

The magazine for members of the Dutch Chamber of Commerce in Hong Kong



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**The magazine for members of the
Dutch Chamber of Commerce in Hong Kong**

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Kung Hei Fat Choy



As we are now in that wonderful festive period between the Gregorian calendar's new year (celebrating its 435th year), and the Chinese Lunar New Year, it certainly is the best moment to wish you all both a wonderful, successful and happy 2017, as well as *Kung Hei Fat Choy*, wishing you the very best in the Year of the Rooster.

The Chamber is excited about the prospects and plans for 2017, not least of which our Business Awards gala dinner, "Reaching for the Stars", which will be held on March 24. If you have not already done so, please don't forget to buy your tickets.

The theme of this issue is an appropriate one for the start of the New Year, when it is a good moment to plan and strategize: "Where is the border?" As the vehicle representing the interests of the Dutch business community, this is a continuous debate within the Board, and our underlying objective is to push that border further: how should we endeavour to position the Dutch business community in Hong Kong and the region? Not only with the Hong Kong government, but also with other Chambers of Commerce and companies, both locals and international. All with the view of facilitating the business opportunities for our members.

Our counterparts in The Netherlands have combined forces in order to better serve companies with a Hong Kong connection from the Dutch side: The Netherlands Hong Kong Society and The Hong Kong Chamber of Commerce in The Netherlands have joined together on order to create one association focussing on the Hong Kong – Netherlands relationship, The Netherlands Hong Kong Business Association (NHKBA). We wish them success, not only in the Year of the Rooster, but throughout the future cycles of the Chinese zodiac!

I hear the Rooster calling, so happy reading and once again wishing you all good health, happiness and prosperity!

Daniël de Blocq van Scheltinga
DutchCham Chairman

Business without borders

Arno Nieuwland, Founder of E-Commerce Hong Kong Limited talked to us about the underlying technology, consumer motivation, trends and what he sees in the future for e-commerce.

■ By Donna Mah



In 2009, when Dutch serial entrepreneur, Arno Nieuwland, Founder of E-Commerce Hong Kong Limited was looking for IT support for his online furniture business (www.SofaSale.com.hk), he identified a lack of IT web development expertise in the Hong Kong market. In addition to building his online furniture business, Arno went on to found his own IT development company focussing on commercial e-commerce platform development.

Let's start off with a bit about you and how you became involved in e-commerce.

I'm originally from the Netherlands and have a technical background. I studied in Delft and have a degree in aerospace engineering and one in System Engineering and Policy Analysis. Years later, I complimented this technical background with a strategic Marketing MBA from Yale University.

In the Netherlands, I was part of an internet start-up which was sold to KPN in less than 2 years. About 13 years ago, I came to Hong Kong to work for a Chinese electronics manufacturing company.

After two other corporate roles in multinational companies it was time to start my own company, which traded different products, one of which was furniture. I then decided to start up SofaSale.com.hk, as I saw an opportunity to provide good quality furniture at good prices to consumers through an e-commerce platform.

I believed that we could offer a good value proposition using an online sales platform. We could offer flexibility, and as long as the supply chain was organised well, our lead times would beat the competition.

However, when we started working on the development of our online sales platforms and back-end order management systems, we found that the level of technical expertise was lower than expected. So it was difficult to find suitable IT development partners.

“Nowadays, consumers demand a higher level of convenience. A consumer will dictate when and where they will consume, they are no longer restricted by opening hours or physical location. The internet is available 24/7 and the market reach of the online sales platforms can be global, or at least nationwide.”

We then decided to hire our own developers and made our own in-house IT team. For the furniture production, we buy production capacity in factories and manage our own production lines. We have also developed our own management system in-house.

It was at this point that other companies started getting in touch with me, asking if I could help do the same for them – develop order management systems and online marketing systems. From this, E-commerce Hong Kong Limited (ECHK) was set-up.

What are some key points to remember when developing an e-commerce platform?

There are a few key things:

1. The interface is very important as it is the way you interact with your customer and your customer interacts with you.
2. The value proposition must be clear and easy to understand. Show why your value proposition beats the competition.
3. The underlying technology underpinning the platform must be sound for all the different devices (desktop, tablet, mobile) with the internet.
4. Scale. Preferably you have a scalable business, so you can leverage your automated sales tool to reach many customers and create a fast Return on Investment.

Why is the user interface so important?

User interface (UI) is related to convenience. Nowadays, consumers demand a higher level of convenience. A consumer will dictate when and where they will consume, they are no longer restricted by opening hours or physical location. The internet is available 24/7 and the market reach of the online sales platforms can be global, or at least nationwide.

This kind of product and service presentation online has created new standards when it comes down to UI with customers. Where merchants could survive by placing some photos online, in today's competitive online retail landscape we see a lot of innovative solutions: like response web formats, customised search applications, recommendation filters, history cache tools, etc. Merchants need to realise that today's demanding online consumer will only have time to browse an average of 5-7 pages of a website. In other words, the merchant needs to maximise his efforts to target the right products to the right customers, otherwise the customer will lose interest and leave without buying.

Browser history by online users is being mined by Google, Facebook and many other online platforms in order to redirect these users to merchants who are willing to pay for their visit. Once these target customers visit the website, it is of utmost importance the UI matches the high expectations of customers. This maximises the chance of a sale.

At ECHK we have supported customers from different industries to improve their UI – to support a smooth on-boarding of investment customers, easier booking systems for regular customers, one-page check-out from new customers, etc.

How important is the value proposition for prospective customers?

Consumers have a much more international view on how to buy products these days. Many people choose to buy direct from a manufacturer or supplier without the need for a retailer to act as the middleman.



Basic questions that need to be asked when crafting your value proposition include, “Is this worth it?”, “What is the ‘real’ cost?” For example, people are willing to pay a premium price for food products which are deemed safe and healthy, so there is more perceived “value” in these products. For products that are basic or considered safe, people are more willing to make a purchase with fewer checks for verification.

How has blockchain helped to advance e-commerce?

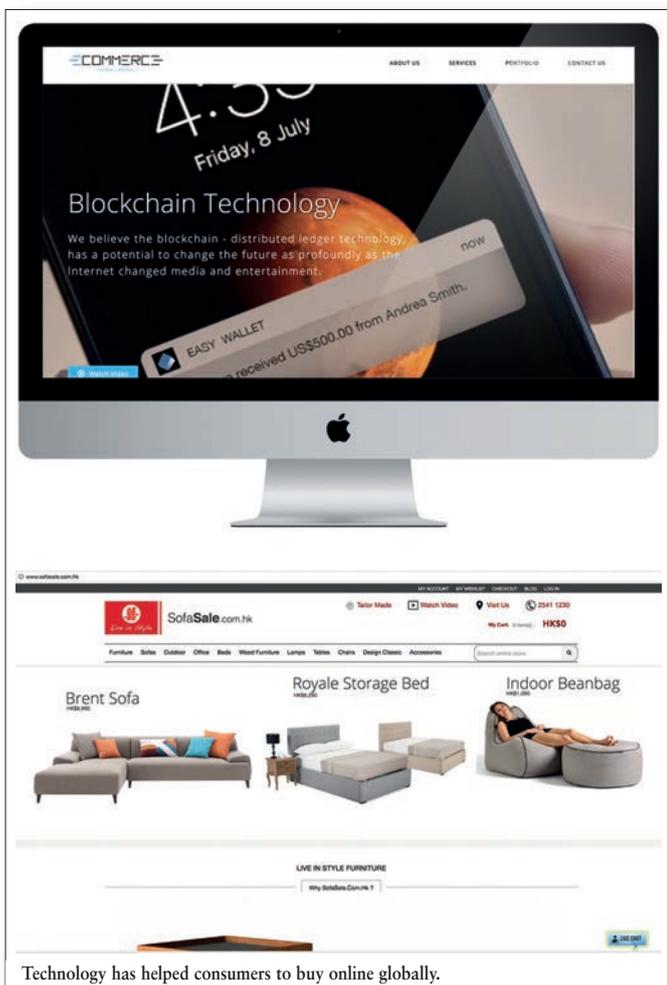
“A blockchain – the technology underlying bitcoin and other cryptocurrencies – is a shared digital ledger, or a continually updated list of all transactions. This decentralized ledger keeps a record of each transaction that occurs across a fully distributed or peer-to-peer network, either public or private. A blockchain's integrity hinges on strong cryptography that validates and chains together blocks of transactions, making it nearly impossible to tamper with any individual transaction record without being detected.” (As defined by PwC at www.pwc.com.)

While blockchain is the underlying technology or structure for bitcoin, the structure itself has many other applications. Blockchain uses a network of supercomputers around the world, called nodes, which calculate the blockchain variables. The nodes verify each transaction and the transaction is registered and executed. The blockchain infrastructure can help us change the way we interact with each other. When you have an agreement (transaction), the information goes on the ledger and is archived. The information can't be manipulated.

Blockchain technology can be used to make smart contracts and record and monitor web wallet payments making it possible for users to access and buy online across multiple devices.

“Consumers have a much more international view on how to buy products these days. Many people choose to buy direct from a manufacturer or supplier without the need for a retailer to act as the middleman.”

Interview with a Chief



as, for many, the smartphone is used for much of their consumption. Of course, in the Western world there are privacy issues and a scattered landscape to manage.

How is it possible to remove the restriction of borders?

We come back to blockchain technology to answer this. In a traditional market there is a shop that sells products, people have a relationship with that shop, trust is built and purchases are made. In today's world, many industries are heavily regulated and to be compliant, companies incur additional costs. As consumers are much more open to buying products and services online, consumption has become more transparent with the internet. Consumers have a much more international view on how to buy products – they can buy direct from a company or manufacturer in the USA or China with a few clicks.

In a traditional market, businesses must comply with government regulations – business registration, insurance, etc. – but the Hong Kong government cannot control the internet buying habits of Hong Kong consumers, so if consumers prefer to make online purchases outside Hong Kong, this cannot be controlled by the government. If a market is overly regulated and products are priced out of the market, then outside merchants will target that market with online product and service offers, taking market share away from existing local merchants. As I said before, consumers will look at purchases and consider whether they can get a better value proposition.

If a transaction is agreed upon and payment is made outside of Hong Kong then the Hong Kong government cannot impose the same regulations on the business. With technology, new players are able to bypass government regulations as the servers handling payments are located outside Hong Kong and payments are processed outside of Hong Kong. Blockchain technology helps to facilitate this. It is the infrastructure that can be used to build something to help people do business from anywhere in the world.

And what do you see in the future?

Currently, a lot of communication is already online. People check LinkedIn, Facebook and other social media sites regularly. Online platforms are used for doing business – Uber for booking a ride, Airbnb for renting accommodation and the list goes on. There is a trust element, through reviews, built into these business models that help make them work.

In the future, I believe that we will all get a digital ID, a profile for each and every one of us. Information about us as a person and as a consumer will be stored on these profiles. The profiles will be rated and if a good rating is obtained, then it can be used to gain benefits – better prices, improved level of service, etc.

Change will come. The timing is not clear, but it is happening. •

“If a market is overly regulated and products are priced out of the market, then outside merchants will target that market with online product and service offers, taking market share away from existing local merchants.”

SofaSale wins the most valuable furniture retailer award

Once a year, the Mediazone team analyses the Hong Kong Consumer and Business market to determine which are Hong Kong's most valuable companies. SofaSale.com.hk won in the category of furniture retailer. On 17th November 2016, SofaSale won in the furniture retailer category at the prestigious business award event organised by the Mediazone Group. The judging panel stated that key elements for SofaSale winning the category were the large, fresh and interesting furniture collection, combined with an affordable pricing model and second to none customer service.

Introducing the Dutch Chamber's new Board Members

At the beginning of 2017, Jan Willem Möller and Marcel La Croix joined the DutchCham Board of Directors. Jan Willem Möller is the chairman of the SME committee and Marcel La Croix chairs the China committee.



