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SPECIAL SUPPLEMENT

ALB CHINA GENERAL COUNSELLORS PROFILE



2018

总法名人榜

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Today's in-house lawyers and legal teams take a much more active role in the business, assisting in shaping strategy and adding value as companies look to expand the new markets. This role will become more and more important in future with the increasing demand for compliance.

ALB has been paying attention to the in-house lawyers elites, and presented many leading General Counsels (GCs) in China. They are legal elites from various industries of China, demonstrated their excellent legal skills, deep insight of commercial strategy and forward thinking. Meanwhile, they lead their legal affairs teams to ensure the development of their companies.

The ALB supplement General Counsels Profile published in January 2018 celebrates the achievements of these excellent GCs and showcases their expertise and leading position in the legal community. We hope in-house counsel across China will be inspired by these individuals, who are playing a hand in propelling China forward to unparalleled new heights.

现今的公司法务在公司商务决策中扮演着越发重要的角色，他们与公司核心层一起制定战略，为公司创造价值并寻求机遇开拓市场。同时，由于合规工作的加重，法务的角色在未来会愈发重要。

ALB持续关注法务精英群体，ALB历年榜单呈现了中国顶尖的总法律顾问。这些法务精英们来自中国的各行各业，他们展现了高超的法律技能，对商业战略的深刻理解，以及前瞻性的思维，同时也带领着高质量的法务团队为公司的发展保驾护航。

ALB 2018总法名人榜旨在呈现这些来自中国不同行业的一流的总法律顾问的卓越成就，展示他们深厚的专业素养和顶尖的专业地位，记录了我们希望中国法律顾问能够因他们的成就得到启迪，因为这些人正帮助中国走向前所未有的高度。



As 2018 approaches, Asian Legal Business (ALB) would like to thank all our sponsors, speakers and delegates for your support. We will strive to continue to bring you high quality programme and events to address the top concerns in the legal industry.

值此新年到来之际，亚洲法律杂志(ALB)在此感谢所有的赞助商、演讲人和代表的支持。2018年，我们将一如既往继续为您举办高质量的项目和活动，以期讨论和解决法律业界最重要的问题。

2018 EVENTS CALENDAR 活动日期

Please save the dates below! Look forward seeing you at our 2018 events! 请记住日期！2018年期待您的光临！

Date 日期*	Event Name 活动名称	City 城市	Type 类型
19 April 4月19日	JC Consulting Thomson Reuters ALB China Law Awards 2018 JC Consulting 汤森路透ALB中国法律大奖	Beijing 北京	Awards 大奖
21 June 6月21日	Shanghai In-house Legal Summit 上海企业法律顾问峰会	Shanghai 上海	In-House Summits 企业法律顾问峰会
6 September 9月6日	Shenzhen In-house Legal Summit 深圳企业法律顾问峰会	Shenzhen 深圳	In-House Summits 企业法律顾问峰会
22 November 11月22日	Beijing In-house Legal Summit 北京企业法律顾问峰会	Beijing 北京	In-House Summits 企业法律顾问峰会

*Please note that this schedule is subject to change. *请注意，本计划之后或有变更。

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Contact us today! 今天就联系我们！



ALB Top GCs in China 2016, 2017

HANNAH CAO

ALB 2016年, 2017年中国最佳总法律顾问

曹晖



SILK ROAD FUND
General Counsel

Number of Years as General Counsel: 3 years

Number of people in the legal team: 5 staff

丝路基金有限责任公司
法律总监

担任总法律顾问时长: 3年

管理法务团队人数: 5人

Since joining the Silk Road Fund, Hannah Cao has led the legal team to, in accordance with the principles of professionalism, preciseness and practicality, provide a strong legal support for the company to complete a number of cross-border investment projects under the Belt and Road strategy. Representativeness deals during the past year include the Silk Road Fund's acquisition of a 10 percent shareholding in SIBUR, a Russian leading vertically integrated gas processing and petrochemical company, and the participation in the development of the UAE Hassyan Clean-Coal Power Project by providing both equity investment and a project financing loan. Under the leadership of Hannah, the legal team is deeply involved in the whole process of the Silk Road Fund investments, including the strategic planning, the negotiating and reviewing of transaction documents, and the project closings and post-investment management.

In addition, the legal team also plays an important role in the establishment and improvement of corporate governance and compliance system, as well as risk prevention and control in the Fund's daily operation. Hannah encourages the legal team to provide high value added professional services for the company's investment and operation activities, not only to identify the legal risks in the transactions, but also to actively propose innovative solutions on the basis of the profound understanding of the business objectives.

What her business partner said about her:

"Hannah is highly respected for her legal professionalism. She has good business acumen which enables her to manage highly complex projects effectively. Hannah also has comprehensive and meticulous expertise in M&A and financing, as well as good negotiation skill. She provides project teams with prompt, effective, practically feasible legal advice. She has excellent language skills, bilingual in Chinese and English and has strong legal drafting skills in both languages. She maintains good relationships with a good variety of domestic and international law firms to timely find the right help according to the needs of the investment teams."

——Liu Yanjun, Head of Investment Department II at Silk Road Fund Co., Ltd.

What the lawyers said about her:

"Leading the inhouse legal team to run cutting-edge transactions. She is truly international trained and is very smart."

What she said about the role of GC:

Hannah believes that a good general counsel must be a well-rounded talent, who should not only have deep legal knowledge and excellent professional skills, but also have a keen sense of business, as well as outstanding capabilities in terms of communication, coordination and the ability to see the big picture.

Silk Road Fund Co., Ltd. was established in Beijing on December 29, 2014, with investment from the State Administration of Foreign Exchange, China Investment Corporation, China Development Bank and Export-Import Bank of China. The Fund is a medium to long-term investment fund. Through a variety of forms of investment and financing s, primarily equity investment, the Fund is dedicated to supporting infrastructure, resources and energy development, industrial capacity cooperation and financial cooperation in countries and regions involved in the Belt and Road Initiative. The Fund aims to achieve medium and long-term financial sustainability and reasonable returns on investment.

加入丝路基金以来, 曹晖带领法律团队秉承专业、严谨、务实的作风, 为公司完成一带一路战略下多个跨境投资项目提供了有力的法律支持。过去一年里的代表性案例包括丝路基金收购俄罗斯一体化石化企业西布尔10%股权, 股加债方式参与开发阿联酋哈翔清洁燃煤电站等。曹晖率领的法律团队深度参与丝路基金投资全流程, 包括战略策划、交易文件的谈判审阅、项目交割及投后管理; 此外, 在公司治理及合规体系的建立和健全, 日常运营的风险防控方面, 法律团队也发挥了重要作用。曹晖倡导法律团队要为公司的投资经营提供高附加值的专业服务, 不仅要善于甄别交易中的法律风险, 更要基于对商业目的的深刻理解, 积极提出创新性解决方案。

业务伙伴的评价:

"法律专业素养过硬, 并有很好的商务意识; 对高度复杂的项目掌控力强, 项目并购及融资相关的专业知识全面细致, 并有较高的谈判技巧; 能为项目团队提供及时有效、实践可行的法律指导; 中英文法律文书起草素质出色, 双语沟通能力强; 与投资团队需要的市场各类国际国内法律事务所关系良好, 可准确及时地找到所需的法律顾问团队。"

——丝路基金有限责任公司投资二部副总监刘彦军

律师的评价:

"曹晖领导内部法务团队开展最新型的交易。她非常聪明, 并且接受过良好的国际化培训。"

她对于总法律顾问的理解:

曹晖认为, 一名优秀的总法律顾问必须是复合型人才, 既要有精深的法律专业知识和技能, 还要有敏锐的商业意识、优秀的沟通协调能力, 以及服务大局的综合管理能力。

丝路基金由外汇储备、中国投资有限责任公司、国家开发银行、中国进出口银行共同出资, 于2014年12月29日在北京注册成立。丝路基金是中长期开发投资基金, 通过以股权为主的多种投融资方式, 重点围绕“一带一路”建设推进与相关国家和地区的基础设施、资源开发、产能合作和金融合作等项目, 确保中长期财务可持续和合理的投资回报。



ALB Top GCs in China 2016

FENG LIQIONG

ALB 2016年中国最佳总法律顾问

冯莉琼

BOE

BOE TECHNOLOGY GROUP CO., LTD.
Senior Vice President, Chief Legal Officer

Number of Years as General Counsel: 18 years

Number of people in the legal team: 66 staff

京东方科技集团股份有限公司
高级副总裁、首席律师

担任总法律顾问时长: 18年

管理法务团队人数: 66人

Feng makes constant exploration and innovation evident in the company's organizational set up, role orientation and management tools in her 22 years with BOE Technology. In 2010, she led a major overhaul of the company's legal department, centralising and professionalising the team. She actively promoted the expansion of legal roles from being focused solely on legal risks to include business management, transaction structure design and forecasting of international legal risks. She is also constantly working to build her team into a group of elite legal professionals who "control risks and create value".

