



Asian Strategy & Leadership Institute

*Dedicated To Creating A Better Society*

# The Asian Conference on Competition & Antitrust Law

*"Recognising &  
Highlighting the  
Impact of Competition  
& Antitrust Laws on  
Global Businesses"*

Keynote Address & Official Opening

**MR. RAGUNATH KESAVAN**

*President, Bar Council Malaysia*

**HRDF**  
claimable

**DATE:**  
**6 AUGUST 2009**

**VENUE:**  
**PWTC KUALA LUMPUR**

# The Asian Conference on Competition & Antitrust Law

6 AUGUST 2009

PWTC KUALA LUMPUR

The past two decades have witnessed the increased globalisation of businesses and the opening up and rapid growth of Asian economies. Cross-border trade and foreign investment have become the key agenda for governments and businesses worldwide. With the increased commercial activity and expansion of economies, Competition Policies and Laws have become crucial gate-keepers in the regulation and maintenance of competitive market structures in both developed and developing nations.

To date, there are some 80 competition law jurisdictions around the world, most of which have laws with extra-territorial reach. In Asia alone, there are approximately 20 implemented Competition Law regimes.

The first Asian Conference On Competition And Antitrust Law organised by ASLI aims to bring to businesses and Competition / Antitrust Law regulators alike insight and information into key Competition Policy and Compliance issues through the sharing of experiences of regulators, lawyers and businesses from mature Competition Law jurisdictions and new Competition Law jurisdictions. This is surely an opportunity you would not want to miss!

## ATTENDEES PROFILE

This 1-day forum should be attended by top-level executives and individuals who deal directly in the legal aspects of a business from the following sectors: -

- Foreign & local companies in various business sectors
- Legal firms
- In-house legal councils
- Corporate legal advisors
- Company secretaries
- Trade delegations from various countries
- Policy & decision makers
- Foreign missions
- Consul generals
- Government officials
- Members of Federations, Chamber of Commerce & Trade Associations

## MODERATORS:

**Ms. Kaia Anandarajah,**  
Head, Competition & Trade Laws  
Rajah & Tann LLP, Singapore

**Robert Ian McEwin**  
Professor, Law Faculty  
National University of Singapore (NUS)

**Mr. Andrew Ong**  
Consultant, Competition & Trade Laws  
Rajah & Tann LLP, Singapore

**Ms. Faizah Jamaludin**  
Partner, Corporate Division  
SKRINE, Malaysia

## PANELISTS:

**Arunan Tan Sri Kumaran**  
Principal Assistant Director  
Ministry of Domestic Trade and  
Consumer Affairs, Malaysia

**Mr. Ngo Duc Minh**  
Public Officer - Legal Affairs Division 1  
Ministry of Industry & Trade, Vietnam

**Dr. Wafi Nazrin Abdul Hamid**  
General Manager - Corporate Services  
Malaysia Airlines

**Mr. Julian Ding**  
Managing Partner, First Principles,  
Malaysia

**Mr. Zaid Hamzah**  
Chief Legal & Compliance Officer,  
Telekom Malaysia Berhad

**Ms. Dominique Lombardi**  
Partner, Rajah & Tann LLP, Singapore

**Prof. Dr. Ningrum Natasya Sirait SH, MLI**  
Program Secretary for PhD in Law  
Program, Sekolah Paska Sarjana, North  
Sumatra University, Medan, Indonesia

6 AUG  
(Thursday)

# Programme Outline

(All proceedings of the conference be held at the Johor/Kedah Rooms, Level 2)

