



Hong Kong Institute of
Certified Public Accountants
香港會計師公會

Insolvency Interest Group (IIG) Guangzhou Court Visit

Event : **A visit to the High People's Court of Guangdong Province (广东省高级人民法院) on Guangzhou-Hong Kong cross-border insolvency issues**

Organiser: Hong Kong Institute of Certified Public Accountants – Insolvency Interest Group

Date and Time: 8:30am to 5:30pm on 1 April 2005, Friday (Overnight stay in Guangzhou on 31 March 2005)

Fee : HKD300 per person for IIG members
HKD350 per person for non-IIG members
(The fee only covers the costs of tour bus transport within Guangzhou, lunch and administrative expenses. Delegates should arrange their own transportation between Hong Kong/Guangzhou and hotel accommodation.)

Language : Putongua (translation service may be arranged at additional cost)

HKICPA CPD Credit Hour : 6 hours

Law Society CPD Credit Point : 6 hours

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Hong Kong

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Fax : (852) 2865 6776
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About the Court Visit

During this one-day visit, you will have the opportunity to tour the court house and to meet with bankruptcy judges to discuss topical cross-border insolvency issues between Guangzhou and Hong Kong.

The tentative itinerary of the visit is as follows:

8:30 a.m.	Delegates to make their own way to gather at the lobby of the Garden Hotel, Guangzhou. Bus transfer to the High People's Court of Guangdong Province.
9:00 a.m. to 12:00 p.m.	Court house tour, introduction to court practices, discussions with bankruptcy judges.
12:00 p.m. to 2:30 p.m.	Lunch [HK delegates only]
2:30 p.m. to 5:30 p.m.	Continue discussions on cross-border insolvency issues with bankruptcy judges.
5:30 p.m.	Bus transfer to Guangzhou train station [for delegates not joining the dinner function]
6:00 p.m.	Dinner with court officials [optional]
8:30 p.m.	Delegates who wish to leave for Hong Kong should make their own way to Guangzhou train station (in time for the 9:23 p.m. [non stop] train to Hong Kong)

There will not be any simultaneous English translation provided by the Court. Such service may, however, be arranged at an additional cost if requested by a **significant** number of delegates. The cost of simultaneous translation of HK\$20,000 is shared by these delegates who will be notified of the amount when the number is known.

Delegates who wish to join the dinner will need to pay an extra HK\$150 per person.

Topics to be discussed – Cross-border insolvency issues

- 内地破产案件的审理程序 (PRC Bankruptcy court procedures)
- 跨境破产问题 (Cross-border insolvency issues) :
 - 广东省关于涉外破产的法律规定 (Guangdong Province's law and regulations on cross-border insolvencies)
 - 普遍性原则与地域性原则 (Universality vs Territoriality)
 - 破产案件的管辖权 (Jurisdiction of insolvency cases)
 - 由香港法院、债权人或公司股东所委任之清盘人、接管人或特别经理人在内地的法律地位 (Recognition of insolvency practitioners appointed in Hong Kong)
 - 香港清盘人、接管人或经理人向内地法院求助之途径 (Assistance available to Hong Kong insolvency practitioners)



- 遭清盘之香港公司在内地资产和负债的处理，包括 (Issues in dealing with PRC assets and liabilities of an insolvent Hong Kong company) :
 - 其在内地拥有之三资企业股权的处理 (Dealing with equity interests in PRC foreign investment enterprises)
 - 香港公司向内地以外公司租赁或在香港已作低押但在国内使用的机器设备之处理 (Dealing with leased assets located in the PRC)
 - 其它资产（如应收款、库存）及负债之处理 (Dealing with other assets and liabilities located in the PRC)
- 从内地法院角度看，香港破产从业员对处理内地资产和负债的误解和令法院难于处理的问题 (Common misconceptions of Hong Kong insolvency practitioners in dealing with PRC assets and liabilities from the Court's perspective and difficulties encountered by the Court)
- 外国债权人与内地债权人 (Foreign and local creditors)
- 已登记外债与未登记外债 (Registered and unregistered foreign debts)
- 个人存款人与公司债权人（金融机构破产案件）(Individual depositors and corporate creditors in bankruptcies of financial institutions)
- 以上问题，广东省不同地区在处理方法上是否有所不同 (Whether the above matters would be handled differently in different regions of Guangdong Province)
- 广东国际信托投资公司案例 (Case study: GITIC)

Transportation and Accommodation Arrangements

Given that the Court visit will start early in the morning of 1 April 2005, delegates from Hong Kong are recommended to arrive in Guangzhou on the day before the Court visit (31 March 2005).

Please note that delegates should make their own arrangements in relation to transportation from Hong Kong to Guangzhou and back, and accommodation in Guangzhou. IIG will not be making any bookings for train tickets or hotel accommodation on behalf of delegates.

Meeting Point

Delegates shall make their own way to gather at the lobby of the Garden Hotel, Guangzhou at 8:30 a.m. on Friday, 1 April 2005. Please note that the bus will leave the hotel at 8:45 a.m. sharp.

Registration

The admission fee for attending the visit is HKD300 per person for IIG members and HKD350 per person for non-IIG members. The number of places is limited and will be allocated to IIG members on a first-come-first-served basis in case of over-subscription. For members who wish to join the visit, please complete the attached reply slip and return it **by post or by fax for registration on or before 22 March 2005** to the HKICPA, together with a cheque.

Confirmation or rejection of reservation will be sent by fax on or before 24 March 2004. Should you have any questions on the above, please contact Ms. Pat Chan at **2287 7009** in the first instance.



To: Member Services Department,
 Hong Kong Institute of Certified Public Accountants,
 4/F., Tower Two, Lippo Centre,
 89 Queensway,
 Hong Kong

Fax: 2865 6603 / 2865 6776

**INSOLVENCY INTEREST GROUP (IIG)
 REPLY SLIP
 GUANGZHOU COURT VISIT ON 1 APRIL 2005**

Please type or print: -

Name: (**Mr. / Mrs. / Ms.) _____

HKICPA / IIG Membership No.: _____

Company name: _____

Position held: _____

Telephone No.: _____ Fax No.: _____

Admission Fee: HKD300 per person (IIG member) x _____ person(s) = HKD _____

HKD350 per person (non-IIG member) x _____ person(s) = HKD _____

Dinner Charge: HKD150 per person x _____ person(s) = HKD _____

Translation Service: _____ person(s)

Please write down the questions / matters that you would like to raise at the Court discussion:-

Additional Participant(s):

	Name	HKICPA / IIG Membership No.	Position
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____