Jan Willem Möller



Marcel La Croix

■ By Jan Willem Möller, Registered Foreign Lawyer at Tanner DeWitt, janmoeller@tannerdewitt.com & Marcel La Croix, Legal Counsel Asia Pacific at Robeco, M.Lacroix@robeco.com

Jan Willem Möller

I am a Dutch lawyer who came to Hong Kong in the summer of 2012 with law firm Loyens & Loeff to help set up their brand new Hong Kong office. I was supposed to return to Amsterdam after two years but I was – and still am – by no means ready to leave Hong Kong. After extending my secondment I decided to move to a local firm and Tanner De Witt, one of the larger independent law firms in Hong Kong, were kind enough to ‘adopt’ me. I am in the process of converting to Hong Kong law and hope to be able to call myself a Solicitor of the High Court of Hong Kong within the next year or so.

For me, the Dutch Chamber provides an excellent platform to meet people from all walks of life in a professional, yet relaxed atmosphere. There is great diversity among the members as well as some common denominators – the obvious affinity with most things Dutch, but also entrepreneurial spirit and an international outlook – which helps to bring some focus to the networking exercise.

Personally, I like to do a little bit more than just attend the occasional event. As one of the co-founders of the Young Professional Platform in 2013, I have experienced first-hand that the Dutch Chamber provides its members with ample opportunities and resources to pursue any plan or initiative that could potentially benefit other members. According to my passport, I am now well past the age to interfere with the Young Professionals and I am very excited to continue the work/fun on the basis of that very principle as a member of the SME Committee and the Board of Directors.

Please do not hesitate to contact me (or any other board, committee or staff member) to discuss the possibilities for organising something – whether in the form of a tried and tested MUNCH, SME Academy or something completely different – we are open to it.

I very much look forward to a Year of the Fire Rooster packed with interesting events and initiatives, and wish all members a happy and prosperous year!

Marcel La Croix

I’m very honored to be given the opportunity to act as one of the Chamber’s new Board Members. Please allow me to introduce myself. I was born and raised in Rotterdam. My wife and I are proud parents of a one-year old girl and I have been living in Hong Kong for three years now. I have been working for Robeco for 12 years. I’m currently Robeco’s legal counsel in the Asia-Pacific region. In this capacity I’ve created and built the legal function of Robeco in Asia. I have been fortunate enough to have set-up and licensed companies and ventures in Hong Kong, China PRC, Singapore, Japan and Australia. My personal passions are music (playing/listening) and food (preparing/eating), so during the weekends you might find me at one of the city’s concert venues or wet markets.

Being Dutch, it makes me proud that we have such an active, meaningful Chamber in Hong Kong. The added value of the Chamber in providing opportunities to expand one’s network and to share knowledge between individuals and companies (both large corporates and SMEs) is invaluable for anyone (individual or corporate) looking to start or expand a business in Hong Kong.

I especially hope to make contributions in the area of knowledge sharing. I see that there’s room for the large corporates and the SMEs active in Hong Kong to learn from each other. Quite frequently the large corporates have pioneered certain new markets and/or regulatory, tax and operational hurdles and SMEs often bring along fresh perspectives, new ideas, creative entrepreneurial spirit and a ‘young’ agility and flexibility that bigger organisations can learn from. My goal is to bridge these ‘two worlds’ for the members of the Chamber and to use my own experiences to do so.

I look forward to meeting all of you in due course and please feel free to reach out to me.

In the meantime, I wish you all a prosperous Year of the Rooster and best of luck with your endeavors in the beautiful city of Hong Kong. •

Soapbox Contest challenge

During the SME Christmas Cocktail on the 15th of December, Joosje Hardus and Nathan Jansen took on the challenge to participate in the Soapbox Contest. We had a short chat with them about why they joined this challenge.



■ By Caroline Schikker

Hi Joosje! Tell us a little bit about yourself ...

My name is Joosje. I'm 30 years old and from the Netherlands. I studied Hotel school in the Netherlands and came to Hong Kong for my last internship 5 years ago. I had several jobs in sales and recruitment and eventually started my own sandwich shop.

What kind of sandwich shop did you open?

Knead is a sandwich & salad concept in Hong Kong: sandwiches and salads freshly made with ingredients that our customers pick. We offer a wide selection of different types of bread, veggies, meat, cheeses and toppings to create your own favourite sandwich or salad.

Why did you decide to join the soapbox contest?

I joined this challenge to promote our concept to a wider audience and it was also good practice for my pitch skills.

What is the success factor of the soapbox contest?

I think because the participants only get three minutes to promote their concept, this makes it fun, short and interesting for everyone.

What was your aim?

To win the soapbox contest.

What was your highlight in 2016?

Opening Knead in Sheung Wan!

What is 2017 going to bring you?

A second Knead in Quarry Bay.

Anything you want to add?

Come in and try our sandwiches and salads!

...

Hello Nathan, please give us a short introduction about yourself.

My name is Nathan Jansen and I run a franchise of the 1421 Consulting Group in Shenzhen. I think that introduction counts as being short enough!

And what does the 1421 Consulting Group do?

1421 helps Western companies with doing business in China. We help from the start – when market research is necessary, payroll



services and company incorporation. We can also run projects or manage teams on behalf of our clients.

Why did you join the soapbox contest?

Last year, I had a lot of respect for the contestants that were brave enough to stand on the soapbox. Since I was new among the Dutch community in Hong Kong, I thought the opportunity to explain what I do to a crowd would be good for me as well. So I enrolled that evening, one year ago. This was a decision I did regret as 2016's soapbox contest date approached, as it's quite scary for me to speak like that in public.

What do you think is the success factor of the soapbox contest?

It is a very good mix of business and relaxation. Since it is one of the last drinks of the year, people come to wind down. But the contestants actually have a very good platform to reach out to the people present.

What was your aim?

To not bomb my speech. The goal of the speech was to rouse the crowd, tease them about being in Hong Kong instead of on the Mainland, but still get people interested enough without making them negative about the subject. I preached about the opportunities in China and the "forgotten glory" of Hong Kong. A subject which might not have been appreciated to be brought up if I formulated my speech wrong.

What was your highlight in 2016?

A little over a year ago, I was working from home and after signing our first client in Shenzhen I finally felt I could turn on the air-conditioning. I was afraid of going belly up with the business before we could even start. The overall highlight of 2016 is that, right now, I am sitting in a comfortable office, with staff, new computers and am running a profitable company. After working my figurative ass off, that is very rewarding.

What is 2017 going to bring you?

No clue. The only thing I know is that whatever it brings, I will grind away and make use of the opportunities.

What is your message to our members?

If you have any questions about doing business on the Mainland, just reach out to me. I like talking about doing business here, so just sparring over a cup of coffee while getting to know more people sounds good to me already! •



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Protect your IP at the border

European SMEs have increasingly benefited from the customs authorities acting to prevent counterfeit products from entering their borders. Unlike most countries, Chinese customs authorities not only have the power to examine and seize criminal imports, but also exports, if IP rights are recorded.

IP rights can be recorded with the General Administration of Customs (GAC) in Beijing. Although it is not compulsory to do so in order to apply to local customs for enforcement proceedings, it is highly recommended because if the rights are registered, customs has the power to detain any consignment of goods suspected of infringement. In addition, local customs offices are more proactive when IP rights are recorded with the GAC because the record provides customs officials with easy access to internal IP databases and makes it easier to determine whether goods passing through customs are genuine or counterfeit. Recordal of IP rights also facilitates initiating customs enforcement proceedings.

Recordal of IP rights with the GAC

Trademarks, patents (including utility models and design patents) and copyrights can be recorded with the GAC. Separate applications need to be filed for each IP right. The registration is free of charge and the following documents must be submitted:

- A copy of business registration certificate (including a Chinese translation)
- A copy of IP certificate (China registration)
- Information regarding related licences, photos of the goods and their packaging
- A power of attorney, if an agent files the application

Once customs approves the recordal, it will be valid for 10 years, subject to renewal.

Customs Enforcement Proceedings

If an SME suspects that infringing goods are to pass through the customs, they may file an application with the local customs office at the place of entry or exit of the infringing goods. The customs office normally requires a deposit to cover potential losses of the consignee or consignor and/or costs incurred due to warehousing, storing and destroying any infringing goods.

If the customs authorities suspect an infringement, they will request the consignee/consignor to make a declaration regarding the IP rights of such goods. If the declaration is not provided, the authorities will suspend the release of goods and notify the IP right owners immediately. IP owners must act within 3 days of notification, to file an application of detention of goods and start customs enforcement proceedings as well as provide the deposit to the local customs office. Given the short deadline, if a guarantee is made by a bank transfer from an overseas account, the local customs authorities usually accept an advance copy of the bank transfer slip as preliminary evidence of timely submission of the guarantee. This Ex Officio action is only possible if the IP is registered with customs.

IP owners also have to confirm whether the goods in question are counterfeit. The customs authorities will make a final decision as to whether the goods infringe IP rights within 6 months, followed by the decision of whether to detain and destroy the goods. Customs authorities can also fine the consignee or consignor. If the value of the infringement exceeds limits stipulated in the PRC Criminal Law, the customs authorities will submit the case for criminal proceedings.

The customs authorities will inform IP owners about its final decision and return any security payment made, after deducting expenses (warehousing, destruction, etc.).

Points to Bear in Mind

- Recordal gives customs the ability to intercede autonomously if they believe that infringing goods are being imported or exported.
- In order for the customs authorities to make proper and quick decisions, SMEs should maintain close contact with the customs authorities. It is particularly important to provide customs authorities with a comprehensive description of SMEs' products, including pictures and samples, so that they can easily recognise counterfeit goods. Customs authorities are also generally willing to attend 'training' meetings organised by IP owners to maximise detection of counterfeits.
- SMEs are obliged to provide customs with as much information about the IP right as possible, if they wish to continue benefitting from this service. For example, it is required that if there are any changes to the information made in the recordal application, customs must be notified within 30 days. Failing to meet these obligations can lead to the cancellation of the recordal. •

China IPR SME Helpdesk

The **China IPR SME Helpdesk** supports small and medium sized enterprises (SMEs) from European Union (EU) member states to protect and enforce their Intellectual Property Rights (IPR) in or relating to China, Hong Kong, Macao and Taiwan, through the provision of **free information and services**. The Helpdesk provides jargon-free, first-line, confidential advice on intellectual property and related issues, along with training events, materials and online resources. Individual SMEs and SME intermediaries can submit their IPR queries via email (question@china-iprhelpdesk.eu) and gain access to a panel of experts, in order to receive **free and confidential first-line advice** within 3 working days.

The China IPR SME Helpdesk is co-funded by the European Union. To learn more about the China IPR SME Helpdesk and any aspect of intellectual property rights in China, please visit our online portal at <http://www.ipr-hub.eu/>.

Confronting digitisation challenges

The technological disruption reshaping industries has come to insurance. Rapid technological adoption is changing the core traditional relationship between insurer and consumer. Consumers are looking for insurers to serve their needs in ways similar to many other industries.



Saskia Bosch van Rosenthal

■ By Saskia Bosch van Rosenthal, Director, Consulting, PricewaterhouseCoopers, saskia.bosch.van.rosenthal@hk.pwc.com

Regulators and insurers are also dealing with something else: rebuilding trust in the industry that has suffered from misselling issues. Over 60% of the insurance CEOs taking part in PwC's Global CEO survey see lack of trust in the business as a threat to growth. Regulators have responded accordingly: Hong Kong's OCI introduced guidance for insurers with the GN15 and GN16. Some are also increasing the metrics to judge insurers' and agents' performance with customers. The BNM in Malaysia will introduce balanced score cards and measure non-sales KPIs starting in 2018, like MAS did before, while JFSA in Japan plans to develop a set of benchmarking indices to assess financial institutions' contributions to their customers. A bill of rights of policyholders was issued in Philippines, enumerating rights like prompt and fair settlement of claims, and the right to be offered a duly approved insurance product. Trust can be built on the sell-side, but greater information access on the buy-side will be key to maintain it. This could include giving policyholders online access to their information, and initiatives like regularly updated expected returns of their products will help as well. An automated and transparent online claims process is another means to increasing trust in the insurance sector.

