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16-17 JAN 2019

Public-Private Partnerships Conference

HONG KONG CONVENTION AND EXHIBITION CENTRE

Enquiry: events@aail.org

Online registration: <https://events.aail.org/en/event/2019PPPs/>

ORGANISERS



United Nations
UNCITRAL



Department of Justice
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ABOUT THE CONFERENCE

The United Nations Commission on International Trade Law (UNCITRAL) will issue the updated "UNCITRAL Legislative Guide on Public-Private Partnerships" in 2019. This international conference aims to explore the untapped opportunities for infrastructure projects along the Belt and Road and how to use PPPs to unlock such opportunities. Expert speakers will share their experiences in PPP projects, including how opportunities have been harnessed and how challenges have been overcome. Special focus will also be given to assessing, allocating and avoiding risks in infrastructure projects, and how to ensure PPP projects are sustainable.

Invitations have been sent to speakers from the State-owned Assets Supervision and Administration Commission of the State Council (SASAC), the Ministry of Commerce (MOFCOM) and the Ministry of Foreign Affairs (MFA); other speakers and participants will include government officials, state-owned enterprises, transnational corporations and other stakeholders in the construction industry as well as legal and financial sectors.

This conference provides a unique business opportunity for those interested in infrastructure projects to exchange views and network with one another.

PROGRAMME

DAY-1

08:30-09:00	Registration
09:00-09:30	<p>Opening</p> <p>The Hon Mrs Carrie Lam Cheng Yuet-ngor, GBM, GBS Chief Executive, The Government of the Hong Kong Special Administrative Region ("HKSAR")</p> <p>Mr Weng Jieming Vice Chairman, State-owned Assets Supervision and Administration Commission of the State Council, PRC</p> <p>Mr Xu Hong Director-General, Department of Treaty and Law, Ministry of Foreign Affairs, PRC</p> <p>Mr Wang Hejun Director-General, Department of Treaty and Law, Ministry of Commerce, PRC</p>
09:30-10:00	<p>International trend and standard for PPPs: Introduction to the UNCITRAL PPPs Legislative Guide</p> <p>The speaker will give a brief overview of the UNCITRAL PPPs Legislative Guide (including its background and purposes) and the need for its revision to more accurately account for the development of PPPs in the global landscape by reference to some international trends.</p> <p>Speaker</p> <p>Mr José Angelo Estrella Faria Principal Legal Officer and Head, Legislative Unit, United Nations Commission on International Trade Law ("UNCITRAL")</p>
10:00-11:00	<p>PPPs – the key to unlocking opportunities for the Belt and Road projects and experiences distilled from recent developments</p> <p>There are many opportunities for using PPPs to provide and promote funding opportunities for major infrastructure projects along the Belt and Road routes. Speakers will highlight some untapped opportunities for infrastructure projects along the Belt and Road routes and the great potential of using PPPs to unlock such opportunities.</p> <p>Moderator</p> <p>Ms Yu Lam Tse Legal Expert, UNCITRAL Regional Centre for Asia and the Pacific</p> <p>Panel of Speakers</p> <p>Prof Cao Fuguo Professor of Law, Law School of Central University of Finance and Economics, Beijing</p> <p>Mr Enoch Fung General Manager, Infrastructure Financing Facilitation Office, Hong Kong Monetary Authority</p> <p>Ms Rebecca Silli President, Executive Committee, French Chamber of Commerce and Industry in Hong Kong and Partner, Tiang & Partners</p>
11:30-12:30	<p>UNCITRAL PPPs Legislative Guide: the perfect tool for PPPs</p> <p>Speakers will explain the salient features of the UNCITRAL PPPs Legislative Guide and how the proposed new updates may benefit PPP projects in major infrastructure projects especially along the Belt and Road routes.</p> <p>Moderator</p> <p>Mr Benjamin Hérisset Associate Expert, UNCITRAL</p> <p>Panel of Speakers</p> <p>Mrs Wachiraya Permbhusri Director, PPP Bureau, State Enterprise Policy Office, Ministry of Finance, Thailand</p> <p>Mr Yu Tengqun Vice President and Chief Legal Counsel, China Railway Group Limited</p> <p>Dr Arthur McInnis Senior Fellow, Melbourne Law School, University of Melbourne</p>
12:45-14:15	Lunch (only for speakers)
14:15-15:15	<p>3 As: Assessing, Allocating and Avoiding risks in infrastructure projects</p> <p>Chapter II of the UNCITRAL PPPs Legislative Guide (as updated) deals with project risks and government support in PPP projects, the consideration of which is essential to project success. Against this context, speakers will discuss the steps to ascertain risks involved in PPP projects and how to assess, allocate and ultimately avoid/mitigate those risks.</p> <p>Moderator</p> <p>Dr James Ding Deputy Law Officer (Treaties & Law), Department of Justice, Government of the HKSAR</p> <p>Panel of Speakers</p> <p>Mr Benjamin Hérisset Associate Expert, UNCITRAL</p> <p>Dr Anthony Neoh, SC Chairman, Asian Academy of International Law</p> <p>Mr Ridwan Djamaluddin Deputy for Infrastructure, Coordinating Ministry for Maritime Affairs, Government of Indonesia</p>
15:45-16:45	<p>Sustainable PPPs in practice</p> <p>This session will discuss criteria to be applied to ensure that PPPs meet sustainable standards. It will also examine how to evaluate sustainability and to meet the challenges of delivery.</p> <p>Moderator</p> <p>Mr Amiralí Nasir, MH JP Vice-President, The Law Society of Hong Kong</p> <p>Panel of Speakers</p> <p>Mr Jeff Delmon Senior Infrastructure Finance Specialist, Infrastructure, PPPs & Guarantees, World Bank, Singapore</p> <p>Mr Joseph Chan Under Secretary for Financial Services and the Treasury, Government of the HKSAR</p> <p>Ms Gilda Fridegotto Investment Officer, PPP Transaction Advisory Services, International Finance Corporation, World Bank Group</p>