Under her leadership, in 2015 the legal team provided global legal services for company projects totaling more than RMB 10 billion; handled 16 dispute litigation cases which involved more than RMB 90 million; and successfully established a global legal compliance training system that conducted a total of 85 compliance training sessions for more than 4,500 participants. The in-house team also promoted the concept of "management throughout the life span of contracts", and used it as a guide to build a contract information management platform. This allowed for a closed-loop connected management between the entire contract process and full process management of BOE's main businesses, improving business efficiency while effectively controlling legal risks.

What her business partner said about her:

"The legal team adopts innovative management model, safeguarding major transactions and effectively protecting the rights and interests of the company. They followed the concept of 'integration of business and legal affairs' in their practices and had an outstanding performance in 'controlling risks while creating value.' Our legal team is an important guardian and driver of the robust and compliance operation and healthy and rapid development of the company."

——Chen Yanshun, Vice Chairman and President of BOE Technology Group Co., Ltd.

What she said about the role of GC:

To Feng, a GC is an important business manager of the company and generally designs the company's legal affairs management and control platform. As such, the GC needs to help develop and implement company strategies, build a professional legal team, and carry out legal risk management and control to ensure the compliance with the law.

BOE Technology Group Co., Ltd. (BOE) was founded in April 1993, is an information exchange and human health to provide intelligent port products and professional services network of things. The core business includes display and sensing devices, intelligent systems, and health services. In 2016, BOE realized operating income of 68.9 billion yuan, an increase of 41.69%; attributable to shareholders of listed companies net profit of 1.88 billion yuan, an increase of 15.05%. In the first half of 2017, BOE revenue was 44.6 billion yuan, up 68.65% year on year, net profit attributable to shareholders of listed companies was 4.3 billion yuan.

The above information and data is as of the time when Ms. Feng Liqiong won the award.

冯莉琼在京东方工作的22年间，在组织、角色定位、管理手段创新方面，不断探索，并推陈出新。她于2010年主导了京东方法务部门的大调整，实现了集中化、专业化管理；她极力推动京东方公司法务角色从最初的法律风险管理者向经营管理者、交易结构设计者以及国际法律风险的前瞻者等多重角色转变；她还不断着力于打造“控风险，创价值”的精英法务团队。2015年，在她的带领下，法务团队为公司若干重大项目提供全球法律服务，涉及金额超过百亿元人民币；处理争议诉讼案件16个，涉及金额超过9000万元人民币；初步建成全球法律合规培训体系，累计开展合规培训85场，参训人数超过4500人；推行“合同全生命周期管理”理念，并以此为指导构建合同信息化管理平台，实现合同全流程管理与公司主要业务全流程管理的串联闭环管理，提高业务效率，同时有效管控法律风险。

业务伙伴的评价：

“法务团队创新管理模式，为重大交易保驾护航，切实维护公司权益。用实际行动践行‘法商融合’的理念，在‘控风险，创价值’方面表现出色，是公司稳健合规经营和健康快速发展的重要守护者和驱动者”

——陈炎顺，京东方科技集团股份有限公司副董事长、总裁

她对于总法律顾问的理解：

冯莉琼认为，作为公司重要的经营管理者 and 法律事务管控平台的总设计者，总法应参与制定与实践公司战略，打造法务专业团队，实施法律风险管控，确保公司法律安全。

京东方科技集团股份有限公司 (BOE) 创立于1993年4月，是一家为信息交互和人类健康提供智慧端口产品和服务的物联网公司。核心事业包括显示和传感器件、智慧系统、健康服务。2016年，京东方实现营业收入689亿元，同比增长41.69%；归属于上市公司股东的净利润为18.8亿元，同比增长15.05%。

以上为冯莉琼女士获奖时信息和数据。



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微言谈法



中国华融
CHINA HUARONG



ALB Top GCs in China 2017

GUO WEIHUA

ALB 2017年中国最佳总法律顾问

郭卫华

CHINA HUARONG ASSET MANAGEMENT CO., LTD.

Legal director & General manager of Legal compliance department

Number of Years as General Counsel: 5 years

Number of people in the legal team: 39 staff

中国华融资产管理股份有限公司

法务总监、法律合规部总经理

担任总法律顾问时长: 5年

管理法务团队人数: 39人

Years of court work experience helped Guo Weihua accumulate abundant legal practice experience. Since starting to serve as the director of the legal compliance department, Guo Weihua has led the legal team to, through active exploration and innovation, realize the "legal review standardization," "litigation management systematization" and "standardization of compliance management," and provide the high quality and efficient legal support for the whole company. Furthermore, Guo and his team, on a number of occasions, promoted the issuance of the relevant documents by judicial and regulatory authorities to win major benefits for financial asset management companies in terms of the property preservation, mortgage registration and other aspects. Under Guo's leadership, the legal compliance department of China Huarong, over the past year, has played an active role in promoting and ensuring the "service companies returning to A shares," "the improvement of OFAC risk control mechanism" and "the establishment of new business platform," and made efforts to strengthen internal and external communication and exchange, thus ensuring that the legal work has been "done, said and conveyed."

What his business partner said about him:

"For a great hero, his top imperative is to serve his country and his people. Mr. Guo is not just a legal expert, he leads and guides his team members "to do the job and do the job well." He also concerns about issues related to rule of law, and offers suggestions for judicial reform. I call Mr. Guo a great hero of today's legal community. He deserves the respect and admiration."

——Cheng Wenkai, Vice Manager of China Huarong Asset Management Co., Ltd.

What the lawyers said about him:

"Guo Weihua created a work approach called 'three credos', which provides a practical, easy-to-understand and convenient litigation work method for the whole company to deal with commercial litigation cases. It is an innovative and unique approach for domestic enterprises in their risk prevention and control."

What he said about the role of GC:

In the view of Guo Weihua, a good general counsel first should respect the legal positions, and understand that the legal affairs are one of the three key elements of modern corporate governance; the second is to live up to standards for qualified legal professionals – not only to serve, but more importantly to guard the company against any legal risks; and the third is to develop the legal team into a team like an "elephant" – moderate (good interpersonal skills), calm (working well with varying group of people and under pressure), and strong (excellent professional skills and expertise).

Incorporated on September 28, 2012 upon approval of the State Council, China Huarong Asset Management Co., Ltd. is a state owned non-banking financial institution co-sponsored by the Ministry of Finance and China Life. The Company was previously known as China Huarong Asset Management Corporation, which was established on November 1, 1999 as one of China's four leading financial asset management companies. On October 30, 2015, the company was successfully listed on the Main Board of The Stock Exchange of Hong Kong Limited.

By the end of 2016, the total assets of China Huarong reached 1,411.97 billion RMB, the net assets was 150.08 billion RMB and the net profit was 23.11 billion RMB.

