



CEE

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LEGAL MATTERS

IN-DEPTH ANALYSIS OF THE NEWS AND NEWSMAKERS THAT SHAPE
EUROPE'S EMERGING LEGAL MARKETS

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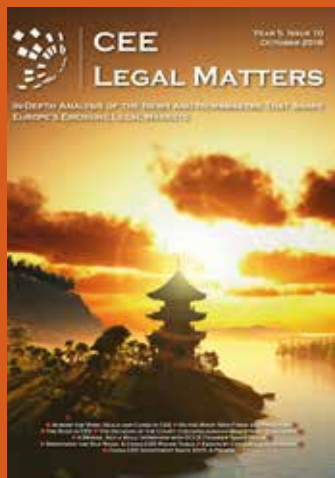
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If you like what you read in these pages (or even if you don't) we really do want to hear from you. Please send any comments, criticisms, questions, or ideas to us at:

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EDITORIAL: CHINA CEE-SEZ THE MOMENT

This special October 2018 issue of the CEE Legal Matters magazine, which focuses on China-CEE business and investment, represents the first issue ever dedicated to considering the ties between CEE and a particular foreign country.

Why China, you ask? Well, for those of our who have been hiding under rocks their entire lives:

Numbers

China, home to approximately 1.4 billion people, is the world's most populous country, and depending on sources and calculations, at approximately 9.6 million square kilometers, it is the third or fourth-largest country in the world by total area.

History

China is one of the world's earliest civilizations, reaching back as far as the 21st century B.C. Dynastic rule ended in 1912 with the overthrow of the Qing dynasty and the creation of a republic. Following Japanese occupation and then Civil War, the Communist Party of China took control and established the current regime in 1949.

Economy

After several decades of centralized planning, the Chinese government began opening the country's economy up to private business interests in the late 1970s, while retaining exclusive control over political – and, to a significant extent, religious and social – matters. Since that time the country has experienced steady and impressive growth, with annual growth rates consistently above six percent. At the moment it is the world's second-largest economy by nominal GDP and largest by purchasing power parity. It is the world's largest exporter and second-largest importer of goods.

China in CEE

It appears China has clustered CEE into one region for the purposes of its main objectives: (a) creating transportation networks for delivering Chinese goods to Western Europe, and (b) identifying investment goals for further capital expansion across the EU. In addition, the rising per capita income levels of CEE's population also means new market opportunities for the Chinese, who are also attracted by the region's continuing (though obviously slowing) privatization process, including large scale infrastructure projects and public procurement opportunities. Finally, as labor costs rise in China, many manufacturers are finding it cheaper to locate production facilities closer to their EU destination markets.

While Chinese engagement in CEE remains relatively modest (trade reached USD 58 billion in 2016, and reports from the Chinese Ministry of Commerce estimate the amount of Chinese investment in the region at between USD 6-8 billion in 2016 – only 2.7 percent of the Chinese money invested in the global economy), the potential is huge, and attracting Chinese investment to the region remains a key goal of many CEE governments.

The most important form of cooperation in CEE is lending for infrastructure projects, and indeed, the Balkan Silk Road begins with the flagship investment in the Port of Piraeus, reflecting China's view of Greece as a gateway to Europe and includes the projected Belgrade-Budapest railway, 85% of which will be financed through loans from the China Export-Import Bank. Other projects include a highway link from Romania to Montenegro to Italy, and some projects in Macedonia linking that country with Western Europe.

CEE Legal Matters

Because the extent of China's interest in European investment is well known, we have chosen to shed light on less-frequently reported aspects of the China-CEE relationship. Thus, readers will meet some of the Chinese lawyers living and working on the ground here in CEE, who gathered in September for a laughter-filled Round Table conversation (see page 26). Readers will meet Tomas Hulle, the founder and director of the European Centre for Career Education in Prague, which specializes in providing foreign students exposure to kinds of practical experience and inspiration law students rarely receive in their university studies (see page 22). Readers will enjoy articles by Chinese lawyers full of useful tips for foreign practitioners. And finally, readers will get a sense of the kinds of deals Chinese investors are working on via a summary of all the deals we've reported on the CEE Legal Matters website in the past five years involving Chinese clients and investors. We hope you will enjoy all of it.

Finally, CEE Legal Matters would like to thank Tomas Hulle for his help in putting this issue together, in fact, as well as for his enthusiasm, contacts, knowledge, and encouragement.



David Stuckey



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to your needs, our teams
across 14 countries lead
you from start to finish.

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ATTORNEYS AT LAW



New Homes and Friends:

Reshuffling Pan-Baltic Alliances (p. 12)



Legal Matters:

The Buzz (p. 14)



The Decision of the Court:

Czech and Slovak lawyers turn to what's really important (p. 18)



Smoothing the Silk Road:

A China-CEE Round Table (p. 26)

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ACROSS THE WIRE: DEALS SUMMARY

Date covered	Firms Involved	Deal/Litigation	Value	Country
2-Oct	BDK Advokati; Kalo & Associates; Kirkland & Ellis; Polenak; Schoenheerr; Selih & Partners	BDK Advokati, Kirkland & Ellis, Selih & Partners, Polenak, and Kalo & Associates advised BC Partners on its agreement to acquire a majority stake in United Group B.V. from KKR. Schoenheerr advised KKR on the sale.	EUR 600 million	Albania; Bulgaria; Hungary
20-Sep	Allen & Overy; Davis Polk & Wardwell	Allen & Overy advised Oesterreichische Kontrollbank on its public offering of USD 1.5 billion of 2.875% Guaranteed Global Notes due 2021. The underwriters, Deutsche Bank AG, London Branch, J.P. Morgan Securities, and RBC Capital Markets, were represented by Davis Polk & Wardwell.	N/A	Austria
21-Sep	Freshfields Bruckhaus Deringer; Schoenheerr	Schoenheerr advised Aves One AG on its EUR 155 million senior facility refinancing in the form of a new facility agreement arranged by a consortium of German banks. The lenders were advised by Freshfields Bruckhaus Deringer in Vienna and Frankfurt.	EUR 155 million	Austria
24-Sep	Act Legal	WMWP Act Legal advised Vienna-based start-up Saturo Foods on an investment by Square One Foods.	N/A	Austria
24-Sep	Weber & Co; Wolf Theiss	Wolf Theiss advised Raiffeisenlandesbank Vorarlberg on its first issue of a EUR 500 million bond. The banking consortium responsible for placing the bond on the international capital market was represented by Weber & Co.	EUR 500 million	Austria
26-Sep	Baker McKenzie	The Vienna office of Baker McKenzie advised Austrian start-up company Klaiton on the entry of Germany's Haufe Group as a strategic investor.	N/A	Austria
27-Sep	Baker McKenzie; Hogan Lovells	Baker McKenzie advised Austrian certification expert Intact GmbH on its sale of a majority stake in the company to German investment company IMCap Partners. The buyer was represented by Hogan Lovells' Dusseldorf office.	N/A	Austria
2-Oct	Arnold; BPV Hugel; Eisenberger & Herzog	BPV Hugel advised Immofinanz on the acquisition of a 29.14% stake in S IMMO AG for approximately EUR 390 million from companies of the RPR group (approximately 14.6 million shares), represented by Eisenberger & Herzog, and the SIGNA group (approximately 4.9 million shares), represented by Arnold.	EUR 390 million	Austria
4-Oct	Cerha Hempel Spiegelfeld Hlawati; Wolf Theiss	Wolf Theiss advised Raiffeisen Bank International AG and UniCredit Bank Austria AG as joint lead managers on the placement of CA Immobilien Anlagen Aktiengesellschaft's EUR 150 million bond. Cerha Hempel Spiegelfeld Hlawati advised CA Immo on the deal.	EUR 150 million	Austria
9-Oct	Fellner Wratzfeld & Partner	Fellner Wratzfeld & Partner advised the Vienna Business Agency on the development of framework procurement agreements for start-up services.	N/A	Austria
15-Oct	B-Legal; SCWP Schindhelm	SCWP Schindhelm advised UBM Development on the acquisition of a 23,000 square meter property located near the Danube Canal in Vienna from Reitenburg. The seller, represented by B-legal, continues to hold a 10% interest in the project.	N/A	Austria
21-Sep	Sorainen	Sorainen Belarus advised Baltic Beverages Holding, a member of the Carlsberg Group, on the acquisition of an additional 10.5% stake in the Alivaria brewery from the EBRD.	N/A	Belarus
1-Oct	Sorainen	Sorainen advised the EBRD on Belarusian law matters in connection with the lending of USD 15 million to the Modern-Expo group.	USD 15 million	Belarus

Date covered	Firms Involved	Deal/Litigation	Value	Country
15-Oct	Cobalt	Cobalt advised Mangrove Capital Partners on its investment in mobile app Flo, a pregnancy calculator, ovulation calendar, and menstrual cycle tracker.	N/A	Belarus
1-Oct	Kambourov & Partners	Kambourov & Partners advised the Stillfront Group on its EUR 10 million acquisition of 100% of the shares in Imperia Online JSC.	EUR 10 million	Bulgaria
11-Oct	CMS	CMS Sofia advised the UK-based oil and gas company Petroceltic on remedying a force majeure event related to the offshore production of natural gas in Bulgaria.	N/A	Bulgaria
20-Sep	CMS	CMS advised ING Bank on financing provided to two companies from the Ukrainian agribusiness sector.	USD 100 million	Bulgaria; Poland; Ukraine
15-Oct	Dvorak Hager & Partners	Dvorak Hager & Partners represented a group of shareholders on the sale of their majority stake in Czech agricultural producer Zeas Podorlicko.	N/A	Czech Republic
4-Oct	CMS; Freshfields; Kirkland & Ellis; Weil, Gotshal & Manges	CMS, Freshfields Bruckhaus Derringer, and Kirkland & Ellis advised Advent International on the acquisition of Zentiva, Sanofi's European generics business. Weil Gotshal & Manges advised Sanofi on the sale.	EUR 1.9 billion	Czech Republic; Hungary; Poland; Romania; Slovakia
18-Sep	Ilyashev & Partners	The Tallinn office of Ilyashev & Partners advised Cryptagio, a licensed Estonian platform for cryptocurrency exchange, on business operations and business development-related matters.	N/A	Estonia
24-Sep	Derling; Pohla & Hallmagi	Pohla & Hallmagi advised Kunda Sadam AS, a company owned by the Baltic Maritime Logistics Group, on the acquisition of Kunda Port from Kunda Nordic Tsement AS, owned by the HeidelbergCement Group. Derling advised the sellers on the sale.	N/A	Estonia
27-Sep	Cobalt	Cobalt advised Denmark's Sjolund Group on the acquisition of Estonian metal works company Cutform OU.	N/A	Estonia
8-Oct	Jones Day; Sorainen	Sorainen and Jones Day are representing Windoor in arbitration proceedings at the International Center for the Settlement of Investment Disputes in Washington, D.C., in its EUR 23 million claim against the Republic of Kazakhstan.	EUR 23 million	Estonia
8-Oct	Sorainen	Sorainen advised CTS Engtec on the purchase of SystemTest, an Estonian company supplying industrial and infrastructure projects with industrial automation systems.	N/A	Estonia
8-Oct	TGS Baltic	TGS Baltic advised Posti on Estonian law aspects of its acquisition of the Suomen Transval Group.	N/A	Estonia
5-Oct	Cobalt	Cobalt advised A-Katsastus and Bridgepoint on the sale of the A-Katsastus Group's business operations in Sweden, Estonia, Latvia, and Poland to pan-European private equity advisory group IK Investment Partners.	N/A	Estonia; Latvia
20-Sep	Allen & Overy; Cobalt; Ellex (Klavins); Ellex (Raidla); Ellex (Valiunas); Hamilton	Ellex, Allen & Overy, and Hamilton advised Blackstone on the EUR 1 billion acquisition by a consortium of private equity funds it manages of a 60% stake in Luminor from Nordea Bank AB and DNB Bank ASA. Cobalt advised Luminor on the sale.	EUR 1 billion	Estonia; Latvia; Lithuania
10-Oct	Kronbergs Cukste Levin; Motieka & Audzevicius	Motieka & Audzevicius advised Kesko Senukai on the acquisition of the "1A" e-commerce business in all three Baltic States from SIA MZ Investments, SIA GS, and SIA KP Investments. Kronbergs Cukste Levin advised the sellers on the deal.	N/A	Estonia; Latvia; Lithuania
17-Sep	Cobalt; Roschier; TGS Baltic; Vinge; Wolf Theiss	TGS Baltic and Sweden's Vinge Law Firm advised IK Investment Partners on the acquisition of A-Katsastus Group's operations in the Baltics, Sweden, and Poland. Sweden's Roschier Law Firm and Cobalt advised A-Katsastus Group and its subsidiary A-Katsastus.	N/A	Estonia; Latvia; Lithuania; Poland
18-Sep	Kyriakides Georgopoulos	The KG Law Firm advised Senfluga Energy Infrastructure Holding on the debt financing of 64.22% of the cost of the acquisition by the company of 66% of the shares of Hellenic Gas Transmission System Operator S.A.	N/A	Greece
19-Sep	Kyriakides Georgopoulos	Kyriakides Georgopoulos advised Sinsin Europe Solar Asset Limited Partnership on the acquisition of a portfolio of 15MW photovoltaic projects from an unidentified seller.	N/A	Greece
21-Sep	Kyriakides Georgopoulos	Kyriakides Georgopoulos advised Alpha Bank in relation to the financing of two Sumec Clean Energy Ltd. wind parks.	N/A	Greece
24-Sep	Kyriakides Georgopoulos	Kyriakides Georgopoulos helped Axpo Trading AG obtain a Gas Supply License and Electricity Trading License in Greece.	N/A	Greece
24-Sep	Kyriakides Georgopoulos	Kyriakides Georgopoulos assisted Blue Grid Gas and Power S.A. with the formulation of a proposed contract to be used with customers.	N/A	Greece
24-Sep	Kyriakides Georgopoulos	Kyriakides Georgopoulos advised Public Power Corporation Renewables on the formulation of tender rules for the selection of a strategic partner to participate in the Biomass CHP Plant Company as an equity partner with a 51% stake.	N/A	Greece

