

## Compliance Series (January to April 2018)



In 2018, HKICPA will continue to launch the Compliance Series of seminars to assist members in acquiring the relevant knowledge and updates. Experts from the legal profession will share insights and experiences in respect of regulatory compliance matters in Hong Kong that have impact on general businesses.

Topic/ Programme code	Date and time	CPD hours	Speakers
How to Deal with the 3Cs when They Come Knocking (SCPD18012901)	Monday, 29 January 2018 6:30 p.m. – 8:30 p.m.	2	<b>Mr. Sherman Yan</b> Managing Partner, Head of Litigation & Dispute Resolution, ONC Lawyers  <b>Mr. Dominic Wai</b> Partner, ONC Lawyers
How to Handle Information of Business Clients, Staff Members and Ex-employees? The Impacts of Personal Data (Privacy) Ordinance (Cap. 486) (PDPO) (SCPD18020201)	Friday, 2 February 2018 6:30 p.m. – 9:30 p.m.	3	<b>Mr. Albert So</b> Practising Solicitor, Certified Anti-Money Laundering Specialist, Certified Financial Crime Specialist
How would Discrimination Laws Affect the Professional Accountants and the Commercial Industry? (SCPD18041601)	Monday, 16 April 2018 6:30 p.m. – 9:30 p.m.	3	

**Venue** Hong Kong Institute of CPAs,  
27/F., Wu Chung House, 213 Queen's Road East, Wanchai, Hong Kong

**Format** Seminar

**Language** Cantonese

Fee (for each)	2 hours	3 hours
	HK\$190	HK\$430
HKICPA member or student:	HK\$190	HK\$430
HKICPA member or student (online enrolment):	HK\$180	HK\$420
IA/ HKIAAT member or student:	HK\$190	HK\$430
Non-member:	HK\$330	HK\$700

**Participants** Professionals who have to deal with regulatory compliance matters for their firms or practices

**Competency\*** Corporate governance; Risk management; Ethics and regulations

**Rating\*** Intermediate level



## About the programme

### How to Deal with the 3Cs when They Come Knocking (SCPD18012901)

#### Course outline

This seminar will provide an overview of the dawn raid and investigative powers of the Independent Commission Against Corruption (ICAC), the Securities and Futures Commission (SFC) and the Competition Commission (CC), and share practical tips on dealing with them.

Topics to be covered:

- Main investigative powers of ICAC, SFC and CC
- Dawn raids and how to deal with them
- Rights of a suspect and witness
- Legal professional privilege
- Measures to prevent the triggering of an investigation
  - Ethics and code of conduct
  - Corporate governance
  - Self reporting and plea bargaining
- Case studies

### How to Handle Information of Business Clients, Staff Members and Ex-employees? The Impacts of Personal Data (Privacy) Ordinance (Cap. 486) (PDPO) (SCPD18020201)

#### Course outline

- Legal impacts for accounting firms and professional accountants under PDPO
- "Dos and don'ts" in the course of daily operations
- How to handle client data in direct marketing and business promotion?
- How to deal with staff personal data regarding job applicants/ ex-employee/ secondees?
- Legal case studies and discussions
  - CCTV
  - E-mail monitoring
  - HKID copies
  - Employment reference checks
  - Due diligence and bankruptcy records
  - Fingerprint records
  - Telephone/ conversation recordings

### How would Discrimination Laws Affect the Professional Accountants and the Commercial Industry? (SCPD18041601)

#### Course outline

- Illustrate the following with real-life cases
  - What is sexual discrimination? (Cap. 480)
  - What is disability discrimination? (Cap. 487)
  - What is family status discrimination? (Cap. 527)
  - What is race discrimination? (Cap. 602);
- Preventing and dealing with sexual harassment at professional firms/ workplace
- Legal liability of accounting firms and principals
- Real cases sharing (e.g. Tsang Helen 訴 國泰航空、楊忠偉 訴 聖保祿醫院) on sexual harassment and discrimination disputes (e.g. discrimination in pregnancy, staff injuries, employment/ service providing process, staff jokes, ex-employee complaints)



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## About the speakers

**Mr. Sherman Yan**, Managing Partner, Head of Litigation & Dispute Resolution, ONC Lawyers

Mr. Yan has many years of experience in handling complex commercial disputes, especially shareholders' disputes in listed companies and regulatory issues under the Securities and Futures Ordinance. Mr. Yan has frequently acted for listed companies, their shareholders or directors and securities investors in dealing with inquiries and investigations by regulatory bodies such as the Hong Kong Monetary Authority, the Hong Kong Exchanges and Clearing Limited, and the Securities and Futures Commission of Hong Kong. Besides, Mr. Yan is a member of the Civil Litigation Committee of the Law Society of Hong Kong with extensive experience in handling and reviewing new laws and regulations related to litigation.

Academically, Mr. Yan is a contributor to legal textbooks including "Securities and Futures Ordinance (Cap.571): Commentary and Annotations" and "Tort Law & Practice in Hong Kong", both published by Sweet & Maxwell.

**Mr. Dominic Wai**, Partner, ONC Lawyers

Before joining the legal profession, Mr. Wai has worked in the banking sector and as well as in the Independent Commission Against Corruption (ICAC).

