

# Corporate Legal Excellence

Safeguarding your Organisation's Interests by Adhering to Global Corporate Governance Standards and Minimising Legal Risk Exposure

Hyatt Regency Riyadh Olaya,  
Kingdom of Saudi Arabia

13<sup>th</sup> & 14<sup>th</sup> November 2017

## Ignorance of the Law Excuses No Man from Practicing it.

Addison Mizner

Evaluation of legal risk tolerance, adherence to compliance requirements, and forthright dispute resolution methods are the keys to an optimal legal framework.



### Featuring a Half-day Workshop:

#### Alternative Dispute Resolution (ADR)

*Distinguished Workshop Leader:*

**Judge Dr. Mostafa Abdel Ghaffar** Head of ADR

**Saudi Center for Commercial Arbitration (SCCA), KSA**

Dr. Mostafa Abdel Ghaffar has 23 years' experience of working as judge, counselor at the Egyptian Ministry of Justice and Director of the Judicial and Legal Studies Institute in Bahrain. During his work in the Ministry of Justice in Egypt, he assisted in the ratification process of different multilateral conventions, negotiated bilateral judicial cooperation treaties and represented and prepared the defense of Egypt in three legal disputes initiated against the government of Egypt within the framework of the International Center for Settlement of Investment Disputes, (ICSID).

He was also the founder director of the Judicial and Legal Studies in Bahrain where he worked on establishing strategy, policies, procedure and initial plans, and has provided consultations in various projects conducted by the UNODC in the field of judicial training and judicial governance.

Apart from having taken various courses throughout Netherlands, France, Greece, and Egypt on public international law, international trade law, Capital Market rules, and international human rights law, he has published several articles and books which deals essentially with judicial training, reforms and governance as well.

### Testimonials from Our Past Events:

The contents of the conference were well thought of and beneficial, marcusevans tackled the main issues in the territory at the time.

**Rawabi Holding, KSA**

Selection of topics and sessions were very interesting with new valuable information.

**Saudi Electricity Company, KSA**

marcusevans events open doors to access knowledge as well as key people in your industry

**Saudi Telecom Company, KSA**

Conference is organised and well formulated.

**Novartis, KSA**

Both events I attended with marcusevans were managed and organised very well.

**Norton Rose Fulbright, KSA**

### Business Development Sponsor:

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### Featuring an Esteemed Line-up of Speakers:

**Abdullah Al Ghamdi** Legal Advisor  
**Ministry of Commerce and Investment,  
KSA**

**Alejandro Fernandez Lopez** Senior Legal  
Counsel and Legal Supervisor  
**Saudi Telecom Company, KSA**

**Dr. Zaid Mahayni** Chief Legal Officer  
**SEDCO Holding, KSA**

**Hussam Saleh** Legal Advisor  
**Asala Holding, KSA**

**Khalid Al Mutairi** Legal Counsel  
**Sahara Petrochemicals, KSA**

**Mohammed Al Kaltham** Senior Specialist  
– Anti Money Laundering Investigation,  
Compliance  
**Al Rajhi Bank, KSA**

**Nasser Alsadouni** Vice President and Head  
of Anti Money Laundering / Combating  
Terrorism Financing, Compliance Department  
**Riyad Bank, KSA**

**Keith Hutton** General Counsel – Legal and  
Compliance  
**Saudi International Petrochemical  
Company, KSA**

**Saud Al Qassem** Head of Compliance and  
Anti Money Laundering  
**Standard Chartered, KSA**

**Anuraag Malhotra** General Counsel and  
Chief Tax Officer  
**Landmark Group, UAE**  
Director  
**Landmark Arabia, KSA**

**Shaun Johnson** General Counsel – PPP Unit  
**ACWA Holding, KSA**

**Luqman AlDahlawi** Senior Legal Advisor  
**Capital Market Authority, KSA**

**Dr. Mohammad Al Qudah** Chief Legal Officer  
**Toyota Abdul Latif Jameel, KSA**

**Ned Othman** Chief Legal Officer  
**ACWA Holding, KSA**

**Dr. Raed Al-Saadouni** Head of Legal and  
Compliance, Security Solutions  
**Airbus Defence and Space, KSA**

### Attend this Premier Conference and Gain Insights Into:

- **Optimising** legal control measures to mitigate risk exposure
- **Achieving** systematic and consistent implementation of compliance functions by developing a centralised action plan
- **Mastering** legal risk management strategies through effective legal risk analysis
- **Leveraging** available dispute resolution methods to effectively safeguard your organisation's interests
- **Boosting** organisational preparedness in response to the hyper regulatory environment
- **Identifying** contractual risks by negotiating the right liabilities and indemnities to improve risk management
- **Addressing** macro-economic risks and market instability in cross-border transactions
- **Ascertaining** new deal structures in M&A and negotiating for successful deal structuring

