

India Foreign Direct Investment Forum



May 14 2010 • Shangri-La Hotel, Singapore

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Benefits of attending include:

- Find out how the latest Indian legislation impacts your business strategy
- Assess and understand the options for structuring your investments
- Learn how the Government of India's new FDI Policy document – effective from April 1 2010 – consolidates and clarifies foreign investment notifications, rules and regulations
- Find out how to navigate new regulations on foreign investment in India
- Learn about the role and influence of the regulators in the FDI process
- Discover which industry sectors require/ do not require prior approval from regulatory authorities such as the Foreign Investment Promotion Board (FIPB) and which sectors are not open to FDI
- Learn how to smooth the path to deal approval

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India's Minister for Commerce and Industry, Anand Sharma, has outlined his vision for the country to emerge as the world's workshop. His bullishness can be partly explained by the publication of some impressive statistics. Not only did India maintain 6.7% growth during the worst year of the recent financial crisis, but its growth rate is expected to increase to 7.5% in 2010 and escalate to 8.5% in 2011.

Driving much of this activity is the influx of foreign direct investment into the country. FDI equity inflows as a percentage of GDP grew from 0.75% in 2005-2006 to nearly 2.49% in 2008-2009. And in November 2009, India attracted FDI inflows of US\$1.74 billion – representing a 60% increase on the US\$1.08 billion recorded in the same month of 2008.

A number of factors have contributed to this revival in FDI such as the improved overall global sentiment, India's strong industrial output numbers and increasing consumer confidence.

In a new United Nations Conference on Trade and Development (UNCTAD) Report on world investment prospects, India was ranked as the third most popular destination for global FDI in 2009. The Report went on to state that India will remain a Top Five destination for international investors for the next two years.

Against this background, *International Financial Law Review* (in association with Asialaw) will host the inaugural India FDI Forum in Singapore on May 14 2010. IFLR events attract hundreds of attendees each year. The India FDI Forum will build upon this success – bringing together an incredibly influential audience of in-house counsel, corporate executives and senior lawyers for a packed day of top level discussion and networking.

Who should attend?

In-house counsel, business leaders and private practice lawyers who are involved in doing deals and running businesses in India.

Venue:

Shangri-La, Singapore
 22 Orange Grove Road
 258350
 Singapore
 T: (65) 6737 3644
 F: (65) 6737 3257



To Register

- In-house counsel and corporate executive registration: **FREE OF CHARGE**
 Private practice delegate registration: US\$950

Firm name: _____ Title: _____

First name (Mr/Mrs/Ms): _____ Last name: _____

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Administrative Information

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CANCELLATION POLICY: If you cannot attend you must cancel your registration in writing by April 30 2010 to receive a refund less a 10% administration charge. Cancellations received after April 30 2010 are liable for the full conference fee. You may send a substitute to attend in your place at no extra charge, however we must know by April 29 2010 via email. We cannot accept verbal cancellations. If you make your booking via the telephone, you are automatically adhering to our terms and conditions.

REGISTRATION FEE: The registration fee includes participation in the conference, lunches, cocktail reception (if applicable) and documentation material, which will be distributed at the beginning of the event. All bookings are binding on receipt of the booking form.

8.15-9.00	Registration
9.00-9.05	WELCOME – IFLR/ASIALAW
9.05-9.15	KEYNOTE ADDRESS – KK Sharma , director general & adviser (Law), Competition Commission of India
9.15-10.00	JOINT VENTURES – HOSTED BY CRAWFORD BAYLEY & CO <ul style="list-style-type: none"> How JVs and other forms of cooperation have been affected by the new competition regime; what you need to be aware of. Legal outsourcing through JVs – how has business process outsourcing, such as back-office functions, call centres, HR and IT, developed since the 1990s; what are its prospects? Speakers: Armin Pardiwala, partner, Crawford Bayley & Co
10.00-10.45	INFRASTRUCTURE – HOSTED BY KHAITAN & CO <ul style="list-style-type: none"> Inherent gap between demand and supply in energy sector, coupled with explosive domestic industrial growth, offers very exciting and potential market for investors. Return of infrastructure projects in India – where are investment opportunities? Financing deals – Mumbai One is first metro rail project to be implemented under PPP scheme; PPP experience has been encouraging so far – with five private airports (two brownfield and three greenfield) under operation. Speakers: Prabjot Singh Bhullar, partner, Khaitan & Co
10.45-11.00	Morning coffee break
11.00-11.45	COMPETITION – HOSTED BY ECONOMIC LAWS PRACTICE <ul style="list-style-type: none"> The implications of the proposed merger control provisions on business and investment in India. Compliance issues raised by the Competition Act and their impact on business and investment in India. Understanding the functioning of the Competition Commission of India (CCI): lessons for business from the first few complaints and litigation before Indian courts. How will the CCI apply the law in sectors already regulated by other regulatory agencies? What is the role of these other agencies in the area of regulation of competition? Speakers: Suhail Nathani, partner, Economic Laws Practice KK Sharma, director general & adviser (Law), Competition Commission of India
11.45-12.30	INTELLECTUAL PROPERTY – HOSTED BY LALL LAHIRI & SALHOTRA <ul style="list-style-type: none"> How to protect your IP in commercial contracts; how to assess value of target's IP and ensure target actually owns IP. IP in M&A deals – what to look out for in India. How to get interlocutory injunctions in infringement actions. Dos and don'ts when outsourcing IP services in India. Speakers: Anuradha Salhotra, managing partner, Lall Lahiri & Salhotra Shantini Sanmuganathan, legal director, Dell
12.30-13.30	Lunch
13.30-14.15	MERGERS & ACQUISITIONS – HOSTED BY TRILEGAL <ul style="list-style-type: none"> How will new merger regulations under competition law be interpreted and implemented; what to be aware of with these new regulations. Will your business interests be subject to strict sanctions? To what extent do business opportunities in India now represent additional risk? To what extent will regulation of combinations change nature of all M&A in India i.e. expansive control threshold likely to catch many transactions? A review of regulatory framework in India – what should regulators do to encourage further FDI i.e. should Sebi be more commercial in outlook i.e. follow example of MAS in Singapore? Acquiring distressed companies in India – merger methods available, conducting due diligence on target assets, disclosure requirements etc. Speakers: Nishant Parikh, partner, Trilegal Karan Singh, partner, Trilegal