Digitisation supports customer centricity as well as (re)building trust

Insurers respond to the challenges (and promises) above by using digital tools and technology in serving their customers, sometimes across the entire value chain. They are getting closer to consumers and create genuinely customer-centric products, services and solutions. This digitisation of the insurance industry has benefits for both insurers and customers. In addition to creating a better customer experience and rebuilding trust, digitised insurance will lead to lower transaction costs, whether back offices are digitised, or a full digital channel is offered to customers. Savings can come from something as simple as an app to allow a customer to make updates since she met with the agent, taking out an expensive call centre contact. At the same time, insurers will need to manage the tension between selling insurance in person and online: agents will continue to maintain their importance, not only as sellers of insurance products, but also as the human face offering customer service in an increasingly online business.

A regulatory angle to digital

Several of these attributes have a regulatory angle that is worth exploring. Three are highlighted here.

Firstly, data analytics is a component of digitisation that has huge impact on how insurers operate. Moving from data to insights is

proving to be no mean feat. As it is relatively new, insurance provided with the help of algorithms, robotics and data analytics raises questions about the role of judgment and liability in providing insurance products without a human-to-human interaction. Regulators have to develop regulation that protects the consumer without limiting innovation.

Another area of regulatory uncertainty is around replacing the 'wet signature' and other manual identification procedures with other potential authentication mechanisms such as biometric identification. There are so many other options, almost all of which are stronger, more reliable and more robust than a signature. An example is facial recognition software in combination with voice or a device. However, regulatory clarity is often lacking in this area.

Thirdly, the rise of insurance price comparison websites is evident in the new competitive environment. Websites such as GoBear and compareFIRST are increasing comparability and transparency in the market. The simpler products are, the better they can be compared online, and the more transparency is created.

Opportunities come with challenges

However, digitisation poses challenges for the insurance sector. Insurers need to transform their business models to be ready to adapt to change quickly and embrace a new way of working. And they have to do so in an environment of regulatory uncertainty due to the sheer pace of change.

Regulators need to work out how regulation should change to facilitate digitisation. They need to think deeply about how to allow for more choice in the market, while also making sure that consumers have the information and protection they need to make the right decisions.

Alignment through engagement

Insurers and regulators need to move forward together, and engagement is key. They should have dialogues on the impending changes and what they could mean for regulation. MAS is already helping to facilitate these discussions with the creation of FinTech roles, such as Chief FinTech Officer, and/or a 'sandbox' space. Insurers need not go at this alone: industry bodies like the HKFI in Hong Kong and the LIAJ in Japan are well positioned to help shape the dialogue and drive change with an eye on industry as well as consumer. •

Why Suitsupply thinks it can beat Hong Kong's retail slump

Despite the continuing fall in retail sales – the city's luxury sector suffered a 10.5 per cent drop in the first half of 2016 – Suitsupply has opened its first Hong Kong store in Central, and a big one at that.

■ By Abid Rahman, South China Morning Post



Retailers in Hong Kong's Central business district have endured more bad news than good over the past year, but the area still has cachet with international brands looking to enter the Hong Kong market.

In early December, Dutch tailor Suitsupply opened its first boutique in the city, taking a large space on Ice House Street. The move is a statement of confidence in Hong Kong retailing, according to the company's founder and chief executive, Fokke De Jong.

"We've looked at Hong Kong for a long time and we're confident. Our online business here is very strong so that's a good indicator," he says.

Suitsupply's arrival is a stark counterpoint to the departure, actual or pending, of big fashion retailers from Central such as American giants Coach and Abercrombie & Fitch, the latter set to vacate its Pedder Building premises with their HK\$7 million-a-month rent. Suitsupply's Ice House Street location is impressively large at 6,700 sq ft, making it one of the biggest high-fashion store openings anywhere in Hong Kong in 2016.

The store has a small ground-floor entrance but opens out into a sprawling first floor that features sections for bags, shoes, evening wear and made-to-measure tailoring. De Jong says locating the store away from street level and making it less obvious and visible is deliberate and part of its "location-based" strategy. "By that I mean we have huge stores in out-of-the-way places. People will go out and find us," says De Jong. Some of these "crazy" locations De Jong mentions include lofts spaces, rooftops and even a full villa.

Suitsupply, which eschews all traditional forms of glossy fashion advertising, relies instead on its retail experience, which is both old and very new. For example, De Jong says the brand has tailors at all the company's stores, who can provide tailoring services within half an hour. He says that few other quality menswear brands offer such immediate service.

As well as challenging the traditional tailors in the city and fast fashion retailers such as Zara and Massimo Dutti, Suitsupply is a direct challenge to higher-end luxury menswear brands with its accessible pricing – an alterable Italian-style grey wool suit can cost as little as HK\$3,000, several thousand dollars less than some of the more stellar Italian and British menswear brands.

"We bring quality, hand-crafted clothes and the best materials all for a more attainable price," says De Jong of the brand's appeal. How is Suitsupply able to provide such high quality at relatively low prices? De Jong says the key is the "vertical" nature of the company: "We design, manufacture and sell ... everything is in our own hands." Having out-of-the-way locations which cost less to rent and relying on social media instead of traditional advertising keep expenses down too, he adds.

Suitsupply was established by De Jong in 2000, during his time at university, when he would travel to Italy buying up suits and then selling them on campus. De Jong became so successful at it, he quit his studies and began selling clothes full-time, although scaling up Suitsupply was fraught with challenges. "Nobody wanted to sell their fabrics to me at first," says De Jong, who insisted on using the best Italian fabric mills for his suits. He says it took a great deal of time and effort to build relationships with Vitale Barberis Canonico and Reda, two of the more famed mills from the Biella region which supply the likes of Ermenegildo Zegna. Today, Suitsupply is one of the Biella region's biggest customers and De Jong says his company has helped secure jobs in the area.

Returning to the theme of opening in Hong Kong during a dip in retail fortunes, De Jong says Suitsupply has always taken a different path to traditional retailers. Though the Hong Kong store has only been open a short while, De Jong is confident Suitsupply's offer will resonate with Hong Kong men. "We bring new energy to tailoring, we're not pretentious or serious. We bring fun to menswear and make it less intimidating," he says. •

Out of Sight, Not Out of Mind

Employees of all levels of seniority are increasingly expected to travel around Asia for client presentations, meetings and short-term assignments, bringing numerous benefits. However, companies may not be aware of their legal exposure when they send employees abroad for work.



■ By Aran Alexander, Senior Associate, Baker & McKenzie Wong & Leow

‘We need you to fly out for meetings next week’, is a common statement in today’s workplace.

As Asia gets ‘smaller’, more employees and managers have regional responsibilities beyond the country in which they live and work. Multinational companies no longer just look in the same office, or even the same country, to find the expertise required to complete a task or to solve an issue. Portable project teams are becoming more common, as they prove to be an effective business tool. Employees of all levels of seniority are increasingly expected to travel around Asia for client presentations, meetings and short-term assignments.

“The benefits of flying employees in and out are numerous. However, companies may not be aware of their legal exposure when they send employees abroad for work.”

The benefits of flying employees in and out are numerous: better collaboration between colleagues, productivity improvements, sharing of knowledge and having the right people at the company’s disposal. However, with benefits come risks, and companies may not be aware of their legal exposure when they send employees abroad for work.

Natural disasters, terror attacks, civil unrest, nuclear accidents, military coups and epidemics (bird flu, swine flu and now Zika) have all occurred in Asia recently. Employers must be mindful that sending employees overseas, even just for a meeting, may give rise to different or increased risks. Out of sight should not mean out of mind, particularly when it comes to your legal obligations to employees.

In common law countries, such as Singapore, Malaysia, Hong Kong, Australia and New Zealand, employers owe a duty of care, in one form or another, to provide a safe work environment for their employees. This obligation does not cease simply because the employee temporarily leaves the office or the jurisdiction. In fact, an employer in Hong Kong is held to a higher duty of care when sending an employee to work in a less developed location, especially where health risks are not fully known (in that case, mainland China).⁽¹⁾

In Indonesia’s civil law system, various labour laws, regulations and decrees create a general duty to ensure the health and safety of employees at work. This does not expressly extend to work performed outside Indonesia. However, if the worker remains employed by the Indonesian company during an overseas assignment, arguably, the Indonesian labour law will apply to any work-related incident.

With the development of work safety and health laws over the past two or three decades, various obligations to protect workers have also been enacted into legislation, codes, ordinances and regulations throughout the Asia Pacific region. An analysis of the different countries’ laws shows that none specifically contemplates risks or accidents occurring outside the country. However, the broad language used in the laws of countries, such as Australia, China, Vietnam, Singapore and Hong Kong, means that there may be legal consequences in those countries (including prosecution, penalties and imprisonment of senior management) if the employee suffers an injury at work whilst overseas.

Legal considerations:

- Duty of Care
- Work Health and Safety obligations
- Workers’ compensation/Accident Insurance
- Anti-Harassment/Discrimination/Bullying laws

Regulation relating to workers’ compensation and accident insurance is another potential source of liability for employers. The *Law on Occupational Hygiene and Safety*, which came into effect in Vietnam on 1 July 2016, applies to ‘labor accidents occurring outside the workplace or outside working hours but on assignment from the employer’. In Vietnam, employment law must be interpreted in a way that is beneficial to the worker. As such, an injury occurring on a business trip may still subject the Vietnamese employer to workers’ compensation obligations. Similarly, an employee based in Malaysia, Australia, China or Indonesia, who suffers an injury while performing work overseas is likely to be entitled to compensation under the laws of the ‘home’ country.

Like Singapore, Hong Kong is viewed as one of the more ‘employer-friendly’ jurisdictions in the region, with its employment law system being relatively easy to navigate. For this reason, some companies employ workers in Hong Kong and then deploy them around the region. These companies may not be

1. *Li Hoi Shuen vMan Ming Engineering Trading Co Ltd* [2006] 1 HKC 349.



aware that if a worker with a Hong Kong employment contract is injured while performing work outside Hong Kong, the *Employees' Compensation Ordinance* expressly applies, and the employer may be liable to pay compensation in Hong Kong.

What if an employee suffers harassment whilst on overseas assignment? Whilst Singapore's *Protection from Harassment Act* does not impose specific obligations on employers, it does apply if the victim was outside Singapore when the incident occurred. A Singaporean employer could be vicariously liable if the harassment was perpetrated by a colleague, or if the employer placed the victim in an unsafe environment. The Hong Kong *Sex Discrimination Ordinance*, on the other hand, only applies to sexual harassment occurring in Hong Kong and does not extend to harassment that occurs during an overseas business trip.

For companies with operations in multiple countries throughout Asia Pacific, it will be necessary to understand the different obligations under the specific laws of each jurisdiction. However, it may be possible to adopt a best practice approach, including using a 'checklist' prior to an employee undertaking any business travel:

- Is the destination known to contain risks to health and safety?
- Have you checked current travel warnings and advisories?
- Have you taken steps to identify any safety risks at the location(s) the employee will be visiting?
- Have you arranged an induction for the employee with the controller of the premises (e.g., local office management or the client)?
- Have you provided the employee with information on local risks/dangers?

- If risks do exist, have you considered alternatives (e.g., security measures, postponing travel or video-conferencing)?
- Has your company appointed someone to monitor these issues?

If an employee does suffer an injury or illness whilst on a work trip, various questions will arise, such as:

- Was the incident in the course of their employment (or, for example, did it occur 'after hours' or on a personal side trip unrelated to their work assignment)?
- Does the company have a history of work-related incidents/accidents?
- Was the risk foreseeable?
- Did the employer take all reasonable steps to keep the employee safe?
- Did the relevant managers and directors of the company exercise due diligence to prevent the risk?

Managing risks and keeping employees safe when they are not present in the country present challenges for any company. However, this is not the concern of governments and lawmakers, who are focused on eliminating work-related injuries and fatalities and industrial disease.

Notwithstanding the differences in law between the countries, employers in Asia Pacific are expected to take a proactive approach in protecting the health and safety of all their employees, regardless of their location at any given time. This will require companies, including the highest levels of their management, to provide the thought and resources required to identify and meet their various obligations. •

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701 Place Café N Restaurant opens its doors in Yuen Long

On 3rd December 2016, DutchCham's Office Manager Helen Yong officially opened the doors of **701 Place Café N Restaurant** in Yuen Long with a traditional ceremony with a Dutch touch.

