



INSTITUTE OF ASIAN-PACIFIC BUSINESS LAW  
(IAPBL)  
THE WILLIAM S. RICHARDSON SCHOOL OF LAW  
UNIVERSITY OF HAWAI'I AT MANOA



&  
ASIAN INSTITUTE OF INTERNATIONAL FINANCIAL LAW  
(AIIFL)  
FACULTY OF LAW, UNIVERSITY OF HONG KONG

# **The 2006 PRC Enterprise Bankruptcy Law: A New Beginning?**

## **Symposium**

25 March 2008

Council Chamber, 8/F Meng Wah Complex  
University of Hong Kong  
Hong Kong

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JSM



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Rim Insolvencies ◆ Section of International Law

Bloomberg

Hong Kong Institute of Certified Public Accountants

International Insolvency Institute

**25 March 2008**

**Symposium**

*This symposium will involve discussions among academics, insolvency practitioners, judges, and government officials from mainland China, Hong Kong, the United States, and the Asia-Pacific on recent developments since the enactment of the 2006 PRC Enterprise Bankruptcy Law, which came into operation in June 2007. Topics of discussion will include liquidation, corporate restructuring, AMCs and the disposal of NPLs, and cross-border insolvency.*

**8:30-9:00 Registration**

**Continental Breakfast sponsored by Corporate Law Studies  
Interest Group (CoSIG) supported by: CLP Group " Ernst &  
Young " Noble Group Ltd " Tricor Services Ltd**

**9:00-9:15 Welcoming Remarks**

**Charles Booth**, IAPBL Director & Professor, Richardson School of Law, University of Hawai'i

**Douglas Arner**, AIIFL Director & Associate Professor, Faculty of Law, University of Hong Kong

**Session 1 – An Introduction to the PRC 2006 Enterprise  
Bankruptcy Law**

**9:15-10:30**

Chair and Commentator

**Charles Booth**, IAPBL Director & Professor, Richardson School of Law, University of Hawai'i

Speakers

**Zhang Xianchu**, Professor, Faculty of Law, University of Hong Kong

**10:30-11:00 Tea and Coffee Break sponsored by Fulbright & Jaworski**

## **Session 2 – The PRC 2006 Enterprise Bankruptcy Law (Part II)**

**11:00-12:00**

### Chair and Commentator

**Lee Aitken**, Associate Professor & Deputy Director, AIIFL, Faculty of Law,  
University of Hong Kong

### Speakers

**John Lees**, Director, John Lees & Associates, Ltd., Hong Kong

**John Marsden**, Partner, JSM, Shanghai

**Alan Tang**, Partner & Head, Restructuring, Investigation and Insolvency, Grant  
Thornton, Hong Kong: **Administrators and Restructuring of A-Share  
Companies**

**12:00-1:00** Lunch sponsored by **Borrelli Walsh Ltd**

## **An Introduction to the American Bankruptcy Institute**

**1:00-1:15**

### Chair

**Charles Booth**, IAPBL Director & Professor, Richardson School of Law, University  
of Hawai'i

### Speaker

**John Ames**, American Bankruptcy Institute President Elect

### **Session 3 – Commercial and Investment Ramifications of the Enterprise Bankruptcy Law**

**1:15-2:00**

Chair and Commentator

**Vivienne Bath**, Senior Lecturer & Director, Center for Asian and Pacific Law,  
Faculty of Law, University of Sydney

Speaker

**Neil McDonald**, Partner, Lovells

Commentator

**George Kelakos**, Kelakos Advisors LLC, Greenwich, CT

**2:00-2:30**     **Tea and Coffee Break sponsored by Grant Thornton**

### **Session 4 – Asset Management Companies (AMCs) and the Disposal of Non-Performing Loans NPLs)**

**2:30-3:30**

Chair and Commentator

**George Kelakos**, Kelakos Advisors LLC, Greenwich, CT

Speakers

**Emily Lee**, Research Assistant Professor (Insolvency), Faculty of Law, University of  
Hong Kong & Symposium Reporter

**David Madden**, Angelo, Gordon & Co., Hong Kong

**3:30-4:00**     **Tea and Coffee Break sponsored by Case, Lombardi & Pettit**

**Session 5 – Cross-Border Insolvency:  
Recognition of Foreign Bankruptcies in China and the Recognition of  
Chinese Bankruptcies by Foreign Courts**

