



Business Information
In A Global Context



8th European Forum on

ANTI-CORRUPTION

21 – 22 June 2010, London | Hilton London Tower Bridge Hotel, UK

REGULATORY UPDATE & IN-HOUSE INSIGHTS FROM:

Organisation for Economic
Co-operation and Development (OECD)

U.S. Department of Justice

Ministry of Justice (UK)

Serious Fraud Office (UK)

City of London Police's Overseas
Anti-Corruption Unit (OACU)

The Crown Prosecution Services,
Central Casework Divisions (UK)

Baker Hughes (UK)

GE Commercial (France)

Nortel Networks (UK)

Parmalat Spa (Italy)

Rockwell Collins

NBC Universal (UK)

Novartis Consumer Health S.A.
(Spain)

Procter & Gamble International
Operations S.A. (Switzerland)

Siemens AG Compliance Legal
(Germany)

Weatherford International (USA)

Transparency International UK

Confederation of British Industry
(CBI)

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**NEW! Practical and Interactive Post-conference Master Classes
Wednesday 23 June, 2010**

A The Fundamentals of UK Anti-Bribery Compliance

or

B Best Practice in Anti-Bribery Controls for Financial Services

See inside for full details

**NEW! Interactive Q&A Session
with Regulators and Prosecutors**

Monday 21 June 2010

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ARE YOU PREPARED FOR INCREASED ENFORCEMENT AGAINST CORRUPT PRACTICES?

There is no doubt that anti-corruption enforcement continues to increase domestically and internationally. According to recent research nine British companies are being investigated by U.S. authorities for allegedly bribing foreign officials to win business in overseas markets. Regulators and prosecutors have dramatically sharpened their focus on business activities in foreign countries and have intensified international cooperation. Information-sharing among U.S. regulators and their U.K. and European counterparts has led to an increasing number of referrals and investigations that may implicate export controls, anti-bribery, anti-money laundering and tax regulations. This trend was highlighted by the recent SFO and U.S. Department of Justice collaborative efforts to have BAE Systems admit to criminal charges and pay £286m in fines.

The UK Anti-Bribery Bill is expected to come into force this year. Its extra territorial reach will make it easier to prosecute corruption offence committed overseas. Very recently, the U.S. Sentencing Commission has proposed an increased emphasis on the need to make restitution and undertake remedial efforts, even before a finding of criminal misconduct. The proposal also encourages changes to compliance programme reporting structures, promotes increased self-reporting of criminal conduct, and makes explicit the need for strong document retention policies.

In this environment, multinational companies should therefore identify key international trade risks, target training, guidance and periodic risk assessments or other internal reviews to ensure transparency and compliance in relationships with relevant regulators. While it takes time to design and implement effective compliance programmes, the risks of not doing so under the standards contemplated in the Bribery Bill are significant.

C5 has again assembled an exceptional panel of leading international corporate ethics and compliance executives, lawyers, investigators, forensic experts and top government officials from the U.S. and Europe. They will provide the latest practises to help you minimise your company's risk in an era of heightened scrutiny and enforcement. Take this opportunity to hear from this unparalleled panel of experts in the field and network with peers and colleagues who share similar concerns.

Topics include:

- Changes you need to make to your compliance policy to comply with the requirements of the upcoming Bribery Bill
- Demonstrate to Government investigators that your financial records are adequately and diligently reviewed for potential non-compliant payments
- Implementing and maintaining internal systems and controls that adequately reduce the risk of corruption
- Working with compliance monitors harmoniously and avoiding an adversarial relationship
- Effective third parties risk-based processes that leading companies implement to minimise liability risks
- Conducting cost-effective internal investigations and weighing whether, when and how to disclose potential wrongdoings
- Strategies to manage conflicting requirements of national and foreign regulators in investigations involving more than one investigative agency
- Reviewing the process for assessing the corruption profile of a financial transaction, as well as joint alliances or partnerships

Practical and Interactive Post-conference Master Classes – Wednesday 23 June 2010

A: The Fundamentals of UK Anti-Bribery Compliance

or

B: Best Practice in Anti-Bribery Controls for Financial Services

Be where your industry and peers will be on the 21-22 June 2010

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Jonathan Price

Business Development Executive, C5

Tel: +44(0)20 7878 6907 | j.price@C5-online.com

“Very useful and informative. Good insight into trends particularly the regulators perspective.
This helped to put other presentations into perspective.”