Mr. Wai's practice focuses on advising clients on matters relating to anti-corruption, white-collar crime, law enforcement, regulatory and compliance matters in Hong Kong, including advice on anti-money laundering. He also handles cases involving corporate litigation, shareholders' disputes and insolvency matters, defamation cases, domestic and international arbitration cases, cybersecurity, data security and privacy law issues, competition law matters, e-discovery and forensic investigation issues as well as property litigation.

Mr. Wai is a contributor to several publications including June 2017 edition of CSj, the journal of the Hong Kong Institute of Chartered Secretaries.

Mr. Wai is currently a board member of a charity that provides home service for sick children and their families. He is supportive and actively participating in the activities of the charity. He is a member of the Disciplinary Panel A of the Hong Kong Institute of Certified Public Accountants.

**Mr. Albert So** *BEng(Hons); LLB(Hons); PCLL(HKU); PGCert(Cambridge); ExeEd(Harvard); MHKIoD; FHKMAAC; FHKI Arb; FRAS; Fellow of International Bar Association*

Practising Solicitor, Accredited Mediator, Accredited Family Mediator, Arbitrator of Hong Kong Mediation and Arbitration Centre, Certified Anti-Money Laundering Specialist, Certified Financial Crime Specialist

Mr. So has over 15 years of professional experience in Hong Kong, China and England legal industries. He had held different in-house legal positions in global financial groups, in-charging of the global legal and compliance team and being responsible for handling various legal, compliance and litigation issues in the Asia Pacific region.

During the time of the global financial crisis, Mr. So had also been one of the investigation team members of regulatory authority, responsible for conducting investigations on suspicious fund movements, Know-Your-Client procedures, handling prosecutions and disciplinary-related professional proceedings.



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## HKICPA Event Enrolment Form (For Support Programme)

Finance & Operations Department,  
Hong Kong Institute of CPAs,  
**37/F, Wu Chung House, 213 Queen's Road East, Hong Kong**

Payment & Enrolment Status Enquiry: 2287 7381  
e-mail: [finance@hkicpa.org.hk](mailto:finance@hkicpa.org.hk)  
Fax : 2893 9853

Course Information Enquiry:  
2287 7386 / 2287 7253  
e-mail: [cpd@hkicpa.org.hk](mailto:cpd@hkicpa.org.hk)

**FOR OFFICE USE**

**Deadline: 7 working days before the date of the programme**

No.	Membership		Full Name of Participant(s) (Block Letters)	Company	Email address <sup>(2)</sup> (Block Letters)	Programme Code	Fee (HK\$)
	No.	Status (1)					
1							
2							
3							
						Total (HK\$)	

☐ I am unemployed and not working. I am planning to rejoin the workforce.

The Institute reserves the right to allocate places to enable the enjoyment of more members in this event.

The Institute's decision is final. Applicant must submit the enrolment form 10 working days before the event.

Contact Person : \_\_\_\_\_ Tel No. : \_\_\_\_\_ Fax No. : \_\_\_\_\_ E-mail : \_\_\_\_\_

*Contact information is used solely for communication of this particular event, without update to your member profile.*

**Payment Method** (Please tick the appropriate box)

<input type="checkbox"/> Cheque (no. _____) payable to "Hong Kong Institute of Certified Public Accountants" or "HKICPA" <sup>(7)</sup>											
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- Notes:**
- Membership Status: **NP** = Non-Practising, **P** = Practising, **IA** = International Affiliate, **S** = Student, **HKIAAT** = HKIAAT Student or Member, **GAA** = GAA Passport holder, **NM** = Non-Member.
  - Confirmation of enrolment will be sent to you via email. You can check your enrolment status at "MyCPA" at [www.hkicpa.org.hk](http://www.hkicpa.org.hk). Unsuccessful enrolment will be notified with full refund.
  - NO ADMISSION TICKET will be issued. Please bring your HKICPA membership card or confirmation email for admission purpose.
  - All applications are on a first-come-first-served basis.
  - Application by fax will ONLY be accepted when payment is made by credit card. Cash is strictly not accepted. Please ensure all the particulars relating to payment are completed, otherwise the application cannot be processed. There is NO need to send in the enrolment form again if it has already been faxed to the Institute.
  - For credit card payment, the card should be valid with expiry date at least 1 month from the date of event.
  - Please issue SEPARATE CHEQUE for each event.
  - In normal circumstances, the event fee is non-refundable or non-transferrable upon receipt of payment by HKICPA. Should the event be cancelled or postponed due to unforeseeable circumstances, refund will be made according to your payment method. For credit card payment, refund will be made directly to your credit card account. For cheque payment, refund will be mailed to your correspondence address.
  - All scheduled events will be cancelled and postponed to a date to be announced in the event of typhoon signal no. 8 or above or if a Black Rainstorm warning is hoisted. For details of bad weather arrangement for CPD programmes, please refer to the Institute's homepage.
  - The Institute reserves the right to change the venue, date, speaker or to cancel the event due to unforeseen circumstances.
  - No unauthorized audio or video recording is allowed at CPD events.

**Personal Data:** Your personal data collected from the enrolment process and administration of courses/events/activities will be used for the purpose of the administration of the course on which you are enrolled. Such data collected may be accessible by the Institute's officers, persons or committees processing the application and related matters. In addition, the Institute may use the collected data for statistical research and analysis. The Institute intends to use the personal data of your name, email address and correspondence address to inform you, where relevant, of members' benefits, goods, services, facilities and events organized or provided by the Institute or other organizations. Members and registered students may opt out of receiving such materials at any time by logging in via the following link

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