Date covered	Firms Involved	Deal/Litigation	Value	Country
15-Oct	Bernitsas; Koutalidis; White & Case	White & Case, working with Greece's Koutalidis Law Firm, advised the four systemic Greek banks – Alpha Bank, Eurobank, National Bank of Greece, and Piraeus Bank – on their entry into a servicing agreement with Italian credit institution doBank S.p.A. Bernitsas advised doBank on Greek law matters.	N/A	Greece
25-Sep	Dentons; Tenk Law Firm	Dentons advised the Globe Trade Centre S.A. real estate company on its 100% acquisition of a real property located on the Vaci Corridor in Budapest. The seller, Mased Zrt., was represented by the Tenk Law Firm.	N/A	Hungary
8-Oct	Primus	Primus successfully represented AS Luminor Bank in several disputes after borrowers and guarantors, unable to meet their obligations towards the bank, disposed of their properties to relatives or friends to avoid recovery measures.	N/A	Latvia
10-Oct	Ellex (Klavins); Manheimer Swartling; TGS Baltic	TGS Baltic advised the shareholders owning 51% of the shares in SIA S.B.C. on the sale of their shares to Norway's Contiga Holding AS, which already held the other 49%. Sweden's Mannheimer Swartling and Ellex Klavins advised Contiga Holding on the acquisition.	N/A	Latvia
28-Sep	Sorainen	Sorainen advised Lords LB Special Fund V on its agreement with the InterContinental Hotels Group regarding the management of the Holiday Inn hotel in Riga.	N/A	Latvia; Lithuania
5-Oct	SSW Pragmatic Solutions; TGS Baltic	TGS Baltic and SSW Solutions advised CVI regarding unitranche funding in the sum of EUR 5.2 million to Arsenal Industrial.	EUR 5.2 million	Latvia; Poland
17-Sep	Clifford Chance; Ellex (Valiunas); Linklaters; TGS Baltic	TGS Baltic's Vilnius office and Clifford Chance advised Maxima Grupe on its EUR 1 billion medium-term note program and issuance of EUR 300 million of 5-year bonds. BNP Paribas, Deutsche Bank, and SEB Bankas, which acted as intermediaries, were advised by Linklaters and Ellex Valiunas.	EUR 1.3 billion	Lithuania
20-Sep	Cobalt; Sorainen	Sorainen advised Pardavimo Automatai and its shareholders on the sale of 100% of the company's shares to BCH Lithuania, managed by Latvia's Baltic Coffee Holding. BCH Lithuania was advised by Cobalt.	N/A	Lithuania
24-Sep	Sorainen	Sorainen advised real estate management and development company MG Valda on the sale of the Park Town office complex in Vilnius.	N/A	Lithuania
2-Oct	Primus; Sorainen	Sorainen Vilnius advised venture capital fund Open Circle Capital on its EUR 400,000 investment, made with the Blue Bridge Group's managing company, into Blue Ridge Group member and CRM solutions developer Teamgate. Primus advised Blue Bridge group on the deal.	EUR 400,000	Lithuania
2-Oct	Cobalt	Cobalt's Vilnius office advised BaltCap Infrastructure Fund on its investment in a real estate development to be leased to the Queen Morta School and Childhood Garden pre-school, both privately run by Austėja Landsbergienė. The prime contractor in the project is UAB Merko Statyba.	N/A	Lithuania
3-Oct	Sorainen	Sorainen advised venture capital fund Open Circle Capital on its investment, made along with technology company iTo, of EUR 300,000 in business process management tool Tasker.	EUR 300,000	Lithuania
10-Oct	Deloitte Legal; PwC Legal	Deloitte Legal Lithuania advised Aurora Cannabis Inc. on its acquisition of 100% of the issued and outstanding shares in Agropro UAB and Borela UAB. PwC Legal advised Agropro and Borela.	EUR 5.5 million	Lithuania
12-Oct	Ellex (Valiunas)	Ellex helped Mano Bankas obtain a specialized bank license to operate in Lithuania.	N/A	Lithuania
5-Oct	CMS; Efrim Rosca & Associates; Gladei & Partners	Gladei & Partners advised the EBRD and private equity firms AB Invalda INVL and Horizon Capital on Moldovan law matters related to their acquisition of a 41.09% stake in B.C. Moldova Agroindbank S.A. at an auction held by Moldova's Public Property Agency. The EBRD was advised on English-law matters by CMS. Moldova Agroindbank and Moldova's Government was represented by Efrim, Rosca & Associates.	N/A	Moldova
17-Sep	LSW Lesnodorski Slusarek & Partners; Maruta Wachta	Maruta Wachta advised Equitin Partners on the acquisition of a majority stake in Kids & Co., an operator of private kindergartens in Poland. LSW Lesnodorski Slusarek & Partners advised Kids & Co.	N/A	Poland
17-Sep	Hogan Lovells	The Warsaw office of Hogan Lovells advised Pekao Bank Hipoteczny on the issue of the public mortgage bonds.	N/A	Poland
21-Sep	Everberg; Wierzbowski Eversheds Sutherland	Wierzbowski Eversheds Sutherland advised Grupa Netsprint, an Innova Capital portfolio company, on its acquisition of Way To Grow, a company that specializes in optimizing the advertising space of publishers in a programmatic model. Way To Grow was represented by Everberg.	N/A	Poland
26-Sep	SK&S; White & Case	SK&S advised Cargill on its acquisition of entities operating within the Konsol Group. The owners of Konsol were represented by White & Case.	N/A	Poland
26-Sep	WKB Wiercinski Kwiecinski Baehr	WKB Wiercinski Kwiecinski Baehr advised Qualia Development Sp. z o.o. on the sale of Residence Management Sp. z o.o. to Chopin Airport Development Sp. z o.o.	N/A	Poland
28-Sep	Allen & Overy; Clifford Chance	Allen & Overy advised Santander Bank Polska S.A. on the issue of its EUR 500 million Eurobonds. The joint lead managers, J.P. Morgan and PKO Bank Polski, were represented by Clifford Chance.	EUR 500 million	Poland
2-Oct	Act BSWW	Act BSWW advised Zeitgeist Asset Management on its acquisition of an office building in Warsaw.	N/A	Poland

Date covered	Firms Involved	Deal/Litigation	Value	Country
8-Oct	Soltysinski Kawecki & Szlezak; WKB Wiercinski, Kwiecinski, Baehr	Soltysinski Kawecki & Szlezak advised Eurocash S.A. on the sale of 100% of the shares in PayUp Polska S.A. to Centrum Rozliczen Elektronicznych Polskie ePlatnosci S.A. WKB Wiercinski, Kwiecinski, Baehr advised the buyers on the acquisition.	N/A	Poland
9-Oct	Clifford Chance; Dentons	Dentons advised PGE Polska Grupa Energetyczna on financing provided by a consortium of banks, including PKO Bank Polski S.A., Intesa Sanpaolo S.p.A., MUFG Bank N.V., and Santander Bank Polska S.A. The banks were represented by Clifford Chance.	PLN 4.1 billion	Poland
11-Oct	CMS; Linklaters	CMS advised Mid Europa Partners on the sale of 100% of shares in Altura S. a r. l., the holding company which owns 99.77% of the shares in Polskie Koleje Linowe SA, to the Polish Development Fund. Linklaters advised the buyers on the deal.	N/A	Poland
15-Oct	Gide Loyrette Nouel	Gide advised Orpea Polska on its acquisition of a property in Warsaw from Orange Polska.	N/A	Poland
15-Oct	Studnicki Pleszka Cwiakalski Gorski	Studnicki Pleszka Cwiakalski Gorski Limited Partnership successfully represented the Tesco Poland retail chain in an arbitration dispute before the Court of Arbitration at the Confederation of Lewiatan in a dispute involving the admissibility of turnover-based bonuses by the retail chain of use in trade.	N/A	Poland
18-Sep	Wolf Theiss	Wolf Theiss's Bucharest office reported that it secured a favorable decision in the first instance in an EUR 180 million claim against Saudi Arabia's Al-Arab Contracting Co., the majority shareholder of Electroputere Craiova.	EUR 180 million	Romania
24-Sep	Popovici Nitu Stoica & Asociatii	PNSA assisted Swiss grain and fertilizer trader Ameropa on its acquisition of the Sarulesti agricultural base from Comcereal Fundulea.	N/A	Romania
2-Oct	Clifford Chance; White & Case	Clifford Chance Badea advised Polish-based private equity fund Abris Capital Partners on the sale of the Urgent Cargus courier company to Mid Europa Partners. White & Case advised Mid Europa on the deal.	N/A	Romania
10-Oct	Stratulat Albuлесcu	Stratulat Albuлесcu advised World Class Romania on the acquisition of the Stay Fit Gym Oltenitei fitness club from Stay Fit Gym SRL.	N/A	Romania
15-Oct	Popovici Nitu Stoica & Asociatii; The Law Chamber	Popovici Nitu Stoica & Asociatii advised WDP, a Belgian developer and owner of logistics and warehousing, on the acquisition of two logistics parks in Romania: Dunca Logistics Centre from Dunca Imobiliare and CTPark Cluj I from CTP Group. Dunca Imobiliare was represented by Moroianu & Associates, and the CTP Group was advised by Romania's The Law Chamber.	N/A	Romania
18-Sep	AP Legal; CMS; Jankovic Popovic Mitic	AP Legal Belgrade and CMS Bucharest advised the lenders of Victoria Group a.d. Beograd and its subsidiaries on the sale of its loan receivables to MK Group d.o.o. Belgrade. Jankovic, Popovic, Mitic advised the Victoria Group.	N/A	Romania; Serbia
24-Sep	Bryan Cave Leighton Paisner	Bryan Cave Leighton Paisner advised the International Investment Bank on a USD 96.5 million multi-asset secured facility for financing and refinancing the acquisition of a number of passenger and special purposes aviation and mining assets for Russia's State Transport Leasing Company.	USD 96.5 million	Russia
24-Sep	Pepeliaev Group	The Pepeliaev Group successfully represented Mucos Pharma CZ in a USD 500,000 dispute against a Russian insurance company over a payout under an insurance agreement along with interest for the use of another party's funds.	USD 500,000	Russia
9-Oct	Egorov Puginsky Afanasiev & Partners	Egorov Puginsky Afanasiev & Partners successfully represented Morsvyazspuznik, the only Russian supplier of INMARSAT satellite communications services, in a contractual dispute against Glonass North-West.	N/A	Russia
18-Sep	Asters; Quinn Emanuel Urquhart & Sullivan	Asters, in cooperation with Quinn Emanuel Urquhart & Sullivan, successfully represented Ukraine in the English Court of Appeal in a USD 3 billion Eurobond dispute with Russia.	USD 3 billion	Russia; Ukraine
26-Sep	Zivkovic Samardzic	Zivkovic Samardzic advised Belgrade Nikola Tesla Airport on its third issuance of shares and share capital increase in less than five months.	N/A	Serbia
27-Sep	BDK Advokati; Jankovic Popovic Mitic	Jankovic Popovic Mitic advised Adp Gauselmann GmbH, a member of the Gauselmann Group, on the sale of 49% of shares in its Serbian subsidiary, Merkur Gaming Slots d.o.o., to Aleksandar Jojic. BDK Advokati advised Jojic, a minority shareholder of Balkan Bet, on the acquisition.	N/A	Serbia
12-Oct	Harrisons Solicitors	Harrisons Solicitors advised Al Dahra Holding on its acquisition of the Poljoprivredna Korporacija Beograd agricultural company.	N/A	Serbia
4-Oct	BVP Braun Partners; Weinhold Legal	Weinhold Legal advised Prvni Novinova Spolecnost, a Czech press distributor, on its acquisition of the alternative postal operator Mediaservis from RMSM3, part of the Cromwell group. BVP Braun Partners advised RMSM3 on the sale.	N/A	Slovakia
25-Sep	Rojs, Peljhan, Prelesnik & Partners; Selih & Partners	Selih & Partners advised Coface on the acquisition of 100% shares of SID-Prva kreditna zavarovalnica from SID Bank, a Slovenian public bank.	N/A	Slovenia
3-Oct	Moral & Partners; PAE Law Office	Moral & Partners advised Arimpeks Aluminijum Sanayi Ic ve Dis Ticaret A.S on the sale of an 80% stake in the company by the Kansak and Ercin families to Swiss-based Montana Tec Components AG, acting via its Aluflexpack AG subsidiary. PAE Law Office advised both Montana and Aluflexpack.	N/A	Turkey

Date covered	Firms Involved	Deal/Litigation	Value	Country
12-Oct	Accura; DLA Piper; Paksy	Paksy, working alongside DLA Piper, advised Gurit on its acquisition of all the shares of JSB Group, a company designing, developing, and manufacturing customer-specific core kits for wind turbine blades. JSB was represented by Denmark's Accura law firm.	N/A	Turkey
24-Sep	Sayenko Kharenko	Sayenko Kharenko acted as Ukrainian legal counsel to the European Fund for Southeast Europe in connection with Ukrainian hryvnia financing to the Public Joint Stock Company Kredobank, a Ukrainian subsidiary of Poland's PKO Bank Polski S.A.	EUR 10 million	Ukraine
25-Sep	Dentons; Hogan Lovells; Latham & Watkins; Redcliffe Partners; Sayenko Kharenko	Sayenko Kharenko advised Mriya Agro Holding and Hogan Lovells advised the company's ad hoc committee of note-holders on the restructuring of its USD 1.1 billion debt, and the two firms advised the company on its subsequent sale of the company's assets, including infrastructure facilities, machinery, and land lease rights, to the Saudi Agricultural & Livestock Investment Company United Kingdom. Redcliffe Partners advised SALIC on the matter.	N/A	Ukraine
27-Sep	Baker McKenzie	Baker McKenzie's Kyiv office assisted Monsanto - now a part of the Bayer Group - on the creation of a seed processing facility project in Ukraine.	N/A	Ukraine
1-Oct	PwC Legal	PwC Legal Ukraine successfully represented Pravexbank in a dispute against Ukraine's tax authority.	N/A	Ukraine
3-Oct	Avellum; Norton Rose Fulbright	Avellum advised a private equity vehicle managed by ResponsAbility Investments AG on Ukrainian law matters related to its acquisition of a shareholding in Bank Lviv. ResponsAbility was counseled on English law by Norton Rose Fulbright.	N/A	Ukraine
4-Oct	Asters	Asters successfully defended the interests of PrivatBank CB JSC in a dispute against Pivdenmedbiosintez Design and Survey Institute JSC before the Commercial Cassation Court of Ukraine's Supreme Court.	UAH 2 Billion	Ukraine
5-Oct	Asters	Asters successfully defended the interests of Teva Pharmaceutical Industries in a dispute involving the extension of a patent term for a medical product for an additional three years.	N/A	Ukraine
5-Oct	Dentons	Dentons advised Natixis on Ukrainian law requirements for carrying out certain unspecified banking transactions and regulatory and banking and finance law matters.	N/A	Ukraine
8-Oct	Vasil Kisil & Partners	Vasil Kisil & Partners successfully represented Mondelez Ukraine a dispute against the Trostianets City Council regarding an increase of the rent for a land plot.	N/A	Ukraine
9-Oct	Asters; Avellum	Asters advised VR Capital Group on its acquisition of 50% of shares in PVK Energy Investments from ICU. ICU was represented by Avellum.	N/A	Ukraine
10-Oct	Avellum	Avellum successfully represented a UK citizen in Ukraine's Supreme Court in a dispute regarding the return of a wrongfully retained child.	N/A	Ukraine
10-Oct	Aequo	Aequo acted as Ukrainian legal counsel to the EBRD in connection with a USD 20 million secured loan granted to Ukrainian subsidiaries of the Astarta Group, Ukraine's leading agribusiness operator and sugar producer.	USD 20 million	Ukraine
9-Oct	Asters; Avellum	Asters advised VR Capital Group on its acquisition of 50% of shares in PVK Energy Investments from ICU. ICU was represented by Avellum.	N/A	Ukraine
10-Oct	Avellum	Avellum successfully represented a UK citizen in Ukraine's Supreme Court in a dispute regarding the return of a wrongfully retained child.	N/A	Ukraine
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Full information available at: www.ceelegalmatters.com

Period Covered: September 15, 2018 - October 15, 2018

DID WE MISS SOMETHING?

We're not perfect; we admit it. If something slipped past us, and if your firm has a deal, hire, promotion, or other piece of news you think we should cover, let us know. Write to us at: press@ceelm.com



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ON THE MOVE: NEW HOMES AND FRIENDS

Nagy es Trocsanyi Joins Yingke Global Legal Services Alliance



Hungary's Nagy es Trocsanyi Law Firm has agreed to become part of the Yingke Global Legal Services Alliance.

According to Nagy es Trocsanyi, the Yingke Law Firm is the largest law firm in China, with 46 offices and 6300 lawyers. Its Global Legal Services Alliance consists of 24 member law firms across Asia, Europe, South America, and North America. The firm reports that “the exclusive partnership makes possible for Nagy es Trocsanyi and Yingke to work together as a team for Chinese and Hungarian clients and provide a ‘one-stop’ service with added value to clients.”

“We are happy to be part of a new family,” said Nagy es Trocsanyi Managing Partner Peter Berethalmi. “Our cooperation makes it possible to reach out to Chinese clients and to assist them in their Hungary-related businesses.”

By David Stuckey

Reshuffling Pan-Baltic Alliances



The pan-Baltic Derling law firm alliance, consisting of Kronbergs Cukste in Latvia, Dominas in Lithuania, and Derling in Estonia, has split apart, with the first two firms joining forces with Glikman Alvin in Estonia to create the new Levin Law alliance, and with Derling aligning with Primus in a new alliance operating as Derling Primus in Estonia and Primus Der-

ling in Latvia and Lithuania.

Unsurprisingly, both new alliances issued press releases declaring the value of the new arrangements.

According to a Levin Law press release, that alliance's three members' “proven track record ranges from the privatization of state-owned companies, significant M&A deals, high-profile arbitration cases, financial transactions and international sales, through to everyday corporate legal services.” According to the release, “as full-service firms, members of the Levin Law alliance are perfectly positioned to meet the entire spectrum of clients' legal needs.”

Valters Kronbergs, Managing Partner at the newly-renamed Kronbergs Cukste Levin in Riga, said that the three firms are already well-acquainted, and claimed that the new alliance makes for a powerful resource for pan-Baltic clients, especially in the fields of M&A, corporate legal services, and litigation. Paul Keres, Partner at Glikman Alvin Levin, said that the new alliance significantly expands the pan-Baltic capacity of all three firms, making Levin Law an attractive partner for businesses operating in all three Baltic markets or expanding across the region. And Gediminas Dominas, Managing Partner at Dominas Levin in Vilnius, said that the new alliance builds on all firms' existing strengths and adds depth in many areas, including energy and utilities, Fintech and GDPR compliance. Dominas also emphasized the alliance's increased international commercial arbitration capacity.

For his part, Robert Juodka, Managing Partner at Primus Derling in Lithuania, expressed similar confidence about the potential of his firm's new alliance, saying that “the main goal of this move is to improve legal services for our clients and create more added value by providing professional legal services in all three Baltic countries.” According to Juodka, “Derling is the best choice in Estonia.”

“Since its launch in April 2016, Derling has made the fastest organic growth in the Estonian legal market,” said Hannes Vallikivi, Managing Partner at Derling Primus in Estonia. “While good times are continuing and our region takes new heights in attracting foreign investments, it is very important to have strong allies in our closest neighboring countries.”