DIANNE THOMAS, VP INTERNATIONAL COMPLIANCE, NBC UNIVERSAL (ANTI-CORRUPTION FORUM, FRANKFURT)

MONDAY, 21 JUNE 2010

8:00 REGISTRATION AND COFFEE

8:30 OPENING REMARKS AND WELCOME FROM CO-CHAIRS

Chandrashekhar Krishnan
Executive Director, Transparency International UK

Jean-Claude Najar
Head of Compliance, GE Commercial (France)

8:45 UK ANTI-CORRUPTION ENFORCEMENT: THE YEAR IN REVIEW

Nick van Benschoten
Anti-Corruption Unit, Department for Business Innovation & Skills, Ministry of Justice (UK)

Robert Amaec
Head of Anti-Corruption, Proceeds of Crime & International Assistance, Serious Fraud Office (UK)

Detective Superintendent Colin Cowan
Head of the City of London Police's Overseas Anti-Corruption Unit (OACU)

David Richardson
Head of Fraud Prosecution Division, CPS Central Casework Divisions (UK)

Robert Barrington
Director of External Affairs, Transparency International UK

Moderator:

Nick Benwell
Partner, Simmons & Simmons (UK)

- Update on the latest developments in regulation, enforcement cases and settlements
- How the agencies determine which of them will take the lead - is there a 'double jeopardy' risk?
- How the agencies determine whether to pursue the criminal or civil route
- Cooperation between the agencies, nationally and internationally
- The agencies' approach to what constitutes adequate procedures, systems and controls?
- How the SFO's guidance on self-reporting is operating in practice, and the position of other agencies on self-reporting
- Consequences of reporting to SOCA under the Proceeds of Crime Act — coordination between SOCA and other agencies
- What are the FSA's plans regarding anti-corruption systems and controls, and how will this impact on compliance programmes in the UK financial services industry?

10:00 THE US FOREIGN CORRUPT PRACTICES ACT – RECENT LANDMARK CASES AND GLOBAL ENFORCEMENT PRIORITIES

Charles E. Duross
Assistant Chief - Fraud Section, Criminal Division
U.S. Department of Justice

Lucinda A. Low
Partner, Steptoe & Johnson LLP (USA)

- Update on recent cases and how they will impact compliance programmes
- What the agencies weigh when determining whether to bring criminal or civil charges
- The conspiracy charge increasingly used as a tool for FCPA enforcement
- Implications of the proposed amendments of the U.S. Sentencing Commission on corporate compliance programmes
- Impact of the increased bribery inquiries for allegations of bribes to foreign officials
- Avenues for reporting FCPA violations that are being more prevalently used
- What can be learned from recent penalties, aggravating and mitigating factors

11:00 MORNING REFRESHMENTS

11:30 PREPARING FOR MULTI-JURISDICTIONAL GOVERNMENT INVESTIGATIONS AND OTHER COMPLEX LEGAL ISSUES ARISING FROM CROSS-BORDER COOPERATION AMONG ENFORCEMENT AGENCIES

David S. Lorello
Partner, Steptoe & Johnson LLP (UK)

Hugues Vallette Viillard
Partner, Latham & Watkins LLP (France)

- Update on recent multijurisdictional enforcement actions and how they will impact compliance programmes
- Growing trend towards an increased number of referrals and investigations as a result of information-sharing among enforcement agencies
- What is protected by legal professional privilege (LPP) in investigations conducted within the European community?
- Overcoming restrictions on transmitting data across borders
- How to address impediments posed by national laws e.g. blocking statutes
- Complying with national labour rules and consulting workers' councils
- How to achieve a once-and-for-all settlement for global companies: Plea bargains
- Do those violating anti-bribery/anti-corruption laws risk double or triple jeopardy, depending upon the facts?