DAY-2

08:30-09:00	Registration
09:00-10:00	<p>How to devise effective PPP contract award procedures for financing infrastructure projects? Speakers will share their insights and practical experiences on how to design and implement effective PPP contract award procedures with a view to securing funding. Speakers will also discuss how the UNCITRAL PPPs Legislative Guide may address potential pitfalls.</p> <p><u>Moderator</u> Mr José Angelo Estrella Faria Principal Legal Officer and Head, Legislative Unit, UNCITRAL</p> <p><u>Panel of Speakers</u> Mr Alexious Lee Head of China Industrial Research, CLSA Ltd Mr Wilfred Lau Director, Ove Arup & Partners Mr Tao Jingzhou Partner, Dechert LLP</p>
10:10-11:10	<p>Designs in project agreements to safeguard interests from multiple perspectives Making reference to Chapters IV and V of the UNCITRAL PPPs Legislative Guide (as updated), speakers will discuss ways to safeguard interests of various parties (including government or other contracting authority, the private partner and the lenders) in different stages of a PPP project, including the conclusion of a project agreement, execution of the project, and extension/termination of the project.</p> <p><u>Moderator</u> Mr Paul Tsang, SBS Law Officer (International Law), Department of Justice, Government of the HKSAR</p> <p><u>Panel of Speakers</u> Mr Benjamin Hérisset Associate Expert, UNCITRAL Mr Nicholas Wong Partner, Clifford Chance, Singapore Mr Yang Yuntao Vice President and Chief Legal Advisor, Sinotrans & CSC Holdings Co., Ltd.</p>
11:35-12:35	<p>Settlement of disputes in a cost effective and efficient manner Speakers will discuss and share their experiences on how different international dispute settlement mechanisms including dispute boards, arbitration and mediation can effectively and efficiently settle disputes arising out of PPP projects. Making reference to Chapter VI of the PPPs Legislative Guide, best practices, latest developments globally, and main topical issues in dispute resolution in PPP projects will be explored.</p> <p><u>Moderator</u> Ms Min Jung KIM Legal Expert, UNCITRAL Regional Centre for Asia and the Pacific</p> <p><u>Panel of Speakers</u> Dr Fernando Dias Simões Associate Professor, Faculty of Law, The Chinese University of Hong Kong Mr John Battersby Group Managing Director, BKAsiaPacific Limited Mr Jia Hua-yuan Senior Partner, DeHeng Law Office</p>
12: 45-13: 00	<p>Closing Remarks Mr José Angelo Estrella Faria Principal Legal Officer and Head, Legislative Unit, UNCITRAL The Hon Ms Teresa Cheng Yeuk-wah, GBS, SC, JP Secretary for Justice, Government of the HKSAR</p>