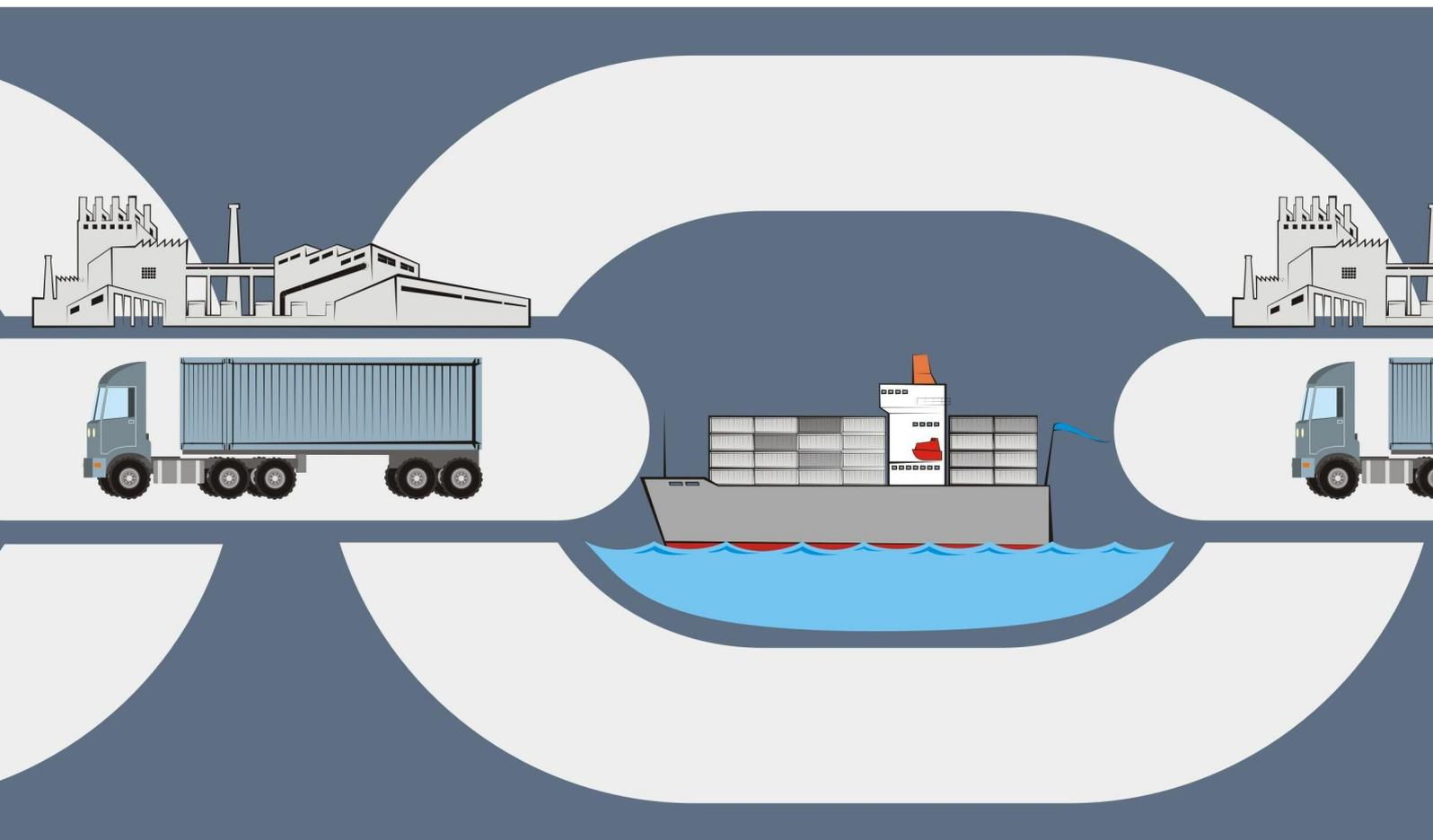


Trade Security Journal

Join us in London in June for a one-day event



Smart Practice in Trade Security

26 JUNE, 8 FENCHURCH PLACE, LONDON EC3

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Welcome



Tom Blass,
Editor,
*Trade Security
Journal*

Data protection, cybersecurity, bribery & corruption, business and supply chain integrity – collectively, these are areas of concern that have forced their way to the top rung of the corporate agenda (and frequently the front page of the national and international news pages).

Each one is a complex subject in its own right but regularly they overlap – throw into the mix disparate and extraterritorial trade and investment regulation and controls and together they pose a formidable compliance challenge for the international business.

The damage for compliance failings here can be in corporate and reputational risk, the potential of harm to partners, customers and community (not to mention the bottom line), in financial penalties and even imprisonment.