■ By Caroline Schikker



Although Helen already has a full-time job at the Chamber as Office Manager for already 8 years, her husband Wang Cheung and Helen decided to open a restaurant in Yuen Long, New Territories. It is a casual restaurant with a great outdoor area, which is quite unique in Hong Kong. The relaxed ambience directly puts you at ease and their guests can even bring their furry companions to accompany them.

Consul General of the Kingdom of the Netherlands, Annemieke Ruigrok, and Dutch Chamber's Chairman Daniël de Bloq van Scheltinga, were guests of honour at the opening. After they officially opened the restaurant by cutting the ribbon, accompanied by Yuen Long District Council members, Mr. Ching Chan Min; elected member of Shap Pat Heung West, Mr. Lam Tim Fook and Mr. Cheung Chin Nam as Yuen Long's government officials,

a local lion dance was performed to scare away the bad spirits and bring prosperity and good luck. After lots of firecrackers, it was time to celebrate with some delicious crispy pork and ... yes there is the Dutch touch ... kroketten & frikadellen!

At 701 Place you can order your everyday local Hong Kong-style dishes, but if you are in the mood for more Western food you are also in the right place. Don't forget to try the typical Dutch snacks for a very Dutch price! •

701 Place is just at the end of Tai Tong Nature Trail, so a perfect spot to drop by after a heavy day of hiking!
701 Place, 701 Shui Tsiu San Tsuen, Tai Tong Road,
Yuen Long, New Territories
Tel: 2959 3004 Mob: 9224 9599

“Where is the border?”

I could say we live in a world of extremes. We need to deal with governments at state, provincial and city council level. Most of them have autonomy within their borders regarding how to bring their territory into the circular economy and are left alone to define waste management practices. But are they really alone?



■ By Bernard F. Scheffens, CEO, WSS Asia Ltd.

When we look at the movement of waste on a global scale, we see waste moving around internationally, in a word: trading. Once a governmental body does not have the capacity to treat the waste generated, trading waste might be a good solution. China is buying paper from the Netherlands, the Netherlands incinerates waste from the UK and Italy (Napoli) and we could go on like this.

Is waste borderless? To a degree one could say yes, although many countries have signed a treaty that waste import (and export) is bound by, indicating that exporting without any restriction is not possible. Under this treaty, the governments of both countries need to approve the movement and treatment of waste.

While this is the current practice, and although not all countries have committed to this treaty, the new phenomenon of circular economy is raising new questions. Circular economy is all about a different way of handling resources. As illustration, it has been predicted by the World Economic Forum and others that by 2050, the Earth's resources will not be able to satisfy the economic needs of the world.

Some countries may need more resources than others based on population figures, but the type of economic reason (industries) for existence also needs to be taken into consideration when calculating need. Let's have a look at Hong Kong and China. In Hong Kong there is hardly any manufacturing with its main industry being finance and financial services. However, 7.2 million people generate a lot of waste.

To create a circular economy, it is not only about producing recyclable goods, but also separating them once used to create new resources from the materials. That would be a first step, along with other elements important to a circular economy. But, then one would need a recycling industry to treat all the fractions created in a way that new resources are the outcome. And that's where Hong Kong has a little issue.

Despite the efforts of the government to create a fund of €100 million to stimulate entrepreneurs and start recycling businesses,

“Hong Kong could benefit by trading their waste ... to China and both sides would benefit.”



it is still limited. So, when the landfills are full (estimated to happen in 2019) and the Waste-2-Energy plant is not ready yet, what to do with the amounts of waste dumped into the landfill?

At this point we need to think without borders. In China, there are huge efforts underway to structure their waste management process and take advantage of waste turned into new resources. China is to a large degree a manufacturing country, and even if it were to be less so in the future, it would still be of an unseen magnitude. The resources required to keep the economy running are right there. Hong Kong could benefit by trading their waste, if separated and treated well, to China and both sides would benefit.

No borders would mean intensive cooperation, and the Pearl River Delta could be an example beyond imagination, and maybe one day that will be the case. And by the way, just to touch upon another polluting topic: air does not have a physical border, and polluted air is a concern for all of us. Reducing CO2 is a vital element, also by reducing and separating waste. Please refer to my previous article in this magazine about this.

My view is that if we talk about borders, I would prefer to speak about identifying opportunities and that there are no limits. Once the interests are aligned, there will be ample opportunity for all in this region, which could be a front-runner in creating a circular economy, without limits, borderless. We all share this problem, and hopefully the Paris Climate Conference will be a guide for the future.

In conclusion, to answer the question: “Where is the border?” The answer could be: “As far away as you like.” •

Brexit is coming

Brexit is coming in 2017, or at least Theresa May has indicated that she would trigger the formal procedure for Brexit in 2017. Until this procedure has finished, it remains unclear exactly when and, more importantly, how Brexit will be formalised.



Rolf Sperling

■ By Rolf Sperling, Associate, Loyens & Loeff, rolf.sperling@loyensloeff.com

Part from the immediate impact on the stock market and political landscape, Brexit will of course also have an impact on the legal landscape in the EU. To a certain extent (legal) borders will be put back into place, but it is uncertain at this stage how far these borders will reach. To provide a very brief insight into such consequences and possible questions that have to be tackled in the formal withdrawal process, I will note some implications for Dutch (and EU) restructuring and insolvency laws.

Article 50

What Theresa May has actually indicated is that she would trigger Article 50 no later than the end of March 2017. But what is Article 50? Article 50 of the EU Treaty offers EU member states an explicit legal basis on which they can leave the EU. Pursuant to this Article, the UK can start the exit procedure by giving notice to the European Council, which is the part that Theresa May is referring to. An exit agreement will then have to be concluded on behalf of the EU by the Council, acting upon a qualified majority and after having obtained the consent of the European Parliament. This exit agreement must set out the arrangements for the UK's exit and take account of the framework for the UK's future relationship with the EU. If this procedure runs smoothly, it is expected that the UK will formally leave the EU around two years after Article 50 has been triggered.

Example of Brexit effect: cross-border insolvencies

It is however uncertain how the procedure will be followed after Article 50 is triggered and there are a lot of matters to be discussed and issues to be resolved. For instance, the legal certainty that EU regulations provide for cross-border situations will have to be addressed for a number of areas. For cross-border insolvencies, the Insolvency Regulation provides this certainty. Amongst others, the Insolvency Regulation determines which member state is the appropriate jurisdiction to open insolvency proceedings for a company and therefore prevents that competing insolvency proceedings are opened in different member states for the same company. For this purpose, if insolvency proceedings are opened in for example the UK, such insolvency proceedings will be automatically recognised in the Netherlands on the basis of the Insolvency Regulation without any further formal steps being required in the Netherlands (and vice versa in case of a Dutch insolvency proceeding). Since the Insolvency Regulation is directly applicable in the UK, it will cease to be effective in the UK following Brexit unless replacement legislation is given effect before Brexit.

Possible outcomes

When the UK leaves the EU, the Insolvency Regulation will in principle cease to be effective in the UK. As a consequence, the domestic law of each member state will in principle determine whether a UK insolvency proceeding is recognised. The post-Brexit legal framework applicable to insolvency proceedings will largely depend on the result of the negotiations with the EU and the exit agreement. The UK and the EU could agree that the Insolvency Regulation continues to apply between the UK and the member states, but this scenario seems unlikely. Alternatively, the UK could use bilateral treaties with all member states to deal with the recognition of insolvency proceedings, which will obviously require a lot of negotiations.

If there is no harmonised set of rules applicable between the UK and the member state, and the domestic rules of each member state will be leading, the old "borders" prior to the Insolvency Regulation will (in a certain way) again be applicable. This means that there is no guarantee that the domestic rules of each member state will treat a UK insolvency proceeding similarly, which creates inconsistencies and uncertainty. The opening of insolvency proceedings in the UK would no longer be recognised automatically in the EU and vice versa, and any such recognition would operate solely on a comity basis. The insolvency practitioners may not have authority over the assets located in the UK and the lack of harmonized rules is likely to lead to a longer and more complex, and hence more costly, process of recovering assets and distributions and the results across the jurisdictions may not be consistent.

Until Article 50 is triggered and the formal procedure has been followed, it remains uncertain what the impact will be of Brexit on the legal landscape between the EU and the UK. However, it is clear that there are a lot of legal points that need to be addressed. •

“When the UK leaves the EU, the Insolvency Regulation will in principle cease to be effective in the UK. As a consequence, the domestic law of each member state will in principle determine whether a UK insolvency proceeding is recognised.”

When Substance Counts

Without sufficient tax substance, a company incorporated under Hong Kong Law may be subject to profits tax in Hong Kong and in other tax jurisdictions.

■ By Willem Jan Hoogland (taxservices@hkwy-taxlaw.hk) and David Lo (david.lo@hkwy-taxlaw.hk), HKWJ Tax Law & Partners Limited



Willem Jan Hoogland



David Lo

It is sometimes argued that a company incorporated under HK Law (“HK Co”) will a) automatically be regarded as a Hong Kong tax resident for tax purposes; and b) only be subject to profits tax in Hong Kong but not in other tax jurisdictions.

However, one has to be well aware that if HK Co lacks (has insufficient) ‘tax substance’ or ‘economic substance’ in Hong Kong, HK Co might be considered as having taking up its tax residency in the jurisdiction that has ‘more’ tax substance. As a result, HK Co becomes potentially subject and liable to Hong Kong and foreign corporate income tax at the same time, thereby incurring double taxation. In addition, HK Co might not be entitled to tax benefits (such as reduced withholding tax rates on dividend, interest and royalties) granted under Hong Kong double tax treaties (“DTAs”).

What is tax substance?

There is no definition of tax substance under Hong Kong tax laws. In determining whether HK Co maintains tax substance in Hong Kong, tax authorities generally look at every relevant fact and circumstance of HK Co. The relevant factors include but are not limited to the following:

- Whether the business is managed and controlled in Hong Kong?
- Whether the business is carried out in Hong Kong and if yes, what is the nature of business?
- Whether the directors and other senior management personnel reside in Hong Kong and their respective roles and responsibilities?
- Whether directors’ meetings are held in Hong Kong?
- Whether physical office(s)/warehouse(s)/other forms of establishments are maintained in Hong Kong?
- Whether any staff is employed in Hong Kong?
- Whether and how many bank account(s) is maintained in Hong Kong?
- Whether fixed assets and cash are kept in Hong Kong?

The more of the above activities take place in Hong Kong by HK Co, the stronger a claim for having sufficient tax substance by HK Co in Hong Kong can be ascertained.

Adverse effects of insufficient tax substance in Hong Kong

As mentioned, inadequate tax substance maintained by HK Co in Hong Kong will potentially result in two major unfavourable consequences, which are further discussed below:

Exposure to corporate income tax in foreign jurisdictions

The place of management and control of a company is usually one of the critical factors in determining tax residency. Therefore, HK Co, although incorporated in Hong Kong, but managed and controlled from a foreign tax jurisdiction, is likely to be regarded as a tax resident in that foreign tax jurisdiction whereby it then will also be exposed to foreign corporate income tax.

Failure to obtain a certificate of resident status (“the Certificate”)

In order to enjoy certain tax preferential treatments under the Hong Kong DTAs signed with 35 tax jurisdictions, HK Co has to be qualified as a Hong Kong tax resident. This assessment is made by the Hong Kong Inland Revenue Department (“HK-IRD”) and upon a positive assessment, results with the issuance of the Certificate. One of the HK-IRD’s major considerations in assessing the application for the Certificate by HK Co is whether HK Co maintains sufficient tax substance in Hong Kong. It is observed that the HK-IRD has become more and more stringent in reviewing the application for the Certificate in recent years, probably due to international pressure on combating treaty shopping.

