

JAPAN PRACTICE WEBINAR SERIES

04 September 2020 | Japan
Webinars

Welcome to our series of webinars from the Japan Practice

LEGAL IMPLICATIONS WHEN COVID-19 IMPACTS PERFORMANCE OF A CONTRACT

12 March 2020

Many of you work on projects around the world, and it is increasingly apparent that even places which are so far unaffected by the COVID-19 outbreak may have supply chains disrupted by the unprecedented recent global shutdown following the outbreak in Wuhan, China.

Regardless of where you are in the world, COVID-19 has affected your life one way or another. Companies are now faced with having to deal with unexpected situations, which include an inability to travel, disruptions in the supply of materials, employees having to work from home or taking mandatory leave of absence as preventive measures against the further spread of the virus.

Join us for a live webinar with our Global Head of Contentious Construction, Craig Shepherd, and Disputes Resolution Senior Associate, Andrew Raymond, and discuss how force majeure may affect the performance of contractual obligations and "top tips" for companies to beware of in these unpredictable times.

Speakers: [Craig Shepherd](#) and [Andrew Raymond](#)

[Listen to the recording](#)

M&A IN A CRISIS: LESSONS LEARNT FROM THE GLOBAL FINANCIAL CRISIS

The World Health Organization declared the current COVID-19 outbreak a global pandemic on 11 March 2020. As the human cost escalates, the eventual economic cost is becoming ever more apparent, and ever more significant.

Whilst many are attending to immediate personal and local business concerns, there are indeed critical issues for Asian companies that have current operations in Europe, where the economic impact is significant, as well as those who are contemplating or are in the middle of a European transaction.

Join us for a webinar series where we explore (1) major operational and transactional issues, as well as the legal and strategic considerations, for companies; and (2) how the issues which could arise from COVID-19 contrasts with what the global economy experienced during the Global Financial Crisis of 2008. We will explore these themes from the perspective of the Asian investor, providing practical guidance on steps companies should consider to best protect their interests – either for the short or long term.

<p>EP1 The possible impact of COVID-19 in the short term 9 April 2020 Speakers: Graeme Preston, Gavin Davies, Frédéric Bouvét, Alberto Frasquet, Lorenzo Parola and Söenke Becker Listen to the recording</p>	<p>EP2 Operational issues 13 April 2020 Speakers: Graeme Preston, Gavin Davies, Alberto Frasquet, Lorenzo Parola and Söenke Becker Listen to the recording</p>
<p>EP3 What's happening in M&A? 16 April 2020 Speakers: Joseph Fisher, Gavin Davies, Frédéric Bouvét, Alberto Frasquet, Lorenzo Parola and Söenke Becker Listen to the recording</p>	<p>EP4 Lessons from the Global Financial Crisis: Ten themes for this global crisis, and the recovery 20 April 2020 Speakers: Graeme Preston, Gavin Davies, Söenke Becker, Lorenzo Parola and Rebecca Major Listen to the recording</p>
<p>EP5 Distressed M&A 23 April 2020 Speakers: Joseph Fisher, Gavin Davies, Frédéric Bouvét, Alberto Frasquet, Lorenzo Parola, Söenke Becker and Robert Moore Listen to the recording</p>	<p>EP6 M&A disputes: lessons learned and practical tips 27 April 2020 Speakers: David Gilmore, Emma Schaafsma and James Allsop Listen to the recording</p>

GETTING THE CONTRACT YOU WANT - A RETURN TO BUSINESS AS USUAL

The disruptions caused to the world economy by COVID-19 will come to an end. There will be opportunities for new deals, new investments and new markets – and the pressure to progress may drive rapid decision making. In this environment, properly understanding the principles of contract law so that you are not committed until you mean to be, that the clauses mean what you want them to mean and that what you said in negotiations cannot be used against you will once again become essential for success. More than ever, it will be critical for businesses to understand how to manage these risks and ensure they have robust contracts so that their interests are protected.

Join us for this five-part webinar series where we will explore key practical considerations for businesses to avoid disputes arising out of English law governed contracts. This fundamental concept series will give you an opportunity to hone crucial skills to ensure that your contracts are robust, and that you can navigate contractual obligations to your advantage, understand how to avoid a contractual dispute, and be prepared with an effective dispute resolution strategy.