Compliance, of course, is no longer a tick-box exercise. It is a function as sophisticated as the nature of modern business itself, demands long-term strategic analysis, attention to detail, blue sky thinking and superlative communication skills. To be a leader in this landscape, it is incumbent on the trade security professional or adviser that they stay one step ahead of fast-moving areas of law, threat and policy. Take that step. Join us on 26 June.

Smart Practice in Trade Security is a one-day event focused on key compliance challenges and the strategies to tackle them.

Presenters will provide strategic guidance on

- Cyber/data security: the threats and how to prepare for them
- Ensuring regulatory compliance of 3rd-party suppliers
- Dealing with counterfeit goods in the supply chain
- Developing practice in UK corporate crime regulation
- The impact of US extraterritorial supply chain controls on non-US businesses
- BREXIT and supply chains
- Best practice in internal investigations
- Investing in sensitive industries in the US and Europe

A light breakfast, morning and afternoon coffee, and lunch are all provided and delegates will be able to take advantage of excellent networking opportunities provided by the state-of-the art venue which is a few minutes walk from Monument and Tower Hill tube stations.

We are pleased to be able to keep registration fees down for this event: fees start at £95 (plus VAT where appropriate) – please see page 5.

I hope to see you there.

Tom Blass
Editor, Trade Security Journal

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BREXIT and supply chains

On 29 March, British Prime Minister Theresa May wrote to European Council President Donald Tusk to notify him of the UK's intention to leave the European Union, thus triggering Article 50 and the countdown to BREXIT. In this session, **Richard Tauwhare** and **Roger Matthews** of law firm Dechert address key questions including:

- How is your supply chain likely to be impacted by BREXIT? Have you considered its effect on your current processes, procedures and information flows?
- What are your priorities and red lines for the UK's future relationship with the EU and with third countries with respect to the range of regulations that may affect your supply chain such as Data Protection, Employment Law, Environmental Law, Financial Services, Customs issues (e.g. tariffs, rules of origin, clearance), Conformity and Dispute Settlement?
- What might transitional arrangements look like and what happens if there is no deal?
- What can you do now in practical terms to prepare for the possible outcomes, to minimise the risks and to make the most of the opportunities?



Best practice in internal investigations

Businesses in today's world typically are not isolated to one jurisdiction – and compliance programmes must address rules, regulations and best practices of multiple jurisdictions. Where it appears that a trade compliance violation has occurred in the United States, it is also possible that a violation has occurred in the United Kingdom. Cross-border internal reviews – and disclosures to the government – are not simple. Differences in trade regulations rules, data privacy expectations, scope of the attorney-client privilege and government expectations are but some of the challenges. Responding to a potential breach requires an entity to be nimble and to have a plan of action in place before the triggering event.

In this presentation, **Cari Stinebower** of Crowell & Moring and **Michelle Linderman** will address the challenges from the UK and US perspectives – and discuss best practices in conducting an efficient cross-border investigation. They will address the enforcement environment under the new Trump Administration and the risks resulting from the UK financial penalties authorities. They will address differences in attorney-client privilege and expectations for data privacy under the UK rules and provide suggestions for conducting internal interviews, establishing document holds, and notifying the applicable government agencies.



A new take on fakes – and how to keep it real

The presence of fake or counterfeit goods in the supply chain can have major repercussions for a company's bottom line and reputation, regardless of the sector that they operate in. While a new initiative, intended to prevent maritime transport of fake goods is regarded as a major step forward, it requires the participation of and cooperation between multiple parties: brand owners, freight-forwarders, distributors – and governments.

In his presentation, **Chris Oldknow**, founder and director of the consultancy Elipe, outlines strategies and best practice for companies to combat fakes in the supply chain – and how to manage the fall-out when it does. Prior to founding Elipe, Chris spent 15 years at Microsoft leading anti-counterfeiting, anti-piracy and licence compliance activities in the UK and central & eastern Europe – and integrating IP enforcement with corporate affairs.



Investing in sensitive industries: CFIUS, President Trump, and the European approach

The Committee on Foreign Investment in the United States ('CFIUS') should be on the radar of every investor into the United States. But what does the 'Age of Trump' mean for the decision making of this committee that conducts national security reviews of foreign investments? With the US Congress actively considering proposals to expand CFIUS's jurisdiction and further scrutinise investments from certain countries, including China and Russia, what are the prospects for the first statutory changes to CFIUS reviews in 10 years? Beyond the US, what does the current UK and EU landscape on national security reviews look like? Can coordination between the US and European governments impact European national security reviews?

Brian Curran of Hogan Lovells' Washington, DC office and **Lourdes Catrain** of Hogan Lovells' Brussels office explore this evolving landscape and discuss strategies for successful investing in sensitive industries in the US and Europe.