**Monday 13<sup>th</sup> November 2017****Booking Line:**

Mary-Anne Loui

Tel.: + 603 2723 6757

Fax: + 603 2723 6699

Email: [MaryA@marcusevanski.com](mailto:MaryA@marcusevanski.com)

0800 Registration and Coffee

0830 Opening Remarks from the Chair

**0845 Contact Initiation Session (CIS):**

In this 15 minutes session, delegates and speakers are encouraged to get to know their peers and exchange business cards

**0900 Opening Presentation:****Scrutinising your Organisation's Legal Framework and Minimising its Risk Exposure**

- Examining your current legal framework and legal risk profile
- Understanding the current legal risk appetite of business portfolios and existing clients
- Aligning your organisation's legal framework with your business objectives to minimise risk
- Safeguarding your organisation's bottomline from a legal perspective

**Dr. Zaid Mahayni** Chief Legal Officer

**SEDCO Holding, KSA**

**0940 Expert Presentation / Case Study:****Equipping your Legal Department for the Implementation of Value Added Tax (VAT) in the GCC**

- Grasping the fundamentals of VAT implementation and its impact on organisations
- Identifying the challenges related to business operations and legal implications following the implementation
- Familiarising yourself with the guideline and requirements of compliance relating to VAT
- Avoiding legal risk or penalties pertaining to VAT

**Anuraag Malhotra** General Counsel and Chief Tax Officer

**Landmark Group, UAE**

Director

**Landmark Arabia, KSA**

1020 Coffee and Networking Break

**1040 Expert Presentation / Case Study:****Defending your Intellectual Property (IP) Rights via Trademarks Registrations**

- Scrutinising the existing legal risk issues within the current IP policy
- Tapping into the latest laws and regulations concerning trademarks and IP rights
- Structuring your organisation's trademark registration procedures
- Devising a pre-emptive strategy for potential lawsuits or IP rights infringements

**Abdullah Al Ghamdi** Legal Advisor

**Ministry of Commerce and Investment, KSA**

**PANEL DISCUSSION****1120 The Saudi Companies Law: One Year into Implementation and its Challenges**

- Examining the level of compliance following legislative pressure and regulative orders
- Understanding new amendments to the Saudi Companies Law following its initial enforcement
- Re-strategising compliance measures and dealing with the challenges in its implementation

**Panellist:**

**Dr. Zaid Mahayni** Chief Legal Officer

**SEDCO Holding, KSA**

**Khalid Al Mutairi** Legal Counsel

**Sahara Petrochemicals, KSA**

**Dr. Raed Al-Saadouni** Head of Legal and Compliance, Security Solutions

**Airbus Defence and Space, KSA**

1220 Networking Luncheon

**1330 Expert Presentation / Case Study:****Opening the Market to Foreign Players – Perfecting Mergers and Acquisitions (M&A), Joint Ventures (JV) and Cross-border Deals**

- Assessing the impact of M&A regulations on the expansion of the Saudi international business landscape
- Discussing common pitfalls in inbound and outbound transactions
- Analysing the current legal and contract framework for the above transactions and minimising the underlying risk exposure
- Addressing typical compliance issues and risk management techniques in M&A deals

**Luqman AlDahlawi** Senior Legal Advisor

**Capital Market Authority, KSA**

**1410 Expert Presentation / Case Study:****Why Contracts Fail: Principal Causes of Commercial Contract Disputes**

- Reviewing common causes of disputes in outsourcing, systems integration and other complex services agreements
- Analysing some well known contract failures; what went wrong and who was to blame
- Assessing effective contractual, operational and commercial risk mitigation options

**Dr. Mohammad Al Qudah** Chief Legal Officer

**Toyota Abdul Latif Jameel, KSA**

1450 Coffee and Networking Break

**1510 Expert Presentation / Case Study:****Taking Corporate Governance Beyond Compliance: Enhancing Crimes Prevention and D&O Protection**

- Reviewing various parties' obligations, liabilities and responsibilities in achieving legal compliance
- Grasping the global trend of legal compliance and its importance
- Building control provisions that enable minimised risk exposure inclusive of reward and bonus policy
- Gauging the coordination of synergies between audit department and corporate governance and disclosure requirements on your organisation
- Managing whistle blower channel and internal investigations and cooperation between departments