8.00 am	Arrival and Registration of Delegates / Morning Refreshments
8.30 am	Arrival of invited VIP guests
9.00 am	Opening Remarks: <b>YBHG. DATO' DR. MICHAEL YEOH</b> , <i>Chief Executive Officer, Asian Strategy &amp; Leadership Institute (ASLI)</i>
9.05 am	Keynote Address & Official Opening <b>MR. RAGUNATH KESAVAN</b> , <i>President, Bar Council Malaysia</i>
9.30 am	<b>SESSION 1</b> <b>GLOBAL COMPETITION &amp; ANTI-TRUST LAWS IN TODAY'S ECONOMIC SCENARIO: ITS APPLICATION AND IMPACT OF ENFORCEMENT</b> <ul style="list-style-type: none"><li>• Discussing the impact of competition law and the global economic scenario</li><li>• Reviewing general laws and policies of key jurisdictions</li><li>• Co-existence of Competition &amp; Anti-trust Laws with trade and other laws</li><li>• Extra-territorial reach: the long arm of the law</li><li>• Highlighting the impact on global businesses</li><li>• Building competition policy &amp; laws in developing nations and competition reform in mature jurisdictions</li></ul>
11.00 am	Coffee & Tea / Contact Break & Networking
11.30 am	<b>PANEL SESSION 2</b> <b>HIGHLIGHTING ISSUES ON CARTELS &amp; ANTI-COMPETITIVE BEHAVIOUR</b> <ul style="list-style-type: none"><li>• Collusive Practices</li><li>• Information-Sharing &amp; Market Research: Taking Precautionary Measures – Compliance for Businesses</li><li>• Anti-Competitive Vertical Arrangements</li><li>• Penalties – Financial Penalties &amp; Criminal Penalties</li><li>• Co-operation between Competition Law authorities around the world</li><li>• Whistle-Blowing &amp; Leniency Programmes</li><li>• Facilitating Business but Avoiding Antitrust Infringement – a Practical Guide</li></ul>
01.00 pm	Conference Networking Luncheon
02.00 pm	<b>PANEL SESSION 3</b> <b>DISCUSSING SECTORAL COMPETITION REGULATION IN ASIA</b> <ul style="list-style-type: none"><li>• Sectoral Regulation versus General Competition Law: Policy Issues and Need for this</li><li>• Sectoral Regulation in Singapore, Malaysia and Hong Kong – a Comparative Study</li><li>• Cooperation Between Multiple Regulators</li><li>• Practical Considerations</li></ul>
03.30 pm	Afternoon Refreshments / Contact & Networking Break
04.00 pm	<b>PANEL SESSION 4</b> <b>ANTI-MONOPOLY LAWS IN ASIA – DOMINANCE &amp; ABUSES</b> <ul style="list-style-type: none"><li>• Understanding how Dominance is Measured</li><li>• Recognising the need for Variances in Dominance depending on the Respective Jurisdictions</li><li>• Entry Barriers and Market Power</li><li>• Defining what is an abuse and looking at price squeezing, rebates, discounts and tying and bundling issues</li></ul>
05.00 pm	Closing Remarks
05.10pm	End of Summit / Afternoon Refreshments & Contact Break

## Notes:

- ASLI reserves the right to alter the content and timing of the programme in the best interest of the conference and is not responsible for cancellations due to unforeseen circumstances
- ASLI accepts no responsibility for statements made orally or in written materials distributed by any speakers at the conference. In addition, the organiser is not responsible for any copying, re-publication or redistributions of such statements
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- Programme as of 07/04/2009 16:31

**JULIAN DING**

Managing Partner, First Principles, Malaysia

Julian Ding read law at the University of London, and has a masters in public policy and management from Monash University. He is a qualified barrister from Lincoln's Inn and practised as an Advocate and Solicitor in Malaysia for 18 years before becoming the managing director of firstprinciples – a strategy, advisory and research consultancy, with offices in Melbourne and Kuala Lumpur, focussing on policy, regulation and competition. Julian has been involved in the communications industry advising on and navigating the regulatory environment for clients in Malaysia, Brunei and Indonesia. A key aspect of the work involves assessment of ex-ante or ex-post anti-competitive behaviour of firms, determination of strategy to minimise the risk of anti-competitive behaviour for firms and economic and evidence analysis of anti-competitive behaviour. Julian's 10 years of litigation experience provides a strong basis for identifying and assessing the evidence needed for substantiating or rebutting anti-competition complaints. He has also undertaken a variety of policy and regulatory research, strategy and design projects for regulatory and government bodies on various areas ranging from energy safety to healthcare to numbering and electronic addressing.

