmed registrant who has paid in full the course fees but does not turn up for the course will be entitled to collect a set of the materials provided.

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