**Alejandro Fernandez Lopez** Senior Legal Counsel and Legal Supervisor

**Saudi Telecom Company, KSA**

**1550 Expert Presentation:****Data Analytics and the Future of Cyber Security**

- This think tank session is to encourage a straightforward problem-solving session whereby delegates can brainstorm and analyse potential factors to propose solutions. This will be an in-depth process and goes beyond 'how' to 'why' and beyond 'what' to 'what if'. It is essential that everyone is prepared to participate to ensure a smooth discussion flow and fruitful session.
- Looking in to the role of General Counsels in cyber security preparedness
  - Examining current risk profiles and potential data breach instances in your organisation
  - Drafting policies and communicating these at an organisational level
  - Ensuring alignment of your organisation's data privacy to the standard in the market and tailoring legal action plans to respond to potential disputes

**Nasser Alsadouni** Vice President and Head of Anti Money Laundering / Combating Terrorism Financing, Compliance Department

**Riyad Bank, KSA**

1640 Closing Remarks from Chair and End of Day One

**Business Development Opportunities:**

Does your company have services, solutions or technologies that the conference delegates would benefit from knowing about?

If so, you can find out more about the exhibiting, networking and branding opportunities available by contacting:

**Mary-Anne Loui**, Media & PR Coordinator, **marcus evans** Malaysia.  
Tel: + 603 2723 6757, E-Mail: [MaryA@marcusevanski.com](mailto:MaryA@marcusevanski.com)

**marcus evans** would like to thank everyone who has helped with the research and organisation of this event, particularly the speakers and their staff for their support and commitment.

## Booking Line:

Mary-Anne Loui

Tel.: + 603 2723 6757

Fax: + 603 2723 6699

Email: [MaryA@marcusevanski.com](mailto:MaryA@marcusevanski.com)

0800 Registration and Coffee

0845 Opening Remarks from the Chair

## 0900 Expert Presentation / Case Study:

**General Counsels as Advisors to the Board: Driving a Company-wide Legal Risk Awareness Programme and Equipping your Organisation**

- Examining each department's legal risk profile and formulating an inter-departmental communication mechanism
- Understanding new and old laws to spot compliance gaps in across your organisation
- Examining the impact of Saudi Nationalisation on the workforce and its legal implications in your organisation
- Ensuring internal regulations adherence to national regulations, as well as, safeguarding your organisation's interests by reviewing and restructuring its policies

**Ned Othman** Chief Legal Officer  
**ACWA Holding, KSA**

## 0940 Expert Presentation / Case Study:

**Next Gen GC: The Evolving Role of Legal Professionals Going Beyond the Legal Function**

- Positioning legal as a driver of competitive advantage to respond to heightening pressure on the legal function
- Building an efficient legal division with improved internal relations servicing to different legal units' needs
- Making commercially savvy decisions based on both commercial and legal analysis
- Transitioning from a cost to a profit centre: Becoming the best run business unit in the organisation

**Shaun Johnson** General Counsel – PPP Unit  
**ACWA Holding, KSA**

## 1030 Photography Session:

In this 15 minutes session, all delegates and speakers are encouraged to participate in a photo taking session

1045 Coffee and Networking Break

## 1100 Expert Presentation / Case Study:

**Legal Excellence Standpoint: Periodically Screening your Legal Framework and Increasing Stakeholder and Investor Confidence as GCs**

- Keeping abreast of the evolving laws and regulations and recognising the main challenges when implementing them
- Assessing your organisation's legal framework's compliant level
- Designing your organisation's structure with a feedback mechanism to ensure stakeholders opinions are being reflected
- Strengthening your legal risk framework with business development relevancy to minimise risk exposure and maximise business expansion
- Building a legal team that will assist your organisation in forging ahead with its business goal

**Keith Hutton** General Counsel – Legal and Compliance  
**Saudi International Petrochemical Company, KSA**

## 1140 Spotlight Discussion:

**Rise of Technology: Keeping Up Compliance and Litigation Efficiency in a Digital Age**

- Navigating the complexities of anti-money laundering and anti-fraud
- Overcoming the risks and pitfalls of including technology in your compliance programmes and in litigation
- Gearing towards the evolving role of General Counsels in the fluid cyber security environment