EP1 Doing a deal - When do you have a binding contract? 22 April 2020 Speakers: Craig Shepherd and Joel Halliday Listen to the recording	EP2 The importance of all that went before - When pre-contractual statements matter 28 April 2020 Speakers: Christopher Hunt and Glenn Kembrey Listen to the recording
EP3 What does your contract mean? How the courts interpret contracts 12 May 2020 Speakers: James Allsop and Victoria Green Listen to the recording	EP4 The requirements of good faith 19 May 2020 Speakers: Yosuke Homma and John Ribeiro Listen to the recording
EP5 Endeavour obligations - how hard do you have to try 21 May 2020 Speakers: Andrew Raymond and Michael McErlaine Listen to the recording	

GLOBAL CARTEL INVESTIGATIONS IN AN ECONOMIC DOWNTURN: RECENT DEVELOPMENTS AND LESSONS FOR COMPANIES IN APAC

9 June 2020

COVID-19 has created a new environment which impacts many – if not all – aspects of business around the world. It is also resulting in changes to competition law enforcement in Europe and beyond. In the near term, competition authorities have relaxed enforcement against cooperation between competitors struggling with disrupted supply chains – although such cooperation is still not without risk. In the longer term, depressed economic conditions are likely to lead to an increase in both cartel activities and enforcement.

This webinar focuses on what companies need to know to navigate this new environment, both now and for potential future investigations.

Speakers: [Kyriakos Fountoukakos](#), [Liza Carver](#), [Adelaide Luke](#), [Frances Xu](#) and [Joel Rheuben](#)

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TURNING ADVERSITY TO OPPORTUNITY IN SOUTHEAST ASIA: TRENDS AND ISSUES POST COVID-19

The Covid-19 pandemic has significantly impacted the commercial landscape in which many businesses operate. As economies around the world embark on the next phase in the crisis – recovery, rebuilding and transformation – there are emerging opportunities around the world for businesses seeking growth.

The Southeast Asia region is one such destination which continues to carry significant and strategic growth potential for foreign investors in these unique and unprecedented times. Distressed M&A and other opportunities across high-growth industries are on the rise, while technology and digitisation are permeating various industries at an accelerating speed, playing an increasingly critical role in the emergence of novel, innovative solutions and business models following the significant business impact caused by the pandemic. Meanwhile, such opportunities inevitably come with a degree of risk, and understanding these risks and how to mitigate against them will be crucial to succeeding in the post-Covid-19 world.

Join us for our six-part webinar series where we will explore emerging trends in investment opportunities and risks in Southeast Asia for foreign investors. Focussing on key and emerging sectors and the regional distressed M&A market, we will take you through top tips to maximise investment opportunities, and practical guidance to mitigate against risk. In our final wrap-up session, we are delighted to be joined by Control Risks who will share their insights from their experience helping clients through managing and mitigating business risks throughout this crisis.

EP1 Distressed energy and infrastructure projects in Southeast Asia 8 June 2020 Speakers: Damien Roberts , Glynn Cooper , Daniel Waldek , Irina Akentjeva , Dhani MM Pattinggi Listen to the recording	EP2 Infra-tech: trends and issues 11 June 2020 Speakers: Damien Roberts , Glynn Cooper , Tomas Furlong , Jamie McLaren and Kathryn Thornton Listen to the recording
EP3 Southeast Asia tech investments: trends and issues 16 June 2020 Speakers: Damien Roberts , Tomas Furlong , Jamie McLaren and Matthew Wentz Listen to the recording	EP4 Indonesia: trends and issues 18 June 2020 Speakers: Vik Tang , Teguh Arwiko , Debby Sulaiman and Gitta Satryani Listen to the recording
EP5 Southeast Asia pharma and healthcare: trends and issues 25 June 2020 Speakers: Damien Roberts , Harry Evans and Tomas Furlong Listen to the recording	EP6 Zooming out: Southeast Asia: trends and issues across the region 29 June 2020 Speakers: Damien Roberts , Austin Sweeney , Elaine Wong and Steve Wilford (Partner, Singapore, Control Risks) Listen to the recording

INVESTING IN HEALTHCARE ASSETS - EMERGING TRENDS AND KEY RISKS

The healthcare sector is set to experience radical change, driven by the rising tide of digitisation, push for innovation, and evolving healthcare needs, many of which came to light during the COVID-19 pandemic. New business opportunities are already emerging in this dynamic sector as it continues to attract interest from investors and industry players alike.

Join us for a four-part webinar series where we will explore the evolving landscape of healthcare investments, opportunities and key considerations for potential investors, and the critical pressure points to maximise your investments and new ventures in this fast-evolving and highly regulated industry.