For the purpose of obtaining the Certificate, an application form prescribed by the HK-IRD must be completed in which applicants have to provide, amongst others, their particulars and details regarding the tax treaty benefits to be claimed, as well as answer a number of questions in connection with tax substance as mentioned in items (1) to (8) of paragraph 2 above.

In case the information supplied in the application form is not sufficient for assessing the application for the Certificate, the HK-IRD would probably issue follow-up enquiry letter(s) to applicants requesting additional information/supporting documents.

Conclusion

It is vital for HK Co to keep sufficient tax substance in Hong Kong with a view to mitigate its foreign tax exposure as well as obtain the Certificate from the HK-IRD smoothly and successfully for the purpose of tax treaty benefits. One should note that further to implementation of automatic exchange of information in the near future, tax information will be more and more transparent among tax authorities of various jurisdictions. •

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Where is the border?

“The past is a foreign country; they do things differently there.”

— opening line from L.P. Hartley’s *The Go-Between*

■ Column by Ralph Ybema, rybema@chinaltd.com.hk



Ralph Ybema

Last week was the first time I shared an article on LinkedIn. I admit to being somewhat deterred from sharing entertaining news by the ubiquitous complaints about frivolous posts belonging on Facebook. The less entertaining news being, well, less worthy of sharing, hence my reluctance.

The rumored offer to Lionel Messi by a Chinese football club for an eye-watering GBP 500 Mio left me with no option but to break the deadlock. My immediate thoughts when reading this took me back to L.P. Hartley’s timeless quote. And yes, I confess to using that same line in one of my previous columns in this magazine. After all, timeless means reusable ad infinitum, does it not?

The article itself already queried how Messi’s local teammates would feel to be playing alongside a chap who is paid the GDP of a small country in annual wages. My thoughts precisely, but with a twist. It took me right back to the days I was involved in my first China joint venture negotiations.

Those were the days before China entered the WTO. Now I am not about to argue that today’s Chinese foreign investment climate is exactly “WTO compliant” both in letter and spirit, far from it. But as with many things in China, we’ve come a long way from blanket bans on foreign trade investment, Wholly Foreign Owned Enterprises selling locally and English language contracts.

Sino-Foreign Joint Ventures then were the de facto sole option for foreign investors to enter local markets. In joint venture discussions, the Chinese party would invariably refer to the guiding principles included in standard JV contracts. These also being the pre-internet days, the standard contracts came as part of all handbooks on foreign investment issued by the PRC government.

There was, of course, the principle of *pingdeng huli* or “equality and mutual benefit”. Like “equal work, equal pay”, this sounds noble enough. But with expat managers paid north of USD 300,000 and locals earning below USD 10,000, its main purpose was a handy negotiation tool.

The tables of financial power have since been turned. China may no longer be top creditor to the US, but it still sits on vast foreign currency reserves. Those are currently employed all over the planet to secure natural resources, buy prime real estate and with it, diplomatic influence and loyalty. A typical Sino-foreign deal today involves Chinese parties with very, very deep pockets.

Messi would be a case in point. And don’t hold your breath for “equal work, equal pay”. His teammates would probably be fired on the spot for raising it; such is the new China’s climate. Socialist values have long been completely overshadowed by the “capitalist characteristics”.

In respect of Hong Kong and the mainland, “Where is the border?” is a key question at many levels. Some will argue football is one, capitalism is definitely another. Hong Kong may be known for its raw pursuit of profits and money, but philanthropy and charitable work are very visible. Not so in China, where greed seems the new norm and charity is just another object of forgery.

At the Foreign Correspondents’ Club, also last week, I heard prominent Democrats Dennis Kwok and Ronnie Tong debate the interpretation issued by Beijing’s NPC in the oath-taking case. An oath for Hong Kong legislators to whom, one might ask: to Hong Kong or to Beijing?

Where is the border? If I were born and raised in Hong Kong and my parents or grandparents fled the dangers of a totalitarian state, it would be right at the barbed wire fences of Lo Wu. The third function I attended last week was at the Court of Final Appeal building. Three justices of Hong Kong’s highest court attended, and the question is now in their hands. I don’t envy them. •

Inspiring others and taking down barriers

Helping people recognise they have the power to make an impact and improve performance are all in a day's work for leadership consultants Bart de Wit, Bluwater Consultants and Fleur Smeets-Tonies, FST Consultancy.



Bart de Wit



Fleur Smeets-Tonies

■ By Donna Mah

Bart de Wit, Bluwater Consultants

Born in Brabant, Bart de Wit spent most of his adult life in Utrecht. At 25, he began working as a consultant at Randstad and later moved to Singapore with the company as the Marketing and Sales Director, Asia-Pacific. In 2010, Bart decided to become an independent consultant on a full-time basis. One of his first clients was the Head Office of the United Nations High Commissioner for Refugees (UNHCR) in Malaysia working on micro-finance projects for refugees where he led team-building events and coached team leaders and managers. From this job, Bart made the transition to becoming a full-time Executive Coach and Leadership Development Trainer.

In 2011, Bart moved to Hong Kong and set up Multi Target Corporation Limited now rebranded as Bluwater Consultants. The firm has an office based in Hong Kong with strategic partnerships around the world.

Behaviour affects performance

When asked about what Bluwater Consultant's work involves, Bart explained that they help clients make "changes in behaviour that affect performance."

In most cases, to help clients transition to where they want to be, Bluwater makes suggestions for management coaching, training and skills development. In order to do this, they carry out research and then design a tailor-made program. This is followed by a 2-hour demo held with key stakeholders to "test the waters" and make the necessary changes. Then two pilot sessions of the training are run at two different locations. With the addition of participants' and management's feedback and the facilitator's observations, the program is finalised and rolled out with various trainers globally.

One of Bluwater's partners, a global retailer, wanted help with improving the negotiation skills of their staff with suppliers. After first assessing the existing situation, Bluwater worked to understand what behaviour worked well, what was missing and what could be improved, in line with the company's objectives.



Bluwater Consultant's Bart de Wit in action.

Both the staff and management were happy with the new skills that were learned and performance improved.

After four years of running global programs for the retailer client, Bart observed that, "The relationship has deepened and grown. Trust has been built-up and there has been spin-off to more programs."

Helping leaders lead

When it comes to leadership development, there is no such thing as an "off the shelf" program. In fact, for meaningful change within an organisation, the Change programs that Bluwater runs must be bespoke and collaboration with local management is key to make change sustainable. Bluwater takes a 360-degree view of the situation and tries to connect with all stakeholders in order to understand short and long-term expectations of the business and the individuals involved – the GMs, the directors, etc.

A Leadership Journey can take three up to eight months. The journey is a mixture of events including 1-2 day workshops, skills workshops, project work and individual coaching. For the 1-2 day workshops, the CFO may be asked to talk about the company's 3-year strategy, not only so the senior managers are all aware of the plans, but also so that they have the opportunity to see how they (and their division) can contribute. For skills training, some may involve individual development or small group training. Presentation skills and Executive Communication are examples of skills that clients ask for training in. The program also puts participants in what Bart refers to as a "pressure cooker" situation by giving them a real business case that they must solve. Participants work within a small team to access the

Lead Story

“problem” and develop a plan to solve it over a 2-day period. At the end of the workshop, the teams must present their plans to senior management.

Is there a manual?

There is no “manual” for changing behaviour. The services Bluwater offers are customised for each client.

As follow-up to a session, the participant creates his/her own Development Action Plan. The employee is encouraged to reach out to his/her line manager to help them to achieve their goals. To help managers, Bluwater also coaches managers on how to help their employees in learning and developing. Small changes can have a great effect.

While there is no one manual for effecting change in an organisation, there is also no “miracle pill”.

“Change takes time and commitment is very important. The individual must ask themselves if and why they really want change to increase success,” Bart explained.

Empowering leaders

Listening to people and asking questions is key to the job Bluwater does. Answers are not necessarily offered but as a facilitator, Bluwater helps clients to explore possible solutions that they themselves have come up with.

When managers are able to use the Coaching for Leaders’ tools that Bluwater teaches them to empower their teams, they are much more receptive to coaching and come to embrace it. Bart has often been told by clients that they wish they had done the Coaching for Leaders workshop earlier, “It would have saved me from a lot of struggle.”

How does it work?

In a large company, Bluwater usually works with a Learning and Development department in collaboration with the organisation’s business leaders to create the programs they would like. Part of the department’s job is to help to sell the programs internally as not everyone is open to the idea of coaching or training.

With a Leadership Development Program a sponsor is needed in the company to support the program. This is usually the CEO. Bart discusses the proposed programs with the CEO in what is often a very frank conversation about what is needed and what needs to be done.

Once the program is rolled out, senior managers become mentors for the staff and can receive coaching and training with the help of external coaches.

Group dynamics

With training, a certain level of sharing must occur and it is the job of the trainer to draw the information out of the participants and dig deeper to find what Bart referred to as the “hidden roadblocks”.

In Asia, Bluwater is often asked to help with being more assertive, sharing an opinion, speaking in public and challenging a superior. In a training situation, Bart starts off by sharing his own example of a behaviour he had to change himself with the group. He then breaks the group off into pairs, and the each participant is asked

to share with their partner something they would like to change or improve. People are not always comfortable sharing what may be considered a weaknesses with a group, but may be more willing to do so in small groups or in pairs.

No borders

In Bluwater’s work with clients, they are sometimes told that some behaviours are not culturally acceptable or simply, “it’s different in our culture”. However, Bart asks the question, “Is the person you’re dealing with from your culture?” If the answer is “no”, then it may be important to adapt your behaviour to the other person’s culture to make the interactions more successful, especially in the case of a customer situation. By taking on the challenge to change behaviour, the people that Bluwater has worked with have made breakthroughs that have helped them perform their jobs better.

For more information, please visit: bluwaterconsultants.com.

Fleur Smeets-Tonies, FST Consultancy

Dutch-born Fleur Smeets-Tonies is a consultant who is passionate about helping people define what they want to achieve and how to optimise their performance. Fleur has lived around the world in the Netherlands, New York, England, Uganda, Shanghai and now Hong Kong.

After spending over 3.5 years in Shanghai, Fleur and her family took the decision to move to Hong Kong with the chief motivating factor being the rising pollution levels in the city. Prior to Shanghai, Fleur worked as a consultant and as Human Resources Director for an international law firm. At the time of moving to China she was pregnant and because of this, decided to do independent advisory work instead of finding an in-house job. A few of Fleur’s former clients from Europe were her first clients and her business began to flourish.

Fleur currently runs her own consultancy, FST Consultancy. One of her most significant clients is Meritas, for which she serves as a Director. In her role with Meritas, she works with highly motivated managing partners of national law firms and works with them to optimise the impact of their membership with the Meritas affiliation.

As an advisor and coach, Fleur has fulfilled assignments in the field of Organisational Development, Change Management and Leadership, as well as Personal and Team Development.

Performance Optimisation

Fleur is a specialist in Performance Optimisation. While that might not be a term that is familiar to everyone, it is important for company leaders to be aware of what it is in order to do their jobs better.

“To explain what I do I often refer to the economical awareness that when dishonesty and mistrust in organisations occur – either due to change, culture or individuals – value starts to leak. Costs go up and speed – in operation, production, processes – goes down. To avoid these downfalls or to break through these vicious cycles, performance needs to go up – in process, operations and behaviour. I mainly focus on the latter and I do this from a systemic approach,” Fleur explained.

With a broad range of clients, FST Consultancy has a diverse range of people it works with. “Our clients vary from large multinationals to (tech) start-ups to family enterprises.”



FST Consultancy shows clients how a change in routine can change the dynamics of a situation.

One family enterprise that FST worked with was a young woman who was about to succeed her father in the running of her family's transportation company. The client's initial request was that FST would help her to structure her day more effectively, as the client felt that procrastination was a big issue for her. During her conversation with Fleur, she started asking questions like, "Why am I not being efficient?" This led to the realisation that the client was struggling because she was not happy with the current company culture. She also started to understand that the reason the company was not performing as it should was related to her own communication with the employees and the need to provide a clear message. The client was able to open up and have a conversation with her father about how she would lead the company going forward, and with Fleur facilitating the conversation, she was able to figure out what needed to be done. Through a systemic approach, the client allowed herself to examine how her own behaviour was affecting the company. She realised that though she was part of the problem, she was, more importantly, part of the solution.