**NGO DUC MINH**

Public Officer Legal Affairs Division 1, Ministry of Industry & Trade, Vietnam

Mr. Ngo joined the Department of Legal Affairs - Ministry of Industry and Trade (MOIT) of Vietnam since 2007. As one of two departments under direct supervision of the Minister, the Department of Legal Affairs is the main body of the Drafting committee of the Competition Law. Graduated from Sorbonne University in France (in the field of Public Policy), Mr. Ngo, within his responsibilities, supervise regulations in the field of Competition Law, and assist Vietnam Competition Administration and Vietnam Competition Council in their respective duties.

**NINGRUM NATASYA SIRAIT**

Program Secretary for PhD in Law Program, Sekolah Paska Sarjana, North Sumatra University, Medan, Indonesia

Prof. Sirait has been working as a lecturer at the Faculty of Law, University of North Sumatera in Medan, Indonesia since 1989. Prof. Sirait obtained her Master's degree from University of Wisconsin in the US in 1996 where her major field of study was economic law. She completed her Doctoral degree in 2003 with Dissertation in Competition Law, a newly introduced subject to the Indonesian law school. Prior to the completion of the PhD degree in law, she received Fulbright Scholarship to the US for completing the PhD research. Prof. Sirait has been inaugurated with tenure professorship at the University of North Sumatera in Medan, Indonesia. At present, she is a Program Secretary for PhD in Law Program at the Law Faculty. Prof. Sirait teaches several subjects at both undergrad and graduate school of law level, such as Competition Law, Contract Law, Corporation Law, Consumer Protection.

Prof. Sirait has written extensive article in the area of Competition Law and several books concerning the same subject. The articles published in both national and international journals. Prof. Sirait has been a visiting researcher and scholar in Germany under DAAD scholarship and given talks in various international seminars in Singapore, Hong Kong, Germany and Washington DC.

Apart from being a law professor and teach, Prof. Sirait has been deeply involved with several activities outside the law school. She and her research team have been doing several researches for the purpose of both Legislative and Judicial reform movement. She leads the research team under collaboration with The Judicial Commission, EU and the British Council, Supreme Court, JICA, Bank of Indonesia and several others continuing work collaboration with PSHK etc.

**DOMINIQUE LOMBARDI**

Partner (Foreign Lawyer), Rajah and Tann LLP

Dominique Lombardi is a Partner (Foreign Lawyer) in Rajah and Tann LLP's Competition and Trade Law team. Dominique has a Masters degree in Business Law from Paris X University and was called to the Paris bar in 1992. She has been a competition lawyer in France in a private law firm for several years before subsequently going in-house, where she carried on her work in competition and antitrust laws. She has extensive experience in European competition law and regulatory issues. Her expertise extends to anti-competitive practices, restrictive practices, merger control, and deregulation law. She is especially knowledgeable in the energy industry having spent a substantial amount of time on competition law work in that industry. Since she joined the firm in 2006, Dominique has been involved extensively in advising a number of corporations on all types of competition law issues. These include participating in various notifications to the Competition Commission of Singapore ('CCS') of co-operative agreements between competitors and of mergers; helping in investigations initiated by the CCS; contributing to the filing of leniency applications with the regulator; assisting with the implementation of compliance programmes for both local firms and MNCs; reviewing merger deals and determining whether notification to the CCS was required and more. Industries reviewed for competition law purposes comprise, inter alia, banking, airlines, construction, energy, music and insurance. Dominique has been nominated in the field of competition by the International Who's Who of Leading Competition Lawyers 2008/9 and as one of Singapore's leading practitioners in Competition Law in Who's Who Legal: Singapore 2008. Dominique is multilingual and speaks English, French and Italian.

## FAIZAH JAMALUDIN

Partner, SKRINE

Faizah Jamaludin is a Partner of SKRINE, one of the largest and oldest law firms in Malaysia. She heads Skrine's oil & gas practice and is a member of the firm's Islamic Finance practice. Her areas of practice include competition law.