## Panelist:

**Mohammed Al Kaltham** Senior Specialist – Anti Money Laundering Investigation, Compliance  
**Al Rajhi Bank, KSA**

**Saud Al Qassem** Head of Compliance and Anti Money Laundering  
**Standard Chartered, KSA**

**Dr. Mohammad Al Qudah** Chief Legal Officer  
**Toyota Abdul Latif Jameel, KSA**

1240 Networking Luncheon



## HALF-DAY WORKSHOP

1340

**Alternative Dispute Resolution (ADR)**

With the protruding challenge brought about by the legal and economic transition, there's an apparent demand for a refurbished legal management approach, which will ultimately result in your organisation's interests being safeguarded. An optimised legal framework with effective dispute resolution mechanisms plays an influential role in securing a stronger bottom line. ADR is more time efficient compared to adjudicating disputes in courts, during proceedings, the latest case management technology will be used to determine and attain international best practice standards. ADR can assist organisations to come to a resolution with minimised legal liability and financial risk. Also, it is considered the preferred method for dispute resolution for investors. Users of ADR services enjoy the advantage of private and confidential deliberation in all procedures. Its' main goal is to provide professional, transparent and efficient ADR services in line with both shariah principles and international standards, which can also be seen with increasing commercial parties adding the arbitration clause to their standard form contracts. This half-day workshop will be focused on the legal drafting and negotiation processes in ADR.

**Development of Institutional Arbitration Landscape in KSA**

The most important advantages of institutional arbitration are the availability of pre-established rules and procedures which ensure arbitration proceedings are conducted in a timely manner, administrative assistance from the institution, and the availability of a list of qualified arbitrators to choose from. This session will explore emerging developments of institutional arbitration in KSA, challenges faced and opportunities it can benefit from. Elements below will be covered.

- Recent legislative developments related to arbitration including arbitration law, implementing regulation and enforcement law
- Recent case law related to arbitration and especially institutional arbitration in KSA
- Arbitration case management best practices and how to conduct procedure in a cost-effective manner
- Policies for encouraging and promoting business access to ADR process

**Drafting ADR Clause – Issues for Consideration**

The inclusion of ADR clauses in commercial contracts is a common practice. However, the benefits of an ADR provision will be lost if the parties fail to give proper attention to the terms of an ADR clause and do not fully understand its implications when they include the clause in their contract. It might be too late to address any misunderstandings or fill in the gaps in an inadequate ADR mechanism after a controversy arises. The session will address some issues that should be considered when drafting an ADR clause.

- Capacity and authority of the parties, as well as, signatories to the ADR agreement
- Mandatory requirements of the governing law of the arbitration agreement, the law of the seat of arbitration and the law of the place of enforcement
- Scope of ADR clause and arbitrability
- Single or multi-step clause
- Concurrent or successive procedures
- Identifying procedural rules
- How to avoid pathological ADR clause

1645 Closing Remarks from Chair and End of Day Two

## About your Expert Trainer:

**Judge Dr. Mostafa Abdel Ghaffar** Head of ADR  
**Saudi Center for Commercial Arbitration (SCCA), KSA**

Dr. Mostafa Abdel Ghaffar is currently working as Head of Arbitration of the Saudi Center for Commercial Arbitration. He had 23 years' experience of working as judge, counselor at the Egyptian Ministry of Justice and Director of the Judicial and Legal Studies Institute in Bahrain. During his work in the Ministry of Justice in Egypt, he assisted in the ratification process of different multilateral conventions, negotiated bilateral judicial cooperation treaties and represented and prepared the defense of Egypt in three legal disputes initiated against the government of Egypt within the framework of the International Center for Settlement of Investment Disputes, (ICSID). The arbitral awards were rendered in favor of the government of Egypt on all three cases refusing all the claimants allegations.

Dr. Mostafa was the founder director of the Judicial and Legal Studies in Bahrain where he worked on establishing strategy, policies, procedure and initial plans.

Dr. Mostafa also provided consultations in various projects conducted by the UNODC in the field of judicial training and judicial governance.

Dr. Mostafa has received a Master's degree in Public International Law from Ain Shams University, a Diploma of International and Comparative Law of Human Rights from the International Institute of Human Rights, Strasbourg, France, and a Ph.D. in International Law from Alexandria University. He has also taken various courses throughout Netherlands, France, Greece, and Egypt on public international law, international trade law, Capital Market rules, and international human rights law. He published several articles and books which deals essentially with judicial training, reforms and governance.