多年的法院工作经历使郭卫华积累了丰富的法律实践经验。自担任法务总监以来，郭卫华带领团队积极探索、勇于创新，实现了“法律审查标准化”、“诉讼管理体系化”、“合规管理规范化”，为全系统提供了优质高效的法律支持，更是多次推动司法机关、监管部门出台相关文件，在财产保全、抵押登记等方面为金融资产资产管理公司争取到重大利好。在其带领下，过去一年，中国华融法律合规部在“服务公司回归A股”“健全OFAC风险控制机制”、“新业务平台搭建”等方面积极发挥了保驾护航作用，并努力加强内外沟通与交流，实现了法律工作“做出来、说出来、传出来”。

在郭卫华看来，一名优秀的法律顾问，首先是要“看得起”法务岗位，认识到法务“三驾马车”之一；其次是要“对得起”法务职责，既要服务，更要把关。要把团队培养成一支“大象”队伍，温和(沟通能力强)、沉稳(心理素质好)而又有力量(专业素质硬)。

业务伙伴的评价：

“侠之大者，为国为民”。进入中国华融法律合规部方知今日之法界大侠，郭总不仅业务精湛，更是身先士卒、带领法律部同事‘能干事、干成事’，还一直心系法治、为司法改革建言献策，这种敢想、敢说、敢写的气魄，当得一声‘郭大侠’。”

——程文凯，中国华融资产管理股份有限公司副经理

律师的评价：

“郭卫华创造性的提出‘三句真经’工作法，为公司全系统商业化诉讼案件的处理提供了易于理解、方便掌握、操作性强的诉讼工作实践方法，是国内企业风险控制独树一帜的创新实践。”

他对于总法律顾问的理解：

在郭卫华看来，一名优秀的法律顾问，首先是要“看得起”法务岗位，认识到法是“三驾马车”之一；其次是要“对得起”法务职责，既要服务，更要把关。要把团队培养成一支“大象”队伍，温和(沟通能力强)、沉稳(心理素质好)而又有力量(专业素质硬)。

中国华融资产管理股份有限公司成立于2012年9月28日，是经国务院批准，由财政部控股的国有大型非银行金融机构。公司前身为成立于1999年11月1日的中国华融资产管理公司，是中国四大金融资产资产管理公司之一。2015年10月30日，中国华融在香港联合交易所主板上市。

截至2016年末，中国华融总资产达人民币14,119.7亿元，净资产达人民币1500.8亿元，2016年实现净利润人民币231.1亿元。



ALB Top 15 In-House Teams in China 2017

GUO XIAOZHOU

ALB 2017年中国15佳公司法务团队负责人
郭小舟

FOSUN 复星

FOSUN INTERNATIONAL
General Manager of Legal Department

Number of Years as General Counsel: 11 months

Number of people in the legal team: 29 staff

复星国际
法律事务部总经理

担任总法律顾问时长: 11个月

管理法务团队人数: 29人

Mr. Guo Xiaozhou takes care of legal affairs of a number of business units of Fosun, including Commodities Group, China Momentum Fund, Fashion Group, Tourism & Culture Group, TMT Group and New Retail Division. He leads the legal team to provide comprehensive legal support for the day-to-day operations of the enterprises in the aforesaid business unites, domestic and overseas M&A projects, post-investment management and project exit, and takes charge of the daily work of Legal Department. The projects closed/signed in 2017, which Mr. Guo led or participated in, included acquisition of a 84.5% equity in Koller (a German light materials manufacturer), acquisition of the 100% equity in Meibai Water Science and Technology Co., Ltd. (a wastewater treatment company), participation in the E round financing of Delhivery (India's largest e-commerce logistics enterprise), leading the D2 round financing of Hellobike (China's third-largest bike-sharing operator), acquisition of a 17.99% stake in Tsingtao Brewery, acquisition of a 9.9% stake in Concord Medical Services Holdings Limited (a Chinese domestic medical service provider), and follow-up investment and taking the controlling stake in Caruso (an Italian luxury menswear maker) etc. Mr. Guo is also responsible for developing internal management systems and providing legal and compliance trainings for business teams. In December 2017, Fosun Legal Department under Mr. Guo's leadership won, again, the award of "Thomson Reuters ALB Top 15 In-House Teams in China 2017".

What his business partner said about him:

"As the General Manager of Legal Department, Mr. Guo is committed to the construction of a professional, elite and internationalized legal team. He has rich legal knowledge and transaction experience. He not only provides guidance and management for the legal team, but also is personally and deeply involved in the front-desk work such as negotiation and document preparation. He leads the team to provide constant, cross-time zone and all-dimension support for domestic and overseas projects to facilitate the M&A transactions and industrial layout of Fosun. His professionalism, sense of responsibility and customer-oriented working style can serve as a role model for the legal team."

——Tang Bin, Senior Vice President of Fosun International

What he said about the role of GC:

The legal team of Fosun mainly supports investment projects, and this requires us to go from the backstage to the frontstage and work shoulder-to-shoulder with the business teams. In such a context, the General Manager of Legal Department, or the General Counsel, must have the legal techniques, critical thinking, execution ability and management skills of a partner of a law firm on the one hand, and have the business acumen, internal communication and coordination skills and decision-making ability of an in-house legal counsel on the other hand. In short, as the General Manager of Fosun Legal Department, my job is to procure the success of transactions with good control of risks and costs.

Founded in 1992, Fosun is a family-focused multinational company. Fosun International Limited was listed on the main board of the Stock Exchange of Hong Kong Ltd. (00656.HK) in 2007. As of June 30, 2017, Fosun's total assets exceed RMB500 billion. With its roots in China, and through technology and innovation, Fosun's mission is to create customer-to-maker (C2M) ecosystems in health, happiness and wealth, providing high-quality products and services for families around the world.

郭小舟律师负责复星大宗商品集团、中国动力基金、时尚集团、旅游文化集团、TMT集团、新零售事业部等板块的法律事务，带领法务团队为前述板块的企业日常运营、境内外并购项目、项目投后管理及退出提供全面法律支持，并主持法务部的日常工作。2017年，郭律师主办或参与的交割/签约项目包括：收购德国轻质化材料公司Koller的84.5%股权，收购污水处理公司美柏水务的100%股权，参与印度最大的电商物流企业Delhivery的E轮融资，领投国内第三大共享单车哈罗单车的D2轮融资，收购青岛啤酒的17.99%股权，收购国内医疗服务企业泰和诚的9.99%股权，增资并控股意大利高端男装品牌Caruso等。郭律师的管理工作涵盖各类内部管理制度的制定，以及为业务团队提供法律与合规培训等。2017年12月，郭律师率复星法务部再次入选“汤森路透ALB 2017年中国15佳公司法务团队”。

业务伙伴的评价：

“作为法务部总经理，郭律师致力于专业化、精英化、国际化的法务队伍的建设。他有丰富的法律知识和交易经验，在指导、管理法务团队成员工作的同时，自己也深入到谈判、文件制作等一线事务中。他带领团队跨越时区、不间断地为境内外项目提供全方位支持，为复星的并购交易和产业布局保驾护航。他的专业素养、责任心及以客户导向的服务意识，可以作为法务团队的榜样。”

——唐斌，复星集团高级副总裁

他对于总法律顾问的理解：

复星的法务团队主要支持投资项目，这就要求我们要从中后台走到前台，与业务团队并肩合作。在此设定中，法务部总经理（总法律顾问）一方面要有律师事务所合伙人的法律技术、分析思维、项目执行能力和管理能力，另一方面又要有公司法律顾问的商务意识、内部沟通协调能力和决策能力。总体而言，复星法务部总经理的使命是在控制好风险、管理好费用的情况下，助力交易成功。