12:30 NETWORKING LUNCHEON

1:45 UPDATE ON PHASE 3 OF MONITORING THE IMPLEMENTATION OF THE CONVENTION IN 2010

Nicola Bonucci
Legal Counsel, Organisation for Economic Co-operation and Development (France)

2:15 **NEW BRIBERY OFFENSES: BRIBING A FOREIGN PUBLIC OFFICIAL AND THE CORPORATE OFFENCE OF “FAILING TO PREVENT BRIBERY”**

Elizabeth Robertson
Partner, Addleshaw Goddard (UK)

Gary Campkin
Head of International Group
Confederation of British Industry (CBI)

- Scope and application of the new offences – who is covered and who is not?
 - UK-based persons and natural persons with a “close connection” to the UK
 - foreign companies with business in the UK
- What do “offering or giving bribes” and “soliciting bribes” mean in a local and international context?
- How does the UK Bribery Bill define foreign public official? Government entities, state-owned entities, natural persons: what are the criteria?
- Corporate offense for failure to prevent bribery: Elements of a potential criminal liability
- Are “adequate procedures” enough to defend companies?
- Other defence and mitigating factors compliance officers have if things go wrong
- Who within an organisation wears the hat of the “Senior Officer”?
- Impact of the new requirements on the UK criminal law system

3:15 **CONDUCTING PRE-TRANSACTIONAL ANTI-CORRUPTION DUE DILIGENCE INCLUDING PRE-MERGER/IPO**

Peter Maher
Partner, Forensic & Dispute Services
Deloitte LLP (UK)

Gary DiBianco
Partner
Skadden, Arps, Slate, Meagher & Flom LLP (UK)

Jeremy Cole
Partner, Lovells LLP (UK)

- What an acquirer or financier should look for in a target’s anti-corruption compliance programme to mitigate the risk of successor liability
- Core due diligence steps to assess the controls environment and specific corruption risks
- Assessing the corruption risk profile of a potential transaction
- Practical steps to follow in higher risk transactions
- What if the acquirer is unable to perform satisfactory pre-acquisition due diligence?
- The advantages and disadvantages of pre-transactional disclosure with appropriate authorities

4:15 **AFTERNOON REFRESHMENTS**

4:30 **INTERACTIVE Q&A SESSION WITH REGULATORS AND PROSECUTORS**

Panellists:

Robert Amaee
Head of Anti-Corruption, Proceeds of Crime & International Assistance, Serious Fraud Office (UK)

Nick van Benschoten
Anti-Corruption Unit, Department for Business Innovation & Skills, Ministry of Justice (UK)

Charles E. Duross
Assistant Chief - Fraud Section, Criminal Division
U.S. Department of Justice

Detective Superintendent Colin Cowan
Head of the City of London Police’s Overseas Anti-Corruption Unit (OACU)

David Richardson
Head of Fraud Prosecution Division,
CPS Central Casework Divisions (UK)

Facilitator:

John Rupp
Partner, Covington & Burling (UK)

This session, facilitated by John Rupp, will bring together anti-corruption prosecutors and regulators to answer your pressing questions, discuss and exchange information and ideas in an open and interactive environment. We invite you to send your questions to the organisers before the conference. Alternatively, questions may be asked on an anonymous basis by dropping your questions in a sealed box provided at the conference venue. The discussions will not be recorded nor reported.

