



Sustainability and Responsibility Reporting: Directors' Potential Liability and Possible Defences

22 September 2015 (Tuesday)

ECPD/CPD point(s) :	
The HKICS	: 3
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This seminar analyses the trend of broader reporting on social and environmental issues which have been made under general descriptive terms such as corporate social reporting (CSR), sustainability reporting, integrated reporting and responsibility reporting. It asks the highly pertinent question of whether directors are opening themselves to greater liability by producing these forms of non-statutory reports. A comparison of three jurisdictions, namely, Australia, Germany and South Africa - where protection for directors diverge – conclude that the protection for directors in Germany seems to be more limited, especially in light of current statutory provisions requiring reporting on issues broader than financial issues and because of some recent developments in the EU that will widen reporting obligations even further. The seminar concludes with a discussion of possible implications for Hong Kong premised on the experiences in these three jurisdictions.

Programme Rundown

2.30 pm – 3.00 pm	Registration
3.00 pm – 4.30 pm	Presentation by Professor Jean du Plessis , Deakin University, Australia
4.30 pm – 4.45 pm	Coffee Break
4.45 pm – 6.15 pm	Panel Discussion
	Professor Jean du Plessis , Deakin University, Australia
	Mrs April Chan FCIS FCS(PE) , Past President, HKICS, and Company Secretary, CLP Holdings Limited
	Mr Brian Ho , Sustainability Leader (China South, Hong Kong and Macau), Climate Change and Sustainability Services, Ernst & Young
	Mr Mohan Datwani FCIS FCS(PE) CAMS , Solicitor, Senior Director and Head of Technical and Research, HKICS (Seminar and Panel Chair)
Date	: Tuesday, 22 September 2015
Time	: 3.00 pm – 6.15 pm (Registration at 2.30 pm)
Language	: English
Venue	: Admiralty Conference Centre, 1804A, Tower 1, Admiralty Centre, 18 Harcourt Road, Admiralty, Hong Kong
Fee	: HK\$450 for members of the HKICS, HKICPA or Law Society of Hong Kong HK\$750 for non-members

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About the Presenter

Professor Jean du Plessis

Professor Jean Jacques du Plessis is Professor of Law at Deakin University, Australia, with substantial international expertise in governance as an academic, researcher and practitioner. From 1996 to 1998 he was the legal advisor to the Executive of the Rand Afrikaans University (RAU) on a multi-million Rand property development. In that capacity he advised the University Council on legal structures and risks associated with the project.

His area of academic specialisation is corporate law and corporate governance and he has extensive knowledge of the working of boards, including the role and functions of supervisory boards and management boards.

Professor du Plessis has an international reputation for his work. In 2014 he convened an International Forum on the topic "Mandatory Board Gender Legislation: Will Australia follow Europe?" He also completed the third edition of his textbook *Principles of Contemporary Corporate Governance* (Cambridge University Press).

Professor du Plessis is a member of the Honorary Degrees Committee. He is also a member of the University's Academic Board.

Panelists

Mrs April Chan

Mrs April Chan is the Company Secretary of CLP Holdings Limited and is responsible for the corporate secretarial affairs of CLP Holdings and its subsidiaries. She has extensive experience and expertise in company secretarial practice and is instrumental in developing and implementing the framework of corporate governance in CLP. Before joining CLP, she has worked in professional firms and academic institutions in Hong Kong and Australia.

Mrs Chan was named Asian Company Secretary of the Year in 2013 by Corporate Governance Asia. She is a Fellow of The Institute of Chartered Secretaries & Administrators in England and a Fellow of The Hong Kong Institute of Chartered Secretaries. She was educated in Hong Kong and completed the Senior Executives Course at Tsinghua University, Beijing in 1997, the Leadership in the Public Sector Programme run by the HKSAR Government in 2000, and the Program for Management Development at the Harvard Business School, USA in 2001.

Mrs Chan was the President of Corporate Secretaries International Association (CSIA) from its inauguration to 31 December 2011. She was the President of The Hong Kong Institute of Chartered Secretaries (HKICS) from 11 December 2009 to 7 December 2011, the Chairman of HKICS' Company Secretaries Panel from 2 February 2008 to 31 December 2011 and Council Member of HKICS from 2004 to 2014. Mrs Chan currently serves on the Council and Executive Committee of CSIA. She is also the Chairman of HKICS' Technical Consultation Panel and Special Entry Scheme Interview Panel, the Honorary Secretary of Hong Kong Women Professionals & Entrepreneurs Association, a member of the Citizens Advisory Committee on Community Relations and its Mass Media and Education Sub-Committee of the Independent Commission Against Corruption in Hong Kong and a Council Member of the Hong Kong Breast Cancer Foundation.

Panelists

Mr Brian Ho

Mr Brian Ho is the Sustainability Leader (China South, Hong Kong and Macau) of Climate Change and Sustainability Services at EY. He has 11 years extensive experience in corporate social responsibility (CSR) and sustainability, and provides strategic consulting services to corporations, governmental agencies and non-profit organizations.

He is also guest researcher at the Cheung Kong Graduate School of Business and Sun Yat-sen University, and lectures at the Chinese University of Hong Kong. Before joining EY, Brian was the China Director of an international agency promoting CSR in the Asia Pacific region. He received his Bachelor of Social Sciences from City University of Hong Kong and a Master of Social Sciences at the Chinese University of Hong Kong.

Panelist and Chair

Mr Mohan Datwani

Mr Mohan Datwani LLB, LLM, MBA (Distinction) (Iowa), FCIS FCS (PE)

Solicitor, Accredited Mediator

Member, Financial Reporting Review Panel

Member, Board of Review (Inland Revenue Ordinance)

Member, Radio Television Hong Kong (Board of Advisors)

Member, Securities & Futures Appeals Tribunal

Member, Criminal and Law Enforcement Injuries Compensation Boards

Senior Director and Head of Technical and Research, The Hong Kong Institute of Chartered Secretaries (HKICS)

Mr Datwani is a solicitor and accredited mediator. He was formerly partner of a US based international law firm with diverse experiences in representing major local and international clients including in banking and advisory, compliance, corporate and commercial transactions, energy, finance, litigation, insolvency and real estate.

Mr Datwani is currently Senior Director and Head of Technical and Research at the Hong Kong Institute of Chartered Secretaries (HKICS) and promotes legal and compliance, and issues guidance notes, and makes submissions to and lobby for legislative changes to promote international best practices on corporate governance.

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Joint Seminar on “Sustainability and Responsibility Reporting: Directors’ Potential Liability and Possible Defences”

22 September 2015

Seminar Enrolment Form

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- Please call 2881 6177 if you do not receive a fax/email confirmation three days after your enrolment application

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