复星植根中国，深耕健康、快乐、富足领域，通过科技引领、持续创新，智造C2M（客户到智造者）幸福生态系统，为全球家庭客户提供高品质的产品和服务。复星创立于1992年，2007年复星国际在香港联交所主板上市（00656.HK）。截至2017年6月30日，复星总资产超过人民币5,000亿元。



ALB Top 15 In-House Teams in China 2017

YONGKAI WONG

ALB 2017年中国15佳公司法务团队负责人

黄荣凯

CITIC CAPITAL
中信资本

CITIC CAPITAL HOLDINGS LIMITED

Managing Director, Head of Legal and Compliance

Number of Years as General Counsel: 5 years

Number of people in the legal team: 10 staff

中信资本控股有限公司

董事总经理, 法律及合规部主管

担任总法律顾问时长: 5年

管理法务团队人数: 10人

The in-house team of CITIC Capital Holdings Limited, led by Yongkai Wong, successfully completed its investment in S.F. Holding Co., Ltd., China's most valuable logistics company. From 2013 when a consortium led by CITIC Capital invested in SF Group to February 2017 when SF Group successfully went public through "backdoor listing". Wong's legal team also participated in the issuance of Bohai Huijin - CITIC Capital Yuefang ID-Mall Asset-backed Special Scheme, a quasi USD-denominated REITs which is the first batch of quasi-REITs structure in China that is backed solely by assets (as opposed to corporate credit), and played an active role in terms of taxation, structuring and execution. Other notable transactions led by Wong include: acquiring McDonald's business in Greater China; participating in the acquisition of CIBT, the world's leading travel visa and immigration service provider; acquiring Jissbon, a well-known global condom maker; participating in the acquisition of Supercell, a leading mobile game developer, etc.

What his business partner said about him:

"Under the leadership of its general counsel, the in-house team of CITIC Capital, while maintaining a high degree of professionalism, is no longer confined to providing only regular legal advisory services, but is active in transactions from the perspectives of execution, decision-making, etc. CITIC Capital's in-house team, led by its general counsel, is very strong in execution and works very efficiently for each transaction. The team is also able to grasp the progress of each project both from a bigger-picture perspective and in detail, providing solid legal technical support and flexible solutions to advance project implementation."

-- Managing Director, CITIC Capital

What he said about the role of GC:

Being responsible for legal and compliance of the entire CITIC platform, CITIC Capital's general counsel not only needs to manage and control the legal and compliance risks the in-house team encounters in each project, but also needs to put himself/herself in the shoe of the overall CITIC platform to think about how to strike a balance between business needs and legal and compliance risks. The Legal Department of CITIC Capital is convinced that having a thorough understanding of both the legal and compliance risks of projects as well as their business considerations and objectives is essential to the effective performance of in-house legal functions for a private equity investment platform. In this way, the in-house team can constantly discuss and study how to optimize existing transaction structures, and even explore new business opportunities, ultimately positioning itself as a strategic partner to project teams.

Established in 2002, CITIC Capital Holdings Limited. ("CITIC Capital") is an investment management and advisory company specializing in alternative investment, managing over USD 22 billion of assets for a diverse group of international institutional investors across its core business segments of private equity investment, real estate investment, structured financing and asset management. CITIC Capital currently employs more than 280 staff in subsidiaries and offices in Hong Kong, Shanghai, Beijing, Shenzhen, Tokyo, New York and other locations.

黄荣凯先生带领中信资本控股有限公司法务团队完成了对中国最具价值的物流公司——顺丰控股股份有限公司的投资，从2013年中信资本领导财团投资顺丰集团，到2017年2月顺丰集团成功“借壳上市”。黄荣凯先生带领的法务团队还参与发行了美元基金“类REITs”——“渤海汇金-中信资本悦方ID-Mall资产支持专项计划”，该资产支持专项计划作为在中国首批仅依靠资产支持（而不是企业信贷支持）的类REITs结构，法律团队在税赋、结构和执行层面上发挥了积极作用。黄荣凯先生主导并完成的其他交易包括收购麦当劳大中华区的业务；参与收购全球领先的旅行签证和移民服务提供商——CIBT；收购全球著名安全套生产商杰士邦；参与收购海外手机游戏领导者——Supercell等。

业务伙伴的评价：

“在中信资本总法律顾问带领下，中信资本法律团队在保持较高专业性的同时，已不再局限于仅提供常规性的法律咨询服务，而在执行、决策等更多层面上参与到各项交易中。针对每个交易而言，中信资本的总法律顾问带领的团队具有非常强的执行力，工作效率极高。中信资本法律团队在整体和细节上都能把握项目进展，为项目推进提供坚实的法律技术支持和灵活多变的执行方案。”

——中信资本 董事总经理

他对于总法律顾问的理解：

中信资本的总法律顾问是负责整个平台的法律合规职能。不仅仅需要把控团队在项目上所碰到的法律合规风险，也要同时从整体平台换位思考，如何达成公司的商业需求及法律合规风险之间的平衡。中信资本的法务部深信要好私募投资平台的法务职能需要充分理解项目的法律合规风险，也同时理解项目的商业考量及目的，从中不停地探讨和研究如何优化现有交易架构，甚至探讨新的业务机会，成项目团队的战略伙伴。

中信资本控股有限公司（简称中信资本）成立于2002年，是一家主攻另类投资的投资管理及顾问公司。我们的核心业务包括私募股权投资、不动产投资、结构融资及资产管理，为多样化的国际机构投资者管理总额超过220亿美元的资产。中信资本现有员工280多名，在香港、上海、北京、深圳、东京和纽约等地设有子公司或办事处。



天達共和律師事務所
East & Concord Partners

2017ALB总法颁奖晚宴圆桌会议观点集萃

汤森路透旗下《亚洲法律杂志》(ALB)于2016年首次开展年度最佳总法律顾问评选,天达共和有幸连续两年参与赞襄这样内地企业内部法律专业人士的盛事。

在2017年8月17日ALB携手天达共和在北京四季酒店举办的“2017ALB天达共和最佳总法律顾问圆桌会议”上,数位2017年度ALB中国15佳总法得主共同围绕“如何评判外部律师的工作(包括评判标准、评判人员、评判机制)”的主题开展了热烈的圆桌讨论。在主持人崔红伟律师环环紧扣的精彩设问下,索尼(中国)有限公司副总裁、总法律顾问谈臻先生,金光纸业(中国)投资有限公司法务部总经理徐新林先生,中国华融资产管理股份有限公司法务总监、法律合规部总经理郭卫华先生和全国人大代表、天达共和主任李大进,管委会主任周琦,管委会合伙人韩晏元,公司与证券领域合伙人胡晓华,国际贸易和日本业务合伙人张和伏,知识产权领域合伙人冯超,商业地产青年专业律师匡令清等一起,就法务与律师如何相互配合进行了感悟分享。与会各位前瞻性的商业思维、对于商业和法务关系的深刻理解,以及专业的法律知识时时碰撞出绚丽的火花。受限于篇幅,现仅将部分嘉宾精彩发言整理摘录如下,以飨读者。

围绕讨论主题,华融郭总分享了全新的三驾马车观点:对于一家企业而言,第一是业务,第二是财务,第三是法务,应坚定地三步并举,三架马车同行。基于依法治国理念,企业对法务工作日益重视,企业的法务工作大有可为。但我们很清楚面对无限的需求,企业内部法务团队的实力是有限的,这客观上决定了我们需要优秀的外部律师。我们搞一带一路更需要当地的律师支持,所以我们聘请外部律师非常非常重要,本次主题选的非常非常好。法律人员志在解决问题,当然选择外部律师也是一门技术性很强的工作,现在在全国律师事务所,律师队伍大概有32万人之多,如何在这32万人部队之中选出最适合为我们所用的、优秀的、质优价优的律师,所以华融公司建立了律师库,先进行筛选,这第一关很重要,如果各位要和华融打交道,第一步是入库;第二步是招标;第三步一定要注意,重要的项目大律师一定要亲自办理,这点非常关键。再有就是要与需求单位加强沟通,与需求部门沟通不畅,或者没有及时到位,导致需求部门对法务部门强烈的反馈肯定会影响律师的继续服

