

Gain Critical Insights into

MANUFACTURING INVESTMENT: INDIA & VIETNAM

With Focus on Legal, Tax and Financial Considerations

28-29 October 2008 @ Grand Sukhumvit by Sofitel

Panel of Distinguished Practitioners

Dr. Atchaka Sriboonrueng Brimble
The Office of Industry Economics

Mr. Tanmaya Lal
Commercial Counsellor
Embassy of India in Thailand



Nguyen Thanh Hung
Commercial Counsellor
The Embassy of the S.R. Vietnam
in Thailand



Neeraj Bhagat
Chief Chartered Accountant
Neeraj & Bhagat & Co. India



Rahul Matthan
Partner
Trilegal India



Hitesh Gajaria
Partner
KPMG India Pvt Ltd



Nguyen Hoang Kim Oanh
Partner
Baker & McKenzie, Vietnam



Nguyen Thanh Vinh
Associate
Baker & McKenzie, Vietnam



Phan Thi Thuy Duong
Senior Lawyer
PricewaterhouseCoopers, Vietnam



John Yue
Senior Counsel
Luatviet - Advocates & Solicitors,
Vietnam



Chumpol Rangson
GM Overseas Operation
Thai Summit Autoparts Co., Ltd.



Anusorn Mutraid
Managing Director
Delta Electronics (Thailand) Public
Co., Ltd.



Somhatai Panichewa
Chief Business Development Officer
AMATA Corporation Public Co., Ltd.



Wittaya Supatanakul
Advisor
Bangkok Bank Public Co., Ltd.

Mr. C. Rangarajan
Country Head
Indian Overseas Bank

Conference Keynote Address

Global Manufacturing Investment Outlook in the Free Trade Economy
By The Office of Industry Economics, Ministry of Industry
Dr. Atchaka Sriboonrueng Brimble

Country Keynote - INDIA

Manufacturing investment opportunities in India; The economic integration of ASEAN partners and government policy for promoting foreign investment in India
By Embassy of India in Thailand
Tanmaya Lal, Commercial Counsellor

Country Keynote - VIETNAM

Significant government policy development on investment in Vietnam and manufacturing investment opportunities in Vietnam
By The Embassy of the S.R. Vietnam in Thailand
Nguyen Thanh Hung, Commercial Counsellor

The Conference is chaired by

Dr. Chieanachuang (AUDI) Kalayanamitr
Chairman of the Board of Directors, Maxon Systems (Thailand)

Conference Highlights:

- **Global updates and insights into manufacturing investment:** preparing for a changing global dynamic for manufacturing economic and impact for manufacturers
- **Manufacturing investment trend and opportunities** in India and Vietnam
- Critical updates of **foreign investment laws in India & Vietnam**
- Key legal aspects of **M&A and regulatory systems**
- **Tax planning, strategies, structuring issues** when doing business in India & Vietnam
- Current development on **financing regulations and project financing trend**
- Critical issues on **Intellectual property and technology transfer** in India
- Recent updates to **practical labor law, regulations and problem solving strategies**
- **Trading and distribution operation by foreign companies** in Vietnam
- **Case studies** - practical real life experiences in establishing manufacturing plants in India and Vietnam

Official Media Partners:

**PLANT
MANAGER**
プラント・マネージャー

equipment news
THAILAND

FOODINDUSTRY
THAILAND

EUREKAHEDGE
www.eurekahedge.com

ASEANAFFAIRS
The Voice of ASEAN
www.ASEANAFFAIRS.com

ifra
INTERNATIONAL
FINANCING
REVIEW ASIA



Organized by :

BMN
BUSINESS & MANUFACTURING
NETWORK MEDIA CO., LTD.