By David Stuckey and Mayya Kelova

PARTNER APPOINTMENTS

Date Covered	Name	Practice(s)	Firm	Country
25-Sep	Clemens Gabriel	Real Estate Law; Environmental Law	Fellner Wratzfeld & Partner	Austria
3-Oct	Thomas Ortmaier	Banking & Finance; Competition Law	Fellner Wratzfeld & Partner	Austria
5-Oct	Daniel Odor	Banking & Finance; Real Estate	Taylor Wessing	Hungary
5-Oct	Zoltan Novak	IP/IT; Labor Law	Taylor Wessing	Hungary
5-Oct	Arturas Gutasuskas	Dispute Resolution	Primus Derling	Lithuania
12-Oct	Mark Withey	Corporate/M&A	Dentons	Russia
9-Oct	Zeynep Yavuz	Banking & Finance	Akol Law	Turkey

PARTNER MOVES

Date Covered	Name	Practice(s)	Firm	Moving From	Country
1-Oct	Ursula Roberts	Labor; Social Law	PwC Legal	CMS	Austria
15-Oct	Mario Schiavon	Real Estate	Taylor Wessing	PHH Prochaska Havranek Rechtsanwalte	Austria
27-Sep	Svetlin Adrianov	Corporate/M&A; Transaction Law	EY Law	Penkov, Markov & Partners	Bulgaria
9-Oct	Jitka Logesova	Corporate/M&A	Wolf Theiss	Kinstellar	Czech Republic
4-Oct	Laura Toncescu	Banking & Finance	KPMG	N/A	Romania
18-Sep	Vladimir Kordos	Corporate/M&A	Stentors	Konecna Zacha Law Firm	Slovakia
18-Sep	Michal Hulena	Corporate/M&A; Banking & Finance	Stentors	Konecna Zacha Law Firm	Slovakia
18-Sep	Peter Nestepny	Corporate/M&A	Stentors	N/A	Slovakia
26-Sep	Denise Hamer	Banking & Finance, Private Equity, NPLs	Kinstellar	Trace Capital Advisors - Retains the Position	Slovakia
26-Sep	Olgu Kama	Corporate/M&A; Compliance	Norton Rose Fulbright	ELIG, Attorneys at Law	Turkey
9-Oct	Tugce Tatari	Corporate/M&A	Akol Law	White & Case	Turkey
2-Oct	Taras Tertychnyi	Corporate/M&A	Hillmont Partners	CMS	Ukraine

IN-HOUSE MOVES AND APPOINTMENTS

Date Covered	Name	Company/Firm	Moving From	Country
17-Sep	Carina Wolf	Bitpanda	Wolf Theiss	Austria
19-Sep	Oana Voda	Schoenherr	Corvers Legal & Commercial Affairs	Romania
4-Oct	Asli Yildiz	DMA	Taylor Wessing	United Kingdom

OTHER APPOINTMENTS

Date Covered	Name	Company/Firm	Appointed To	Country
26-Sep	Milan Keker	Harrisons	Head of Harrisons Podgorica	Montenegro
24-Sep	Asli Karagozoglu Celik	Novartis Oncology	Head of Legal and Compliance	Turkey

Full information available at: www.ceelegalmatters.com

Period Covered: September 17, 2018 - October 15, 2018

THE BUZZ

In “The Buzz” we check in on experts on the legal industry across the 24 jurisdictions of Central and Eastern Europe for updates about professional, political, and legislative developments of significance. Because the interviews are carried out and published on the CEE Legal Matters website on a rolling basis, we’ve marked the dates on which the interviews were originally published.

SEPTEMBER 27: THE BUZZ IN SERBIA

Interview with Ivana Disovic of Karanovic & Partners



“It is pretty quiet on the dispute resolution market, as hearings are not held in the summer,” says Ivana Disovic, Partner and attorney in law in cooperation with Karanovic & Partners. “In contrast, we see high activity in the M&A market,” she says, pointing in particular to China’s Zijin Mining becoming a strategic partner in Serbia’s RTB Bor copper complex, which her firm advised on.

Disovic reports that important amendments to the Serbian Company Law entered into force on June 9, 2018, requiring that the value of shares acquired by compulsory acquisition be determined by the market. “The previous law resulted in a lot of problems, leading to disputes,” she explains, “and share owners would try to get higher prices for their shares via litigation.”

The fact that the methods of evaluation applied varied from court to court made it particularly difficult for lawyers, Disovic reports. “It was a challenge to predict what the outcome of the proceedings would be,” she says. “But now the issue is resolved and it is significant for us.” The newly-amended law has a clearer structure, allowing lawyers to advise clients with more certainty. “It is good to have a precise law, which stipulates situations that may occur in real life,” she says.

In addition, Disovic describes an increase in mobbing – psychological harassment in the workplace – claims she describes as both emotional and difficult for firms representing the defendant companies (as Disovic often does), on whom the burden of proof rests. “I have noticed that such proceedings are frequently initiated in order to obscure the liability of employees who have bridged their duties,” she explains, claiming that plaintiffs regularly distort proceedings with “emotional outbursts” in court, making



it “hard to determine relevant facts and focus on the incidents themselves.”

In addition, she believes many of the proceedings are initiated not by real victims of bullying, but instead by employees with higher positions in companies. Genuinely abused employees, she explains, “are frightened to make claims, due to fear of losing their jobs,” especially in a time of low salaries and high competition in Serbia.

Disovic also ties the increase of lawsuits involving mobbing to amendments to the Law on Prevention of Harassment at the Workplace that were introduced in Fall 2010, which the market initially needed time to adapt to. And, she says, although Serbian courts are fairly restrictive in terms of the amounts awarded to plaintiffs – inevitably less than EUR 10,000 – companies are more concerned about potential damage to their reputation, as the law requires that verdicts be published in the country’s media.

“It is a controversial issue,” she says. “The law was amended with good intentions, but I am afraid that the purpose of that law is not being fulfilled.”

By Mayya Kelova

OCTOBER 5: THE BUZZ IN HUNGARY

Interview with Zoltan Tenk of Tenk Law Firm



“Considering the recent legal developments of the Hungarian market, I would emphasize the latest amendments to the company registry system and the recently-adopted act regulating business and trade secrets,” reports Zoltan Tenk, Managing Partner at Tenk Law Firm, when asked for the Buzz in Hungary.

According to Tenk, as a result of those amendments any changes in someone’s personal data in the registry of natural persons will automatically be changed in the corporate registry too. “I consider it an important step for the development of company registries and thereby for the alleviation of the companies’ administrative burdens,” he says, “even though there is one disadvantage: when we submit a request to the Commercial Court and the personal data on the request does not match the one in the registry of natural persons, the request will be rejected immediately.” As a result, he explains, lawyers have to be very careful when preparing documentation for the Commercial Court, making sure to verify that there are no typos and that all the information is accurate and updated.

“Also, in August, 2018, the government changed the regulation of trade secrets,” says Tenk. “Previously the applicable rules were in the Hungarian Civil Code, but now we have a special act for the protection of trade secrets.” According to him, the 54/2018 act clarifies what is considered a trade secret and what is not, what constitutes a breach, how breaches should be penalized, and so on. “From a compliance point of view it is advisable for companies to review their internal regulations and if it is necessary make amendments to be in-line with the new requirements,” he says. “Lawyers should also consider the act when drafting non-disclosure agreements and clauses.”

“We also have new amendments regarding company dissolution procedures,” Tenk reports. “Companies undergoing a simplified dissolution procedure now only need to fulfill two conditions in case of a disintegration: they cannot be subject to the requirement of an audit and they should be able to finish the dissolution procedure within 150 days.” He adds

that as long as these two requirements are met, companies need not appoint an administrator for the procedure, as the managing director can coordinate the whole process by law in a simplified way. “There is no further need to submit a direct request to the Commercial Court,” he continues. “Companies are required to report the initiation of the procedure to the tax authority, which automatically informs the Commercial Court. On basis of this automatic announcement, the Commercial Court must register the initiation of the procedure and announce it to the public.” He smiles. “This means actually less work for lawyers, but it’s definitely an important improvement from a business point of view.”

“And if we’re talking about innovations, since one of my specializations is insolvency and restructuring, let me also mention that finally Hungary also has its insolvency and bankruptcy register, provided by the Company Information Service,” Tenk says. According to him, the website was established under the requirement of EU Regulation 2015/848, which requires every member state to establish its own insolvency and bankruptcy register, which will then become centrally connected and searchable by the EU. “Through this webpage all liquidations and bankruptcy proceedings in Hungary can be traced,” he says. “Considering how important trust in business is, this is a very market-supportive measure.”

When asked what the current situation of the Hungarian market is when it comes to bankruptcy and insolvency, the Managing Partner of Tenk Law Firm smiles again. “The Hungarian economy is booming, there are a lot of real estate developments and transactions, and the number of insolvencies is actually less than it was 3-5 years ago.”

By Hilda Fleischer

OCTOBER 11: THE BUZZ IN ROMANIA

Interview with Sebastian Gutiu of Schoenherr



“Over the past few months we have witnessed a serious decline in the number of arbitration cases in Romania,” reports Sebastian Gutiu, Managing Partner at Schoenherr Bucharest, who adds that the recent introduction of local arbitration rules and other legislative changes may help reverse that trend.

“We have several arbitration institutions in Romania,” Gutiu explains. “We have the traditional one attached to the Romanian Chamber of Commerce, the German one attached to AHK Romania, and then there is the younger BIAC – the Bucharest International Arbitration Court – which operates under the umbrella of the American Chamber of Commerce.” He notes that of course investors have access to foreign arbitration bodies as well.

Gutiu attributes the recent decline in arbitrations to two factors. “First, it has to do with arbitration clauses, and second, with parties’ appetite to arbitrate,” he explains. “Two or three years ago some changes were made to public contracts – an important source of arbitration – and they started to include fewer and fewer arbitration clauses. They simply switched from arbitration to litigation, and we see the effect today.” That change is apparently not irreversible, however. “The government has now enacted legislation saying that certain public contracts are again going to include these arbitration clauses, so I think that the number of cases will go up again,” he says. “It’s just a matter of time.”

He notes that he expects to see more investment arbitrations against Romania, specifically concerning renewable energy, caused by the State’s cutting back of what used to be one of the most generous support schemes for this sector in Europe.

When asked how this will affect the market, Gutiu said that he expects to see more lawyers specializing in the field. “Currently there are very few law firms directly focusing only on arbitration law, if any,” he says. “At most, in many of the offices arbitration is part of dispute resolution, and cases are led by litigators. It’s likely that lawyers will start to focus a bit more on arbitration in particular.”

The start of the new parliamentary session is bringing changes to other areas of the Romanian market as well. “Recent changes to the Insolvency Law will probably bring a lot of work for lawyers,” Gutiu says. “It remains to be seen to what extent the new insolvency legislation will actually support insolvency procedures, given the apparently preferential role given to budgetary creditors. It might impact debtors’ chances as well as other creditors’ rights.” Besides this, he adds, he and his colleagues are also seeing a lot of movement in various regulatory bodies, and they “are waiting to see if the data protection authority will become as active as other authorities have been over the past few years, such as tax, competition or consumer protection.”

Otherwise, he says, “for the moment the market is booming when it comes to work volume for lawyers. We see a good number of M&A transactions, so generally the trend is positive, but in some sectors, we still see some post-crisis effects, with insolvencies continuing to pop up.”

By Hilda Fleischer

OCTOBER 17: THE BUZZ IN ESTONIA

Interview with Kuldar-Jaan Torokoff of Fort Legal



Everyone is anticipating the parliamentary elections in Estonia that are scheduled for March 3, 2019, says Kuldar-Jaan Torokoff, Partner at Fort Legal in Tallinn, who notes that as a result it is an interesting time to observe the changes proposed by the parties currently in charge, “in order to get attention and votes.”

The prime example of a change that Torokoff describes as “populistic” is the government’s pre-election decision to implement free bus transportation passes across the country. Torokoff explains that free public bus transport services were introduced in the nation’s capital five years ago, and as of July 1, 2018, every county in Estonia is required to follow suit – with the cost picked up by taxpayers.

“I don’t know any other country in the world that has implemented such a luxurious decision,” Torokoff says, noting that “from a populist perspective, it is nice to make certain services free, and it is quite an experience to enter a bus without paying for a ticket.”

And as a majority of counties in Estonia have already complied with the requirement, the effect in the transportation sector is already visible, Torokoff reports, with some transportation companies already facing bankruptcy. In addition, the government’s action has resulted in a number of disputes between the state and transportation companies, who he says “are just fighting for their lives in order to avoid killing their business.”

Generally, however, Torokoff says he sees the overall economic situation in Estonia as positive, which is, “a pleasant environment for a lawyer, with plenty of work for everyone.” Still, a quickly growing economy requires good professionals in the legal sphere, and Torokoff claims there is a lack of them in the Estonian market. “Of course, there has been some consolidation in the market, where firms try to grow larger and strengthen their position,” he says, “but because the economy grows in cycles it takes time to prepare people.”

By Mayya Kelova

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THE DECISION OF THE COURT

CZECH AND SLOVAK LAWYERS TURN TO WHAT'S REALLY IMPORTANT: BASKETBALL



In a contest that will echo down the centuries, members of the Czech and Slovakian Bar Associations met in mid-September in the Moravian spa town of Luhacovice to settle once and for all the question that has tormented legal scholars for decades: Which country's lawyers form a better basketball team?

The result was a tightly-fought 85-48 victory for the Czechs.

Denying the obvious, participants described the game, which formed part of the special weekend-long centennial celebration of the 1918 creation of the Czechoslovakian Republic, as “fun” and “not serious.” According to Tomas Rybar, Partner at Bratislava's Cechova Partners, who described himself, modestly, as “the fifth wheel” on the Slovakian team, “the purpose was mainly to meet and enjoy a friendly match. There were people cheering for both sides.” But of course

the real significance of the event was apparent to all observers.

According to Rybar, “originally, we had concerns that we wouldn't have enough players – but ultimately we had something like eight players, of various ages.” Still, he said, “although the Czechs were heavily represented, and younger on average, we put up a nice fight.” He laughed at the final result, effectively masking his pain. “The final score was not too bad.”

Ultimately, according to Michaela Chladekova, International Relations Department Director at the Slovakian Bar Association, 400-450 lawyers participated in the three-day event, which included a professional conference, dinner, speeches, networking, various sporting competitions, an open-air concert, and fireworks. She succeeded in holding back tears at the results of the basketball game, bravely describing the three-day gathering as “a great event with a good vibe.” Indeed, although she herself played in the volleyball game, she pretended to believe that the results didn't matter. “The spirit was great; we are all brothers and sisters and love each other.”



Cechova Partners' Tomas Rybar brings the ball up-court



Czechs and Slovaks, preparing to settle things once and for all



The Court of Justice

In other sporting results at the event, the Czech Bar's volleyball team beat their Slovak counterparts 3-0, Czechs won mini-golf competitions at both the seniors and children level, and the Czech football team beat the Slovaks 4-2 ("football was the most balanced – you shouldn't mention the score in the other games!", Chladekova laughed). Still, the Slovaks were not shut out altogether, with Slovak lawyer Radovan Stretavsk, founding Partner of Slovakia's Prolegal law firm, winning the 5 km run, and Lucia Svecova, a Slovakian living in Prague, finishing first among the women.

Iva Chaloupkova, Spokesperson and Head of the Press Department at the Czech Bar Association, who played a major role in organizing the event, was generous about the Czech team's victory, and she described the three-day event as "a big success." Still, she admitted, putting the massive event together was a "huge project," and she laughed that she is "pleased that the next event won't happen for another hundred years – and I won't be there for it."