务。这就是我们聘任律师有一系列标准和规程,都是非常规范的。我们欢迎优秀的律师来为我们服务。

金光纸业的徐总谈到了精彩专业诊疗观点:对于金光纸业这样跨国经营的行业老大而言,世界各区域均遵循谁投资谁负责的原则。企业内部的法务就象门诊医生,首诊后要请专业的手术或各专科的医生处理,就如同我们根据专业划分聘请不同领域具备专长的外部律师一样。以其个人多年从事这个行业的经验,判断律所应该有横向和纵向两个维度,横向维度是专业化的体系,律所团队的能力、规模的问题等硬件对比,纵向维度比如业界声誉问题、大家的合作关系等等,这是软件的,硬件和软件的对比决定了我们对律所的评判。

索尼作为一家更加国际化、更加开放、更加多元的日本公司,谈总认为其使用律所是没有条框限制的,也不受语言约束。他还分享了自己过去十几年来感受到的公司法务和外部律师关系的变化趋势:从最早期的中国或跨国公司的法务与外部律师存在的非理性的竞争关系,逐渐演变成合作关系,发展到今天更提升成为一种协同的关系。外部律师能够给公司法务提供更多增值服务,他们已经不是单向接受指令的完成工作,而是更加主动的、更加创新的去开发自身价值。基于这样的理念,索尼聘用律师更看重三个方面,第一、对公司业务的了解度;第二,外部律师的责任心和应对能力;第三,特定的领域一定要有专长。中国正在出现新的业务领域的专业律师,有中国律所在这方面已经进行前瞻性的布局,而象索尼这样引领科技创新的企业,更希望找到在科技方面更有前瞻做更多研究的外部律师。

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ALB Top GCs in China 2016

JIN YI

ALB 2016年中国最佳总法律顾问

靳毅



TAIKANG INSURANCE GROUP INC.

Chief Compliance Officer, General Manager of Legal & Compliance Department

Number of Years as General Counsel: 3 years

Number of people in the legal team: 16 staff

泰康保险集团股份有限公司

首席合规官, 法律合规部总经理

担任总法律顾问时长: 3年

管理法务团队人数: 16人

In his first year as general manager of Taikang's legal department, Jin won recognition in the industry for his achievements in team building and consistent optimisation of the legal management system. His efforts to standardise, improve the use of information and raise the intellectual quality of legal work have also gained praise.

Under Jin's leadership, the department gradually adopted a group-based legal management framework and provided comprehensive legal support for the establishment, opening, inspection acceptance and clause review of Taikang Online, the first online insurance company in China that is wholly owned by an insurer and has received insurance Certificate Authority (CA) authentication. In his daily work, Jin actively involved in Taikang's strategy of developing high-end customers by giving professional legal advice and balancing business innovation with corporate risk management. He also pushed for and oversaw the establishment of an IP management system in the company.

What his business partner said about him:

"Mr. Jin Yi has solid legal expertise and rich experience in handling legal affairs, with the focus on insurance laws and the related areas.

As the head of legal department, Jin Yi's management capabilities and ability to develop the organization are widely recognized. He reached his innovation potential in this position, which also benefited the company; in particular, Jin's innovative practices are at the forefront of the industry in terms of dealing with IPR related legal affairs. The groundbreaking work Jin has done in IPR-related legal affairs in finance and insurance not only helps Taikang with group management and globalization, but also contributes to development of the finance and insurance industry."

——Wang Bing, General Manager of Audit Center of Taikang Insurance Group Inc.

What he said about the role of GC:

Jin believes that legal management goes beyond "reactive" functions such as minimisation of loss and risk prevention. It could also seek to directly create and add value for the company through joint enhancement of professional competence and management capabilities.

Founded in 1996, Taikang is a large insurance and financial service conglomerate. The company operates through three main businesses: insurance, asset management and health and elderly care. Taikang Insurance Group has a number of subsidiaries which include Taikang Life, Taikang Asset, Taikang Pension, Taikang Community, Taikang Health and Tk.cn. Its business scope covers a wide range of fields, such as life insurance, pension, enterprise annuity, online property and casualty insurance, asset management, health and elderly care, health management, commercial real estate and offshore businesses.

靳毅在担任泰康法律部总经理的第一年里，在团队建设、不断优化法律管理系统实现法律工作标准化、信息化、智能化等方面，获得了业内一系列的好评与认可。他对泰康法律部的定位不仅仅是泰康的一个法律支持部门，更是泰康集团管理中具有统筹管理法律事务职能的组成部分。在其领导下，逐步建立集团化的法律管理框架；为国内第一家由保险企业全资投资建设并通过保险类CA认证的互联网保险公司——泰康在线的设立、开业、验收及条款审查等提供了全面法律支持工作；在日常工作中，突破公司法务被动性的工作方式，积极融入到公司高端客户发展的战略中，提供专业的法律意见，尽力平衡业务创新与公司风险管理。此外，靳毅还积极倡导并开展建立公司知识产权体系。

业务伙伴的评价：

"靳毅先生拥有过硬的法律专业功底和丰富的法律事务工作经验，尤其精通以保险为核心的法律事务及其各项外延。

作为法律部总经理，其管理能力和发展组织的能力得到公认，其创新能力更是在这一岗位上得以发扬并使公司受益，尤其在知识产权法律事务方面，更是走在行业前列。其在金融保险行业知识产权方面的开创性工作，不仅有利于泰康的集团化和国际化发展，也将为行业在这一领域做出有益探索。"

——泰康保险集团股份有限公司稽核中心总经理 王兵

他对于总法律顾问的理解：

靳毅认为法律管理不仅是事后减损和风险防范，也可以追求直接增值，通过专业能力与管理能力的共同提升，为企业创造价值。

泰康保险集团股份有限公司(前身为泰康人寿保险股份有限公司)成立于1996年，总部位于北京，是一家涵盖保险、资管、医养三大核心业务的大型保险金融服务集团。截至2016年底，管理资产超过10800亿元。泰康保险集团旗下拥有泰康人寿、泰康资产、泰康养老、泰康之家、泰康健康、泰康在线等多家公司。业务范围全面涵盖寿险、互联网财险、养老保险、企业年金、资产管理、医疗养老、健康管理、商业不动产、海外业务等多个领域。



ALB Top GCs in China 2016, 2017

LIN YING

ALB 2016年, 2017年中国最佳总法律顾问

林莺



SINOATION VENTURES
General Legal Counsel

Number of Years as General Counsel: 7 years

Number of people in the legal team: 5 staff

创新工场
总法务官

担任总法律顾问时长: 7年

管理法务团队人数: 5人

Lin Ying is an experienced legal professional focusing in practice areas including corporate, securities, funds, venture capital, restructuring and mergers and acquisitions. Under her leadership, the legal team has helped the company make successful investments in over 300 project companies, and provided a full range of legal support in the post-investment, directed and participated in a large number of negotiations and consultations, the drafting and reviewing of transaction documents, legal risk control and project management. In 2016, Lin Ying led the legal team to provide comprehensive supports to the company's investment teams in more than 50 investment projects, the followup financing for 89 companies, the restructuring and listing of 17 investment companies, and one fund raising project. Meanwhile, the legal team provided strong support for Sinoation Ventures in listing a company on the New Third Board and establishing the artificial intelligence academy.

What her business partner said about her:

"Ying is one of the most talented and dedicated person I have ever seen. As the leader of our legal department, she participates in huge amount of transactions, supports our investment team in every steps and provides legal advices to our funds. We are glad to have her on the team and always appreciate what she has done in the past 7 years."