Day 1: CONFERENCE PROGRAM,

08.30-17.30, 28 October 2008



08.30 Delegates registration

08.45 **Welcome address and introducing the Chairman of the Conference**
Dr. Chieanachuang (AUDI) Kalayanamitr
 Chairman of the Board of Directors,
 Maxon Systems (Thailand)

Chieanachuang Kalayanamitr is the Chairman of the Board of Maxon Systems (Thailand). He also works for the Council for National Security (CNS) as the Policy Analyst and Public Relation Director as well as the Advisor to Federation of Thailand Industries (Electrical/Electronic). Chieanachuang is one of the members of National Research Council (Economics). He had a Ph.D. in Systems and Management Sciences with University of North Carolina in the U.S.A.

CONFERENCE KEYNOTE ADDRESS :
Global Manufacturing Investment Outlook in the Free Trade Economy

By The Office of Industry Economics, Ministry of Industry
 Dr. Atchaka Sriboonrueng Brimble

09.00 **Global Manufacturing Investment Outlook in the Free Trade Economy**

- Manufacturing economy updates & relocation trends on the US, EU, Japan & the Far East, Australia and Oceania
- China - its influence upon the global manufacturing economy
- Manufacturing investment opportunities from Thailand to India & Vietnam – The Economic Integration of ASEAN partners
- Critical issues and challenges in global manufacturing investment

Guest Speaker: **Dr. Atchaka Sriboonrueng Brimble,**
 Director General
The Office of Industry Economics,
Ministry of Industry

10.00 **Morning Networking Refreshments**

COUNTRY KEYNOTE : INDIA

Manufacturing investment opportunities in India; The economic integration of ASEAN partners and government policy for promoting foreign investment in India

By Embassy of India in Thailand
 Mr. Tanmaya Lal, Commercial Counsellor

10.30 **Manufacturing investment opportunities in India; The economic integration of ASEAN partners**

- 'Look East Policy': the India – ASEAN economic corporation initiative
- Exploring recent developments of Indian investment policy and environment
- Multilateral transport network to Asian market access
- Investment privileges from the bilateral free trade agreement and multilateral agreements
- Industry wide differences in the investment growth context in India

Guest Speaker: **Tanmaya Lal, Commercial Counsellor**
Embassy of India in Thailand

11.00 **Key developments of India's legal issues on foreign investment and regulatory systems**

- Recent developments of the most critical laws for foreign investment
- Understanding Companies Act, 1956 and various regulations required
- Critical implication of current legal reforms on new and existing investors in India
- Updates on investment procedure

Guest Speaker: **Neeraj Bhagat, Chief Advisor**
Neeraj Bhagat & Co. Chartered Accountants

Neeraj Bhagat is a member of the Institute of Chartered Accountants of India (ICAI) since 1997. He has worked with professionally managed corporates in capacity as a consultant. Neeraj has experience of handling corporate affairs in different areas for over a decade. He has been rendering consultancy in the area of foreign direct investments, company law and Foreign Exchange Management Act (FEMA) and Regulation in India.

12.00 **LUNCH**

13.10 **Financing strategies and moving capital into/out of India**

- Financing regulations on foreign investment in line with ASEAN – India FTA
- Offshore loan provision, its process and time line
- How Indian financial institutions can be an assisting partner to foreign investors?
- Exploring project financing trends and development
- Alternative sources of financing

Guest Speaker: **Mr. C. Rangarajan, Country Head,**
Indian Overseas Bank

14.00 **Intellectual Property Asset Management and Technology Transfer**

- New laws and regulations on technology transfer into and out of India
- Legal frame works of Patent, trademarks, copyright and trade secrets
- Infringement remedies
- Technology licensing- options and methods
- Licensing- Intricate issues

Guest Speaker: **Rahul Matthan, Partner**
Trilegal India

Rahul Matthan is one of the founding partners of Trilegal – a leading law firm in the country with offices in Delhi, Mumbai, Bangalore and Hyderabad and heads its TMT, M&A and IP practice in Bangalore. In a recent article in the Financial Times, UK, He was identified as being "one of the new generation of lawyers" and Trilegal referred to as "an example of the new breed of Indian law firm that distinguishes from its more traditional peers".