Continued overleaf

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Agenda continued

14.15-15.00	DISPUTE RESOLUTION – HOSTED BY NISHITH DESAI ASSOCIATES <ul style="list-style-type: none"> • Points to consider when entering into India-related contracts. • Laws on liability and damages. • How to protect yourself against class actions and shareholder disputes. • Recent efforts to address judicial short-comings by modernising and reforming set-up i.e. specialised tribunals and forums. • ADR: provided by 1996 Arbitration and Conciliation Act – courts encourage litigants to engage in mediation and arbitration (i.e. Ambani brothers' dispute). • Enforcing foreign judgments and arbitral awards. Speakers: Vivek Kathpalia , partner-in-charge, Nishith Desai Associates Vyapak Desai , head of international litigation and dispute resolution, Nishith Desai Associates Jyotirmoy Banerjee , senior legal counsel – equities, Wholesale Banking Legal, Standard Chartered Bank
15.00-15.15	Afternoon coffee break
15.15-16.00	TAXATION – HOSTED BY KHAITAN & CO <ul style="list-style-type: none"> • The Direct Tax Code (DTC) will replace existing income-tax law in India with effect from April 1 2011 – but will it see light of day in present form i.e. concerns that powers given to tax commissioner are too wide? • How likely is it that rules could be misused – which could add to more litigation which would not make India a preferred target for investment? • How are rules likely to be implemented given that this is first time a concept like this has been brought onto the statute? • To what extent is tax avoidance now frowned upon as much as tax evasion? • New dispute resolution methods (specialised tax tribunal). Speakers: Daksha Baxi , partner, Khaitan & Co Sanjay Sanghvi , partner, Khaitan & Co Vivek Mehra , executive director and M&A Tax Practice head, PricewaterhouseCoopers
16.00-16.45	PRIVATE EQUITY – HOSTED BY CRAWFORD BAYLEY & CO <ul style="list-style-type: none"> • Deal value and volume lower in 2009, partly due to cultural issues i.e. family-owned businesses reluctant to divest at currently low prices – until businesses start failing or become willing to cede control, what is outlook for PE in India? • How to correctly value assets/targets in India? • Should there be more focus on promoter integrity and on documents i.e. how prevalent is borrowing of terms from different deals? • International PE houses such as Carlyle, Babcock & Brown and Macquarie Bank have injected funds – so which industry sectors offer best opportunities? Speakers: Sanjay Asher , partner, Crawford Bayley & Co
16.45-17.30	PLENARY SESSION – PROSPECTS FOR FDI INTO INDIA <ul style="list-style-type: none"> • Government of India initiatives, such as FDI Policy document (effective April 1) and six discussion papers (in May), to consolidate and clarify FDI notifications, rules and regulations – how will they impact FDI into India? • What do these initiatives/schemes – such as introducing a six-month review process – mean for foreign investors, and what more can they expect to happen in the near future? • How successful will these initiatives be at addressing the issue of disharmony that previously existed, and what new challenges will emerge from such consolidation? Speakers: Akash Gupta , executive director, Tax & Regulatory Services, PricewaterhouseCoopers Mukesh Butani , partner, BMR Advisors, Taxand India Aditya Shroff , counsel, Linklaters
17.30-17.40	CLOSING REMARKS – IFLR/ASIALAW

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