Faizah has been involved in the proposed Malaysian competition/fair trade practices law for over 10 years. She has served on the Malaysian Ministry of Domestic Trade and Consumer Affairs (MDTCA) working group on the drafting of the Malaysian Fair Trade Practices policy and law. She is a member of the Malaysian International Chamber of Commerce (MICCI) Domestic Trade Committee and working group on competition policy and law. She represents MICCI on the MDTCA's Consultation Group (CG-25) on the proposed Fair Trade Practices law.

Faizah has advised a number of companies and foreign direct investors on competition law issues. She has also conducted a competition law audit for a multinational company operating in Malaysia and a study on the possible effects of the Fair Trade Practices policy and proposed law on the Malaysian electricity supply industry.

Before joining SKRINE, Faizah worked for 8 years as in-house legal counsel of the ExxonMobil subsidiaries in Malaysia, where she had conducted annual competition/anti-trust laws trainings and advised on competition/anti-trust law issues. Faizah is a Barrister of the Inner Temple, London. She was called to the English Bar in 1990 and the Malaysian Bar in 1994.

## PROFESSOR R IAN McEWIN

Faculty of Law at the National University of Singapore

Professor R Ian McEwin is with the Faculty of Law at the National University of Singapore where he teaches courses in Asian competition law and law and economics. Prior to joining NUS, he worked for the Singapore Ministry of Trade and Industry advising on the policy, design, drafting and implementation of Singapore's new competition law. He subsequently became Chief Economist with the Competition Commission of Singapore. Ian was the founding Director of the Centre for Law and Economics at the Australian National University and, in private practice, has worked in a law firm and as an economics expert with several international economics consulting firms. He has been an expert witness in major litigation in Australia and New Zealand and has been recognised by Global Competition Review as a leading competition economist. Ian has a Ph.D in Economics and a LLB (Hons) from the Australian National University, and is admitted as a Legal Practitioner in the Australian Capital Territory. He is also Senior Advisor to Case Associates in London.

## ARUNAN TAN SRI KUMARAN

Principal Assistant Director, Domestic Trade Division Ministry of Domestic Trade and Consumer Affairs, Malaysia

Arunan Tan Sri Kumaran obtained his Bachelors Degree in Law (LLB) and Master of Laws (LLM) in Corporate and Commercial Law from Bond University, Australia. He was admitted as Advocate and Solicitor of the High Court of Malaya in 2000 and was appointed to the Malaysian Administrative and Diplomatic Service in 2003. He has served as the Assistant Secretary/Senior Assistant Secretary in the Policy and Planning Division of the Ministry of Domestic Trade and Consumer Affairs (MDTCA) Malaysia for 5 years and was amongst others responsible for the drafting of Malaysia's Fair Trade Practices Policy which was approved by the Government of Malaysia in 2005 and was the desk officer responsible for the drafting of the Malaysia Fair Trade Practices Bill and Fair Trade Practices Commission Bill. He was also responsible for finalizing the Electronic Commerce Act which was enacted in 2006. Arunan has represented the Government of Malaysia in many international meetings at the ASEAN, APEC and United Nations groupings in the field of competition policy, intellectual property and electronic commerce. He now Heads the Electronic Commerce Unit in MDTCA and continues to play a role in the enactment of a competition law for Malaysia.