## More About the Event

### Why you Cannot Miss this Event:

You are a legal professional who wants to achieve a flexible and forward looking legal framework for your company to attain business goal. With all the current amendments in law enforcement and revision of regulations in the country, the need for an effective framework, legislations and full compliance, is your company's legal department equipped to withstand the tides? Do you have a strong legal and in-house counsel team? The increased pressure in exercising your duties has highlighted the importance of possessing top notch skill sets and up to date knowledge about the laws and regulations.

Changes to current laws and regulations have caused the trepidation of non-compliance to surface. With these, there is an urgency for legal professionals to be equipped with the latest updates. The need for attention from analytics to control compliance is apparent, but how many are doing it right?

Join us at the **Corporate Legal Excellence Conference, 13th – 14th November 2017** in **Riyadh, KSA** that will cover themes on equipping your legal team for the VAT implementation, registering trademarks and safeguarding your organisation's IP rights, the evolving role of legal counsels and professionals, opening the market to foreign players and perfecting M&A, JV and cross-border deals, reducing risk by improving the contract drafting process, conforming to the global corporate governance standards, grasping the new laws and regulations, achieving complete compliance, and a half-day workshop that focuses on legal drafting and ADR. These key themes will be delivered through interactive sessions such as case studies, panel discussions, think tank sessions and roundtable discussions. This conference has been strategically created to bring legal professionals and prominent chairs within the region and around the globe together to examine successes, failures, new strategies and processes to optimise a company's legal framework. **Do not miss the opportunity to network with legal professionals and learn from our esteemed line-up of speakers from world renowned organisations!**

### Who Should Attend:

- Chief Legal Officers
- Chief Compliance Officers
- Company Secretaries
- Country / General Counsels
- Corporate / In-house counsels
- Legal Counsels
- Heads of Legal Department
- Senior Professionals of Legal Department

### From the full spectrum of industries and government authorities, including but not limited to:

- Banking & Finance
- FMCG / F&B
- Manufacturing
- Pharmaceuticals
- Oil & Gas
- Government Administration
- Information Technology
- Tourism & Hospitality
- Entertainment & Media
- Logistics & Transportation
- Energy & Utilities
- Telecommunications
- Property & Real Estates

## Booking Line:

Mary-Anne Loui

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### Business Development Sponsor:



Qualify as a US Attorney with the number 1 Bar Review Programme in the US and Internationally

We provide an international bar programme which prepares you for the US Bar exams and is tailored to non-US law graduates and professionals.

The International Bar Review Programme has been running for 15 years and is the market leading course for non-US students. We're part of **BARBRI** in the US, which has been at the top of the Bar Review business for 45 years and has trained over 1.2 million attorneys worldwide.

Benefits of qualifying as a US Attorney - It gives you a qualification that is internationally recognised, that you can take anywhere in the world.

Key benefits of the International Programme - It gives students six months either online or in the classroom, to prepare to sit the Bar exam, to perfect exam techniques and learn the law, and can be taken by working professionals as well as recently graduated students.

It is taught by US law professors, (all of whom are experts in their fields and many come from Ivy League schools) by pre-recorded video that is available to students online whenever they need them, so the course is very flexible.

We provide students with an online Foundations in US Law module at the start of the programme and two mock exams to help you stay ahead. Students have access to the best materials, online study aids (Barbri AMP), a personalised study planner and advice on registering to sit the exams. For more information at <http://www.barbri-international.com/>

### Endorser:



المركز السعودي للتحكيم التجاري  
Saudi Center for Commercial Arbitration

The **Saudi Center for Commercial Arbitration (the SCCA)**, established by cabinet resolution and officially inaugurated on October 2016 in order to promote trust in arbitration by creating a more predictable and attractive regulatory environment for foreign and local investment. SCCA is located in Riyadh with a view to possibly expanding it into other cities in the country. The SCCA provides a number of alternative dispute resolution services in both Arabic and English, including arbitration and mediation, as well as related training. The SCCA has published its own arbitration and mediation rules as well as a set of ethical standards for neutrals and parties, in Arabic and English. SCCA arbitration rules are based on internationally accepted standards, namely, UNCITRAL model rules with some innovations adopting the state-of-the-art in ADR industry. SCCA has created a number of partnerships, especially with the International Centre for Disputes Resolution (ICDR) of the American Arbitration Association (AAA). The scope of partnership with ICDR-AAA includes providing technical assistance in drafting SCCA rules and code of ethics, on the job training for SCCA staff, exchanging experience in adopting efficient case management technology and access to ICDR Roster of Arbitrators and Mediators. SCCA has also solid cooperation relations with number of other leading ADR institutions both on regional and international level.