Hilda Fleischer



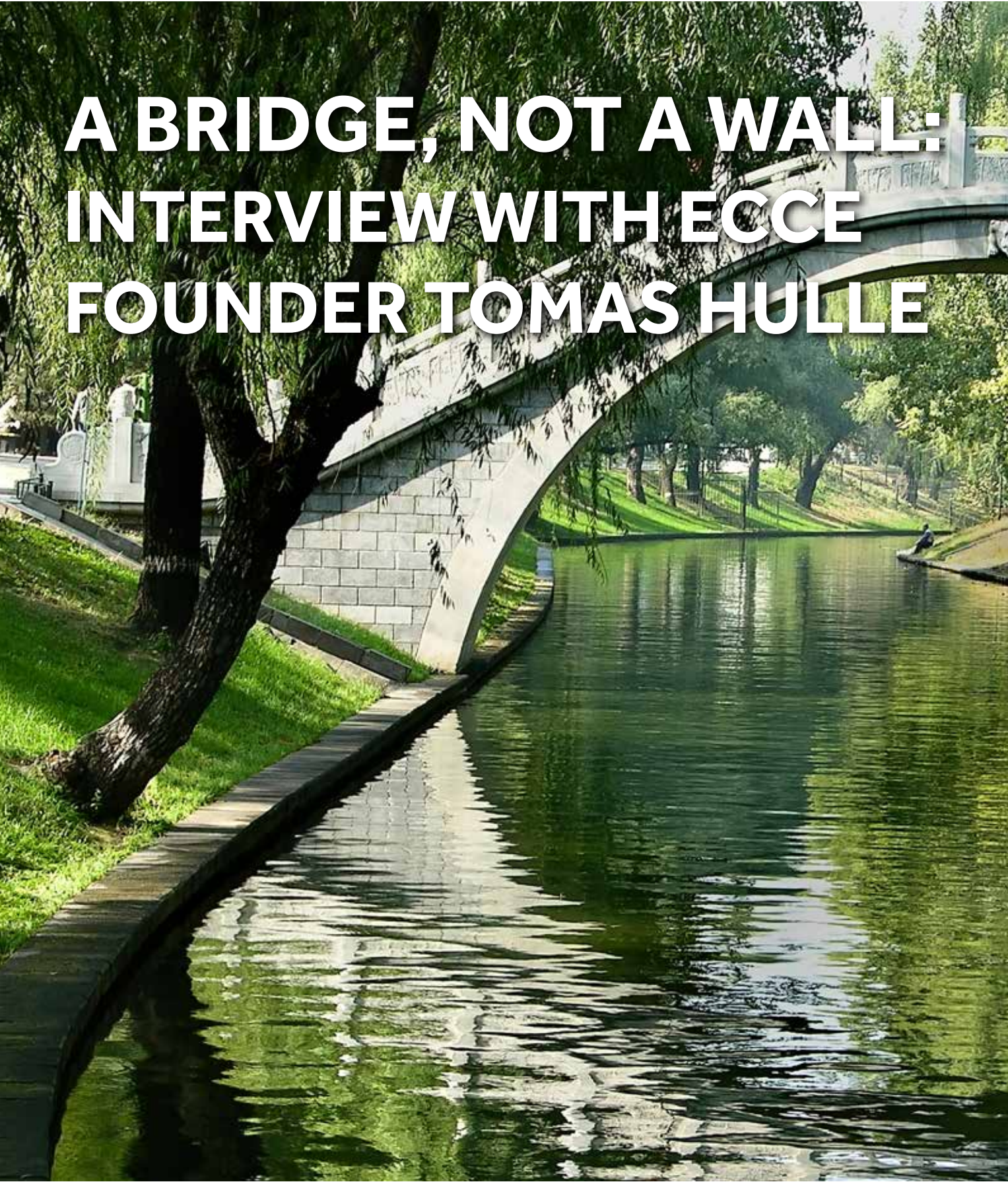
Slovak Bar Association Employees Julia Dernerova, Acting Director of the Registration Office, and Michaela Chladekova, International Relations Department Director, showing their pride.

FOREIGN FOCUS: CHINA

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A BRIDGE, NOT A WALL: INTERVIEW WITH ECCE FOUNDER TOMAS HULLE





Tomas Hulle, Founder, European Centre for Career Education

The Prague-based *European Centre for Career Education* focuses on providing students a practical and complimentary education, focusing on kinds of practical experience and inspiration they rarely receive in their university studies. After they complete the program, ECCE helps participants obtain useful internships with companies such as Siemens, Unicredit, Exxon Mobile, T-Mobile, and Lego, and with law firms including DLA Piper, Clifford Chance, Allen & Overy, and Dentons.

The ECCE is the brainchild of Tomas Hulle, himself a Czech lawyer with many years of experience working both for regional and international law firms such as Schoenherr and Lovells (now Ho-

gan Lovells) and at publications like the Czech Republic's Economic Daily and The Economist.

We reached out to Tomas Hulle to learn more about the ECCE, which he describes as “the largest legal education program between Europe and China.”

CEELM: First, give us a little information about your personal background, and how/why you decided to start the ECCE.

TOMAS: I was very lucky to meet with people who gave me the opportunity to try almost all the professions which a person with a law degree can pursue. I worked with large global and small domestic law firms, with a leading business newspaper and magazine in my country, experienced the United Nations through expert groups, co-authored several books, and was in charge of a small investment firm. Moreover, I had the pleasure of speaking at many of the world's best universities (including Oxford, Peking University, Tsinghua, Arizona State, and the London School of Economics). This wide-ranging experience allowed me to see what was wrong in these sectors, and two years ago I had the idea of establishing the ECCE to address the huge gap between academia and real life. I realized it is not just a local problem, but a global one. Connections from the past meant that companies trusted me and helped

me identify and successfully convince true global leaders from various sectors to get on board.

CEELM: At least initially, the program focused primarily on China and Chinese students, is that right?

TOMAS: Yes, that's correct. Up until last year, we were working only with Chinese students. Even this year, approximately 75 percent of our students are from China. Over time, I would like to see that number stabilize at approximately 30-40 percent – as the Centre grows and expands – but with that percentage coming from a larger total number of Chinese students. To simplify it even more: ECCE is the largest legal education program be-

“To simplify it even more: ECCE is the largest legal education program between Europe and China in terms of the total number of students and the number of schools involved.”

tween Europe and China in terms of the total number of students and the number of schools involved.

CEELM: How does the program work?

TOMAS: At the moment we are running three programs – in law, business, and architecture – and every year through discussion with our partner firms we decide what the key areas for young graduates to master are – not for professors and their research interests, but for firms moving the industry. We select 30 of these topics and find speakers who are involved with them in their daily life. After this, all of our students are allocated to our partner firms for one month internships to see market leaders and learn directly from them about what the industry really looks like. The period is realistically too short to expect it to result in an immediate improvement of student skills – students will have their entire lives to do this – but it does provide them with valuable experience and inspiration.

CEELM: What are the benefits of it?



ECCE's 2018 Grand Reception in the gardens of Prague's Grand Mark Hotel

What do participants gain as a result?

TOMAS: They gain a better understanding of the industry. They increase their job prospects both in terms of overall employability and in finding positions much more closely tailored to their individual preferences and profiles. They will not learn about the industry from movies and professors who never personally experienced it, but from people who have spent their entire lives working within it. We open their eyes to their future. This is also the reason why we have been so successful in China: they simply appreciate the quality. To my understanding, there is no larger educational project in law in between China and the EU.

CEELM: What about the instructors? How are they selected, and why do they choose to participate?

TOMAS: Everything is about finding people who are either inspirational as speakers or people who can deliver experience from preselected areas – and ideally both. The greatest thing is that we can easily listen to the feedback of our students and every year modify the selection. One of the biggest advantages of ECCE is that we know our community of instructors as well as partner companies very well and can easily decide whom to engage. And why do they do it? They know that it is not only important for their reputation and that of the companies and firms they work within, but that it is at the same time the only way forward. Without doing it, education will remain irrelevant. Who else should do it if not leading firms in the region? Nevertheless, I also know that some instructors do it just because they see the strength of ECCE connectivity and how much it can help them with their own business.

CEELM: Has it been successful, and is it growing? What kind of feedback are you getting?

TOMAS: Only positive. In two years, ECCE has grown from nothing into a widely-recognized and globally unique service provider. Our portfolio of partners is without a doubt one of our key



ECCE's 2018 Graduation Ceremony
in Prague's Carolinum

distinguishing factors and we are also very proud to see that it brings concrete results in the form of increased business or HR or reputational. At the same time, our partners also believe in our vision of practical education and the need to engage players from the field in legal education. It is basically win-win for both parties – both partners and students. This year we are also launching an alumni program. All of this year's students have applied for it and would like to help ECCE with its growth. This is without a doubt something only rarely seen at universities. I can hardly imagine a better indication that we are doing something right than receiving this direct feedback from students.

CEELM: What's next for ECCE?

TOMAS: We are going through a very dynamic period. Our expansion – we are opening programs in China and the United States – is already on the way. We intend to cover eight key business global centers and regions before the end of 2021 (adding New York, San Francisco, Singapore, London, Dubai, Sydney, and Shanghai to our existing coverage of Continental Europe from Prague). In 2019, we plan to open only New York and Warsaw, to make sure that our growth will not be too fast. We also intend to add new programs, such as IT or design. In addition, we have also started to develop new programs for already-successful professionals and to

develop some other new projects which will be tested in 2019. Simply, our “next” is about staying as focused on best quality and innovation as we are now.

No matter what, we want to focus on both of our pillars: education and community growth. Without market-leading firms, it would not be possible to deliver world class practical education. We want to make sure that we will bring more and more concrete business benefits to our partners and to deliver it without asking them for a single dollar (except their participation in preparing our students for their future careers).

CEELM: How should individuals interested in learning more about the program, either as students or instructors, contact you?

TOMAS: This is not rocket science; just write to the e-mail addresses on the ECCE website or contact us on LinkedIn. We will launch our new website in a few weeks, which will cover also expansion regions. My only two suggestions would be for partners not to be afraid to get in touch with us and for students to try and read information from our website before sending us questions. We will also put a special contact form for new partners on our website soon. Until now, we have been choosing the firms we wanted to partner with. Now we expect more proactivity from firms as well.

David Stuckey

SMOOTHING THE SILK ROAD: A CHINA-CEE ROUND TABLE



Chinese investors and developers are expanding their footprints in Europe, focusing often on green technology and opportunities in the solar, hi-tech, and automation industries, as well as highly-publicized infrastructure development tenders. Over the years, the amount of Chinese investment has increased, as has the number of Chinese professionals settling in CEE to facilitate Europe-China relations and bridge differences in culture, expectations, and styles. In September, 2018, CEE Legal Matters sat down at the Dentons office in Budapest with three Chinese lawyers to learn about their experiences working on the ground in CEE.



Round Table Participants:

- Susan Wang - Counsel at Dentons Hungary (Host)
- James Qin - Legal Affairs Director of Huawei for CEE
- Jiayan Zhu - Senior Associate at Wolf Theiss Austria

CEELM: To start, could you tell us how you ended up in Europe and what your main tasks are here?

JIAYAN: I am based in Vienna, where I've lived since I was ten years old. I have been with Wolf Theiss since 2013 and I am a corporate/M&A lawyer fully-qualified in Austria. I am responsible for maintaining the Chinese relations of Wolf Theiss' Vienna office with a special focus on advising Chinese companies doing outbound investments in Europe. Because the Austrian market, compared to the rest of the CEE countries, is less interesting for Chinese investors, I deal with the entire CEE region in assisting local colleagues in deals involving Chinese clients.

SUSAN: I am a Chinese and US-qualified Counsel in Dentons' Budapest office and head of the firm's CEE China Desk. I came to Budapest one and a half years ago, after working for Denton's Beijing office. The CEE market is completely new for many Chinese companies, and they find a lot of potential and great project opportunities here, which, in my opinion, will continue to grow in the future. I have over ten years' experience helping Chinese investments abroad, so when the management of the firm decided that they needed a Chinese lawyer here, they brought me in.

JAMES: I have been based in Warsaw for more than two years now. Before that I was based in Egypt for over six years as Huawei's Legal Director for the North Africa region. In my experience, compliance is the most important issue for Chinese companies doing business in this region, which they must pay more attention to. Compliance issues such as the GDPR, employment, competition law, export-import, *etc.*, require our presence here.

CEELM: When it comes to the "China" part of your job, what exactly is expected of you?

JIAYAN: At Wolf Theiss our first move was to make road trips to China and to visit existing clients and refresh the relationships by visiting local law firms, be-

cause we often work on a referral basis. Other times we just went to introduce ourselves, to let them know who we are, what kind of legal assistance we can offer to Chinese clients when doing business or investing in CEE. In my role, I am also involved in the communication part with Chinese clients, as most of the time it's easier if you have someone who speaks their language. I am sort of the liaison person; any Wolf Theiss deal involving Chinese counterparties, I know about it, and they go through me. If necessary I also travel abroad for these deals.

SUSAN: I see myself as a bridge for this region and a valuable source of input for Chinese clients. I introduce the counterparties, I deal with the meet-ups and the networking processes, and I help manage cross-border transactions for clients; that is why I travel frequently to China. I deliver information about this region to Chinese investors and about China to European investors. Although Dentons has a huge presence in China, they don't always have all the necessary information and perspective that I have, by working here.

We obviously get a great amount of help from the Dentons China office, and we work with them frequently, but it is very helpful to be present on the site, to catch and to present opportunities immediately. I think I can say that any inquiry that is related to this region somehow ends up on my table, and the fact that Chinese companies contact me first on many occasions is a great advantage for Dentons.

CEELM: How significant is Chinese business to your law firms, and to the region itself? Is this interest growing, or shrinking?

SUSAN: In my opinion it is growing, and there's a great deal of evidence. For example, FDI is getting bigger. Whether it reaches our office, or other firms, we see that more and more Chinese companies are coming to this region. For the moment, I would say that Poland, the Czech Republic, and Hungary are the most attractive destinations for Chinese invest-



Jiayan Zhu and Susan Wang

tors. (Russia as well, but that's not part of my network). For myself, I definitely have more clients now than when I started my job here. Plus, I also see that their strategies involve long-term plans, so they will probably stay longer.

JIAYAN: I absolutely agree with Susan, I also see growth in our region. Bosnia and Serbia are also points of interest when it comes to infrastructure projects, for example. I think it's because of the One Belt, One Road Initiative. One reason behind might be that they are not yet EU countries so might be easier to enter these markets.

JAMES: They are actually building a highway between Serbia and Hungary, so business must be good.

CEELM: Turning to you, James. Why exactly does Huawei need to have a Chinese professional in charge of the CEE region?

JAMES: I am also like a bridge between the two cultures and the two teams. I am an HQ guy, so I can better convey the HQ messages and make sure that the teams are on the right track.

Second, regarding my daily job, I am also here for the contract reviews, for contract negotiations, and if there's any potential dispute, I am here to react immediately. Compliance, as I mentioned before, is very important here: the GDPR, cyber security, competition law – understanding them I am able to communicate these

CEE-specific needs and concerns back to HQ.

Third, as you may know, for big projects we have subcontractors, different customers, and sometimes during the operations of the business there tend to be disputes, which we have to handle as fast as possible. Last, but not least, we have to follow up on local legislation processes closely, we need to get involved, to speak our opinion – some sort of lobbying.

CEELM: The Chinese judicial system is different than the European. Do you spend much time explaining to your Chinese colleagues why things are different in cases here? Or do your superiors understand and don't worry much about it?

JAMES: My bosses at the HQ understand these things pretty well, and I must add that we have some really badass colleagues in the European markets (laughs), thus, when it comes to disputes, I think we are well-prepared.

CEELM: Do you work with external firms when it comes to disputes? How often do you personally interact with external counsels?

JAMES: I speak with them often. For me it is important to win their recognition and respect, and it is important that they also know that I understand their culture. If these conditions are given, we can trust each other and fight together. When it comes to litigation, we do work with external firms, but the core part of

it is mastered by us, because we obviously know our company better, so we make decisions together with the law firm.

CEELM: How big is your legal team and how many of them were hired by you?

JAMES: Currently there are 15 legal counsels reporting to me. Three of them are in Warsaw (where one of them is, like me, from China), one is in Hungary, one in Sweden, one in Denmark, one in the Czech Republic, one in Austria, two in Greece, one in Bulgaria, and one in Romania – basically, everywhere from the North to the South. Answering your second question: only three of them were hired by me.

CEELM: Have they ever told you that “you don’t understand CEE as well as we do?”, or do they have full respect for you and always follow your lead?

JAMES: Maybe I am too respected – or maybe they are too polite – but so far no one has told me such a thing (laughs).

CEELM: How often do you each go back to China now?

JIAYAN: I was just there last month. But generally, I go once or twice a year.

SUSAN: I actually go back quite often, I would say once every two months, mostly because of work.

JAMES: Usually I also go home twice a year, for various reasons, like training, workshops, and family of course.

CEELM: All right, let’s talk a bit about the challenges of adaptation. What are the differences for lawyers between this world and the one that you come from?

SUSAN: I could share a lot on this topic (laughs). I spend most of my time on bridging the gap between the expectations of the Chinese clients and the services of local lawyers and firms, whose job evidently sometimes is limited by the local culture and legislation. It’s very different working here, and I must say that even after one and a half year, I am still adapting to this part of the world. Maybe

I am just too slow (laughs), but the mindset, the working style of the people, is all so different, it just takes time to get used to it.

One particular difference is that Chinese clients may not have worked out all the necessary details before they start to invest. That causes a lot of difficulty such as delaying the project, causing more work or costs than they expected when they come to this part of the world, for here, in my experience, people like to strategize, to take their time to plan, and map the steps that they would like to achieve in detail.

Another thing is that Chinese people do not like to talk in specifics, so when they talk to you about a business, you may have difficulty understanding their goals. So on many occasions it is my job to help both sides understand each other and find solutions.

CEELM: I’ve actually heard from many lawyers in CEE that sometimes their Chinese counterparts move more slowly than they expect. Why is that?

SUSAN: It is true, and mainly because the people that work on the actual deals and cases are not decision-makers. These processes are going to upper-upper levels, and this takes time. If the head of the company has already made a decision, the implementation won’t take much time;

that’s much faster.