15.00 **Afternoon Networking Refreshments**

15.15 **Taxation planning, structuring issues and solutions for foreign business activities**

- New regulations and government requirements on taxation issues
- Addressing current taxation issues; income tax, VAT, tax rebates and so on
- Updates of host company's tax reform and future outlook
- Tax planning issues and strategies in line with India tax regulation such as domestic, indirect and international tax

Guest Speaker: **Hitesh Gajaria, Partner**
KPMG India Pvt Ltd.

Hitesh Gajaria has more than 23 years of post-qualification experience. He has assisted many Indian and MNC pharmaceutical companies in structuring joint ventures, foreign collaborations, corporate re-structuring, as well as assisting start-ups in their commercial, regulatory and tax compliances, outbound structuring, supply chain management, transfer pricing documentation, assessment and appellate proceedings.



Day 2:

- 16.00 Investor Case Study – Key success factors and challenges in investing in India; - 'Practical advice and insights from Thai Auto Summit that have been doing business in India'**
- Exploring market accessibility to auto part industry in Bangalore
 - Why manufacturing investors like to go to Bangalore industrial estate?
 - Common mistakes and pitfalls that companies should avoid before going into India
 - Challenges faced on local operation; labor management, local policies and cultural barriers
 - Risk management in structuring investments/new ventures in India

Guest Speaker: Chumpol Rangson, GM Overseas Operation Thai Summit Autoparts Co., Ltd.
Chumpol Rangson is currently working as the Director for Overseas Operation in taking care of all overseas operations including India (five factories), Indonesia (one factory) & Malaysia (two companies & six factories) & ASEAN Market. Thai Summit Auto Parts Industry Co., Ltd. and group of companies are one of the major part manufacturers in Thailand for the automotive, motorcycle, electrical appliance and agricultural engine industries.

- 16.50 Investor Case Study – Real life experiences from Delta Electronics who have invested and manufactured in India**
- Exploring market accessibility on auto part industry in India
 - Investment environment for electronic manufacturing industry examined through investor's eyes
 - What the future may bring to those companies to invest in electronic parts manufacturing in India
 - Learning investment opportunities available in the India that is not available in China; incentives/privileges vs. weakness/challenges
 - Right selection for investment location; Pondicherry, Gurugaoan or Rudrapur?

Guest Speaker: Anusorn Muttraid, Managing Director Delta Electronics (Thailand) Public Co., Ltd.
Anusorn Muttraid is the Managing Director of Delta Electronics (Thailand). He is also the Chairman of Thailand – India Business Council under the Board of Trade of Thailand. Anusorn had a Ph.Degree with Iowa State University in the US. Delta Group is the world's largest provider of switching power supplies and brushless fans, as well as a major source for power management solutions, components, visual displays and industrial automation.

17.30 End Of Day One

08.30 Delegates registration

08.45 Welcome address and introducing the Chairman of the Conference

COUNTRY KEYNOTE : VIETNAM
Significant government policy development on investment in Vietnam and manufacturing investment opportunities in Vietnam

By The Embassy of the S.R. Vietnam in Thailand
 H.E. Nguyen Thanh Hung, Commercial Counsellor

- 9.00 Significant government policy development on investment in Vietnam and manufacturing investment opportunities in Vietnam**
- Current development of investment environment after WTO accession
 - Government policy direction on foreign investment under the current economic situation in line with fiscal and monetary policy
 - How the recent regulatory reforms affect manufacturing industry
 - Key manufacturing sectors to look out for investment for next 3-5 years

Guest Speaker: Nguyen Thanh Hung, Commercial Counsellor The Embassy of the S.R. Vietnam in Thailand

Nguyen Thanh Hung is currently working as the Chief of Vietnam Trade Representative - Commercial Counsellor to Thailand in Vietnam Embassy. Prior to the current position, he had worked as Vietnam's Chief Negotiator on dispute settlement mechanism (DSM) in ASEAN; ASEAN – China; ASEAN – AZ; ASEAN – India; ASEAN – Korea.