—Tao Ning, COO & Partner of Sinoation Ventures

What she said about the role of GC:

Lin said that in order to help the company achieve strategic objectives and lead the team development, first of all it requires the deep understanding of the company's strategic objectives, and integration of the company's goals with the team's goals because the effective and efficient implementation is based on the profound understanding. Secondly, it requires the correct positioning of the legal team. On the one hand, our job is to be the watchman for the company, helping the company keep the bottom line then more forward steadily and soundly; on the other hand, we need to share partnership with the business teams as well as other teams of the company, thus joining hands in finding the most effective solutions to problems. And finally, it requires the establishment of the learning mechanism, cooperation mechanism and knowledge management mechanism for the entire team, thereby help everyone in the team to realize self-fulfillment and at the same time promote the overall development of the team.

Sinoation Ventures is an established Chinese technology-savvy investment firm, started in 2009 by a team led by Dr. Kai-Fu Lee, with presence in Beijing, Shanghai, Shenzhen, Seattle and Silicon Valley. We currently manage an estimated \$1.3B AUM between five USD and RMB funds in total, and over 300 portfolio companies across the technology spectrum in China and the U.S. We are one of the first Chinese ventures firms establishing a presence and investment practice in the U.S.

林莺长期致力于公司、证券、基金、风险投资、重组并购等领域的法律业务,具有丰富的法律事务从业经验。在其领导下,法务团队为公司成功投资超过300多家项目公司以及进行项目投资后管理提供了全面的法律支持,指导及参与了大量的谈判磋商、交易文件的草拟、审阅、法律风险控制及项目管理。2016年,林莺领导的法务团队为公司投资团队在超过50个投资、89个公司的后续融资、17家投资公司的重组和上市、一支基金的募集等提供了全面的法律支持。同时,也为创新工场在新三板挂牌的公司及新近成立的人工智能工程院提供了强有力的法律支持。

业务伙伴的评价:

"林莺是我见过的最富有才干、最敬业的人之一。作为公司法务部的负责人,她参与了大量的交易,在每个环节为我们的投资团队提供支持,并为我们的基金提供法律指导。我们很高兴能和她一起工作,也非常感谢她在过去七年里所做的一切。"

——陶宁, 创新工场COO兼合伙人

她对于总法律顾问的理解:

她表示,要想帮助公司实现战略目标和带领团队发展,首先需要深刻理解公司的战略目标,并把公司的目标变成团队的目标与共识,只有理解,才能落实,才有执行;其次,是要端正团队的定位,一方面是要做好公司的守夜人,帮助公司守住底线,安全前行,同时也要做好业务团队及公司其他团队的战友、伙伴,一起研究业务,一起解决问题;最后是建立整个团队的学习机制、合作机制、知识管理机制,让每个人在团队中实现自我价值,在实现自我价值的同时促进团队的整体发展。

创新工场由李开复博士创办于2009年9月,作为国内一流的创业投资机构,创新工场深耕在人工智能、消费升级、教育、文化娱乐、企业服务与升级、互联网金融等领域,并不断探索与创新,致力于打造集创业平台、资金支持、投后服务等的全方位生态投资服务平台。



通力律师事务所

CHINA'S CYBER SECURITY LAW: THE IMPACT ON ENTERPRISE COMPLIANCE

简评《网络安全法》对企业合规工作的影响

On June 1, 2017, China's Cyber Security Law officially came into force. The Cyber Security Law and its relevant supplemental regulations would place substantial impact on enterprises' operation and compliance in China in the following four aspects.

I. Obligations of Cyber Security

Network operators shall, in accordance with the requirements of cyber security graded protection system, establish internal security management system and operating procedures, take technical security precaution measures, such as data classification, important data backup and encryption, online monitoring and record keeping, and retain weblog for at least six months. Network products or services, network critical devices, cyber security special product shall conform with the compulsory requirements of the national standards. Network operators shall verify and retain users' real identity information, enhance the management of the information posted by users, keep relevant records, and report to the competent authorities. Network operators shall develop emergency plans, and timely handle security risks.

II. Greater Protection on "Critical Information Infrastructures" ("CII")

CII operators shall, on top of the cyber security graded protection system, (a) set up special security management body and person in charge, and conduct security background review over the people concerned; (b) carry out security education, technical training and skill assessment to employees regularly; and (c) develop emergency plans for cyber security incidents, and carry out drills periodically. The development of CII shall ensure that its performance could support stable and sustainable businesses operating, and the development of CII shall synchronize with the programming, developing, and using of the technical security measures. CII operators shall sign security confidential agreement with providers when purchasing network products or services, and shall be subject to the national security review if the purchasing could possibly affect national security. The standard and scope of commercial operation network constituting CII has been the focus of attention and discussion, and we hope the legislation and enforcement authorities could adopt specific regulations in this regard soon.

III. Protection on personal information

Network operators shall follow the principles of legality, legitimacy and necessity in the collection and use of personal information. Network operators shall (a) publish rules on the collection and use, express the purpose, method and scope of the collection and use, and obtain the consent of the person whose information has been collected; (b) process the personal information in accordance with the laws, regulations, and mutual agreement, without any leakage, distortion, or destroy; (c) not offer such personal information to any third party without consent, except for anonymized data. It's worth enterprises' attention to observe how the future legislation can achieve a delicate balance between the protection of personal information and the legitimate use of big data such as customers' profiling.

IV. Security Assessment of Cross-Border Data Transfer

CII operators shall (a) store personal information and important data collected and generated during operation within Mainland China in Mainland China; (b) perform security self-assessment for the cross-border transfer of personal information and important data; (c) pass the mandatory security assessment if the nature, amount, scope, and important level of the cross-border data has met the relevant national regulations. We suggest that enterprises keep track of whether the regulation in the phase of soliciting opinions will extend the security assessment obligation in cross-border data transfer to all network operators when the regulation is finally adopted.



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2017年6月1日,《网络安全法》生效实施。《网络安全法》及其相关配套规定在以下四个方面对企业运营及合规工作将产生重大影响。

第一,网络安全义务。网络运营者应按照网络安全等级保护制度的要求,制定内部安全管理制度和操作规程,采取安全防范技术措施,数据分类、重要数据备份和加密等措施,以及监测、记录技术措施,网络日志至少留存六个月。网络产品和服务、网络关键设备、网络安全专用产品应当符合国家标准的强制性要求。网络运营者应核实并留存用户真实身份信息,加强对用户发布信息的管理,保存有关记录并报告主管部门。网络运营者应制定应急预案,及时处置安全风险。

第二,对关键信息基础设施(CII)的重点保护。CII运营者在网络安全等级保护制度基础上,应设置专门安全管理机构和安全管理负责人,对相关人员进行安全背景审查;定期对从业人员进行网络安全教育、技术培训和技能考核;对重要系统和数据库进行容灾备份;制定网络安全事件应急预案,并定期进行演练。建设CII应当确保其有支持业务稳定、持续运行的性能,安全技术措施的规划、建设、使用“三同步”。CII运营者采购网络产品和服务,应当与提供者签订安全保密协议,可能影响国家安全的,应当通过国家安全审查。商业运营网络构成CII的标准和范围一直是关注和争论的焦点,我们期待立法和执法机构能够尽快颁布明确规定。

第三,个人信息的保护。网络运营者收集、使用个人信息应当遵循合法、正当、必要的原则,公开收集、使用规则,明示收集、使用目的、方式和范围,并经被收集者同意。按照法律法规和双方约定处理个人信息,不得泄露、篡改、毁损;未经同意不得向他人提供,经过匿名化的除外。值得企业关注的是,今后的立法如何在保护个人信息与诸如用户画像等大数据的合法使用之间实现精准平衡。

