

Sidley Austin is pleased to invite you to a practical session focused on helping you to:

- Understand the rapidly evolving privacy and information laws in Asia, the EU and the United States
- Assess whether your company is exercising appropriate governance over personal data and other information assets
- Set up effective corporate data-protection programs

WHO SHOULD ATTEND?

Senior managers and professionals from the financial services industry and banks, in-house legal counsels, data-privacy officers, compliance and risk professionals, and HR specialists.

WHY SHOULD YOU ATTEND?

Companies face increasingly complex privacy and information laws, as governments develop cross-border regulations and increase compliance obligations to match the technologies now available to collect and use personal information.

Financial services institutions and banks come across a wide range of privacy, data usage, and information security issues. They need to be aware of their obligations as failure to do so can lead to lawsuits, prosecution by the authorities and massive monetary penalties against the company.

There have been a slew of regulations and enforcement in Asia this year alone - Hong Kong amended its Privacy (Data Protection) Ordinance in July to increase the requirements for companies wishing to use personal data for marketing; Singapore introduced the Data Protection Bill in September, and Taiwan enacted a new Personal Information Protection Act in October. Elsewhere, data-privacy obligations are set to rise in Australia, Thailand, Korea and Japan. In China, the State Secrets laws continue to pose challenges for companies and Macau's Office for Personal Data Protection began an investigation against a U.S. company in July for potential violations of privacy laws which prohibit the unsanctioned transfer of personal data to other jurisdictions. In Vietnam, a former employee brought legal action for infringement of privacy and secrecy against Toyota in relation to his company email account.

In the US, privacy continues to occupy legislators. The White House for the first time has formally proposed a comprehensive privacy framework Consumer Privacy Bill of Rights for the United States, while the U.S. Federal Trade Commission has issued long-awaited guidance on the vision behind its aggressive enforcement. And U.S. state-level activity continues apace with California alone creating literally dozens of privacy and security statutes. In respect of financial institutions, they are increasingly bounded by Title V of the Gramm-Leach-Bliley Act, the Fair Credit Reporting Act (as amended by the FACT Act), the CAN-SPAM Act, the Right to Financial Privacy Act, federal and state telemarketing laws, and federal and state data security and data breach laws. As for Europe, which already has an aggressive data protection regime, debates are ongoing in relation to a new Data Protection Regulation that is proposed to include fines of up to 2% of global turnover.

DATES & LOCATIONS

Singapore

- **Friday, November 16, 2012**
- Registration/breakfast starts at 8:30am
- Workshop conducted from 9:00am – 10:30am
- Location: Sidley Austin LLP, Suite 40-01, 6 Battery Road, Singapore
- RSVP to: Theresa Au-Yeung at theresa.ayeung@sidley.com

Hong Kong

- **Monday, November 19, 2012**
- Registration/breakfast starts at 8:30am
- Workshop conducted from 9:00am – 10:30am
- Location: Sidley Austin, 39th Floor, Two Int'l Finance Centre, Central, Hong Kong
- RSVP to: Theresa Au-Yeung at theresa.ayeung@sidley.com

FEATURED SPEAKERS

- **Yuet-Ming Tham**, Partner, Hong Kong
- **John Casanova**, Partner, Singapore
- **Edward McNicholas**, Partner, Washington, D.C.

** CPD / CLE pending and only granted upon properly signed forms (please ask Sidley staff if more information is required)*

B I O G R A P H I E S



YUET MING THAM

Partner
Hong Kong

YUET MING THAM is a partner in Sidley Austin's Hong Kong office and focuses on compliance, investigations and dispute resolution.

Ms. Tham advises corporations on their legal risks across Asia, such as those relating to anti-bribery laws (including the Foreign Corrupt Practices Act), trade controls, sanctions, anti-money laundering regulations and data privacy.

Prior to Sidley, Ms. Tham was the Head of the Regulatory, Compliance & Investigations Group for Asia, and also headed the Asia Life Sciences Group at another international firm. She was a Deputy Public Prosecutor in Singapore and was the Regional Compliance Director for Pfizer Inc., covering compliance and investigations in China, Hong Kong, Taiwan, Japan, India, South-East Asia, Korea and Australia.