Facilitation and conversation

FST helps executives to map out their plan to reach their goals mainly by facilitation and conversation. Fleur helps these leaders to translate their strategic goals into action with their executive team. Through her experience, she has built up an understanding of business cultures and doesn't hesitate to ask the real, and sometimes tough, questions about vision, mission, goals and strategy.

In Fleur's experience, when companies don't function to their optimal ability, it is often – more than people think – rooted in people's behaviour within that company. In most cases, companies attempt to solve dysfunction by increasing reporting so managers can monitor the processes and activities of the workforce. However, this increases costs for the company as the workforce must now spend time on reporting rather than doing the jobs they were hired to do. In these situations, trust must be built up again so that defences may be lowered, removing the need for additional reporting and increasing workforce productivity.

Regarding the work FST does, a colleague said, "Fleur has a real added value when it comes to creating a vision and structuring the key elements of a growth strategy. I especially appreciate her contribution to the development of a positive team spirit [...] where everyone has the space to express his own talent."

Reading the room

When Fleur works with people, she makes use of skills from her more than 15 years of multicultural business experience. As she tells it, "What I do mostly, which may sound strange, is to listen and try to 'read the room' and understand what is *not* being said." It is often what is not being said that is the key.

In the case of a client in the business services industry, there was a need to make a new appointment for a regional position. The most senior person who was next in line for the position was not interested in taking up the job but did not make this known, thereby preventing others within the company, being respectful of the corporate hierarchy, to express interest. This halted the process for filling the position and getting on with the work on hand. FST helped the executives to open up and have the conversation that was needed for a decision to be made.

In some situations, to help to get clients to express themselves, Fleur takes them off-site. Sitting in an office is a routine that many people have but the office isn't a very inspiring place for most. By taking clients off-site, Fleur encourages changing behaviour (of going to the office each day rather than changing the setting from time to time, for example). It shows clients how a change in routine can change the dynamics of a situation.

"Once we took an executive team to a martial arts/boxing clinic in Manila. Suddenly the atmosphere transformed and we had 10 Kung Fu Panda's dancing around. It was absolutely fantastic to see what it did to improve their interpersonal communication," she shared.

No borders

For Fleur, the existence of borders has never really been a barrier to how she views the world. A seasoned traveller who "doesn't believe it is just now that borders are disappearing", Fleur believes that she encounters no more or fewer borders than she did more than 15 years in the middle of the jungle in Congo.

"Being able to look beyond borders is the intrinsic ability of an individual to look beyond perception and interpretation and open up for intention and inclusiveness. Globalisation and social media are just vehicles, or if you like, symptoms of this ability. I don't necessarily feel it's the other way around," she said.

For more information, please visit: <http://www.smeetstonies.com/>.



By Caroline Schikker
Accenture the Netherlands
carolineschikker@gmail.com

Passing the pen

Who am I: I have been the Marketing & Communication Manager for the Dutch Chamber of Commerce in Hong Kong from September 2014 until February 2017. After 3 years in Hong Kong and, before that, almost 2.5 years in Shanghai I decided to move back to the Netherlands in February!

My professional background is: After graduating from the Hotel School The Hague, I moved to Shanghai where I had lived for 7 months for my management internship. My love for Asia grew from there and I really wanted to go back! I worked for a Dutch startup and eventually knew that I wanted to start my own company, so I started a unique catering company with a friend. We've organised the most amazing events and collaborated with, amongst others, the Dutch Consulate, BenCham and the LKF Group.

I moved to Hong Kong because ... after visiting the city for a few times I had the feeling I had to experience it up close. I was very pleased to hear from my predecessor that she was planning to change jobs, as I really wanted to work for the Dutch Chamber of Commerce! I've been enjoying my time at the Chamber a lot, because of my dear colleagues, ambitious committees and the tons of events we have organised together. It was therefore with pain in my heart that I decided to move back to the Netherlands this year ...

I work for: Accenture in the Netherlands as Event Manager Innovation Awards. Because of my experience at the Chamber I instantly knew that I wanted to do something in Event Management and this job is the ultimate job for me! Besides a few smaller events I lead the organisation, production and delivery of their annual Innovation Awards Summit where 2,500 innovators gather to connect, to be inspired and to celebrate innovation.

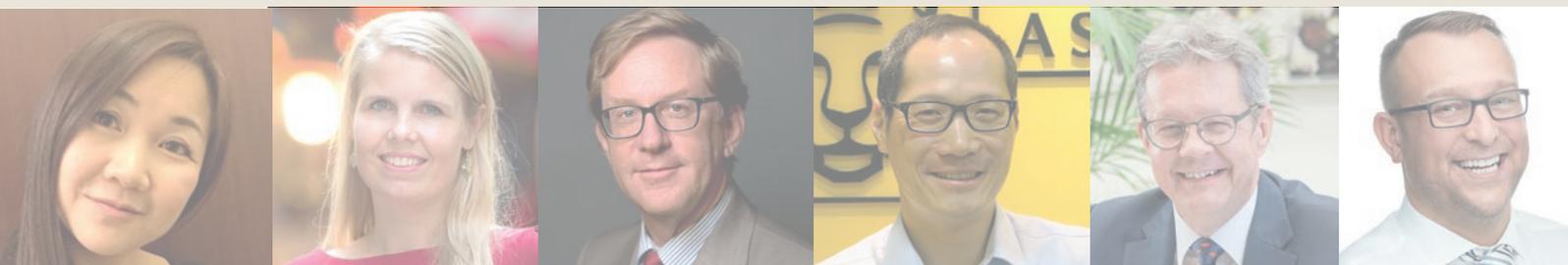
My most remarkable work story relating to Hong Kong is: As I have a hospitality background I was motivated to organise an event for the Dutch food & beverage industry in Hong Kong. In collaboration with the Dutch Consulate we were able to set up the Taste of Holland event, where 14 F&B vendors were able to showcase their products and services. This event turned out to be the Dutch Chamber's biggest event with more than 140 guests!

I find most of my business contacts through: Events of the Chamber of course! With more than 60 events a year, focusing on different industries and target groups. This is the way to meet a lot of people in Hong Kong.

'Where is the border' to me is ... Endless! Wherever you decide to live, there are always ambitious and motivated people full of energy around you to make you feel at home.

25 years ago I was ... I was still very young ... I do remember my mother saying 'that child you can easily live in China and she will still find her way'. Little did she know that that was actually going to happen!

One day I will be: The proud owner of my own Bed & Breakfast in a farmstead somewhere in the Netherlands (or maybe I will find my way abroad again ... who knows!)



Wouldn't it be great: an internet without borders

Travelling abroad becomes cheaper every year. Visa requirements are softened. People travel further away on holidays. The internet helps us broaden our horizons. YouTube introduces us to the smartest way to open a bottle of wine with a broken cork. Information on any topic seems to be just a Google away.



Maarten Swemmer

■ By Maarten Swemmer, marten@apprique.com, www.apprique.com/dc

While it's even becoming easier for Mainland Chinese citizens to travel abroad, the Great Firewall of China shields access to large parts of the internet from within China. Also, more and more governments of other countries are blocking parts of the internet for political reasons.

Apart from these apparent borders, the internet includes a number of less apparent ones. For example, how often do you end up on a German page? Well over 5% of all pages on the internet are in German, but chances are you never get there. Or Russian pages (6.5%)? Hong Kong is a bit weird in that sense: while some websites are dual language (Chinese and English) I often end up on a site that has only one of them (the wrong one for me) when searching for something local.

The internet is full of virtual borders. Many of them are related to languages. The chance of meeting someone from Bulgaria in Hong Kong is higher than accidentally ending up on a Bulgarian website. Other borders are on purpose. The virtually anonymous *Tor network* provides access to websites that most people want to stay as far away as possible from (the Dark Net), but is also used to gain access to social media from within countries like Syria where most of the internet is blocked. In a way, it is an anonymous border crossing and a no man's land in one.

We also choose to set some borders or boundaries ourselves. We have age filters turned on in YouTube and we are in full control of the terms we search for with Google. In Facebook we befriend only the people we like and in Twitter we mainly see tweets of the accounts we follow.

The last kind of borders are set by the media companies. They have one goal and that is to keep you on their site as long as possible, to show you as many relevant ads as possible. They have no interest in presenting you with new views you might oppose (as you might click away) and therefore will shield you from them. During the period leading up to the US presidential elections, there were signs that on Facebook, people with Democratic views were presented the same news topics from more Democratic-minded sources while Republicans saw more headlines from Republican-minded sources. Advertisements tend to align with your known interests because, from a system perspective, you're more likely to click those.

“The chance of meeting someone from Bulgaria in Hong Kong is higher than accidentally ending up on a Bulgarian website.”

When you walk on the street you are more likely to pay attention to things you were already interested in, but you will still see the rest and develop new interests. Possibly more relevant (not more important) than freedom of speech is access to diverse knowledge, not limited by implicit or even explicit borders.

What can you do to remove the borders?

There are a number of things you can do to access a more border-free internet. First of all, to cross the Great Firewall of China (if you are in China) you could use a so-called VPN, in the same way that many hotels in China use them to enable you to post your stories on Facebook. There are many players in this market and although the Chinese government regularly tries to block them, the best ones keep working.

Second, on Facebook, *Like* some pages of companies you are not really interested in, or for example, artists your child likes. It will shake up your profile a bit, and if you regularly do it, you will start seeing more and more interesting things you did not consider before.

Third, surprise Google and make Tuesday your regular day to search for something you never showed interest in before. If you don't explicitly Google for “Bulgarian contemporary art”, you will probably never see it. Google will incorporate it in your profile and present you more diverse advertisements. Alternatively, you could “opt out of seeing personalised ads” altogether in the Google privacy settings (Google for it). You can do this for many other platforms, including Windows and Facebook.

Last but not least, go offline for a while. Explore the borderless world. Do a German course. •

Changing Young Lives Foundation

Changing Young Lives Foundation is dedicated to serving underprivileged children and young people in Hong Kong and the Mainland by providing free educational and developmental programs to inspire them to realise their full potential and lead happy and productive lives.

■ By Changing Young Lives Foundation



Pay It Forward



Slam Dunk Challenge

We provide free-of-charge services to underprivileged children and youths from low income, single parent, new immigrant and dysfunctional families, as well as those with special developmental and educational needs. Our services range from preschool learning opportunities for toddlers, to training for children with learning difficulties, multi-intelligence and academic workshops for children, life coaching for youngsters and parental support for families.

Hong Kong Programs

Pay It Forward provides year-round educational and developmental activities to inspire our children and youths to reach their full potential, including multi-intelligence and academic classes, experiential outings, adventure camps, career development workshops and social gatherings. Participants are also encouraged

“We provide free-of-charge services to underprivileged children and youths from low income, single parent, new immigrant and dysfunctional families, as well as those with special developmental and educational needs.”

to take part in community services for the needy, which not only motivate them to “pay forward”, but also let them realise their abilities in helping others.

Slam Dunk Challenge has been running for 18 years since 1998. Every year, over 400 youngsters aged 13-18 will join the program for basketball training and tournaments as well as performing social services. We'll also provide leadership training, experiential activities and career improvement



Art to Heart



Brain Box



Kiddies Land



Smart Mom



Mainland Program

workshops to help young people identify their interests and strengths and get prepared before entering the job market. Some outstanding participants will be awarded scholarships to pursue their dreams or offered internship opportunities to expand their horizons.

Art to Heart was launched in June 2015, our first school outreach program to help foster the emotional wellbeing of at-risk adolescents with Expressive Arts Therapy workshop. Led by registered Expressive Art therapists and social workers, the pilot program provides the participants with brand new experiences in developing creativity with various art modalities such as painting, body movement, writing, clay making, music and drama and using “art” as a tool for expression and communication. The experiences helped strengthen their inner-self and achieve self-healing. In the past year, the program has helped over 120 secondary students from different racial, learning, living and family backgrounds.