10.00 Morning Networking Refreshments

- 10.15 Critical updates of Vietnam laws on foreign investment**
- Key implications of the recent legal reforms on foreign Investment
 - Understanding 'Law on Investment', 'Law on Enterprises' or other foreign investment law influencing different business forms
 - Updates on investment procedure
 - Opportunities and challenges posed by the recent legal reforms

Guest Speaker: Nguyen Hoang Kim Oanh, Partner Baker & Mckenzie Vietnam
Nguyen Hoang Kim Oanh has almost thirteen years' experience in advising on general commercial, foreign direct investment, banking and financial matters and all aspects of investments in Vietnam for all types of projects/transactions ranging from investment structures to project structures and its related issues regarding employment, foreign exchange and real property.

Who should attend

CEOs • Managing Directors • General Managers • Chief Financial Officers
 • Corporate Tax and Financial • International Business Development Directors/Managers • Corporate Legal Counsels • Legal & Tax Advisors/Managers • Heads of strategic investment • Commercial Bankers Investment Bankers • Heads of Corporate Planning • Lawyers
 • Senior Executives From Manufacturing, Automotive, Electronics/ Electrical, Food/Drink, Machinery/Equipment Industries.

Hotel accomodations

Grand Sukumvit by Sofitel
 99 Sukumvit Road Soi 6, Klongtoey, Bangkok, Thailand
 Tel: +66 (0) 2207 9999

BMN's special discounted room rate is at THB3,999 net per night. Our discounted rate will be released approximately 2 weeks prior to the conference. To ensure room availability, please contact with the hotel directly by 28 September and refer to your participation at the BMN's conference.

CONFERENCE PROGRAM,

08.30-17.00, 29 October 2008

- 11.10 **Investor Case Study - Winning strategy to select the most optimized investment location - Hanoi vs Hochimh? Hai Phong vs Danang port?**
- How industrial zones streamline business procedure and investment incentives?
 - How Open Economic Zones offer investment benefits and incentives?
 - Examining location selection criteria - why international manufacturing companies select the locations - advantages/disadvantages?
 - What kind of privileges or incentives to expect from the main industrial estates?

Guest Speaker: Somhatai Panichewa, Chief Business Development Officer AMATA Corporation Public Co., Ltd.
Somhatai Panichewa is currently overseeing Kromadit Holding and Amata Holding as a Managing Director. She had initially started her career with Seagate Technology (Thailand) and Bangpakong Industrial Park 2 Co., Ltd. Then she had worked for AMT Marketing & Consultant Co., Ltd as Managing Director and Koll Amata as Executive Director.

12.10 Lunch

- 13.10 **Recent Development on Legal Due Diligence for Mergers & Acquisitions (M&A)**
- Legal due diligence and regulatory requirements for M&A
 - Practical consideration for structuring M&A deals and issues
 - Raising capital and compliance strategies
 - Key success factors and case samples

Guest Speaker: John Yue, Senior Counsel LuatViet - Advocates & Solicitors Vietnam
John has over 10 years experience as a U.S licensed attorney and specializes in legal matters involving international business transactions, corporate laws, foreign investment, and mergers and acquisitions. John regularly advises multinationals and foreign invested companies operating in Vietnam on market entry, investment licensing, corporate compliance, and trade and investment issues.

- 14.10 **Tax planning issues and structuring strategies for foreign investment in Vietnam**
- Foreign Investment in Vietnam and its Taxation
 - Updates of Vietnam's tax reforms for foreign investors
 - Corporate income tax
 - VAT, Special Sales tax and personal income tax
 - Tax planning issues and strategies
 - Overcoming challenges faced by foreign investors in dealing with the current tax regulations

Guest Speaker: Nguyen Thanh Vinh, Associate Baker & McKenzie Vietnam
Vinh practised tax and consultancy work for two international accounting firms for eight years and worked as a compliance counsel for an international insurance company before joining the Ho Chi Minh City office of Baker & McKenzie. He focuses on tax advice and planning on corporate and individual tax issues, banking & finance, and other general corporate matters.