**4:00-5:10**

Chair and Commentator

**Charles Booth**, IAPBL Director & Professor, Richardson School of Law, University of Hawai'i

Speakers

**Evelyn Biery**, Partner, Fulbright & Jaworski, Houston

**William Rochelle**, Bloomberg, NYC

**Philip Smart**, Harold Hsiao-Wo Lee Professor in Corporate Law, Faculty of Law, University of Hong Kong

**5:10-5:30      Concluding Remarks**

**Douglas Arner**, AIIFL Director & Associate Professor, Faculty of Law, University of Hong Kong

**Charles Booth**, IAPBL Director & Professor, Richardson School of Law, University of Hawai'i

**5:30-6:30      Cocktail Reception**

**7:15-9:30      Junk to Lamma and Seafood Dinner for Speakers/Commentators**

**Junk supplied and dinner sponsored by JSM.**

**Symposium Reporters**

**James Blake**, Second Year Law Student, Richardson School of Law, University of Hawai'i

**Emily Lee**, Research Assistant Professor (Insolvency), Faculty of Law, University of Hong Kong & Symposium Reporter

## **Other Attendees**

**Ted Barnhill**, Professor of Finance and Director, Global and Entrepreneurial Finance Research Institute, George Washington University, Washington, DC

**Michael Bridge**, Professor of Law, London School of Economics & Political Science

**John Chan**, Messrs. Hau Lau Li & Yeung, Hong Kong

**Kenneth Chen**, RSM Nelson Wheeler Corporate Advisory Ltd., Hong Kong

**Stanley Chen**, Alvarez & Marsal Asia Ltd., Hong Kong

**Kelvin Cheng**, Borrelli Walsh Ltd, Hong Kong

**Jocelyn Chi**, Borrelli Walsh Ltd, Hong Kong

**Tse Chen Choi**, Borrelli Walsh Ltd, Hong Kong

**Anne Chow**, Official Receiver's Office, Hong Kong

**Kamho Choy**, University of Hong Kong Student

**Rebecca Chua**, Marsh & McLennan Companies-Asia, Hong Kong

**Jason Corbett**, SJD Candidate, La Trobe University, Melbourne, Australia

**Jan Dalhuisen**, Professor, School of Law, King's College London; Visiting Professor, UC Berkeley; & Paul Hastings Visiting Professor, Faculty of Law, University of Hong Kong

**Matthieu Feld**, Legal Counsel, Societe Generale, Hong Kong

**John Head**, Professor, University of Kansas School of Law & Paul Hastings Visiting Professor, Faculty of Law, University of Hong Kong

**Jaime Hii**, Borrelli Walsh Ltd, Hong Kong

**Daniel Hilken**, Journalist, Xinhua Financial News

**David Kwok**, Borrelli Walsh Ltd, Hong Kong

**Esther Lai**, Borrelli Walsh Ltd, Hong Kong

**Howard Lam**, Allen & Overy, Hong Kong

**Rainier Lam**, Pricewaterhouse Coopers, Hong Kong

**Sammy Lau**, Sammy Lau CPA Ltd, Hong Kong

**Stacey Lau**, Borrelli Walsh Ltd, Hong Kong

**Dantes Leung**, Stephenson Harwood & Lo, Hong Kong

**Anson Li**, Borrelli Walsh Ltd, Hong Kong

**Lit Tat Sing**, Chinese University of Hong Kong

**Simon Ma**, Borrelli Walsh Ltd, Hong Kong

**Endre Markos**, Bloomberg, Hong Kong

**David Maund**, Alvarez & Marsal Asia Ltd., Hong Kong

**Monica Ng**, DMLT, Hong Kong

**Willy Ng**, Borrelli Walsh Ltd, Hong Kong

**Lauren Oxley**, Alvarez & Marsal Asia Ltd., Hong Kong

**Clement Shum**, Associate Professor, Lingnan University, Hong Kong

**Kenny Tam**, Kenny Tam & Co., Hong Kong

**Leslie Tang Wai Kong**, Financial Services and the Treasury Bureau, Hong Kong

**Anita Tong**, Official Receiver's Office, Hong Kong

**Mabel Tsang**, Ernst & Young, Hong Kong

**Yu-Yuen Wong**, Legal Counsel, Noble Group Ltd., Hong Kong

**Wallace Yeung**, Director, Deloitte & Touche Financial Advisory Services Ltd  
Guangzhou

**Liz Yuen**, Borrelli Walsh Ltd, Hong Kong