Brain Box provides custom sensory-motor and cognitive training activities for children with learning difficulties. In addition to enhancing the children’s cognitive skills, our professional therapists help to restore their self-confidence through the trainings. The program also places emphasis on the parents’ commitment for more desirable results.

Kiddies Land supports the early development of children between the ages of 1 to 5. Focussing on the needs at different developmental stages of children, the program provides practical sensory integration training to the children and essential knowledge of sensory training skills to parents by professional therapists. Children with dysfunction in sensory integration could be identified and timely intervention would be provided.

Smart Mom provides self-enhancement learning classes, parenting workshops, peer sharing groups, parent-child activities and volunteering services for mothers. The program is diversified to meet their external needs (e.g. interpersonal relations and community connection) and internal needs (e.g. self-improvement and harmonious family life). As a result, their sense of achievement, self-confidence and social networks are gradually developed and strengthened.

Mainland Programs

Changing Young Lives Foundation started their services in the Mainland since 1980s. Over the years, we have rebuilt schools and supported the development of project schools in Qinghai, Gansu and Guangxi provinces by improving the dormitory conditions, providing students’ boarding facilities, campus maintenance works, teachers training and the “Wishing Well” program for children with health problems. •

Optimise for today or build for tomorrow?

When I tell my friends that I am passionate about my job they have difficulty in understanding the reason. Why would it be interesting to work in an office far away from the Netherlands, stuck behind a desk, spending my days doing analysis, writing reports and preparing presentations?



■ By Rob Huijbers, Management Consultant at EY Financial Services Advisory

Because it is challenging, impactful, fun and there is a never-ending learning curve. As a Management Consultant at EY Financial Services Advisory, I enjoy my days helping with transformational programs and redesigning the organisations/processes of international banks and insurance companies. My clients are assiduous about improving their businesses and replacing old ways of working with better alternatives. Every day we challenge each other, and every day I learn new ways to support them on this exciting journey.

My wife is a family photographer, who loves the challenge of capturing special moments. My mother works in healthcare, and loves helping people. Since their job satisfaction may be easier to understand than mine, I will try to explain what I do and why I love doing it.

What challenges do I face?

Eighteen months ago, I transferred from EY's Dutch practice to EY Hong Kong to take on a new challenge and to broaden my horizons. Some things have not changed since moving here. The collaborative working style and the global connectivity across EY remains the same. My mother always tells me she finds it important to "connect with people during her job". That is no different for me in advisory. The international, collaborative and challenging work environment inspires me to ask better questions, design better answers and realise long-lasting results.

We work on projects normally lasting a minimum of 3 to 6 months. Every project and every day is different. For example, last Wednesday I started at 8am working through my e-mail

"My clients are assiduous about improving their businesses and replacing old ways of working with better alternatives. Every day we challenge each other ..."

backlog. In the morning I spent two hours meeting clients to discuss initiatives to further streamline their businesses followed by a financial status update for one of our projects. Before lunch I prepared for an internal EY Process Efficiency training I was presenting for junior and new advisors. Around noon I had an informal lunch with my client and in the afternoon I facilitated a 2.5-hour long workshop at the client's site to find ways to work more efficiently and reduce costs. I spent the rest of the afternoon writing up the results and recommendations. The last part of my day involved some data analysis and a meeting to discuss offshoring opportunities. After work I attended a client event for a couple of drinks. And tomorrow? Another new day with new people to meet, different activities to perform and other challenges to overcome.

Why are clients interested in meeting me?

Banks are showing disappointing financial performance, increases in operating costs and require higher capital requirements as a result of regulations. Global challenges such as slow economic growth, scandals, low interest rates, legal settlements and several new regulations have left investors feeling pessimistic about the growth potential of their profits. Additionally, political nationalism, tax/regulatory scrutiny and the digital revolution create uncertainty and new business paradigms. However, for banks that can survive these challenges and those that are able to fundamentally rethink the way they operate, I believe a bright future awaits.

Many of my recent projects helped banks decide if they want to Optimise for Today or Build for Tomorrow. Optimising the current organisation immunises them against increased global and disruptive competition and increasing regulatory pressure. However, future-proofing the business secures its long-term competitiveness. Both are necessary, but restricted budget and resources means deciding on priorities becomes a difficult problem.

Broaden the borders

Change is the only constant. The world is changing, the financial services industry is changing, and as my clients change, I am changing. Every day I go to work smiling in anticipation for what the day may bring. Carpenters fix houses, teachers educate children, electricians create light and I help my clients and my EY colleagues to create a better working world. •

Hong Kong Leadership

As Hong Kong enters a year in which a new Chief Executive will be chosen, and this subject will dominate the local news for months, I was reminded of some of the past leaders of the Territory whose names now remain on our streets, parks or buildings.



Daniël de Blocq van Scheltinga

■ By Daniël de Blocq van Scheltinga, Chairman of the Dutch Chamber of Commerce in Hong Kong



Hong Kong's past leaders were governors who were British civil servants, all male, often being Governor of another part of the British Empire either before or after their Hong Kong years, and nominated by Whitehall, the Ministry of Foreign Affairs, and formerly appointed by the King or Queen. Governors were in a way are like diplomats today, albeit with considerably more power and influence to run and manage their designated territory as they saw fit.

As in any system, there were great governors and less capable ones, from the first governor of Hong Kong nominated in June 1843, Sir Henry Pottinger (*Pottinger Street*) to the last one remaining until the June 1997 handover, Sir Chris Patten (who, as he was the last one, did not get a street named after him). One hundred and fifty-four years of rulers being chosen by an election committee. Three of the range of interesting personalities are as follows:

Sir John Pope Hennessy (*Hennessy Road*) was the 8th Governor of Hong Kong. Born in raised in Ireland in a Catholic Anglo-Irish family, he started his career as a member of parliament and a lawyer. However, when he was 33, he joined the Colonial Office. After various posts, including the governorship of Sierra Leone, and later the Bahamas, he was nominated as Governor of Hong Kong in 1877. Hennessey's personal motto was that are

"Three qualifications to success: the first is audacity, the second is audacity, and the third is audacity!"

Perhaps this audacity was reflected in his various actions both in his work and his personal life.

Hennessy was the first governor to realise that the economic success of Hong Kong was also dependent on the Hong Kong Chinese, and he therefore changed a number of regulations: he lifted the ban on Chinese citizens buying land, constructing buildings or operating a business in Central District. This led to a massive development boom in Central, to the great advantage of groups such as Hongkong Land. Additionally, Hennessy allowed Chinese immigrants in Hong Kong to naturalise as British subjects, and he appointed the first Chinese member to the Legislative Council.

Hennessy had five children, two illegitimate with his mistress, and afterwards three sons with his wife, all in the open and certainly audacious for the time.

Sir Francis Henry May (*May Road*) born in 1860, won a prestigious entrance examination to a Hong Kong Cadetship at the age of 21, and became private secretary to the then Governor Sir William Des Vœux.

During the following years, he fulfilled various government roles in Hong Kong and other regions such as Fiji, including the head (“Superintendent”) of the Hong Kong Police Force. Eventually May was nominated to be the **15th Governor** of Hong Kong. He is the only Governor of Hong Kong ever to have been the target of an assassination attempt: he was shot at while sitting in his sedan chair after arriving back in Hong Kong from Fiji in July 1912 to start his term as Governor of Hong Kong. The bullet ended up in May’s wife’s sedan chair, but harmed nobody. The perpetrator had a longstanding hatred of May, because while Superintendent of the Hong Kong Police Force he had locked up the man’s father, an illegal immigrant. Governor May always travelled by car, rather than sedan chair, after that.

Many Hong Kong residents still fondly remember the **25th Governor** of Hong Kong, **Sir Murray MacLehose**, who was also

introduction of nine years of compulsory education, the establishment of “new towns” such as Tuen Mun and Sha Tin, the introduction of weekly rest days, and the establishment of various social assistance schemes for the elderly and disabled are just a selection from the long list. MacLehose often fought hard with London to obtain the financial approval to implement the desired changes.

In 1979, during a meeting with the Chinese President Deng Xiaoping, MacLehose raised the question of the 99-year lease of the New Territories, which was due to expire in 1997. This did eventually lead to the start of the very lengthy negotiations, which at the end of the day led to the handover of all the Hong Kong Territory (including Hong Kong Island which formally did not fall under the abovementioned lease agreement: a British Hong Kong without the new territories was considered, but not thought



The MacLehose Trail

the longest serving of all governor’s: serving for 10 years and 6 months, from 1971 to 1982. Many will recognise his name from the MacLehose Trail and indeed Sir Murray was a very keen hiker. He was widely and affectionally known as “Jock the Sock”, because of his Scottish ancestry (Jock) and hose being an old word for sock!

MacLehose did a lot for Hong Kong, including making Cantonese an official language: something that was only done in 1974. His ten and a half years really made Hong Kong the finance and business hub that it is today with a very wide and far ranging number of projects that seem almost too many even for such a long period.

In the sixties and seventies corruption was pervasive in Hong Kong, and one of the most important actions was the establishment of the ICAC (Independent Commission Against Corruption) in 1974, which really rooted out corruption in Hong Kong. ICAC has since been recognised globally as one of the most successful government anti-corruption agencies in the world.

Other elements that we all know today, and take for granted, that were also established under the governorship of MacLehose: the establishment of the Country Parks to protect the natural environment, the construction of the MTR, the introduction of paid holidays, the introduction of Labour Tribunals, the

to be a viable option) to the People’s Republic of China, and the establishment of the Special Administrative Region of Hong Kong. When MacLehose was 80 years old, he attended the 1997 Handover ceremonies in Hong Kong.

When hiking on the 100 km MacLehose Trail, or walking on May Road or Hennessy Road, you will now know who they are named after. I wonder in 100 years which Chief Executives will have roads named after them? •

*Many will recognise his name
from the MacLehose Trail and indeed
Sir Murray was a very keen hiker. He
was widely and affectionally known as
“Jock the Sock”, because of
his Scottish ancestry (Jock) and hose
being an old word for sock!*

SME Academy – Cyber Security

At this Blue Arca Cyber Security Workshop Clyve Lo-A-Njoe and Richard Beetz helped us understand how to identify and protect sensitive data, information and systems.

Tuesday, 18 October, 7:00 – 9:00 PM
Intertrust Office



Clyve Lo-A-Njoe, Richard Beetz



Jan Willem Möller, Maarten Swemmer, Sander Bras



Art & Wine Pairing

Beta Wine Studio and Sarie Moolenburgh teamed up for an interesting wine and art pairing evening.

Thursday, 17 November, 6:30 – 8:00 PM
Beta Wine Studio



Sarie Moolenburgh, Ali Nichol



Carol Yao, Rosien Uiterwijk, Stephanie Cheung, Wolter Meindersma



Hendrik ten Cate and his son



FinTech Series – Asset & Wealth Management

Jeroen Buwalda, Partner at EY, discussed the newest trends in Asset & Wealth Management and how you can adapt to these developments at our newest FinTech talk.

Tuesday, 22 November, 12:30 – 2:00 PM
EY Office



Christmas Cocktail

During the annual SME Christmas Cocktail Joosje Hardus, Nathan Jansen and Sander Bras battled on the soapbox with their best business story. All proceeds of the lucky draw went to the Changing Young Lives Foundation.

Thursday, 15 December, 6:30 – 9:30 PM
Orange Peel



Case Everaert, Nathan Jansen, Joosje Hardus, Sander Bras



Helen Yong, Caroline Schikker, Jacqueline Baud



Upcoming Events on www.dutchchamber.hk



Global network, here I come

Explorers used to cross oceans to meet new civilisations. Today we contact each other from the Great Wall of China to the shores of the Baltic Sea. Are you tapping into the potential of your local markets? Our global network of professionals can help break down borders anytime.

To find out how we can help you develop lasting connections, go to ingcb.com.