About Organizer

Business & Manufacturing Network Media Co., LTD. (BMN) is one of innovative leading's business conferences and special industrial events organizer in Thailand, who has researched and produced outstanding conferences, plant visit program and executive training courses, with hundreds of middle to top executives in attendance. The aims of conference are to offer business opportunities, industrial professionals networking with ideas exchanging as well as cutting edge information and competitive knowledge sharing.

15.00 Afternoon Networking Refreshments

- 15.15 **Practical labor law/regulation issues and problem solving strategies in Vietnam**
- Labor regulation updates and related registration
 - Dealing with labor dispute and resolutions
 - Issues of hiring, terminating and managing Vietnamese
 - Cultural issues

Trading and distribution operation by foreign companies in Vietnam

- Introduction: Legal framework
- Trading or distribution services: forms of establishment
- Practical issues

Guest Speaker: Phan Thi Thuy Duong, Senior Lawyer PricewaterhouseCoopers Vietnam
Phan Thi Thuy Duong is a Director in the PricewaterhouseCoopers Legal Vietnam practice and has been with the firm for over 8 years. She is also a member of the Ho Chi Minh City Bar Association. Duong has substantial experience in legal advisory work, particularly in advising local and foreign clients in relation to the corporate law of Vietnam, banking and finance, real estate, labor law and communications.

- 16.10 **How are Thai banks working with investors to increase FDI?**
- How Thai banks can be an asset when investing in Vietnam
 - Financing planning for offshore investment under weaken Vietnamese currency and rising interest rate
 - Addressing financing regulations that need to be abide by when seeking finance
 - Identifying timelines and processes required when working with banks

Guest Speaker: Wittaya Supatanakul, Advisor Bangkok Bank Public Co., Ltd.
Wittaya Supatanakul is Advisor to International Banking Group, Bangkok Bank. He joined Bangkok Bank as Internal Auditor to audit local and overseas branches, He was transferred to Hong Kong Branch as Assistant Manager, and London Branch as Deputy Manager before being transferred to Vietnam as Senior Vice President and General Manager overseeing Ho Chi Minh City Branch and Hanoi Branch of Bangkok Bank (1996 -2006).

17.00 End Of The Conference

In case of unexpected circumstance, the organizer reserves the right to adjust the programs appropriately and will notice later of the amendment happened.

Sponsorship Opportunities:

This high profile event provides your company with the unique opportunity to capture the interest and influence the decisions of a high targeted audience. Capitalize on this ideal business platform to market your services and form strategic relationships through networking. We have various kinds of sponsorship packages that suit your marketing budget. **Please contact :**
Ms. Julie C. at Tel +66 08-6785-1113, +66 08-6338-4945 and e-mail:julie@bmm.co.th
 for more information and find out which sponsor package is the right tool for you.

'Japan External Trade Organization (JETRO)'s survey acknowledged that, manufactures in Vietnam and India were most confident about their prospects in 2008. 92.6% of manufacturers and 88% of non-manufacturers surveyed in Vietnam plan to expand investments while none plan to downsize or move from the country.' (*Vietnam Investment Review, 9 June 2008*)

'A growing number of multinational corporations are pursuing a strategy that companies and analysts call "China plus one", establishing or expanding Asian bases outside China, particularly in Vietnam.' (*New York Times, 21 June 2008*)

'According to the global survey carried out by KPMG international, India is expected to lead the world in terms of investment in the manufacturing sector with 25% of corporate expecting to invest five years from now.' (*The Nation, 21 June 2008*)

'Indian exports to Thailand registered growth of almost 34 per cent over the previous year, while imports from Thailand increased by 43 per cent. From April to June this year, total trade reached \$850 million.' (*Nation, June 11, 2008*)

Dear Executives

India and Vietnam, the two hot sites in luring growing foreign investment has intensely been focused by global manufactures as a sound alternative and risk-diversified location to China.