JIAYAN: I faced similar situations in tender procedures and projects dealing with state-owned companies. It really takes a long time for them to get their approvals, so there were cases on tender processes when they got back to us a month after the deadline, and all we could say was, “sorry guys; you’re too late.”

Another important difference that is worth mentioning, in my opinion, would be the know-your-client procedures. Chinese companies are not very familiar with this step, so we have to explain to them why this is an important requirement, why they have to share their information, it seems that in China this is not a common practice.

JAMES: Again, from a cultural perspective, I would say that respect for the rules and the law is stronger here than in China. The cost for breaking the law is low there. Lately there have been some changes, and we’ve seen some improvement, but there is still a gap. For myself, I respect the law. Since I work in this field, I believe that one must trust and believe in the rules, otherwise you cannot lead a team and run a business. As for the slower moving, from a cultural perspective, there is a Chairman-culture in China for decision making, so the best way is to find the proper way to transfer your message clearly and timely to the Chairman, then





Susan Wang

it will proceed faster.

SUSAN: We have a short history with the rule of law, and traditionally Chinese companies didn't even have legal departments, so often the law was ignored or forgotten. Twenty years ago if you said that you were a lawyer, no one would take you seriously. Today lawyers get more and more respect, their social status is increasing, but I can see even today that many clients simply do not want to spend much on legal services.

CEELM: Remaining on the subject of cultural differences, it is said that in China the answer is always "yes." Is it true that when it comes to business Chinese clients simply find it difficult to say "no," or is that incorrect?

JAMES: This is definitely a cultural thing. For us it is indeed difficult so say "no" directly. Traditionally in Chinese culture

people are even afraid of litigation, for it is seen as a shameful activity that destroys harmony, even if it's only business.

CEELM: Do you have to fight this impulse? Did you have to learn how to say "no" in your daily work?

JAMES: From this perspective, I am quite multinational, so I can say "no." But you need to know when and how to say it.

CEELM: Susan and James, you both worked in China before moving to Europe. Was it easier to be a lawyer at home than here?

JAMES: For me, personally, it is easier here. You can calm down and develop more, there is less distraction. In China there is a lot of noise. In Europe, you can allow yourself to dive deeply into one topic or area, and you can become a top expert in a field, without facing interference from so many things.



SUSAN: For me, personally, it is difficult to work here. I grew up in China and I was used to following older habits and to being part of a social system that I knew, and I had a clear idea about what others were expecting from me. Here, I find it difficult knowing which voice to identify with. If I have to make a decision, every lawyer, each colleague has a different opinion or a different suggestion, so for me it's hard to tell which way would be the correct or the best one. In China there is more of a hierarchy, and more concrete suggestions are presented. I am not suggesting that democracy is not good (laughs), but I think both options have their own strengths.

CEELM: How do you all feel about working here, about helping Chinese companies from here?

JIAYAN: I feel comfortable here, but I am actually planning to move to Asia sometime in the future for a short period of time – maybe Shanghai or Hong Kong – to experience working there too. I want to get familiar with their systems, their ways of working. It sounds very different than here (laughs).

SUSAN: This is my very first working experience outside of China, and despite the challenges I've mentioned, I really like to work here. I like the environment and the people. It's a very unique experience for me.

JAMES: It is definitely a unique experience. For myself, I came, I learnt, and I became part of this work. I am very proud of myself for what I have achieved. I don't know yet for sure how long I will stay, although according to our estimates in two years' time I will probably go back to China.

With that the round table drew to a close. We would like to thank Susan Wang and Dentons for agreeing to host the conversation, and our thanks to the participants for their sharing their thoughts with us.

David Stuckey

What do you expect from your law firm?
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SHEDDING LIGHT ON CHINA'S NEGATIVE LIST FOR FOREIGN INVESTMENT ACCESS (2018 EDITION)

China, with its huge market, comprehensive industry chain, and rapidly rising scientific and technological strength, is increasingly favored by international investors. According to the Foreign Investment Department of China's Ministry of Commerce, from January to December 2017, there were 25,652 newly approved foreign-invested enterprises – an increase of 27.8% from the year before – and the actual total of foreign investment reached RMB 877.56 billion (approximately USD 131.04 billion), up 7.9% from 2016.

The Chinese government has also been working to create a transparent, fair, and friendly investment environment for foreign investors. In order to do this, an important measure is the Negative List for Foreign Investment Access that has been issued by the National Development and Reform Commission and the Ministry of Commerce for the past few years. The Special Administrative Measures (Negative List) for Foreign Investment Access (2018 Edition) (the "2018 Negative List") has been in force since July 28, 2018, and is regarded as a genuine Negative List, aimed at solving the problems of foreign investment access.

First, the 2018 Negative List clarifies the basic principles of foreign investment access. According to whether foreign

investment access in certain areas is permitted or not, the 2018 Negative List clarifies applicable regulations. Foreign investors are prohibited from investing in certain areas specified by the 2018 Negative List. Permission for foreign investment must be obtained prior to investing in Non-Prohibited Investment Areas identified in the 2018 Negative List. When investment is made in areas for which there are equity requirements, no foreign-invested partnership may be established. When a foreign investment is made in areas other than those prohibited by the 2018 Negative List, the law and regulations governing domestic investment will apply, and additional restrictions for foreign investment access may not be imposed.

The 2018 Negative List also significantly relaxes the access restrictions of foreign investment for certain areas, reducing the number of such areas to 48 from the 63 listed in the 2017 Edition. For example:

- In the financial area, the 2018 Negative List eliminates the prohibition against the possession of equity in a Chinese-funded commercial bank by a foreign financial institution (and the subsidiaries it controls) or the aggregate equity held by multiple foreign financial institutions (and



the subsidiaries they control) of more than 20% or 25%, respectively. It also relaxes the foreign equity ratio in securities companies, securities investment fund management companies, futures companies, and life insurance companies to 51%.

- In the infrastructure area, it eliminates the requirement that a controlling stake must be held by a Chinese party in the construction and operation of power grid and railway arterial networks.

- In the transport area, it eliminates the requirement that a controlling stake must be held by a Chinese party in the railway passenger traffic and the international shipping agency sectors, and eliminates the rule that foreign investment in the international maritime transport sector must be limited to the form of equity joint venture or cooperative joint venture.

- In the manufacturing area, it eliminates the prohibition of foreign equity ownership in complete special vehicle manufacturing companies or complete new energy vehicle manufacturing companies, and eliminates the requirement that a controlling stake must be held by a Chinese party in the areas of design, manufacturing, and repair of vessels (including segmentation), and eliminates the rule that foreign investment in the areas of design, manufacturing and repair of general purpose aircraft must be limited to the form of equity joint venture or cooperative joint venture.

- In the agriculture area, it eliminates the requirement that a controlling stake must be held by a Chinese party in the areas of new crop varieties cultivation and seed production, and the restriction on foreign investment access to the acquisition and wholesale of rice, wheat and corn.

- In the resources area, it eliminates the prohibition of foreign investment access to the extraction of graphite, smelting and separation of rare earth, and tungsten smelting.

A policy of orderly opening-up is adopted in the 2018 Negative List, which provides a transitional period leading up to the cancellation or relaxation of the access restrictions for certain areas. For example, according to the 2018 Negative List, in the financial area, restrictions on foreign share ratios in securities companies, securities investment fund management companies, futures companies, and life insurance companies will be lifted in 2021. In the vehicle manufacturing area, the foreign-investment ratio in commercial vehicle manufacturing will be eliminated in 2020, the restriction on foreign-investment ratio in passenger-car manufacturing will be eliminated in 2022, and the rule that a foreign company may establish no more than two joint ventures for the production of similar vehicle products in China will be lifted in 2022. This shows that the Chinese government will adopt a more open attitude for foreign investment in the future, which sends a clear and positive signal to foreign investors.

At the same time, the 2018 Negative List also makes a modest reservation: Cultural and financial areas that are not listed in the 2018 Negative List, and related measures for administrative approval, qualifications, and national security, shall be subject to the current regulations of China.

We believe that with the continued update and implementation of the Negative List, China will become an important investment destination that foreign investors cannot afford to ignore. We at Boss & Young are very pleased to provide foreign investors with professional legal advice on investing in China.

Anne Yuan, Partner,
Boss & Young, Attorneys-at-Law

TOWARDS A MORE DYNAMIC REORGANIZATION MARKET: REFLECTIONS ON CHINA'S RECENT DEVELOPMENT ON CORPORATE REORGANIZATION



In 2017, the reorganization of Chongqing Iron and Steel Company sensationalized the steel industry as well as the reorganization market in China. This steel titan, listed on both the mainland and Hong Kong stock exchanges, managed to emerge from bankruptcy only six months after the court accepted its reorganization application. During this period, the sophisticated reorganization plan, which provided more than CNY 10 billion cash in debt payment to the company's creditors, was formulated, accepted, approved, and fully implemented. Such reorganization is a microcosm of the thriving reorganization market in China. Since reorganization was introduced by the current Enterprise Bankruptcy Law in 2006, the emerging reorganization market has grown rapidly, especially after 2015 when the central government formulated the policy to deleverage, reduce inventory, and

address overcapacity. Professionals and investors are pouring into this promising, developing, and challenging market. And China's market for non-performing assets disposal is undergoing a transition from enforcement-focused to reorganization-oriented.

Unfortunately, the Enterprise Bankruptcy Law (EBL) is unable to meet the needs of the reorganization market, due to its ambiguities with regard to certain important issues, such as the criteria for approving the reorganization plan, the conditions for consolidating bankruptcy proceedings, etc. As a result, the practice of different local courts may be inconsistent, causing a "regionalization" of reorganization markets to some extent. In view of this, the Supreme People's Court (SPC) promulgated the Minutes of the National Court Work Conference on Bankruptcy Trials (the "Minutes") in March 2018. The Minutes draws experience from local courts and becomes a new landmark for China's reorganization procedure.

Recent Development of Reorganization: Main Contents of the Minutes

Under the EBL, reorganization is a type of bankruptcy proceeding in which a debtor is protected from collection actions by individual creditors so that a reorganization plan dividing creditors into different classes based on the nature and priority of their claims can be formulated and accepted. Once the plan is approved by the court and fully implemented, the debtor can emerge from bankruptcy in much healthier financial condition.



Judicial oversight of the reorganization process and the plan is critical. However, the EBL is silent as to the approval criteria of the reorganization plan after its acceptance by the creditors, making it unclear whether the judicial review should be substantive or procedural. Further, rules on “cram-down,” which empowers a court to approve a plan that it is voted down by the creditors (in the process “cramming it down” the creditors’ throats), is believed to be overused by local courts.

On one hand, the Minutes fills the gap in the EBL regarding the criteria for judicial review of reorganization plans after their acceptance by creditors. The Minutes stipulates that in principle courts should review both the legality and feasibility of the reorganization plan, to ensure that the rights and interests of creditors who voted against the plan are being protected. However, many challenge the court’s com-

petence to take the place of market players, especially creditors, in making a “business judgment” on the feasibility of a reorganization plan. So far, most courts have been reluctant to exercise discretion and veto a plan that has been accepted by creditors. One of the reasons is that the revival of the reorganized debtor is often associated with the employment of workers, the local economy and other social issues, making the court extremely reluctant to deny a reorganization plan based on its own judgment.

On the other hand, the Minutes adds two more conditions to those already stipulated in the EBL before the court can exercise “cram-down” power: (1) consensus from at least one group of creditors; and (2) ensuring that the rights and interests of the creditors who voted against the reorganization plan are protected.

In addition, the Minutes for the first time sets out a series of rules regarding the consolidation of bankruptcy proceedings, in response to a few controversial cases of consolidation ordered by local courts. The Minutes also emphasizes that courts should help the reorganized debtor recover its credit standing, which is important for the debtor to obtain any post-reorganization financing. The Minutes also encourages the combination of reorganization and out-of-court restructuring, a new trend adopted by local courts.

Challenges Still Faced by Reorganization: Unsolved Issues by the Minutes

It seems that the Minutes fails to respond to certain important issues which may still affect the vitality of the reorganization market, including: (1) the absence of a clear priority right for interim financing during the reorganization proceedings; (2) the absence of rules for the relevant authority to change the business registration of shareholders pursuant to the reorganization plan; and (3) the absence of enterprise income tax incentives for the exempted claims in reorganization. However, the resolution of such problems may be beyond the SPC’s jurisdiction and require joint efforts from other legislative and governmental organs.

In our view, the Minutes represent a substantial step towards reducing the uncertainty of reorganization proceedings and the balancing of the influence of different stakeholders on the process. More importantly, with better clarity on the aforementioned issues, reorganization proceedings have been made more predictable. And we hope that, from now on, market players will gradually become the key driving party behind reorganization proceedings, leading to a more dynamic reorganization market.

**Nuo Ji, Partner, and Lingqi Wang, Counsel,
Fangda Partners (Shanghai)**

AN OVERVIEW OF AUTOMATED DRIVING IN CHINA



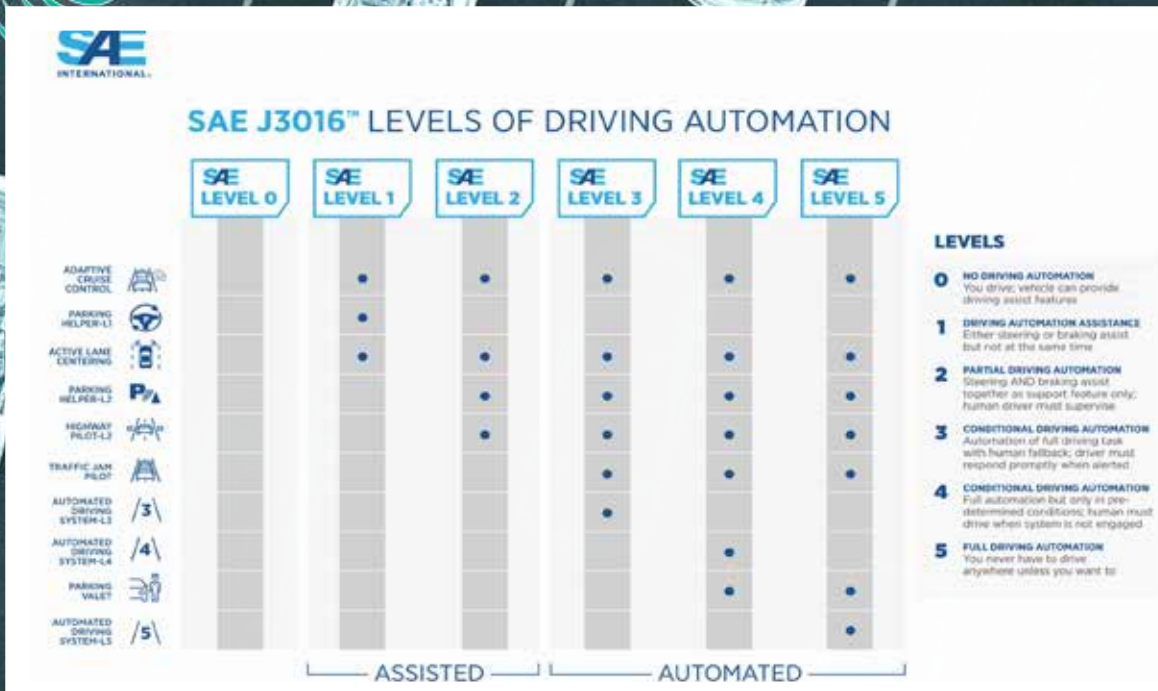
The future is coming. Soon, people will order a car to send kids to school without the need for a driver. When you get out of a car at the main entrance of a busy shopping mall, it will park itself. Although those scenarios sound too good to be true, the automotive industry is predicting that automated driving will arrive within the next five to ten years.

There are five levels of driving automation. Levels 1 and 2 are classified as assisted driving, with the driver remaining responsible for any damages incurred in connection with the driving. Levels 3, 4, and 5 involve different levels of automated driving. Starting from Level 3, the automated

driving system, instead of the driver, is responsible for the driving and its consequences under the prescribed condition. At this level, the system takes full control of the driving, but when the system alerts the human driver to take over, the driver must do so. At Level 4, the system takes full control of the driving, but when the system disengages, the human driver must take over the driving task. At Level 5, the human driver never needs to take over.

There are currently two approaches, advocated by different industries, towards achieving the autonomous future. The most commonly-used approach is to evolve from a lower level of automation to higher levels of automation, and eventually reaching the stage of autonomous driving. This approach is commonly adopted by car manufactures such as Nissan, Volvo, GM, etc., which are believed to favor it primarily due to cost and product-liability concerns.

The other approach, more commonly adopted by technology companies, is to skip Levels 1 to 3 altogether, and start



at Level 4 with more expansive automated drivings solutions, such as LiDars. This approach is generally taken by Uber, Waymo, and several other technology companies.