[World, here I come]

ING Commercial Banking



Members' Corner

NEW ASSOCIATE MEMBER – Cyril Lam, Convoy Financial Group

Business leaders, seasoned professionals, start-up entrepreneurs in fast-moving Hong Kong struggle to find time to manage their personal or business's longer term financial arrangements, or otherwise mitigate the risks entailed. Whilst Hong Kong's tax regime and respect for rule of law remain attractive, cost of housing & medical care has risen well above salary and economic growth. Pension provisions in the local public domain are rudimentary and inflexible. As an independent financial advisor with the support of one of the largest and locally-listed financial service intermediaries, I wish to leverage my diverse personal & professional experience, to advise and help you, your family and your organisation in navigating this complex and ever evolving landscape. My goal is to assist you in attaining your goals with peace of mind. I look forward to meeting you in future gatherings, on a golf course, or perhaps even enjoying a sociable Wednesday evening at the horse races in Happy Valley.



- **Cyril Lam, Senior Wealth Management Advisor, 39/F, Convoy, 169 Electric Road, North Point**
Tel: +852 6443 8336, cyril.lam@convoy.com.hk, www.convoyfinancial.com

NEW YOUNG PROFESSIONAL – Annabel Breakey, St James's Place

Annabel Breakey is a Wealth Manager working in partnership with St James's Place in Hong Kong. She has recently relocated from London and is keen to expand her network and meet new people. Annabel has worked in financial services for over 5 years and provides broad based financial advice, mainly to expatriate professionals living in Hong Kong. The advice she gives covers all areas of wealth management, including investment planning, wealth protection, education planning and formulating financial strategies for repatriation to her clients' home countries. Her emphasis is on growing long-term relationships with her clients and providing them with a source of trusted advice as their financial needs evolve over the years. Annabel is highly qualified and her qualifications include the CISI Investment Advice Diploma, the CISI Masters in Wealth Management, the HKSI Paper I and the CIB papers I, III and IV. Please feel free to contact her if you think you may need some guidance with your finances or are unsure of how to plan for your return to your home country.



- **Annabel Breakey, Wealth Manager, 1/F, Henley Building, 5 Queen's Road Central, Central**
Tel: +852 6103 8830, annabel.breakey@sjpp.asia, www.sjp.asia

NEW YOUNG PROFESSIONAL – Laurence van der Loo, ASIFMA

Laurence is Manager to the office of the CEO at ASIFMA. ASIFMA is an independent, regional trade association with over 90 member firms comprising a diverse range of leading financial institutions from both the buy and sell side, including banks, asset managers, law firms and market infrastructure service providers. ASIFMA harnesses the shared interests of the financial industry to promote the development of liquid, deep and broad capital markets in Asia. Our many initiatives include consultations with regulators and exchanges, development of uniform industry standards, advocacy for enhanced markets through policy papers and lowering the cost of doing business in the region. Through the GFMA alliance with SIFMA in the United States and AFME in Europe, ASIFMA also provides insights on global best practices and standards to benefit the region. Previously, Laurence held Relationship Management positions at ING Bank and Vistra. She has been in Hong Kong for over 4 years.



- **Laurence van der Loo, Manager to the office of the CEO, 3603, Lippo Centre Tower 2, 89 Queensway, Admiralty**
Tel: +852 6012 3300, laurence.vanderloo@gmail.com, www.asifma.org

– NEW MEMBERS LISTINGS

NEW CORPORATE MEMBER

HONG KONG SCIENCE AND TECHNOLOGY PARKSCORPORATION (HKSTP)

Marian Gaultney, Senior Manager
International Collaboration & Business Development
Bio Informatics Center, 2 Science Park West Avenue,
Shatin, New Territories
+852 2629 6818 – Marian.gaultney@hkstp.org
www.hkstp.org

NEW SME MEMBER

ANCA HK LTD.

Casper Quint, Director
15/F, The Phoenix, 23 Luard Road, Wan Chai
+852 6795 0405 – casper@hkanca.com.hk

NEW OVERSEAS MEMBER

WITHUIS TRADE

Vincent Gorissen, Director
5/F, Parc Ceramique, Wim Duisenberg Plantsoen 31,
Maastricht, The Netherlands
+31 434094684 – v.gorissen@iblmaastricht.com

NEW YOUNG PROFESSIONAL MEMBERS

WITHUIS TRADE

Merel van der Spiegel
31B, Tower 5, Dynasty Court, 23 Old Peak Road, Mid Levels
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ZEDRA (HONG KONG) LTD.

Alexander de Haseth, Business Development Manager
5508, 55/F, Central Plaza, 18 Harbour Road, Wan Chai
+852 2173 6319 – alexander.dehaseth@zedra.com – www.zedra.com

NEW STARTUP MEMBERS

GFM GROUP LIMITED

Tariq Dennison, Responsible Officer Fund Management
6/F, 88 Des Voeux Road Central, Central
+852 3468 5490 – TDennison@gfmgrp.com – www.gfmasset.com

FST CONSULTANCY

Fleur Tonies, CEO/Owner
5 Tai Mong Tsai Road, Saikung
+852 6589 0803 – fleusmeetstonies@gmail.com – www.smeeststonies.com

– TRADE SHOW CALENDAR

IN THE NETHERLANDS

TEFAF (art, antiques and design)

Location: MECC, Maastricht
 Date: 18-19 February 2017
 Organiser: TEFAF Maastricht
 Email: info@tefaf.com
 Website: www.tefaf.com

Huishoudbeurs

Location: Amsterdam Rai
 Date: 18-26 February 2017
 Organiser: RAI Amsterdam
 Email: huishoudbeurs@rai.nl
 Website: www.huishoudbeurs.nl

IN HONG KONG

HK International Fur & Fashion Fair

Location: HKCEC
 Date: 16-18 February 2017
 Organiser: HK Fur Federation
 Email: fur@hkff.org
 Website: www.hkff.org/furFair.php

Vegetarian Food Asia 2017

Location: HKCEC
 Date: 23-25 February 2017
 Organiser: Inspire Advertising & Marketing Ltd
 Email: info@iam.com.hk
 Website: www.vegfoodasia.com

LOHAS Expo

Location: HKCEC
 Date: 23-25 February 2017
 Organiser: Inspire Advertising & Marketing Ltd
 Email: info@iam.com.hk
 Website: www.lohasexpohk.com

Asia's Fashion Jewelry & Accessories Fair

Location: Asia World Expo
 Date: 01-04 March 2017
 Organiser: UBM Asia Ltd
 Email: salesafj-hk@ubm.com
 Website: http://exhibitions.asiafa.com/3fj/

Keep growing – Aartsenfruit Asia is looking for a Sales Manager

At Aartsenfruit, you play in the Champions League of the international fruit and vegetable trade. You are part of a successful company, where everything is structured and organised. It is a well-oiled machine where people rely on each other and act as a team. Are you ready to play in this Champions League? We are always on the lookout for talented players.

As Sales Manager you are responsible for sales of fruits and vegetables from all over the world into the Asian market. You are actively involved in growing turnover and looking for new sales possibilities and markets in Asia. You will maintain contact with the partners on the supply side and our distribution partners throughout Asia. You report directly to the Managing Director in charge of the Asian office, and executive management in the Netherlands.

Skills and Interests:

- Commercial / Marketing activities suit you
- Confront challenges in a positive manner
- You have a down-to-earth mentality
- Excellent English. Cantonese/ Mandarin language skills are an advantage.
- You are in possession of a post-secondary degree (BA or above)
- Good 'people skills' and the ability to work with a broad range of colleagues and clients in an international environment which requires strong communication skills and to build strong relationships
- A professional approach and work ethic with a neat, accurate and organized work attitude

What we can offer you:

- A challenging role in an ever-growing international organization
- An energetic and dynamic team of international colleagues
- A warm working atmosphere of a family business
- Competitive salary + bonus
- Good internal training and excellent personal growth prospects. The purpose is to grow into a role that leads the Asian office and carries responsibilities for its daily operations.
- Flexibility in terms of working hours (and travelling (5%))

Interested?

Please contact: Menno van Breemen
 menno@aartsenfruit-asia.com, +852 39 75 83 35
 Visit: www.aartsenfruitasia.com



We are an independent, member driven, non-governmental, non-profit business association which serves to facilitate business in Hong Kong and Greater China for its members by providing networking, knowledge sharing and company profiling opportunities. As the representative body of Dutch business in Hong Kong, we maintain close relationships with both the Dutch and the Hong Kong SAR governments.

DUTCHCHAM MEMBERSHIP

The Dutch Chamber of Commerce in Hong Kong offers advice and assistance to its members. Areas where we can help include:

Connectivity

- ◆ Access to local government and opportunity to give feedback through the International Business Committee
- ◆ Access to events of the European Chamber of Commerce & members only Platforms & Committees
- ◆ Active assistance in getting your business set up and getting you connected

Publicity

- ◆ Free exposure in the DutchCham magazine and our Membership Guide & Setting Up a Business in HK Guide
- ◆ Speaking opportunities at Dutch Chamber or other Chambers' events
- ◆ Free placement of job advertisements

Networking

- ◆ Exclusive lunch at the Residence of the Dutch Consul General
- ◆ Monthly MUNCH (Mingle & Lunch)
- ◆ Annual Golf Tournament sponsored by ABN AMRO
- ◆ Corporate cocktails organised by the Chamber

And more ...

- ◆ Members price for all events (average discount close to 50%)
- ◆ 10% off on advertisements in all DutchCham publications

MEMBERSHIP & ANNUAL FEES

• Gold Member	HK\$ 20,000
• Corporate Member	HK\$ 8,500
• SME Member	HK\$ 3,500
• Associate Member	HK\$ 3,500
• Young Professional	HK\$ 750
• Start-up Member	HK\$ 1,750
• Overseas Member	HK\$ 2,500

NO JOINING FEE
GOLD, SME, & CORPORATE MEMBERS ENJOY VOTING RIGHTS

DUTCHCHAM COMMITTEES & PLATFORMS

PR AND PUBLICATION COMMITTEE



- Maaïke van Meer (Chairman) • Donna Mah (Editor) • Monique Dettleul
- Maarten Swemmer • Jacob Feenstra • Merel van der Spiegel
- Judith Huismans

CHINA COMMITTEE



- Marcel La Croix (Chairman) • Monique Bakker • Nathan Jansen
- Rinske Kuiper • Jacqueline Baud • Judith Huismans

SME COMMITTEE



- Jan Willem Möller (Chairman) • Stijn Ottenheijm • Sander Bras
- Judith Huismans

TAX COMMITTEE



- Carola van den Bruinhorst (Chairman) • Sytske Kimman
- Eric Kampman • Han Kalfsbeek • Jacqueline Baud

WOMEN IN BUSINESS COMMITTEE



- Maaïke van Meer • Maaïke Steinebach • Marlies Brouwer • Lisanne Elfving
- Jacqueline Baud

FINANCE COMMITTEE



- Michael van Ommeren (Chairman) • Niels Boudeling • Paul Korff de Gidts
- Lapman Lee • Litai Wai • Jacqueline Baud

CREATIVE COMMITTEE



- Oscar Venhuis (Chairman) • Erik Evers • Sarie Moolenburgh • May Yeung
- Saul Smeding • Judith Huismans

YOUNG PROFESSIONAL COMMITTEE



- Laurence van der Loo • Robert Jan Grasveld • Robert Jan van Lie Peters
- Mali Pan • Alexander de Haseth • Judith Huismans



Proudly serving our clients in
Hong Kong for the past

110 YEARS

The history of ABN AMRO Bank in Hong Kong began at the end of the nineteenth century, with one of ABN AMRO Bank oldest founding companies, the Netherlands Trading Society, laying down the firm foundations in Hong Kong in 1906. As one of the largest banks in the Netherlands with roots reaching back as far as 1720, ABN AMRO Bank now has built up an international network spanning 20 countries and territories.

Today, ABN AMRO Bank in Hong Kong offers a broad range of financial services consisting of corporate and private banking.

Celebrating its 110th anniversary in Hong Kong this year, ABN AMRO Bank is committed to maintaining our values of being trusted, professional and ambitious, always standing by our clients through the ages.

To find out more, please contact us at +852 3763 3700 or visit www.abnamro.com



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*Compared to make-up removal by hands. Data on file.

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