6:00 **CONFERENCE ADJOURNS FOR THE DAY**

Networking Reception Hosted by
STEPTOE & JOHNSON LLP

TUESDAY 22 JUNE 2010

8:30 **REGISTRATION AND COFFEE**

8:45 **OPENING REMARKS FROM THE CO-CHAIRS**

Chandrashekhar Krishnan
Executive Director, Transparency International UK

Jean-Claude Najar
Head of Compliance, GE Commercial (France)

9:00 **A STEP-BY-STEP CORPORATE APPROACH FOR CONDUCTING A THOROUGH AND SATISFACTORY INTERNAL INVESTIGATION**

Libby Rutherford
General Counsel - Western Europe Legal,
Procter & Gamble International Operations S.A.
(Switzerland)

ANTI-CORRUPTION

Adrian Mebane
Director of Ethics and Compliance Group
Weatherford International (USA)

Sam Eastwood
Partner, Norton Rose LLP (UK)

Moderator:

Nic Carrington
Partner, Forensic and Dispute Services
Deloitte LLP (UK)

- What should trigger an internal investigation and where do you start?
- Know your employees rights and the role you play for the company during an internal investigation
- Setting up an appropriate team
- Data privacy considerations
- Dos and don'ts when collecting, gathering and using data including employee hardware, e-mails, telephone conversations and personal data — what is permissible and what is not
- Are there different attitudes toward internal investigations among enforcement agencies in Europe and the US?
- Maintaining legal and litigation privilege over the investigation
- Making the most of the post internal investigation report when violations are discovered
- Strategy behind voluntary self disclosures: when to disclose, what to disclose, etc.
- At what stage of the investigation should a remediation plan be developed?

10:15 IMPLEMENTING AND MAINTAINING INTERNAL SYSTEMS AND CONTROLS THAT ADEQUATELY REDUCE THE RISK OF BRIBERY OR CORRUPTION

Sally March
Former Global Director for Compliance and Corporate Security, Nortel Networks (UK)

Nicola Palmieri
General Counsel, Parmalat Spa (Italy)

Dr. Anne-Marie Wolfsohn,
Head of International Legal Department
(EuMEA, Asia-Pac), Rockwell Collins

- Understanding the meaning of “adequate procedures” in respect of the “failure to prevent bribery” offence
- Monitoring tools that leading companies use to maintain a sustainable global anti-corruption programme
- Weighing pros and cons of value-based vs. principle-based programmes in the light of recent enforcement cases and latest regulatory changes
- Using the most effective communication channels between compliance officers and the Board to ensure the strength of your compliance programme
- How to obtain buy-in from decision makers and engage their responsibility
- Appointing and assigning compliance responsibility to a “Senior Officer”
- Setting up and testing procedures for risk assessment, reporting and investigation

- How can elements of integrity and ethical values in compliance programmes strengthen your policies better than control or sanction mechanisms?
- Formalising the company's decision making process and tightening financial controls
- Developing an effective training curriculum to ensure an internal understanding of the benefits of implementing the programme
- Effectively allocating budget to training, personnel and technology
- Tradeoffs between the costs of compliance programmes versus the risks of compliance exposure
- Is a multijurisdictional compliance programme template possible?
- How important is it to have your compliance programme audited by an objective third party?

11:15 MORNING REFRESHMENTS

11:45 SELECTING AND WORKING WITH EXTERNAL COMPLIANCE MONITORS IN THE BEST INTERESTS OF THE COMPANY

Stephen Fishbein
Partner, Shearman & Sterling LLP (USA)

- Rules and practices governing the appointment of the compliance monitor in a European context
 - why and how monitors are appointed
 - how do you choose a monitor?
 - to whom do they report?
 - who controls and pays the monitor?
- What options do companies have to avoid the appointment of a compliance monitor?
- How do companies participate in defining the scope of the compliance monitors?
- How to work with a compliance monitor to avoid an adversarial relationship
- Ensuring that the compliance monitor understands the company's business, practices and culture
- Ensuring that the compliance monitor's reporting complies with data protection laws
- How to defend and protect the company's interests when working with monitors
- How the compliance monitor should interact with the company's outside counsel

12:30 NETWORKING LUNCHEON

1:45 CONDUCTING DUE DILIGENCE OF FOREIGN AND LOCAL THIRD PARTIES TO MINIMISE LIABILITY RISKS

Dianne Thomas
Vice President, International Compliance
NBC Universal (UK)