## KALA ANANDARAJAH

Head, Competition & Trade Laws, Rajah & Tann LLP, Singapore

Kala is a partner at Rajah & Tann LLP, one of the largest Asian law firms, where she heads the Competition & Trade Law Practice (which was recently voted Competition Law Firm of the Year by ACQ Finance) and leads the Corporate Governance Practice. With two decades of experience, she has been cited on numerous occasions as a leading lawyer in the various areas that she practices in, including Competition & Anti-Trust Laws, Corporate Governance, Corporate, Employment, Trade and Environmental Laws by international peer-reviewed legal ranking journals. The AsiaPacific Legal 500 notes that 'Kala Anandarajah has emerged as a leading authority in corporate governance, compliance and competition issues..', whilst the The Who's Who of Leading Practitioners Singapore describes her as 'highly active and very good' and an 'acknowledged authority in this field'. The Who's Who of Leading Practitioners Singapore also describes her as 'very knowledgeable' in competition law matters. Kala frequently acts for multinationals, TLCs, SMEs, financial institutions, NGOs and even countries in her areas of practice. She has acted in many leading matters and firsts on the Competition Law front in the last few years. She has written very widely, including the first book on Competition Laws, on Corporate Governance and on Trade in Singapore, and presented at numerous conferences internationally. She sits on various committees, including as a member of the Competition Commission Roundtable, as a member of the Workplace Safety and Health Council, and as a Council Member and Director of the Singapore Institute of Directors. She was a member of the Review Committee that reviewed and recommended amendments to the Singapore Corporate Governance Code which took effect in 2007 and was Chairperson of the Law Society of Singapore Corporate Practice Committee for 5 years, stepping down at the end of 2008.

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If undelivered please return to:

**THE ASIAN CONFERENCE ON  
COMPETITION & ANTITRUST LAW**  
6 AUGUST 2009

**ASIAN STRATEGY & LEADERSHIP  
INSTITUTE (ASLI)**

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## REGISTRATION FORM

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Dr/Mr/Ms	<input type="text"/>	Tel	<input type="text"/>
Position	<input type="text"/>	Fax	<input type="text"/>
Tel	<input type="text"/>	E-mail	<input type="text"/>
Fax	<input type="text"/>		
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Dr/Mr/Ms	<input type="text"/>	Bankdraft/Cheque No.	<input type="text"/>
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Organisation's Name	<input type="text"/>	Please indicate the nature of your business	
Mailing Address	<input type="text"/>	<input type="checkbox"/> Natural Resources	<input type="checkbox"/> Construction/Engineering
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Approving Manager's Name	<input type="text"/>	<input type="checkbox"/> Education	<input type="checkbox"/> Insurance/Healthcare
Position	<input type="text"/>	<input type="checkbox"/> Others, please specify	<input type="text"/>
E-mail	<input type="text"/>	<input type="checkbox"/> No, I cannot attend this conference but please keep me updated by sending me additional information as it becomes available on the following topics:-	
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		<input type="checkbox"/> Others, Please specify	<input type="checkbox"/> Service
			<input type="checkbox"/> Management
			<input type="checkbox"/> IT

## REGISTRATION INFORMATION

### REGISTRATION FEES:

<b>Full Registration Fee</b>	<b>RM1300.00 per person</b>
<b>Early Bird Registration</b> (Before 16 July 2009)	<b>RM1100.00 per person</b>
<b>Special Group Discount</b> (NOTE: For a group of 4 persons or more)	<b>RM900.00 per person</b>
<b>Government Officials</b>	<b>RM900.00 per person</b>

Note: All fees are inclusive of luncheons, refreshments and conference materials  
Registration fee is HRDF SBL Claimable (subject to approval by HRDF)

### VENUE:

PWTC, Kuala Lumpur

### PAYMENT:

The fee must be paid in advance of the event. Walk-in delegates with payment will be admitted on 'space availability' basis. Cheques and bankdrafts should be crossed and made payable to **Asian Strategy & Leadership Incorporated Sdn Bhd.**

### FOR PRIVATE SECTOR:

The organisers reserve the right to stop any registered delegate from taking part in the event if no proof of payment can be presented. This only applies to registered delegates who have **NOT** paid the registration fees prior to the event date.

### FOR GOVERNMENT OFFICIALS:

A Local Order (LO) or letter of approval to participate must be presented before the event.

### SUBSTITUTION/CANCELLATION:

Substitution is allowed for a registered delegate. Please note that all payments must be made prior to the event proper. For cancellations, a refund minus 10% service charge will be sent to the said delegates if cancellation is received in **WRITING** by **23rd July 2009**. No refund will be made for cancellation received after **23rd July 2009**.

### REGISTRATION

Send/fax this entire form (or a photocopy) to:

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