Many technology companies skip any involvement below Level 3 because of the unclear technological boundaries between Levels 2 and 3. Concerned with product liability risks associated with Level 3 (where the Original Equipment Manager becomes liable for damages), a number of car companies are coming up with solutions just below it. In order to standardize and test the different features developed by different car companies, a Society of Automotive Engineers (SAE) subgroup has come up with a list of items to review.

CHINESE APPROACH

China generally takes the same approach as the SAE in determining different driving automation levels. Unlike the self-certification approach taken by the US federal transportation authority, which involves few or no regulations,

China takes a heavy regulatory approach, with various authorities competing against each other to make rules for the new business. In order to regulate autonomous/automated driving, it is important for the relevant authority to know the exact level of automation involved. Hence it is important to have a consistent testing standard to determine the level of automation in cars manufactured by each company.

Who Makes the Rules/Policies in the Testing of Automated Driving?

China’s Ministry of Industrial and Information Technology (MIIT) is the authority in charge of automobile homologation. The Ministry of Public Security (MPS) is in charge of highway safety and investigating automobile accidents. The Ministry of Transportation (MOT) is in charge of regulating the public transportation industry, including commercial vehicles. The three Ministries have joint responsibility for laying out testing responsibilities. On April 13, 2018, MIIT, MPS, and MOT jointly issued a Notice on Regulating (Trial

Version) Road Test of Intelligent Connected Vehicles (the “Notice”).

Provincial governments are empowered to test and evaluate various intelligent/connected cars in accordance with regulations and policies adopted by the three Ministries and various industry associations. Each provincial government is responsible for issuing its own testing license in accordance with the testing procedure for the automated driving. As of today, Municipal Government such as Beijing, Shanghai, Chongqing, and Shenzhen had issued their own testing rules based on the Notice. Each Provincial regulation differs from others slightly, but this article will focus on the common requirements set by the Notice.

How a Company Can Get an Automated Driving Test License

Applicant Requirements

The applicant of the automated driving test must satisfy the following conditions:

- It must be a legal entity registered in the People’s Republic of China.
- It must be in a business related to the manufacture of intelligence-connected vehicles such as automobiles and parts, research and development, or experimenting or testing.
- It must have the financial strength to compensate any individuals who are injured or suffer losses to property as a result of the test.
- It must demonstrate the protocol for the evaluation of the autonomous features test.
- It can remotely monitor the testing vehicles on a real-time basis.
- It has the technical strength to record, analyze, and replay incidents encountered by the testing vehicles.
- Any other conditions required by law.

Driver Requirements

The applicant must provide human drivers for the automated driving test (“Drivers”), under conditions set out by the Notice. Drivers must work under an employment contract/labor service contract with the applicant and have been driving for more than three years. In the three years prior to the test, penalty tickets issued to Drivers must not equal or exceed 12 penalty points, and the Driver must not have seriously violated any traffic rules in the past year, including driving at more than 50% above the applicable speed limit or disobeying traffic lights. Drivers must not have any record of drunk driving or using controlled substances, and

he or she must have no record for death or serious injury. The Drivers must have received training for autonomous driving, be used to automated driving, be familiar with the automated driving test method, and be capable of dealing with an emergency. Drivers must meet other conditions set forth by law.

The Testing Vehicle Must Meet the Following Conditions

- It cannot be registered.
- It must meet all mandatory safety standards. For individual standards that cannot be met because of the automated driving features, the applicant must prove that the relevant feature did not reduce the safety of the vehicle.
- It must have two operation modes: manual operation and automated driving. The vehicle must be able to safely, quickly, and simply switch between the two modes with appropriate warnings. The vehicle must be capable of being converted to human operation model at any time.
- The vehicle must have a log to record the conditions of the car, save data, and monitor the online features. It must be able to upload certain information on a real-time basis and to automatically save the following data in the 90 seconds prior to any incident or malfunction of the vehicle:
 - The control mode of the car
 - Location of the car
 - Speed, acceleration, and other status of the car
 - Environment and responsiveness
 - Light, traffic information, and responsiveness
 - 360-degree information recorded by cameras
 - Any video and audio information reflecting the interaction between the Driver and the system
 - Any instruction received remotely by the vehicle; and
 - Any malfunction information.
- The testing must take place on a closed road or other designated place.
- The testing must be made through a third party that is certified by the competent authority to do the testing.

Procedural Requirements

The applicant must submit an application to the provincial authorities, with details that vary from province to province. As a general principle, the following documents must be

included in the application:

- Basic information on the applicant, the vehicle, and the Driver;
- If the vehicle is a domestically produced vehicle, the applicant shall submit the quality certificate of the whole car. For those cars that have not passed homologation, the applicant must provide a quality certificate and compulsory testing report issued by a third-party lab recognized by the State. If the vehicle is imported, the applicant shall provide the CCC certificate and other documents issued by Customs, Immigration, and Quarantine.
- A declaration that the automated driving feature does not lower the vehicle's safety.
- A certificate that the vehicle has passed a safety inspection.
- Materials establishing that the applicant has tested the vehicle on closed roads or areas or other designated areas.
- A report on the automated driving features issued by a certified third-party testing firm.
- A test plan, including testing roads, testing period, testing items, testing protocol, risk analysis, and action plan.
- An insurance policy with no less than RMB 5 million coverage.

If the competent authority in a province accepts the application and issues a notice to a testing vehicle, the notice will be properly filed with MIIT, MPS, and MOT and be made available to the public.

Generally speaking, testing cannot exceed 18 months. The applicant needs to file a request with the authority for any change made to the basic information on the notice. Once that request for change is approved by the authority, the applicant can continue with the testing. A notice is only valid within the jurisdiction of the competent authority. If the vehicle is driven out of the jurisdiction, it needs to apply for a new permit for testing with the authority that has the jurisdiction over the designed area.

Applicants must submit a report every six months. The final report must be submitted within one month of the testing's completion. We will see in the second half of 2018 when the authority can release the report. With all data reports submitted by different OEMs, the authorities will need to understand how to read and analyze the data that arises. More common approaches/international discussions on how to analyze data are expected to develop.

**Maggie Pei, General Counsel,
SF Motors' SOKON Intelligent Vehicle Business Unit**

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CONSIDERATIONS IN INTERNATIONAL TECHNOLOGY LICENSES FOR CHINESE LAWYERS

With the ongoing commitment to reform and opening to the outside world and the steady implementation of the Belt and Road initiative, the percentage of China's entire trade regime accounted for by international technology is growing larger and larger. International technology licenses are among the major forms of technology trade between countries. Due to the differences in legal systems, legal regimes, and legal cultures of the various trade participants, lawyers are highly encouraged to pay particular attention to the following issues when drafting and reviewing international technology agreements.

Differences in Intellectual Property Law

The intellectual property legal systems of different countries vary. More specifically, there are differences in the patent and trademark registration systems, moral rights in copyright, title to jointly developed works, the scope of protection of data offered by copyright, and so on. With respect to the definition of patented technology, there are differences between countries with regard to the terms and conditions of protection.

When drafting or reviewing an agreement, special attention needs to be paid to the provisions that define patented technology, and the types and term of protection need to be noted, so as to avoid misunderstandings and differences of interpretation between the parties.

Export Restrictions

In most international technology licenses, technology, money, or goods will travel across national borders, which makes the transaction subject to import-export trade laws. The

main laws controlling the import and export of technology in China are the Foreign Trade Law and the Administrative Regulations for the Import and Export of Technology. Of course, different controls also apply to different industries. In the context of Sino-US nuclear power technology transfers, for example, not only do such transfers involve the above-mentioned laws and regulations, but they are also subject to special controls on nuclear power technology. Direct transfers of such technology also involve the issue of transfer to third countries, which may bring additional challenges of their own (*e.g.*, Iran and other such countries are under special watch by the US).

When drafting or reviewing an agreement, special attention needs to be paid to the issues of the validity of the agreement and compensation that arise due to export restrictions.

Exchange Control

Based on the issue of balancing foreign exchange payments, some countries will require that administrative approval of government authorities be secured before a cross-border technology transfer agreement enters into effect. Such currency control policies may make currency exchange or cross-border payment difficult. This issue needs to be expressly provided for in the agreement, for example by specifying that the agreement will enter into effect only after governmental permission or approval has been secured – and risks arising from the failure of the agreement to enter into effect need to be reasonably apportioned.

Another point requiring attention is that when payment conditions are being drafted the currency exchange rate must be set and the currency unit in which the payment



is to be made must be indicated. It should be noted that the word “dollars” could be ambiguous; accordingly, if the client is indicating the US currency, the term “US dollars” should be used.

Tax Burden

China has entered into tax agreements with numerous countries where taxes may be withheld from certain income (e.g., copyright income). Under such circumstances, the withholding percentage usually falls between 10% and 20%. This sounds fine on its face, but some licensors, particularly startup enterprises, may not be required to pay any enterprise income tax because they have yet to become profitable.

Additionally, withholding of income tax can be carried out only within a certain period of time, which will make it impossible to carry out a withholding set-off. In the agreement, the parties need to provide for the tax burdens, and fully consider whether reasonable shifting is possible. This does not only involve domestic taxation, but also the issue of setting off cross-border income.

Dispute Resolution and Governing Law

Dispute resolution in international trade is often problematic, especially in the choice-of-forum context. In international trade, neither party will usually be willing to provide that disputes be heard and resolved in the courts of the country where the counterparty is resident, which would give that counterparty home court advantage. In addition, for a variety of reasons an effective court judgment from the counterparty’s country may not be enforceable in other jurisdictions.

In contrast, an arbitration award can be enforced through the New York Convention, which is observed by numerous countries (including the People’s Republic of China). Accordingly, arbitration is commonly used in international trade, often conducted in a neutral place. Unfortunately, the process of enforcing an award can still be long and expensive.


When drafting or reviewing an agreement, attention needs to be paid to the difference in the law governing the arbitration agreement and the law governing the license contract. Where the arbitration agreement does not expressly provide for the governing law, in general, the laws of the seat of arbitration will govern.

Language

Where the languages used by the parties differ, the agreement may be translated into a different language. The parties should indicate in the agreement which language is to prevail to avoid a situation where there is no way to make a choice. If the official language of the agreement is in a foreign language, but the lawyer does not know that language and is reviewing a Chinese-translated version of the agreement, a lawyer from the jurisdiction where that foreign language is spoken should be retained to co-operate with the Chinese lawyer, because even if the Chinese lawyer can converse in that foreign language, full understanding of that language’s nuances is almost impossible – and of course such nuances are extremely important in legal agreements. Needless to say, if a dispute arises between the parties, leading to arbitration proceedings, translation expenses will also be a necessary expenditure.

In addition to presenting the issues common to all technology transfer agreements, international technology transfer agreements also present these differences in legal systems, export restrictions, exchange control, taxation, dispute resolution and language. When drafting or reviewing agreements, lawyers need to take into full consideration the differences in cross-border agreements and tailor them to the client’s requirements.

Jiakai Tan, Partner,
Dentons Shanghai



RECOGNITION OF MATRIMONIAL COMMUNITY DEBT IN THE PRACTICE OF EQUITY INVESTMENT UNDER CHINA'S MARRIAGE LAW

Introduction

Most agreements between investors and the founders of companies or projects contain valuation-adjustment mechanisms or repurchase arrangements to protect investors from the potential failure of the investments or failure of the founders to fulfill their commitments. However, investors may nonetheless fail to get their money back if the founders have few assets, or none. One way to solve this is to go after the founders' spouses by claiming that the commitments or debts of the founders constitutes matrimonial community debt, requiring reimbursement from the spouses. Matrimonial community debt is set out in the *Marriage Law of the People's Republic of China* ("Marriage Law"), and in recent years China's Supreme People's Court (SPC) has changed its position on how to recognize matrimonial community debt.

The Former Rule: Article 24 and Protection of Creditor Interest

Matrimonial community debt is the debt owed by a couple in union and used for the sake of a couple's community life. In 2004, the SPC issued its *Interpretation of the SPC on Several Issues Concerning the Application of the Marriage Law (II)* ("Interpretation II"), Article 24 of which states that during

the existence of the marriage, the debt owed to the creditor by one party of the couple shall be treated as the couple's joint debt unless either the husband or wife is able to prove that the debt is clearly stipulated as a personal debt or that the creditor knows that the couple have agreed to individually and separately own their property during the marriage. Put simply, the presumption is that debt incurred during the marriage should be recognized as matrimonial community debt, and the burden of proof rests on the husband or wife to show that the debt is in fact personal.

The rationale and original purpose of Article 24 is to protect creditors' interests, based on the understanding that the marital relationship is more intimate than other civil relationships (such as partnerships), and that couples are thus more likely to conspire to transfer their assets to avoid debts. However, Article 24 has generated heated discussion and criticism since its promulgation. One major issue is that sometimes one party of the couple (usually the husband) can secretly borrow money, make investments, or sign contracts for his or her personal use without his or her spouse's knowledge. Individual debtors unable to repay their debts or fulfill their commitments in investment contracts will often see creditors or investors make claims against the innocent



spouses under Article 24, and it is often difficult for that innocent spouse to prove that the debts were clearly stipulated as personal. Therefore, the spouse may suffer enormously to pay off the debts. In some extreme occasions, wives continue to owe huge amount of debts to creditors even after they have divorced their husbands. Consequently, the public has protested strongly against Article 24 and even established a so-called “Anti-Article 24 League.”

The New Change: Shifting of Burden of Proof

In response to the social outcry, in 2017 the SPC issued *Supplementary Provisions on Interpretation II*, stating that courts should not support creditor claims if one party to the marriage fabricates the debt in collusion with the creditor or if the debt arose from gambling or other unlawful activities. However, these supplementary provisions can help in only limited situations.

Then, in 2018, the SPC promulgated *Interpretation of the SPC on Issues Concerning the Application of Law in the Trial of Cases Involving Matrimonial Debt Disputes* (the “Interpretation”).

The Interpretation is regarded as a change of the SPC’s attitude toward the recognition of matrimonial community debt, as Article 3 of the Interpretation stipulates that the court shall not support a creditor if a debt that arose during the existence of the marriage by a husband or wife exceeds the necessity of the couple’s daily life, unless the creditor is able to prove that the debt was used for the community life or community production and management of business or that the couple agreed to treat the debt as matrimonial community debt.

Compared to Article 24 of Interpretation II, Article 3 of the Interpretation changes the presumption and shifts the burden of proof such that, in the event that the amount of debt exceeds the necessity of the couple’s daily life, it will be regarded as personal debt, and it is the creditor’s obligation to prove that it should be treated as matrimonial community debt. This change reflects a new balance between creditor interests and the property rights of one party of the couple.

How Investors Can Protect Themselves Under the New Rule

Under the former legal framework, investors may file claims for reimbursement for matrimonial community debt against the spouses of the original debtors. However, according to Article 3 of the Interpretation, where the debt owed is likely to exceed the necessity of the couple’s daily life, the investor bears the burden of showing that the debt belongs to the matrimonial community. Although the “necessity of daily life” is not specifically defined, it is generally believed that costs for food and clothes, education, and medical expenses are for daily use may not be included. Therefore, if the investor cannot prove that the debt is used for the couple’s community life or is acknowledged by the couple, the court may not rule in its favor.

One suggestion to investors is to request that *both* spouses sign the original investment agreement. Article 1 of the Interpretation provides that if both the husband and wife sign on the agreement or the spouse subsequently confirms the debt, then the debt is considered matrimonial community debt. In addition, if the investors seeking reimbursement can prove that the debt was incurred during the common management of business by the couple, it also qualifies as matrimonial community debt. Therefore, investors may consider asking the spouses of the founders to co-sign the investment agreement or acknowledge key terms such as the repurchase arrangement or the valuation adjustment mechanism. Considering the bargaining power between the investors and the founders, this strategy is feasible in most cases and can reduce risks regarding the recognition of matrimonial community debt.

Wei Sun, Partner,
Beijing Zhong Lun Law Firm

THE CHANGING LANDSCAPE OF INTERNATIONAL ARBITRATION IN CHINA



Ever since the Arbitration Law of the People's Republic of China (the "Chinese Arbitration Law") was enacted in 1994, the landscape of Chinese commercial arbitration has gone through a profound change. At the end of 2017, there were 251 arbitration institutions in China. With experience gained over the past two decades, some institutions, such as the Beijing Arbitration Commission/ Beijing International Arbitration Center (the "BAC/BIAC"), have won a reputation for high quality within the international arbitration community and have become popular for cross-border dispute resolution among both Chinese and foreign parties. Parties who intend to settle cross-border disputes by arbitration in China are well-advised to learn more about this important option.