With the economy growing 8-9 percent and rapid expanding FDI inflows, India has emerged as the second fastest growing major economy in the world. Traditional foreign investment in India via outsourcing into its software and IT industry is now expanding into a growing interest in manufacturing (2/3 of FDI).

Following joining the World Trade Organization in 2007, Vietnam had attracted more than US\$15 billion in foreign direct investment for over 300 projects for the first 5 months of this year which is 2.6 times higher than same period of the previous year.

Along the remarkable wave of foreign investment into India and Vietnam, strong economic growth, improved rules and regulations to boost foreign investment, this one time high profile investment forum offers a unique opportunity in comparing investment opportunities in two of the most emerging markets; India & Vietnam.

It is an interactive event with a faculty of top-notch and high profile panel from India and Vietnam, executive case studies based on real life experiences and a variety of technical and strategic sessions. The topics will give more insight into the latest key issues on manufacturing investment with focus on the latest foreign investment law, key legal implication of M&A transaction, tax and financing issues, labor management plus intellectual property considerations. Furthermore, the session also provides executive level networking opportunities. This is to help the potential investors understand the ways to maximize profits on investing in India and Vietnam while minimizing risks to ensure success in both countries.

The first time high profile conference is a single meeting platform to access to key authorities, renowned legal, tax, financial specialists from India and Vietnam.

Whether you are an investor, an entrepreneur, a company executive, corporate legal counselor, you cannot afford to miss this single platform event allowing you to compare investment opportunities for both countries; India & Vietnam.

Facts and Figures:

India

Since a Free Trade Agreement between India - Thailand in 2004, in 2007-08, bilateral trade increased to US\$3,341.5 million during April - January, compared to US\$2,559.3 million in the corresponding period last fiscal. The government of both the countries expect two-way trade between India and Thailand to touch 10 billion by 2010 as against US\$4.7 billion in 2007. According to the Deloitte Research, over the last five years, Indian manufacturing companies – including domestic manufacturers and subsidiaries of foreign-based multinational corporations – have added about 27 percent to total capital stock. Moreover, due to the depreciation and obsolescence of existing capital stock, by the end of fiscal year 2004-2005, more than 60 percent of total capital stock in Indian manufacturing were new investments that did not exist just five years earlier (Sources: Sensex magazine, 2008)

India

Population : 1,124 mn
 GDP : US\$1 Trillion (current prices)
 GDP Growth : 9% (2007)
 FDI inflow : US\$30 billion (2007)
 Export commodities : Tea, Milk, Butter, Mango, Banana, Dairy Products, Coconuts, Ginger, Rice, Wheat, Turmeric, Black Pepper, Sugar and Cement

(Sources: Confederation of Indian Industry)

Vietnam

According to a survey performed by the Asian Business Council, Vietnam ranks 3rd in the world for investment attraction to Asian groups in 2007-2009. In a newly developed ranking system, PricewaterhouseCoopers rates Vietnam as the World's currently most attractive investment country for manufacturing businesses, surpassing China, Poland, Chile and Malaysia. Vietnam ranked the highest in the index for manufacturing with a score of 95 (out of 100). PricewaterhouseCoopers concluded that Vietnam is a highly cost-competitive country that offers investors the potentially highest return, through one should also have in mind that Vietnam was rated the fourth riskiest investment location within the 20 emerging markets (Sources: Investment & Trade Promotion Centre, 2007).

Vietnam

Population : 85mil (2007)
 GDP : US\$70.8 billion
 GDP Growth : 8.44% (2008)
 FDI inflow : US\$20.3 billion (2007)
 Export commodities : Peanut, Latex, Coffee, Tea, Rice, Cashew, Black pepper, Crude Oil, Coal, Aqua products, Textile & Garments, Footwear, Electronics & PC's components

(Sources - Asia Trust Investment and Management Corporation)