第四,数据出境的安全评估制度。CII运营者在中国境内运营中收集和产生的个人信息和重要数据应当在境内存储,将个人信息和重要数据出境的,应当进行安全自评估;数据出境类型、数量、范围、重要程度等达到国家有关规定的,应当通过主管部门安全评估。企业应关注正在征求意见阶段的规章是否最终将数据出境安全评估义务扩大适用至全部网络运营者。

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ALB Top 15 In-House Teams in China 2016

LIU ZHONG

ALB 2016年中国15佳公司法务团队负责人

刘中



CHINA RESOURCES LAND LIMITED
General Counsel & Assistant President

Number of Years as General Counsel: 5 years

Number of people in the legal team: 100 staff

华润置地有限公司
总法律顾问、助理总裁

担任总法律顾问时长: 5年

管理法务团队人数: 100人

In 2017, under Liu Zhong's leadership, the legal team provided legal services for over 200 investment and merger projects. Furthermore, Liu led the team to prepare and complete the 2017 version of templates of legal documents on domestic investments and M&As, and carry out researches on REITs products and related legislation and policies in line with the government's five priority tasks. The legal team had outstanding performance in handling major legal dispute cases, contract management work, and completing the review of the supplemental agreements for the commercial houses sales contracts. The legal risk inspection of sales of commercial houses becomes a routine work, and the legal team is trying to carry out random inspection on legal risks in commercial leasing. The legal team continued strengthening the protection of the rights and interests of the company, such as the management and protection of the well-known trademark MixC.

What his business partners said about him:

"Mr. Liu has profound legal expertise and rich experience as a legal professional. He is very good at grasping policy and business substance. Liu is professional and down to earth, and meanwhile open-minded and forward-looking, enabling him to help the company with the development of corporate business strategy in line with the industry development trend. Liu has a charming personality and strong leadership. Under his leadership, the legal team of China Resources Land is young and lively and good at solving tough problems. In 2017, a new "era" for real estate industry, their achievements and courage to explore won real respect from their partners."

——Zhang Ying, Senior Partner at JunHe LLP

What he said about the role of GC:

Liu believes that there are three things about being a general counsel: close to business, prevention and control of risks, and forward-looking research. That means a general counsel should have profound knowledge about the industry and in-depth understanding of the company's major investments, and be efficient in the daily work management, carrying out and arranging for various tasks in line with the company's main businesses. The general counsel should lead the legal team to implement legal risk control and inspection measures on a long term basis in all businesses of the company, and provide effective solutions to potential legal risks. It is also important for a general counsel to lead the legal team to conduct forward-looking researches including asset securitization, REITs and action learning in light of the industrial characteristics and the company's business model.

China Resources Land Limited (CR Land) is the flagship subsidiary of China Resources Group, a Fortune 500 company, engaging in real estate business, as well as one of the most influential comprehensive real estate developers in Mainland China. Its main businesses include real estate development, commercial real estate development and operation, and real property services. As of the end of 2017, the total asset of the company is more than HKD 500 billion with land reserve of over 51 million square meters. CR Land has expanded its business to 62 cities around the world with 240 development projects and has 38,000 employees.

2017年,刘中带领公司法律团队开展了200多个投资并购项目的法律工作,包括项目谈判、交易架构设计、法律尽职调查、法律风险分析及应对措施论证、协议条款起草及修订定稿等多项工作内容。于此同时,编制完成2017版境内投资并购法律文件范本,包括联合竞买、入股合作方、引入合作方三类;结合中央关于“三去一降一补”、雄安新区建设、发展长租公寓的政策导向,就REITs产品、立法、政策进行专题研究,完成专题报告;牵头办理多宗公司重大法律纠纷案件;合同管理工作,完成全公司商品房(住宅)销售合同补充协议适用的审核工作;在法律风险检查工作方面,商品房销售法律风险检查工作常态化,尝试开展商业租赁法律风险抽查工作;还包括“万象城”驰名商标的管理与保护,打假维权工作的持续深入。

律师的评价:

“刘总精通法律业务,且特别善于把握政策和商务实质,既专业又务实。眼界开阔、具前瞻性,能从公司商业战略和行业发展角度为公司发展建言献策。有特别的人格魅力和领导才能。他领导下的华润置地法律团队虽年轻但善于打硬仗、解难题,在2017年这个房地产行业发展的新年中,勇于探索并卓有成效,让合作伙伴由衷尊重和佩服。”

——君合律师事务所资深合伙人 张颖

他对于总法律顾问的理解:

刘中认为,公司的总法律顾问应“贴近业务”、“防控风险”、“前瞻研究”。即,公司总法律顾问在公司重大投资、日常经营管理工作中,要充分熟悉行业、紧密围绕公司主营业务,务实开展各项工作;带领公司法律团队,把法律风险防控及检查工作坚持长期植入公司业务,提出解决潜在法律风险的有效方案;结合公司所处行业特点和公司商业模式,带领公司法律团队开展资产证券化、REITs等前瞻性研究和行动学习。

华润置地有限公司是财富500强企业华润集团旗下的地产业务旗舰,是中国内地最具实力的综合型地产发展商之一,主营业务包括房地产开发、商业地产开发及运营、物业服务等。截至2017年底,公司在职工3.8万人,总资产逾5000亿港元,土地储备面积达5100万平米,进入海内外62个城市,累计开发项目240个。



ALB Top GCs in China 2017

RAIN LONG

ALB 2017年中国最佳总法律顾问

隆雨



JD.COM INC.
CHO&GC

Number of Years as General Counsel: 5 years

Number of people in the legal team: 88 staff

京东集团

首席人力资源官及总法律顾问

担任总法律顾问时长: 5年

管理法务团队人数: 88人

Rain Long joined JD.com Inc. and set up the legal affairs department in 2012, fostering a team consisted of legal professionals in various practice areas as well as comprehensive management talents. Over the past five years, the legal affairs department has grown into a team of 88 people, while initially there were only 16 people.

And the legal affairs department has provided comprehensive legal support for major projects such as the strategic cooperation between JD.com and Tencent, the successful listing of JD.com on the United States Nasdaq, the merger of JD.com and Dada, and the JD.com and Wal-Mart global strategic cooperation. In 2017, under the leadership of Rain, the legal affairs department started to give comprehensive supports concerning legal affairs in the business system which involves one hundred and fifty thousand people, covering the business aspects of e-commerce platform, proprietary e-business companies, cross-border e-business companies, and express delivery and logistics; continuously promoted the legal affairs IT construction; completed more than 70 investment and M&A projects; set up the system for intellectual property right protection; and established the international legal team, with which the legal services will be extended to Indonesia, Thailand and Russia, to achieve the legal support localization.

What her business partner said about her:

"Under the leadership of Rain, the legal team has always provided top-quality and professional services to all business units of the group and has always work hand-in-hand with business departments to protect the rights and interests of the group."

——Sidney Huang, CFO of JD.com Inc.

What she said about the role of GC:

Rain said that JD.com has set the strategic goal as "technology leads the future," therefore the legal team will help the realization of this goal by making efforts in the following four areas: "IT construction for legal work," "legal professionals smart applications," "eco- logical development concerning legal impact" and "legal services platform construction."

JD.com commenced its E-commerce business in 2004. In 2016, the market trading volume of JD.com achieved RMB 939.2 billion. JD.com is China's largest Internet Company in term of revenue.

In July 2017, JD.com again ranked in Fortune Global 500, making itself the highest ranking Chinese Internet company. JD.com ranked the third among the Internet Companies globally, only next to Amazon and Alphabet.