Ms. Tham has been acknowledged as a leading lawyer in China and Hong Kong by Chambers Asia Pacific in four categories, namely, Dispute Resolution, Anti-Corruption, Life Sciences and Contentious Financial Regulatory, and also by the IFLR 1000. In the Legal 500, Ms. Tham has been recommended for FCPA investigations.

She speaks fluent English, Mandarin, Cantonese and Malay and is admitted in New York, England & Wales, Hong Kong and Singapore. Ms. Tham is frequently invited to speak at major conferences around the world on cross-border regulations and compliance.



JOHN M. CASANOVA

Partner
Singapore

JOHN CASANOVA is a partner and resident in the firm's Singapore office. Prior to that, he practiced in the firm's London office from 1999 to 2012 and in the firm's Washington D.C. office from 1996 to 1999. He is head of the firm's EU Financial Services Regulatory Group. He advises clients on a wide variety of U.S., English and EU financial services regulatory and transactional matters. He also advises on data protection and privacy matters. Mr. Casanova works regularly

with banks, investment managers, broker/dealers, payment service providers, payment systems and other financial intermediaries in Asia, the UK, Europe and the U.S. He has assisted clients with setting up and operating regulated businesses and financial services joint ventures in Asia, the UK and the EU. He also works with clients in responding to regulatory investigations and examinations. He handles commercial transactions for regulated entities and acquisitions and disposals of regulated businesses and asset portfolios. He is an editor of *E-Finance and Payments Law and Policy*. He has been a contributor to the *Review of Banking and Financial Services* and the *Journal of International Banking Law*. He is a contributing editor to Butterworths Financial Regulation Service for *Payment Systems and Electronic Money*. Mr. Casanova is a member of the District of Columbia and Maryland bars and an English-qualified solicitor.



EDWARD R. MCNICHOLAS

Partner
Washington, D.C.

EDWARD R. MCNICHOLAS is a partner in the Washington, D.C., office of the international law firm Sidley Austin LLP and a global coordinator of its Privacy, Data Security, and Information Law practice. His practice focuses on clients facing complex information technology, constitutional and privacy issues in civil and white-collar criminal matters. Mr. McNicholas concentrates his practice on trial and appellate representations of technologically-sophisticated clients including financial services companies, telecommunications carriers, electronic service providers, pharmaceutical manufacturers and other companies facing complex personal information issues. He is also an experienced counselor, public policy advocate and internal investigator.

Mr. McNicholas has significant experience with a wide-range of cutting-edge Internet and information law matters involving privacy and data protection, electronic surveillance, information security, cloud computing, trade secrets, social media, locational privacy, e-commerce, copyright, defamation, online brand protection, e-discovery, and national security. Mr. McNicholas and Sidley's Privacy and Data Security practice were selected for *Chambers USA: America's Leading Lawyers for Business* for 2008-2012 as well as *Chambers Global* for 2010-2012, the 2011-2012 *Legal 500*, and *The International Who's Who of Internet, e-Commerce & Data Protection Lawyers* 2011-2012. He has also been recognized in Computerworld survey of "Best Privacy Advisers" as one of the "Top 25 Privacy Experts" in the country, and *Chambers USA* 2010-2011 also separately recognized Mr. McNicholas in nationwide litigation rankings for e-discovery.

Mr. McNicholas previously served as an Associate Counsel to President Clinton. In that capacity, he advised senior White House staff regarding various Independent Counsel, congressional and grand jury investigations, with a particular focus on issues of Executive Privilege and electronic discovery. He also previously served as a desk officer at the U.S. Office of Government Ethics, where he helped national defense and intelligence agencies establish effective compliance programs.

He is a graduate of the Woodrow Wilson School of Public and International Affairs at Princeton University, *summa cum laude*, and Harvard Law School, *cum laude*. While at Harvard, he served as an editor in the Supreme Court Office of the *Harvard Law Review*. Upon graduation from law school, Mr. McNicholas clerked for the Honorable Paul V. Niemeyer of the United States Court of Appeals for the Fourth Circuit.

Mr. McNicholas is a frequent commentator on Internet privacy issues and has written extensively on various privacy and other information law topics for numerous publications. Many of these articles are collected at www.Sidley.com/InfoLaw.