



FORUM ON ASIAN INSOLVENCY REFORM

2009

The Four Seasons Hotel
Bangkok, Thailand, 17-18 July 2009

Asian Insolvency Reforms following the
Global Financial Crisis: Policy Responses and Opportunities

PROGRAMME



**Hosted by the
Ministry of Justice, Government of Thailand**

With the support of:
Government of Australia, INSOL International & UNCITRAL

DRAFT PROGRAMME (as of 13 July)

Friday 17 July 2009

Format/speaker

Introductory Remarks

Welcoming remarks from the Government of Thailand to be followed by an OECD and World Bank overview of the impact of the financial crisis on the global economy, policy responses, and implications for insolvency frameworks in Asia.

9.00 - 9.45

The discussions of the Forum will be moderated by Mr. Neil Cooper, Consultant to the World Bank and former president of INSOL International

Dr. Kittipong Kittayarak,
Permanent Secretary for Justice, Govt. of Thailand;
Rainer Geiger,
Senior Regional Adviser, OECD;
Mathew Verghis,
World Bank Lead Economist for Cambodia, Lao PDR, Malaysia, Myanmar and Thailand

Taking Stock Following the Global Financial Crisis (GFC): An Opportunity for Progress on Insolvency Reforms?

9.45 - 10.15

To explore the extent to which nations have been affected by the GFC; the reforms enacted to date and future planned reforms in the areas of corporate restructuring, insolvency and creditor protection. Overview of promising recent Asian initiatives and opportunities for progress.

Charles Booth,
Director, Institute of Asia-Pacific Business Law, Univ. of Hawaii at Manoa

National Reports: A chaired panel will address country by country the ways in which different jurisdictions have endeavoured to deal with the current problems and the planned reforms.

10:15 - 11:15

Speakers:

Jitesh Khosla, Joint Secretary to Government of India and OSD, Indian Institute of Corporate Affairs;
Andrew Sellars, Australia Department of Treasury;
T.C. Ho, Chief Treasury Accountant & **Anita Tong**, Senior Solicitor, Hong Kong Official Receivers Office;
SEE Kee Oon, Singapore Insolvency & Public Trustees Office
Francisco Lim, President, Phillipines Stock Exchange

Chair:
Wisit Wisitsora-At, Deputy Permanent Secretary for Justice, Ministry of Justice, Thailand

11.15 - 11.45

Refreshments break

11.45 – 1.00 **National reports** continued

1.00 – 2.30

Lunch break

Effective Insolvency Systems in the GFC

2.30 – 3.00 **The importance of effective insolvency systems** – the business and economic case for effective systems in the wake of the GFC: the policy and institutional reform agenda.

Jose Maria Garrido, Senior Counsel, Insolvency and Debtor-Creditor Regimes, and **Adolfo Rouillon**, Consultant and Former Senior Counsel, Legal Vice Presidency, World Bank

3.00-4:30 **1. Implementing laws, national standards, codes and working practices** - national experiences with raising institutional capacity and standards, and proposals for reform.

Chair: **Sumant Batra**, President, INSOL International

Speakers:
Salman Shaikh, Chairman, Pakistan Securities Commission

2. Qualification, examination and licencing of Insolvency Office Holders - national experiences of raising the standards of insolvency professionals and proposals for reform.

Speakers:
Li Shuguang, China University of Politics and Law;
Ramesh Kannan, Insolvency Practitioners Association, Singapore

4:30-5:30 **Delegates discussion on matters arising**

Chairman

Participants are invited by Thailand's Ministry of Justice to a Welcome Reception at 7 p.m. in the Pmarnam Room of the Four Seasons Hotel

Saturday 18 July 2009

9.00 - 9.30	Welcome back	Wisit Wisitsora-At , Deputy Permanent Secretary for Justice, Ministry of Justice, Thailand
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Out of Court Restructuring (OOCR)

9.30 - 10.00	An introduction to processes, advantages and usefulness of OOCR following the Global Financial Crisis	Wayne Porritt , Regional Head, North East Asia, Group Special Assets Management, Standard Chartered Bank, Hong Kong
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National experiences with Out of Court Restructuring. Methods of developing and suggestions for reforms; central bank encouragement; taxation considerations; market abuse protection; spectrum considerations.

10.00 - 11.00	Speakers: Shinjiro Takagi , Advisor, Nomura Security Co., Japan Alan Tang , Grant Thornton, Hong Kong KWON Young Jong , Secretary General, Korea Financial Institutions Consolidation Committee George Kelakos , Of Counsel, Salans and Managing Director, Kelakos Advisors LLC, US	Moderated panel
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11.00 - 11.20 *Refreshments break*

11.20 - 12.30	Discussion of national experience with insolvency and restructuring matters, continued
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Lunch break

Professional and judicial cooperation

2.00 - 3.00	National approaches to professional and judicial cooperation The increasing need for cooperation to deal with cross-border groups	Moderated panel
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Speakers:
Judge A.K. Sikri, Delhi High Court, India
Judge Bharat Raj Upreti, Supreme Court of Nepal

John Marsden, Mayer Brown, Hong Kong

3.00 - 3.30 **Court to court cooperation** - the developing debate and the development of the protocol as a means of facilitating the restructuring of groups

Conclusions and Next Steps

3.30 – 4.00 **Vijay S. Tata**, Chief Counsel - Legal Finance, Private Sector and Infrastructure Group, World Bank
Daniel Blume, Senior Policy Analyst, OECD
Wisit Wisitsora-At, Deputy Permanent Secretary for Justice, Ministry of Justice, Thailand

APEC Regional Network of Asian Insolvency Reform - Meeting

4.00-6.00 *Inaugural meeting of representatives of governmental and intergovernmental organisations involved in insolvency policy development and law reform in Asia. By invitation - separate agenda will be provided to participants*