Jan Farley
Eastern Hemisphere Ethics and Compliance Counsel
Baker Hughes (UK)

Peter Cook,
Consultant, Compass Compliance Ltd (UK)

Moderator:

Patric Marshall
Director, World-Check (UK)

- Third parties risk-based process that leading companies use to minimise liability risks
- Due diligence on intermediaries to mitigate the risk of potential liability for anti-corruption violations associated with business operations
- Step-by-step process for screening, appointing and managing third parties such as commercial agents, freight forwarders and distributors in foreign countries
 - request of positive affirmation of reputation and initial training
- Dealing with “administrative providers” such as lobbyists and customs agents
- Requiring contractual compliance obligations: when and how?
- Ensuring that an ongoing management and monitoring including annual training and audit for high risk third parties is strictly implemented

3:00 **REFRESHMENT BREAK**

3:30 **MINIMISE RISKS ARISING FROM GIFTS, CORPORATE HOSPITALITY, ENTERTAINMENT, TRAVELLING, SPONSORSHIP AND MARKETING ON A NATIONAL AND GLOBAL LEVEL**

Juan-Jorge Gili
Global Compliance & Risk Management Officer - OTC BU
Novartis Consumer Health S.A. (Spain)

Fabio Bertoli
Senior Legal Counsel, Siemens AG Compliance Legal (Germany)

- Best practices in avoiding the risk of receiving, promising or giving improper payments hidden into marketing or sponsorship initiatives
- How the new guidance in relation to corporate hospitality will impact the preparation of global policies
- What is a “gift” across cultural backgrounds?
- Common pitfalls of gifts, hospitality, sponsoring, donations and marketing
- Defining the limits when hosting, entertaining and lodging foreign officials
- Distinction between legitimate and corrupt corporate hospitality
- Managing and controlling gifts received at company level within the framework of an internal gifts and entertainment policy: Case-by-case analysis vs. standardised approach
- When a commercial incentive becomes a bribe — drawing a clear line between a gift and a bribe in the light of recent cases
- Fostering clients’ relationships through sponsorship or marketing initiatives while staying compliant

4:30 **CLOSING REMARKS BY THE CO-CHAIRS AND CONFERENCE ENDS**

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Deloitte.

Anti-corruption specialists across Deloitte’s global network of member firms have been engaged by our clients to assist on some of the largest and most sophisticated anti-corruption enforcement actions. Our teams have extensive experience in handling transactional due diligence, compliance programme implementation and assessment, and investigations.

Deloitte’s anti-corruption professionals include forensic accountants, Certified Fraud Examiners, investigators and former prosecutors from the UK, US and other countries, as well as internal control experts and intelligence and technology specialists.

Nic Carrington

Partner, Forensic and Dispute Services, Deloitte LLP
Tel: +44 20 7303 2139 | email: ncarrington@deloitte.co.uk

Peter Maher

Partner, Forensic and Dispute Services, Deloitte LLP
Tel: +44 20 7303 3180 | email: pfmaher@deloitte.co.uk

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WHO SHOULD ATTEND?

- Ethics & Compliance Officers
- Vice Presidents and Directors of:
 - Corporate Responsibility
 - International Contracts
 - Corporate Compliance
 - Legal Affairs
 - Internal Audit
 - Governance & Sustainable Investment
 - Business Conduct
- General Counsel
- Private practice lawyers specialising in:
 - Corporate Governance
 - International Regulation & Compliance
 - White Collar Crime
 - Investigations
- Accounting & Consulting Firms
 - Investigations & Forensic
 - Transactions

POST-CONFERENCE WORKSHOPS A OR B

WEDNESDAY 23 JUNE 2010

A 9:00 a.m. – 12:30 p.m. (Registration Opens at 8:15 a.m.)