Identifying International Arbitration under Chinese Law

As in many other jurisdictions, arbitration in China is divided into two kinds: domestic arbitration and foreign-related or international arbitration. According to the Interpretation of the Supreme People's Court on Several Issues Concerning the Application of the "Law of the People's Republic of China on the Law Applicable to Foreign-Related Civil Relationships," a dispute will be treated as foreign-related if it contains a "foreign element," namely: [a] at least one of the parties is "foreign"; [b] at least one of the parties' residence or primary place of business is located outside of China; [c] the subject matter of the contract is outside of China; or [d] there are other legally relevant facts as to the occurrence, modification, or termination of civil rights and obligations which occurred outside of China. It should be noted that Foreign Invested Enterprises will be treated as domestic parties under this judicial interpretation.

The concept of "foreign element" is important in the context of commercial arbitration because Chinese law does not permit parties to submit their disputes for arbitration abroad if no "foreign element" exists. However, the Supreme People's Court (the SPC) issued its "Opinions on Providing Judicial Protection for the Construction of Pilot Free Trade Zones" (the "Opinion") on December 30, 2016, in which it stated that if wholly foreign-owned enterprises registered in Free Trade Zones (FTZs) agree with each other to submit commercial disputes for overseas arbitration, the relevant arbitration agreements shall not be invalidated on the ground that the dispute does not involve foreign elements. It is believed that the SPC has adopted a broad interpretation of the "foreign elements test" in arbitration



between companies registered in a FTZ.

The differences between domestic arbitration and international arbitration are relevant because Chinese courts apply different legal bases for each when deciding whether or not to set aside or refuse to enforce an award. In addition, the procedural rules which apply to international arbitration usually provide greater flexibility than those applying to its domestic counterpart.

Judicial Support for International Arbitration

The Chinese judiciary has been very supportive in creating an arbitration-friendly environment. China acceded to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (the “Convention”) in 1986. So far, only a limited number of foreign awards have been rejected by courts on the grounds specified in the Convention. Courts have been reasonably cautious in examining arbitral awards when judicial review is needed. In addition, Chinese courts have provided judicial assistance to arbitral tribunals in terms of ordering preservation measures and enforcing awards.

It is worth mentioning that since 1995, the SPC has established a reporting system for matters related to the setting aside of foreign related arbitral awards and non-enforcements of foreign-related or foreign awards. Under this reporting system, if the intermediate court intends to not enforce the award or to set it aside, it must submit the application to the high court for examination before a decision is made. If the high court concurs, it – the high court – shall report this opinion to the SPC for a final decision. At the

end of 2017, the SPC issued a judicial interpretation which extended the reporting system to domestic arbitration cases, therefore unifying the standards of judicial review and ensuring the finality of arbitral awards.

Other efforts have also been made to encourage arbitration, including allowing international arbitration institutions such as HKIAC, ICC, and SIAC to open offices in Shanghai. The SPC’s Opinion titled “companies registered in FTZs agree to arbitration in certain locations in China, with certain arbitration rules and by certain persons may be recognized as valid” also slightly opened the door to *ad hoc* arbitration in China.

Understanding Different Institutional Rules

Arbitration rules vary from institution to institution. Understanding these rules is vital for the effective conduction of arbitration proceedings.

Established in 1995 as an independent and non-governmental institution, the BAC/BIAC’s development can be seen as an epitome of the evolvement of Chinese arbitration industry. From seven cases filed in 1995 to 3550 cases filed in 2017, BAC/BIAC has experienced a rapid increase in its caseload along with a dramatic improvement in the quality of its service. The BAC/BIAC Arbitration Rules (the “BAC Rules”) were formulated in 1995 and have subsequently been revised eight times to comply with international standards. The current BAC Rules (which came into force in April 2015) ensure party autonomy to the maximum degree and adopt some of the most recent international practices such as emergency arbitrator and interim measures. Joinder of additional parties and the consolidation of parallel proceedings into a single arbitration are also feasible under the BAC Rules.

In recent years, there has been a large increase of foreign parties utilizing the services of the BAC/BIAC. Since 2013, the BAC/BIAC has accepted approximately 50 international cases each year with parties coming from more than 30 countries. The steady increase demonstrates that Beijing is becoming an emerging international arbitration center.

Conclusion

Although China is basically a new player in the field of international arbitration, the efforts made by a growing number of arbitration commissions together with the support of Chinese judicial bodies have created an arbitration-friendly environment for both domestic and foreign parties. The author believes that with international competition, Chinese arbitration institutions will further perfect their rules and services to better meet the expectations of international users.

**Chen Fuyong, Deputy Secretary General, and Zhang Xi,
Case Manager, Beijing Arbitration Commission/
Beijing International Arbitration Center**

CHINA-CEE INVESTMENT SINCE 2015: A PRIMER

To provide a sense of the scope and extend of Chinese investment in CEE in recent years, we provide a summary of all China-CEE deals or other client matters that have been reported on the CEE Legal Matters website since 2015. These stories involved 18 CEE countries, and range from the largest commercial transaction in Slovenian history, to significant infrastructure investments in Serbia, and the First European Sovereign Panda Bond ever, in Poland. We look forward to providing continued coverage in the years to come.



AUSTRIA



CETC Purchases European Headquarters in Graz

Wolf Theiss advised the China Electronics Technology Group Corporation, working in collaboration with two other partners from China, on the establishment of its European headquarters in Graz, Austria. The deal to purchase a production site and office building from the Steinklauber Group was signed with Economic Minister of Styria Christian Buchmann and a high-ranking delegation from China in attendance. The Styrian capital was selected by CETC as its corporate headquarters because of its research partnership with the Graz University of Technology and because of its central location in Europe, among other reasons.

reported on 11-nov-16



Haier Group Acquires Majority stake in GREENoneTEC Solarindustrie

Fellner Wratzfeld & Partner advised the former owners of GREENoneTEC Solarindustrie GmbH on the sale of their majority stake in the company to China's Haier Group. Weber & Co. and White & Case advised the buyers on the transaction, which was completed at the end of May 2017, approximately two years after the start of the sales process. GREENoneTEC, which is based in Carinthia, "is one of the leading producers of solar thermal collectors and world market leader for flat-plate collectors."

reported on 06-Jun-17



Great Wall Motor Company Creates Austrian Subsidiary

Wolf Theiss advised the largest Chinese producer of sport utility vehicles, the Great Wall Motor Company Ltd., on its creation of an Austrian subsidiary. GWM, which has more than 30 holding companies and 80,000 employees, is headquartered in Baoding (in the Hebei province of China) and owns three automobile brands: Haval, Great Wall, and Wey. According to Markus Schermann, Managing Director of GWM Austria, the new center will focus on developing electric motors, power electronics, and software in pursuit of the company's strategic goal of becoming the leader in hybrid and battery-powered automobiles.

reported on 13-Oct-17

BELARUS

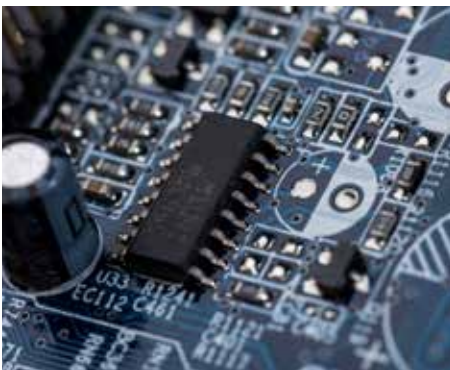


Zoomlion Establishes Joint Venture With Belarus's MAZ

Nektorov, Saveliev & Partners assisted with the establishment of LLC Zoomlion-MAZ, a joint venture between MAZ (Belarus) and Zoomlion (China). The JV, which is located in Belarus, will produce heavy machinery, trucks, and special purpose vehicles manufactured from Belarusian chassis with a Chinese superstructure.

MAZ and Zoomlion plan to produce 100 specialized vehicles in 2017, and more than 900 over a five year period. The vehicles will be exported to Russia, Ukraine, Kazakhstan, the EU, the Middle East, Africa, and Latin America.

reported on 17-Mar-17



Four Guangdong Companies Incorporated in Belarus

Stepanovski, Papakul & Partners provided legal support for the incorporation in Belarus of four companies from Guangdong in China – three of which have become residents of Belarus's Great Stone Industrial Park.

The three companies now resident in Great Stone are AE International Investment, the Fan Cheng Liquid Metal Lighting Appliances Company, and Fluence International Technology. Their main area of expertise is the production of electronic elements

reported on 01-Jun-17



China Development Bank Sets Up Office in Belarus

Vlasova Mikhel & Partners helped the China Development Bank set up a new representative office in Minsk to study the possibilities of developing trade and economic relations and expanding cooperation between countries.

The China Development Bank, which was founded on July 1, 1994, focuses primarily on supporting the core industries of the Chinese economy, promoting the development of specific areas, and constructing the necessary infrastructure. In addition, the bank is involved in the implementation of major infrastructure projects in China and outside the country.

reported on 25-Jun-18

Ambassador Extraordinary and Plenipotentiary of China to Belarus Cui Qiming Photo by Gennady Zhinkov, BelTA



Duisburger Hafen Acquires Shareholding in Great Stone China-Belarus Industrial Park

Sorainen advised the world's largest inland port, Duisburger Hafen, on its acquisition of a shareholding in the Industrial Park Development Company - the management company of the Great Stone China-Belarus industrial park. This was the first transaction in Belarus with state-owned shares executed under non-Belarusian law. Dusseldorf's Tradeo LLP law firm served as German advisor to Duisburger Hafen.

reported on 01-aug-18

BULGARIA



Export-Import Bank of China Provides Financing to Bulgarian Development Bank

DGKV acted as local Bulgarian counsel to the Export-Import Bank of China with regard to a EUR 50 million loan facility extended to the Bulgarian Development Bank for on-lending to customers in the form of mid or short-term trade financing transactions. The funds will be used to support Bulgarian enterprises and the economic cooperation between Bulgaria and China and to finance commercial operations. This is the first facility agreement between the two institutions following the Financial Cooperation Agreement they entered into in 2014, which envisages joint financing of key projects or areas.

reported on 13-Oct-17



Thunder Software Technology Co. Acquires Bulgarian Graphics and Imaging Technology Company

Djingov, Gouginski, Kyutchukov & Velichkov acted as Bulgarian legal counsel to Thunder Software Technology Co., Ltd., China, on its EUR 31 million acquisition of the Bulgarian graphics and imaging technology company MM Solutions. Boyanov & Co. advised Texas Instruments – one of the sellers – on the Bulgarian legal aspects of the sale of its shareholding in MM Solutions. MM Solutions provides imaging and video services for mobile phones, e-books, and tablets. According to DGKV, the transaction is the third biggest M&A deal in the Bulgarian IT sector in terms of deal value.

reported on 04-apr-18

CZECH REPUBLIC



China CEE Investment Co-operation Fund Invests in Energy 21

White & Case advised Mid Europa Partners and Squire Patton Boggs advised CEE Equity Partners – the investment advisor to the China CEE Investment Co-operation Fund – on the fund's investment into the Energy 21 operator of photovoltaic power plants. CMS advised Energy 21. This was the fund's 9th investment overall since its launch in 2014, and its first in the Czech Republic.

reported on 27-Jan-16



China Eastern Airlines Enters Czech Aviation Market

Kocian Solc Balastic advised Air Canada and China Eastern Airlines on their entry into the Czech aviation market.

reported on 25-aug-16



China CEE Investment Co-operation Fund Acquires Solar Energy Business from ContourGlobal

Schoenherr advised ContourGlobal erneuerbare Energie Europa GmbH, a subsidiary of the US entity ContourGlobal L.P., on the sale of its solar energy business in the Czech Republic to the China-CEE Fund via CEE Equity Partners Ltd. Dentons advised CEE Equity Partners on the deal, which was structured as a share deal with the China-CEE Fund acquiring three solar power plants with a total capacity of 6.0 megawatt peak in the Czech Republic.

reported on 15-Dec-16





Zhejiang Huajie Investment Development Group Leases Logistics Space Near Prague Airport

Kinstellar advised Zhejiang Huajie Investment Development Group on the leasing of 25,000 square meters of logistics space at the Panattoni Park Prague Airport II near the village of Pavlov in the Czech Republic. Huajie plans to set up a logistics hub for online retailers both from China and Central and Eastern Europe at its new location.

reported on 26-Jul-18

BALTICS



Didi Chuxing Invests in Estonian Transport App Taxify

Cobalt Estonia advised ride-hailing platform Didi Chuxing on its investment in Estonian-based transport app Taxify. Njord advised Peaksjah OU – one of the first business angels of Taxify – on the deal, and Hedman Partners advised Taxify. According to DiDi Founder and CEO Cheng Wei, the investment, which is part of a broader strategic partnership, will help link up transport services in Asia with those in Europe and Africa. DiDi, which serves 400 million users across a variety of services in China, said it will help Taxify to grow its presence and to develop AI-powered transportation products in its regions.

reported on 07-aug-17



Meridian Capital Acquires SIA Rigas Piensaimnieks from Darby Investment Fund

Glimstedt's offices in Latvia, Lithuania, and Estonia advised Hong Kong-based private equity investment fund Meridian Capital on its purchase of all shares of SIA Rigas Piensaimnieks from the Darby investment fund. Rigas Piensaimnieks includes AS Rigas Piena Kombinats, AS Valmieras Piens, and AS Premia Foods, and is collectively known as Food Union.

reported on 25-nov-15





Guangzhou Hangxin Aviation Technology Acquires Aircraft Maintenance Company in Tallinn

Cobalt Estonia advised BaltCap on the EUR 43 million sale of 100% of its shares in Magnetic MRO, a full-service aircraft maintenance company headquartered in Tallinn, to Guangzhou Hangxin Aviation Technology. The buyer was advised by Ellex. Guangzhou Hangxin Aviation Technology is a privately-owned company providing aircraft component maintenance services, based in Guangzhou, on Guangdong Province in China. Hangxin services components for over 20 aircraft types, and serves over 50 airlines in Asia, Middle East, Europe, and North America.

reported on 10-Jan-18

GREECE



State Grid Corporation of China Acquires 24% Stake in Greek Power Grid Operator ADMIE

Norton Rose Fulbright advised the Hellenic Republic on the ownership unbundling of the Greek power grid operator, ADMIE, from the Public Power Corporation, and the partial privatization of ADMIE through the sale of a 24% interest to the State Grid Corporation of China. The transaction involved a divestment by PPC of a 24% interest in ADMIE to State Grid for EUR 327.6 million and a 25% interest to DES ADMIE, a state-owned SPV, for EUR 295.6 million and a transfer of the remaining 51% interest to ADMIE Holding, an SPV owned by PPC's shareholders. The transaction also included the capitalization of ADMIE reserves amounting to EUR 131 million that were distributed to PPC through a subsequent decrease in ADMIE share capital. Norton Rose Fulbright also assisted in drafting relevant legislation for the implementation of the transaction structure and subsequent amendments to the law and advised on other matters, such as the shareholders agreement with State Grid and obtaining necessary approvals from EU and national authorities.

reported on 07-aug-17



Sumec Group Corporation Receives Wind Park Financing from Alpha Bank

Kyriakides Georgopoulos advised Alpha Bank in relation to the financing of two Sumec Clean Energy Ltd. wind parks. The parks, which are controlled by two special purpose vehicles, possess an aggregate capacity of 12,625 megawatts. The Sumec Group Corporation, established in 1978, is a member of the China National Machinery Industry Corporation. Sumec is a manufacturing service group focusing on three fields of trade and service, engineering contracting, and investment and development.

reported on 21-Sep-18

HUNGARY



China-CEE Investment Co-operation Fund Acquires Invitel Group from Magyar Telecom

CMS Cameron McKenna advised the China CEE Investment Co-operation Fund, advised by CEE Equity Partners, on its acquisition of 99.9% of Magyar Telecom B.V.'s holdings in the Invitel Group. Dechert involved Magyar Telecom on the deal. White & Case, Clifford Chance, Dentons, and Lakatos Koves & Partners advised on the new security package.

reported on 18-Jan-17



China-CEE Investment Co-operation Fund Sells Invitel Hungary's Residential Business to Digi

CMS Hungary advised Ilford Holding Kft. and Invitel Technocom Tavkozlesi Kft. – controlled by the China Central and Eastern Europe Investment Co-operation Fund, advised by CEE Equity Partners – on its July 21, 2017 sale of 99.99% of the share capital and voting rights of Hungarian telecommunications operator Invitel Tavkozlesi Zrt. to DIGI Tavkozlesi es Szolgaltato Kft., the Hungarian subsidiary of Digi Communications N.V. PeliFilip and Partos & Noblet in co-operation with Hogan Lovells International advised the buyers on the deal.

reported on 25-Jul-17

POLAND



China Council for the Promotion of International Trade Establishes CEE Representative Office

FKA Furtek Komosa Aleksandrowicz advised the China Council for the Promotion of International Trade on the opening of its first representative office in CEE. The office opening coincided with the visit to Poland of the President of Republic of China, Xi Jinping, to participate in the Poland-China Business Forum. The opening was accompanied by the signing of a cooperation agreement between CCPIT and the Polish Information and Foreign Investment Agency.

reported on 05-Jul-16

TURUNÇ*

*A true full-service law firm providing transactional and preventive advice as well as dispute resolution services to clients through integrated offices in each of the three largest cities in Turkey.