EP1: Investing in healthcare assets - Due diligence and regulation 23 June 2020 Speakers: Graeme Preston , Natalie Bryce , Vik Tang , Jamie McLaren , Gavin Guo and Nicola Yeomans Listen to the recording	EP2: Introduction to Healthtech 30 June 2020 Speakers: Graeme Preston , Natalie Bryce , Mark Robinson , Harry Evans and James Gong Listen to the recording
EP3: Lessons learnt from Covid-19 - maximising your healthcare investments 02 July 2020 Speakers: Graeme Preston , Natalie Bryce , Gavin Guo , Jamie McLaren and Stephanie Listen to the recording	EP4: Healthcare as an infrastructure asset 13 July 2020 Speakers: Natalie Bryce , Glynn Cooper , Keith Gamble and Paul Flynn Listen to the recording

RESOLVING AND PREPARING FOR COMMERCIAL DISPUTES IN THE NEW NORMAL: A COMPARATIVE OVERVIEW OF KEY DISPUTE RESOLUTION METHODS

The recent global pandemic has had a significant impact on how businesses around the world will operate and mitigate against risk in the future. Various types of dispute have already arisen as a consequence of the severe economic impact caused COVID-19, forcing companies to plan for, and mitigate against, complex commercial disputes whilst minimising disruption to their business, markets and key business relationships. Others are revisiting their dispute resolution strategies to ensure their contracts contain robust and appropriate dispute resolution clauses before entering into commercial agreements or embarking on new ventures, having witnessed the magnitude and scale of disruption, particularly where companies are not sufficiently prepared.

Join us for a three-part webinar series where we will explore three of the most common dispute resolution methods: arbitration, litigation and alternative dispute resolution. Providing a comparative overview of these three mechanisms, we consider practical tips and factors to consider – including cost, jurisdictional risk and enforceability – to help you prepare a robust dispute resolution strategy to protect critical commercial interests.

EP1 International arbitration 1 July 2020 Speakers: Christopher Hunt and Yosuke Homma Listen to the recording	EP2: Alternative dispute resolution (ADR) 6 July 2020 Speakers: Craig Shepherd and Michael McErlaine Listen to the recording
EP3: International litigation 8 July 2020 Speakers: David Gilmore and James Allsop Listen to the recording	

10 YEARS OF THE UK BRIBERY ACT: WHAT ARE THE LESSONS FOR JAPANESE COMPANIES?

30 July 2020

It is now 10 years since the Bribery Act 2010 (the UKBA) was introduced in the UK, reforming the law on bribery and corruption. After a slow start there has been much recent activity affecting international business, including the recent landmark €1 billion deferred prosecution agreement (DPA) with Airbus; the first time a UK DPA has been reached with a non-UK entity.

Please join us as we consider the lessons from the last decade that Japanese companies should be aware of, including enforcement trends, the scope for non-UK parent companies to be made subject to the UKBA through the management of their business operations, and the future of the UKBA.

Speakers: [David Gilmore](#), [Daniel Hudson](#), [James Allsop](#) and [Yosuke Homma](#)

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EUROPEAN INFRASTRUCTURE: MEETING THE NEED IN A POST-COVID WORLD

Not only has the Covid-19 pandemic had significant impacts on many infrastructure investments in the region and globally (with transport in particular suffering severe consequences) it has also highlighted the importance of the sector both generally and in responding to and recovering from the crisis.

There remains a pressing need and political support for new infrastructure across Europe to build capacity and improve services as well as to meet climate change targets and take advantage of technological advances. Huge amounts of investment will be needed to deliver what is required and a large proportion of that will need to come from the private sector and foreign investors – this is the case now more than ever given the pressure that the Covid-19 crisis has put on public finances.

Join us for our five-part webinar series where we will explore trends and opportunities in European infrastructure. Focusing on key issues and risks relevant to foreign investors in each jurisdiction, we will take you through where we expect the opportunities to be and offer practical guidance on how to get involved.