THE FUNDAMENTALS OF UK ANTI-BRIBERY COMPLIANCE

Karolos Seeger
Partner, Debevoise & Plimpton LLP (UK)

Tom Epps
International Counsel, Debevoise & Plimpton LLP (UK)

Elizabeth Robertson
Partner, Addleshaw Goddard (UK)

- Scope and application of the new offences – who is covered and who is not?
 - UK-based persons and natural persons with a “close connection” to the UK - who qualifies?
 - foreign subsidiaries with business in the UK
 - joint venture partners or consortia of UK companies based abroad?
 - what is the extraterritorial reach of the Anti-Bribery Bill?
- What are the risks?
 - potential criminal and civil liability
 - reputational damage
 - risk of investigation
 - disqualification for publicly financed projects

- The 4 new bribery offences: “offering or giving bribes”, “soliciting bribes”, “bribing a foreign public official”, “failure to prevent bribery”
- Permissible and impermissible payments
- Reasonable and bona fide expenses: gifts; travel; entertainment
- Involvement of third parties and due diligence requirements: agents, consultants and joint venture partners
- Are “adequate procedures” enough to defend companies?
- Other defence and mitigating factors compliance officers have if things go wrong
- Who within an organisation wears the hat of the “Senior Officer”
- Books and records requirements of the Bribery Bill
 - record keeping and internal controls requirements and standards
 - intersection of Sarbanes-Oxley, FCPA and the Bribery Bill
- Fundamentals of an effective Anti-Bribery compliance programme

B 9:00 a.m. – 12:30 p.m (Registration Opens at 8:15 a.m.)

BEST PRACTICE IN ANTI-BRIBERY CONTROLS FOR FINANCIAL SERVICES

Nic Carrington
Partner, Forensic and Dispute Services, Deloitte LLP (UK)

Peter Maher
Partner, Forensic and Dispute Services, Deloitte LLP (UK)

Julian Colborne-Baber
Director, Forensic and Dispute Services, Deloitte LLP (UK)

Dorian Drew
Partner, Norton Rose LLP (UK)

- Scope and application of the new offences – who is covered and who is not?
- What is the extraterritorial reach of the Anti-Bribery Bill?
- The 4 new bribery offences: “offering or giving bribes”, “soliciting bribes”, “bribing a foreign public official”, “failure to prevent bribery”

- How will the recent FSA enforcement action impact compliance programmes of the UK financial services industry?
- The FSA’s expectations when enforcing Principle 3 of the Principles for Businesses
- What constitutes “adequate procedures” and “effective systems and controls”?
- Evaluating your systems and controls to identify weaknesses and take remedial action where necessary
- Conducting adequate due diligence of third party relationships within the financial services industry
- Monitoring payments made to third parties
- Defining and implementing a risk-based approach
- Training staff on financial crime and anti-bribery

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ADMINISTRATIVE DETAILS

Conference: 8th European Forum on Anti-Corruption

Date: 21 – 22 June, 2010

Time: 8:30am – 4:30pm

Post-Conference Workshop A

Date: 23 June 2010

Time: 9:00am – 12:30pm

Post-Conference Workshop B

Date: 23 June 2010

Time: 9:00am – 12:30pm

Venue: Hilton London Tower Bridge Hotel

Address: 5 More London Place, Tooley Street, London SE1 2BY, United Kingdom

Telephone: +44 20 3002 4300

An allocation of bedrooms is being held for delegates at a negotiated rate at the Mercure Bankside Hotel until 21 May 2010. To book your accommodation please call Venue Search on tel: +44(0)20 8541 5656 or e-mail beds@venuesearch.co.uk

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The documentation provided at the event will be available on CD only. If you are not able to attend, you can purchase a CD of the presentations provided to delegates on the day of the event. Please send us this completed booking form together with payment of £350 per copy requested. For further information please call +44 (0) 207 878 6888 or email enquiries@C5-Online.com.

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12.5 hours (conference only) plus 3 hours per master class towards Continuing Professional Developments hours (Solicitors Regulation Authority). Please contact C5 for further information on claiming your CPD points.

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