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China Everbright International Limited Acquires Novago from Abris Capital Partners

CMS provided advisory services to China Everbright International Limited on its EUR 123 million acquisition of Novago, a Polish waste management company, from the Abris Capital Partners private equity fund. Norton Rose Fullbright advised Abris on the transaction. CEI is listed on the Hong Kong Stock Exchange and is one of the largest environmental protection companies in China, operating in the environmental energy, environmental water, greentech, and environmental technology segments. According to reports, the acquisition of Novago was the largest Chinese investment in Poland and the largest acquisition in the environmental treatment industry in Central and Eastern Europe.

reported on 05-Jul-16



Republic of Poland Issues First Panda Bond

Allen & Overy was international counsel to the Ministry of Finance of the Republic of Poland on its issue of RMB3 billion (approximately EUR 405 million) panda bonds, underwritten by Bank of China Limited and HSBC Bank (China) Company Limited. China's Zhong Lun Law Firm was Chinese counsel to the Ministry of Finance, and the Global Law Office advised the banks. According to Allen & Overy, with the issuance Poland – the country's first CNY-denominated issuance – becomes the first European sovereign to issue a CNY-denominated bonds in China's domestic capital markets.

reported on 31-aug-16



China Security & Fire Acquires Konsalnet Holding from Value4Capital

Soltysinski Kawecki & Szlezak advised China Security & Fire Co. Ltd., a company listed on the Shanghai stock exchange, on its acquisition of Konsalnet Holding S.A. and its subsidiaries from a company controlled by the Value4Capital private equity fund. Mrowiec Fialek & Partners advised V4C on the transaction, which was valued at approximately EUR 110 million. The Konsalnet Group is a major Polish provider of security services for people and property, cash processing (including convoys), technical security systems and monitoring, and fire protection services.

reported on 07-apr-17



Sequoia Investment Management Finances ReneSola Solar Portfolio

Watson Farley & Williams and Solivan Pontes advised Sequoia Investment Management on the project financing of a 55 MW solar portfolio located in Poland and owned by ReneSola, a NYSE-listed solar project developer and BNEF tier 1 solar module manufacturer with its headquarters in China. Janyszek Legal advised the borrowers. The project consists of 55 x 1MW solar plants, all of which will benefit from a 15-year guaranteed off-take via Poland's new Contracts for Difference subsidy.

reported on 20-Dec-17

ROMANIA



CEFC Hainan International Holding Co. Acquires Majority Stake in KMG International

Dentons advised China's CEFC Hainan International Holding Co. on its acquisition of a majority stake in KMG International. The seller was advised by Freshfields, with Nestor Nestor Diculescu Kingston Petersen acting as local Romanian counsel. As a result of the deal, CEFC – a private energy, financial services, and investment company in China – will take a 51% stake in KMGI, the former Rompetrol Group, which was purchased by the National Company of Kazakhstan KazMunayGas JSC for USD 2.7 billion in 2007 in what was reported to be the largest private transaction in Romanian history.

reported on 21-Sep-18



Ningbo Joyson Electronic Corporation Acquires Key Safety Systems from FountainVest Partners

BPV Grigorescu Stefanica, acting alongside global counsel Gibson Dunn, provided advice on Romanian elements of Ningbo Joyson Electronic Corporation's USD 920 million acquisition of Key Safety Systems from Hong Kong-based private equity firm FountainVest Partners – which received international law advice by Simpson Thacher Bartlett. Other investors, including the Canada Pension Plan Investment Board and the New York-based private equity firm Crestview Partners, may also exit from KSS.

reported on 08-Mar-16

RUSSIA



Russia China Investment Fund Invests in TutorGroup

The Hong Kong and Moscow offices of Debevoise & Plimpton advised the Russia China Investment Fund on its investment in TutorGroup that was made as part of an approximately EUR 200 million Series C equity financing by TutorGroup, which also involved new investors GIC (Singapore's sovereign fund), Goldman Sachs, and Silverlink Capital LP, as well as existing investor Temasek. RCIF is a private equity fund which invests in projects that advance bilateral economic cooperation between Russia and China that was established in June 2012 by two government-backed investment vehicles – the Russian Direct Investment Fund and the China Investment Corporation.

reported on 24-nov-15



Sinopec Acquires 10% Stake in SIBUR

Vinson & Elkins advised the China Petroleum & Chemical Corporation (Sinopec) on its December 17, 2015 purchase of a strategic 10% stake in SIBUR, Russia's largest vertically integrated gas processing and petrochemicals business. Cleary Gottlieb advised SIBUR on the deal.

reported on 23-Dec-15



China CAMC Engineering Enters Russian Market

Lidings advised China CAMC Engineering – a company affiliated with the China National Machinery Industry Corporation – on its entrance into the Russian market. CAMCE's business mainly consists of engineering procurement construction projects, domestic and overseas investment, and trade. Its business covers industrial, agricultural, water engineering, power, and communication projects. Lidings' advice to CAMCE focused on the company's admission to participate as a self-regulatory organization in the Russian construction industry and on obtaining work permits for foreign employees in Russia.

reported on 15-Jan-16



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Russian-China Investment Fund Acquires 23.1% of JSC Detsky Mir Group from Sistema

Akin Gump advised Sistema JSFC, a publicly traded diversified holding company in Russia and the CIS, on the sale by subsidiary CJSC DM Finance of a 23.1% stake in JSC Detsky Mir Group – Russia's largest retailer of children's goods – to the Russia-China Investment Fund for RUB 9.75 billion (USD 133.56 million). The Russia-China Investment Fund was advised by Morgan, Lewis & Bockius.

reported on 15-Jan-16



China Railway Enters Joint Venture for High Speed Train Production in Russia

FBK Legal assisted with the establishment of a joint venture in Russia involving the production of high-speed trains. The joint venture by CRRC, JSCo RZhD, the Sinara Group, and China Railway is set to launch production of rolling stock for a high-speed network between Moscow and Kazan. The investors announced that they expect to provide rolling stock not only for a Moscow-Kazan network but for the whole Eurasian high-speed Moscow-Beijing transport corridor.

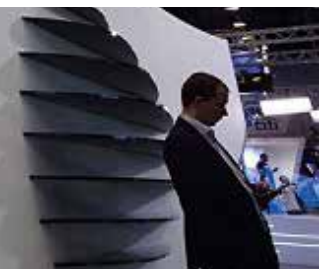
reported on 30-Jun-16



Beijing Gas Group Co. Acquires Stake in Rosneft Subsidiary

Linklaters advised Rosneft on the sale of 20% of the ordinary shares in PJSC Verkhnechonskneftegaz, one of the largest producing subsidiaries of the Rosneft Group, to the Beijing Gas Group Co. The sale includes a related joint venture established for the purposes of further exploration of the Verkhnechonskoye field.

reported on 01-Dec-16





ChinaNet-Center Acquires 70% Share in CDN-video

Liniya Prava, working with DeHeng Law Offices in China, has advised ChinaNet-Center on its acquisition of a 70% share in the charter capital of LLC CDN-video from ZAO Leader, its subsidiary LLC CDN-Invest, and three business angels. The deal was structured under both Hong Kong law (framework documentation) and Russian law (documents for dispositive transactions). The CNC Internet service platform was founded in 2000 in China. Liniya Prava Partner Vadim Konyushkevich commented that, “In my view, this case may be regarded as a good practice example of successful growing-up of a high-tech innovation business in Russia. A start-up of programmer-enthusiasts, where there was only an idea in the beginning, was supported by the Innovation Center Skolkovo. Further investments from a major Russian institutional investor ZAO Leader resulted in fast and steady transformation of a small company into a significant player in the Internet industry segment. The logical conclusion of this process was the acquisition of the majority stake by a large foreign investor.”

reported on 26-May-17



China Development Bank Henan Branch Provides Financing to Henan Leasing Company Related to Lease of Aircraft to Aeroflot

Liniya Prava, working in cooperation with King & Wood Mallesons, advised the China Development Bank Henan branch on approximately EUR 500 million in financing provided to a Henan joint venture leasing company – AviaAM Financial Leasing China – related to its lease of 16 Airbus A320 and A321 aircraft to Aeroflot. AviaAM was established as a joint venture between AviaAM Leasing, a Warsaw Stock Exchange-listed aircraft leasing company, and Henan Civil Aviation Development and Investment Company. The transaction marked the first aircraft financing project for a financial institution in Henan province.

reported on 30-Jun-17



Guohe Life Creates New Chinese Insurance Company with Anxin Trust & Investment and Rosgosstrakh

Dentons represented Rosgosstrakh in its USD 300 million joint venture with Guohe Life (China), Anxin Trust & Investment, and other investors involving the creation of a new Chinese insurance company.

reported on 12-Sep-17

SERBIA



He Steel Acquires Steel Mill Smederevo

BDK Advokati advised China's He Steel on the EUR 46 million acquisition of core assets from Serbia's state-owned Steel Mill Smederevo – located downstream from Belgrade on the Danube River – in the process of privatization. He Steel is the second largest global producer of steel. The Gecic Law firm advised Steel Mill Smederevo and the Government of Serbia on the deal, working with the legal team at KPMG Serbia and international counsel Cleary Gottlieb.

“The value of the deal alone made it one of the most important privatizations in a decade. It is also a landmark case in economic relations between China and Serbia given that He Steel, as one of the largest global steel producers, was the first major Chinese company to make direct investment in the Serbian market. Encouraged by this event, other Chinese companies followed with projects of different volumes, the latest one being a bid to invest in RTB Bor by Chinese Zijin. For BDK Advokati, this transaction is a significant credential that put in motion our expertise in M&A and privatization as well as state aid.”

reported on 18-apr-16

SLOVAKIA



CNIC Corporation Acquires Prologis Park Galanta-Gan

Dentons' Bratislava office advised CNIC Corporation Ltd., an investment company owned by the Chinese government, on its acquisition of Prologis Park Galanta-Gan in Slovakia from Prologis. Kinstellar advised Prologis on the deal.

reported on 04-Oct-17



China-CEE Investment Co-operation Fund Invests in Javna Razsvetljava and JRS

Wolf Theiss advised CEE Equity Partners, the investment advisor to the China Central and Eastern Europe Investment Co-operation Fund, on its investment in Javna Razsvetljava d.d. and JRS d.d., Slovenian providers of design and implementation of public lighting and signalling solutions. MPRR represented the seller, an unidentified Cyprus entity.

reported on 12-Jan-17

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Asian Investors Represented by United Luck Group Holdings Limited Acquire Outfit7 Investments

Selih & Partnerji, working alongside lead counsel Clifford Chance, advised a group of Asian investors represented by United Luck Group Holdings Limited (led by Chinese businessman Ou Yaping), on their USD 1 billion acquisition of Outfit7 Investments Ltd., the app producing company established by Slovenians Iza and Samo Login, which is best known for its globally successful app Talking Tom and Friends. According to media reports, the USD 1 billion price tag made the transaction the largest ever for a Slovenian company or a company founded by Slovenians. Taylor Wessing advised the sellers on the deal.

reported on 03-Feb-17

TURKEY



China Aircraft Leasing Group Holdings Limited Provides JOLCO Financing for Two Airbus A320 Aircraft for Pegasus Airlines

Bezen & Partners, working alongside international counsel Watson Farley & Williams, advised China Aircraft Leasing Group Holdings Limited, the largest independent operating aircraft lessor in China, on its first Japanese Operating Lease with a Call Option (JOLCO) financing in relation to two new Airbus A320 delivered to Pegasus Airlines in June. Pegasus Airlines – Turkey's leading low cost airline – will be CALC's first customer in Europe.

reported on 01-aug-16



China Development Bank Provides Financing for Ziraat Bank

Paksoy advised Ziraat Bank on its December 2017 entrance into a term facility agreement (for a loan of USD 200 million utilized in December 2017 and an additional loan of USD 400 million to be provided by China Development Bank that was planned to be utilized in the first quarter of 2018) with the China Development Bank. The lenders were advised by Norton Rose Fulbright and Pekin & Pekin.

reported on 22-Dec-17

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UKRAINE



China Development Bank Enters Strategic Partnership with Ukrtelecom and Huawei Technologies

Asters advised the China Development Bank in connection with a number of agreements related to a long-term strategic partnership with Ukraine's Ukrtelecom (the largest fixed line operator in Ukraine, and the leading Internet provider in the country) and China's Huawei Technologies. Under the agreements, Ukrtelecom received financial support from CDB and technological support from Huawei to modernize its telecommunications network in Ukraine. In the first stage of the partnership Ukrtelecom expected to receive credit from CDB amounting to USD 50 million, with repayment of loans to be completed by the end of 2022.

reported on 23-Dec-15



Chinese Consortium Get Ukraine Approval for Acquisition of Robert Bosch's Starter Motors and Generators Business

Redcliffe Partners advised a Chinese consortium consisting of Zhengzhou Coal Mining Machinery (Group) Co., Ltd and China Renaissance Capital Investment Inc. in their successful application for merger clearance from the Ukrainian competition authority for the EUR 545 million acquisition of Robert Bosch GmbH's Starter Motors and Generators business.

reported on 18-aug-17



China Machinery Engineering Corporation Hires DTEK for Construction of Solar Power Plant

Asters advised the China Machinery Engineering Corporation, a Chinese state-owned construction and engineering company, on its entrance into a contract with DTEK, a Ukrainian private power producer, for the construction of a solar power plant to be built in Nikopol with a planned capacity of 200 megawatts. The project cost is estimated at EUR 230 million, and it will be financed with a combination of DTEK funds and a loan from CMEC secured by the Export Credit Agency of China. DTEK was advised by Dentons Ukraine.

reported on 18-apr-18



NBT AS Agrees with Nordex Energy, Power Construction Corporation of China, and POWERCHINA Fujian Engineering Co. for Solar Power Plant Construction

The London office of K&L Gates, working with Ukrainian firm Integrates, advised NBT AS and its Ukrainian subsidiary SyvashEnergoProm LLC on the Syvash Wind Power Project in Ukraine. Nordex Energy GmbH, advised by Dentons, will act as a turbine supplier for the project. Sunshine Law and Volkov & Partners advised engineering, procurement, and construction contractors Power Construction Corporation of China, Ltd. and POWERCHINA Fujian Engineering Co. Ltd.

reported on 14-Sep-18

GLOBAL/REGIONAL



Pearl River Piano Group Enters Into Strategic Alliance with German Piano Maker Schimmel

Three lawyers from Noerr's Warsaw office were on its multi-jurisdictional team advising the China's Pearl River Piano Group – the largest piano manufacturer in the world – on a strategic alliance agreement with the renowned German piano maker Schimmel.

reported on 02-Feb-16



Consortium of Chinese Private Equity Firms Acquires Playtika from Caesars Interactive Entertainment

Sayenko Kharenko, working with global advisors Fenwick & West (leading transaction counsel) and Allen & Overy (coordinating counsel), advised Shanghai Giant Network Technology Co. on Ukrainian aspects of the USD 4.4 billion all-cash acquisition by a consortium of Chinese private equity firms of Playtika Ltd (Playtika), one of the world's largest social casino gaming companies, from Caesars Interactive Entertainment). Sorainen advised on Belarusian matters. The consortium consisted of SGNT, Giant Investment (HK) Limited, Yunfeng Capital (a private equity firm founded by Alibaba Group Holding's founder Jack Ma), China Oceanwide Holdings Group Co., China Minsheng Trust Co., CDH China HF Holdings Company Limited, and Hony Capital Fund. In addition to their roles as leading transaction counsel and coordinating counsel, respectively, Fenwick & West advised on Delaware law, and Allen & Overy advised on UK, Romanian and Russian law. In addition, the Yigal Arnon firm advised on matters of Israel law. Legal counsel on the seller's side included Latham & Watkins, Potter Anderson Corroon, Borden Ladner Gervais, and Addisons Lawyers.

reported on 21-nov-16



Luxshare Acquires ZF Friedrichshafen's Global Body Control Systems Unit

The Prague and Warsaw offices of Noerr were part of the firm's multi-jurisdictional team in advising Chinese electronics manufacturer Luxshare on its strategic acquisition of ZF Friedrichshafen's Global Body Control Systems Unit.

With this transaction, the group from Hong Kong also took over the Radio Frequency Electronics product line.

reported on 12-Sep-17



Wells Fargo Leads Banking Syndicate on EUR 1.05 Billion Facility to Bank of China, Luxembourg Branch

CMS advised Wells Fargo as lead arranger, together with Credit Agricole, ING, Mizuho, Commerzbank, BNP Paribas, Citibank, LBBW, Standard Chartered, and First Abu Dhabi Bank, on a EUR 1.05 billion facility for Bank of China, Luxembourg Branch, for refinancing its existing debt and other general corporate purposes.

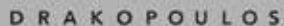
reported on 03-Jul-18

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