EP1 European infrastructure: meeting the need post-Covid 19 25 August 2020 Speakers: Damien Roberts , Gavin Williams , Silke Goldberg , Tom Marshall and Keith Gamble Listen to the recording	EP2 Focus on UK and changing delivery models 27 August 2020 Speakers: Damien Roberts , Patrick Mitchell , Sarah Pollock , Tom Marshall and John Williams Listen to the recording
EP3 Northern Europe under the spotlight 1 September 2020 Speakers: Damien Roberts , Christophe Lefort , Christoph Nawroth and Silke Goldberg Listen to the recording	EP4 Southern Europe under the spotlight 3 September 2020 Speakers: Damien Roberts , Ignacio Paz , Iria Calvino , Lorenzo Parola and Francesca Morra Listen to the recording
EP5 Opportunities in Russia and Central and Eastern Europe 8 September 2020 Speakers: Damien Roberts , Olga Revzina , Matthew Job and Martin Bittner Listen to the recording	

CONSTRUCTION MASTERCLASS 2020: THE DRIVING ISSUES FOR THE NEXT DECADE

It is impossible to know what the future will hold. But we do know that for the construction industry through the 2020s, some themes are going to be key and some parts of the world will be the principal focus for Japanese contractors.

Join us for Herbert Smith Freehills' first-ever online Construction Masterclass, held in conjunction with our 11th Annual Japan Construction Conference, and jointly hosted with the Japan Institute of Overseas Investment (JOI).

This year, over three sessions, we will explore the key drivers of change that will have a lasting impact on the opportunities and challenges facing industry players, and will reshape much of what they do and how they can succeed:

1. The shift to new urban developments in our Future Cities
2. The growing importance of sustainable construction
3. The revolutionary impact of technology

We have also identified three regions where there are significant planned developments impacted by these drivers. Each session will consist of a review of the impact of the key driver, an analysis of the position in the region and a case study led by those who have worked on leading projects there.

All sessions will be moderated by construction specialist Craig Shepherd, who heads our Japan construction practice. Each session will feature sector and regional specialists from the Herbert Smith Freehills global network.

Session 1: Future Cities x South East Asia 11 November 2020 Speakers: Craig Shepherd , Matthew White , Matthew Goerke , Nicholas Carney , and Anthony Ellis Listen to the recording	Session 2: Sustainability x Europe 19 November 2020 Speakers: Craig Shepherd , Sarah Pollock , Tim Healey , Rebecca Major , and Andrew Blacoe Listen to the recording
Session 3: Technology x China 24 November 2020 Speakers: Craig Shepherd , Graeme Preston , Hew Kian Heong , and James Gong Listen to the recording	

COMPETITION LAW IN THE UK: WHAT JAPANESE COMPANIES NEED TO KNOW POST-BREXIT

26 November 2020

On 31 December 2020, the Brexit transitional arrangements will expire, and the UK will no longer be a part of the European Union competition law regime. This webinar will examine the consequences of this change for Japanese companies, including the potential for parallel investigations and merger filings in the EU and UK. For Japanese companies that may have less experience in dealing with UK competition law, this webinar will also provide an overview of the legal regime as well as the main competition authority, the Competition and Markets Authority, including key differences with the European Commission.

Speakers: [Mark Jephcott](#), [Kyriakos Fountoukakos](#) and [Joel Rheuben](#)

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M&A IN 2021: REFLECTIONS FROM 2020 AND OUTLOOK FOR THE YEAR AHEAD

2020 has been quite a year for global M&A. Markets continue to be volatile worldwide, yet companies remain under intense pressure to strike a balance between the robustness of their balance sheets, a sustainable asset portfolio, and profitable returns on their investments and other business decisions. Which begs the question: what does the cross-border M&A landscape for Japanese companies look like in 2021?

Join Herbert Smith Freehills' M&A experts for our 11th Annual Japan M&A Seminar, where we take a deep dive session where they will share their insights from 2020 and discuss outlook for cross-border M&A in 2021, focussing on two key outbound markets for Japanese investors, Europe and Asia. You will have the opportunity to hear from a leading group of cross-border M&A specialists active in advising Japanese corporates across a broad range of key international markets and sectors.

Session 1: Europe M&A outlook

21 January 2021

Speakers: [Graeme Preston](#), [Gavin Davies](#), [Frederic Bouvet](#), [Rebecca Major](#), [Alberto Frasquet](#), [Lorenzo Parola](#) and [Soenke Becker](#)
[Listen to the recording](#)

Session 2: Asia M&A outlook

25 January 2021

Speakers: [Joseph Fisher](#), [Jamie McLaren](#), [Vik Tang](#), [Sophie Lenox](#), [Gavin Guo](#) and [Jeremy Shen](#)
[Listen to the recording](#)

[Read more on our Tokyo practice](#)

KEY CONTACTS

If you have any questions, or would like to know how this might affect your business, phone, or email these key contacts.



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