Understanding the extra-territorial reach of US trade security laws and regulations

As the United States has sought to increase the effectiveness of its national security and foreign policy tools, it has stretched the limits of its jurisdictional reach over activities of non-US persons to include breaches of a wide range of laws and regulations impacting trade security – including sanctions, export controls, anti-corruption, AML, and business ethics and human rights, to name a few. This 'extra-territorial' enforcement stance poses a critical challenge for non-US businesses and financial institutions operating in the global market place.

In this session, **Barbara Linney** and **Saskia Zandieh** of the Washington, D.C. law firm Miller & Chevalier Chartered will explore the legal basis for the US position. Questions addressed will include:

- What exactly is extra-territoriality?
- How and why do US trade security laws apply extra-territorially?
- What options are available to the US government to enforce U.S. laws extra-territorially?

Ms. Linney and Ms. Zandieh also will outline some of the practical steps available to non-U.S. companies who wish to avoid becoming subject to U.S. trade security controls and regulations.





Structuring and documenting relationships with third parties and suppliers: risks, compliance challenges, and taking control

The structuring and documenting phase of a third-party relationship is about allocating risk through negotiations and contracts. Establishing the project scope and business objectives and identifying the metrics and processes for monitoring / evaluating whether the third-party supplier is meeting those objectives and appropriately managing risk.

Nick Coward and **Tristan Grimmer** of Baker McKenzie will provide practical tips in setting up your agreements by addressing key questions such as:

- How strategic are you in identifying what you want to achieve from your suppliers/partners?
- How much visibility do you have over your suppliers/partners' sub-contractors?
- How regularly do you access your supplier/partner's books and any facilities involved in their operations?
- Are your suppliers/partners required to undergo compliance training?
- Are there strict compliance covenants in your contracts with third parties?
- How do you prevent your third parties from dealing with any restricted party?



From DPA to XYZ: developing practice in UK corporate crime regulation

The past two years have witnessed some momentous changes in the landscape of corporate crime and regulatory enforcement in the UK. **Andrew Smith**, partner at Corker Binning, will discuss some of these changes including:

- Key lessons from the UK's first deferred prosecution agreements in Standard Bank, XYZ, Rolls Royce and Tesco.
- The new offence of failure to prevent facilitation of tax evasion – and the proposed extension of the Bribery Act 2010 to criminalise failure to prevent fraud and money laundering.
- The narrowing of legal privilege in the RBS and ENRC cases – and how this affects the conduct of corporate internal investigations and self-reporting to law enforcement.



Cyber threats – are you prepared? How to protect your company and supply chain

Cyber attacks and the threat of data breaches are the two greatest worries among businesses today. According to research by Business Continuity Institute (BCI) in association with BSI (British Standards Institution), 88% of organisations are either 'extremely concerned' or 'concerned' about the possibility of a cyber attack, while 81% fear a data breach.

In this session, **Saqib Alam** of Debevoise & Plimpton describes the importance of a robust Cyber Incident Response Plan, detailing the steps you should take firstly to prepare for any attack and, should it become necessary, in response to an intrusion.

Issues covered will include:

- What protective steps can you put in place?
- What checks should you carry out on your supply chain 3rd parties and what obligations need to be in your contracts?
- Do you need a response team and if so, who should be in it?
- What are your legal obligations?
- How can you manage the crisis?
- How do you address customers and shareholders?
- How do you protect your reputation?

Smart Practice in Trade Security

26 June 2017, 8 Fenchurch Place, London EC3

REGISTRATION FORM

Please register the following delegate(s) for Smart Practice in Trade Security

Delegate 1	Delegate 2
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Address _____	NAME _____
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Signed _____

Date _____

Terms and conditions

Please note, by registering for this event you accept the terms and conditions below.

Registration Fee

Your fee includes the attendance at the conference; morning, mid-morning and afternoon coffee and pastries, and lunch; programme materials.

Registration policy

Delegates may not 'share' a registration without the organiser's authorisation.

Payment policy

Payment must be received in full by the conference date. 'Additional delegate' prices are only available to delegates from the same organisation as the original full-fee delegate.

Cancellations and Refunds

You must notify the conference organiser 48 hours before the conference if you wish to change the delegate.

If you wish to cancel your registration, you can do so incurring the following charges:
Cancellation more than 28 days before the event – full refund less 33% admin fee.
Cancellation between 27 and 6 days before the event – full refund less 50% admin fee.
Cancellation between 5 days before and the day of the event – no refund.

Change of venue

The organisers reserve the right to change the venue should attendance numbers so demand.

Change of speaker and presentation
The organisers reserve the right to change speakers and/or presentations.

The Venue – And getting there

The Venue for the WorldECR Export Controls and Sanctions Forum 2016 is ETC Venues' 8 Fenchurch Place, a state-of-the art conference, exhibition, meeting and training venue next to Fenchurch Street Station.

Full details and programme of events will be provided to all delegates.