2012年，隆雨建立和发展了京东集团法务部，培养各领域法务专业人才及综合管理人才，5年内京东集团法务部从16人的团队壮大到88人。五年来，京东法务部在重大项目，如京东与腾讯战略合作、京东成功登录美国纳斯达克、京东与达达合并、京东与沃尔玛全球战略合作等项目方面提供了全面的法律支持。2017年，在隆雨的带领下，法务部全面支持十五万人的业务体系的法律事务，业务面涉及电商平台、自营电商、跨境电商、快递物流等诸多方面；持续推动法务信息化建设；完成了70多个投资并购项目；搭建了知识产权保护体系；搭建了国际法务团队，将法务服务地域延伸至印尼、泰国、俄罗斯，实现法务支持的本土化。

业务伙伴的评价：

"法务团队在Rain的带领下，始终给予集团各业务部门最优质和专业的客户体验，时刻与业务共同拼搏战斗，为公司权益保驾护航。"

——Sidney Huang，京东集团CFO

她对于总法律顾问的理解：

隆雨表示“京东集团在科技引领未来的公司战略下，法务团队将以“法务工作信息化”，“法务人才智慧化”，“法务影响生态化”和“法务服务平台化”四个方向助力公司战略的实现。”

京东于2004年正式涉足电商领域。2016年，京东集团市场交易额达到9392亿元。京东是中国收入规模最大的互联网企业。2017年7月，京东再次入榜《财富》全球500强，成为排名最高的中国互联网企业，在全球仅次于亚马逊和Alphabet，位列互联网企业第三。



ALB Top GCs in China 2016, 2017

SHI YINGCHUN

ALB 2016年, 2017年中国最佳总法律顾问
史迎春



CHINA GRAND ENTERPRISES, INC.
Legal President (General Counsel)

Number of Years as General Counsel: 7 years

Number of people in the legal team: 75 staff

中国远大集团有限责任公司
法务总裁

担任总法律顾问时长: 7年

管理法务团队人数: 75人

As a general counsel, Shi Yingchun has continuously provided targeted tailor-made and practical solutions to problems found in business areas, including proposing and realizing the higher-level of work value of in-house lawyers – the value of ensuring safe business operation. She has been adhering to the contractor system and the “contract visualization” approach. Furthermore, in order to completely change the awkward situation where the transaction-heavy international M&A environment eventually leads to high failure rate of mergers and acquisitions, she put forward the “POST” theory. Regarding the legal system construction and personnel training, Shi has been implementing the “T” shaped talent selection and cultivation concept. Through her efforts over the past year, the legal team has initially achieved the change from a conventional legal team towards an assistive legal team. She is also committed to strengthening contract review and management, resulting in a solid drop in litigations and disputes related legal affairs for a number of consecutive years. She made efforts to set up standards and workflow for handling legal affairs and has been implementing information-based management. She also developed and revised five systems in the company to carry out systematic management, thereby realizing pre-control of risks.

What his business partner said about him:

“Mr. Shi is a highly respected legal professional with profound knowledge of the relevant businesses. He is able to efficiently deal with and solve problems in the comprehensive business area of the group, which involves medicine, real estate, finance, commerce, etc. He offers practical and feasible solutions to complex issues in light of actual situations. His solutions usually combine legal advice with business considerations.

“Mr. Shi lays stress on the overall interests of the company and has a precise idea about the company’s core business objectives. He leads his team to actively collaborate with business units to push projects forward efficiently and steadily. Under his leadership, the legal team’s morale is high – all team members work efficiently, are willing and quick to learn, and give timely feedback and pertinent advice to their internal customers. The legal team is a very good work partner of business units in investment and M&A projects that need cross-department collaboration.”

——Dai Guangyu, General Manager of Investment Management Headquarters of China Grand Enterprises, Inc.

What he said about the role of GC:

Shi Yingchun believes that in-house lawyers should, in addition to their legal expertise, learn about knowledge in other related fields and exchange ideas with people from other business areas, thus improving the value of the in-house legal team and meanwhile helping the company achieve operational goals and safety objectives.

China Grand Enterprises, Inc. established in 1993, is a joint-stock group company, headquartered in Grand Place, Beijing. As an investment company engaged in operation and management, CGE’s core businesses cover pharmaceuticals and healthcare, commodities trading, property investment, financial services and other industries.

担任总法律顾问以来, 史迎春不断根据业务领域出现的问题, 有针对性地提供切实可行的解决方案, 包括提出并实现了企业法务更高位阶的工作价值——安全运营价值; 始终坚持合同承办人制度及“合同可视化审查”的方法; 为彻底改变国际并购重交易轻整合最终导致并购失败率居高不下的尴尬局面, 提出了“POST”理论; 在法务体系建设和人才培养方面, 践行“T”字形人才选用和培养观。通过其过去一年的努力, 法律团队已初步实现了集团法务从事务型法务向助力型法务的转变; 加强了合同审核与管理, 诉讼和纠纷类法律事务连续多年较大幅度下降; 实现了法务工作的标准化、流程化、信息化; 通过制定、修订五项制度进行系统化管理提前防控风险。

业务伙伴的评价:

“史总不仅具有极高法律水平, 也具备相当的业务知识, 集团公司所涉及多方面的综合业务领域(包括医药、置业、金融、商贸等)都能够游刃有余的处理、解决面临的问题, 将业务与法律有机结合, 从实际出发, 能够在一系列错综复杂的问题中一针见血的指出关键点, 并提出切实可行的解决方案。

史总注重企业整体利益, 关注核心商务目标, 与业务部门团结协作, 积极推进项目进展。在史总带领下, 法务团队在投资并购等跨部门工作中, 工作效率高, 学习能力强, 反馈及时, 意见中肯, 是很好的合作伙伴。”

——戴广宇, 中国远大集团有限责任公司投资管理总部总经理

他对于总法律顾问的理解:

史迎春认为法务人员应该跨界学习、跨界交流, 才能提高企业法务的价值, 并助力公司同时实现运营目标和安全目标。

中国远大集团有限责任公司成立于1993年, 系股份制集团公司, 总部位于北京亚运村远大中心。作为一家经营管理型投资公司, 中国远大集团主营业务涵盖医药健康、大宗商品交易、置业投资及金融服务等领域。

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ASIAN LEGAL
BUSINESS
2015年6月19日





ALB Top 15 In-House Teams in China 2017

BRIAN SUN

ALB 2017年中国15佳公司法务团队负责人
孙逊



SF HOLDING CO., LTD.
General Counsel

Number of Years as General Counsel: 3 years
Number of people in the legal team: 187 staff

顺丰控股股份有限公司
总法律顾问

担任总法律顾问时长: 3年
管理法务团队人数: 187人

In 2017, Brian led the legal team of SF Holding to participate in SF's backdoor listing, providing legal advice to ensure SF's successful listing. After listing, SF became the highest valued stock on the Shenzhen Stock Exchange.

SF's legal department made achievements in intellectual property, capital market and risk management: (1) intellectual property rights: in terms of the layout of intangible assets, SF holds the second largest number of IPRs among all courier companies worldwide; (2) capital market: the legal team supported and contributed to the completion of several large and complex transactions, including the new round of financing of Shenzhen Hive Box Technology Co., Ltd., the establishment of a joint venture with UPS, and additional financing through private placements during SF's backdoor listing; and (3) risk management: the legal team improved the company's overall risk control mechanism by establishing the risk management system, electronic signature system and data privacy preservation system, and perfecting the legal support systems of SF overseas companies in 19 countries and regions.

What his business partner said about him:

"As a general counsel, Brian is down to earth in his work, and meanwhile very strategic thinking.

"Under the leadership of Mr. Sun, the legal team serves the company with their excellent skills and solid experience in traditional businesses, safeguarding and facilitating the development of the company. In particular, in 2017, the legal team worked closely with the office of the board of directors in handling listing compliance related issues, and ensured that there was no error found in information disclosure.

Mr. Sun is a legal professional with keen insight into future changes. He developed the new concept of 'law and science & technology plus', and led the legal team to successfully develop the 'Risk Control APP', enabling more than 100,000 employees of SF to report unexpected events any time possible and making all these employees important members of the risk control system."

——Gan Ling, Board Secretary of SF Holding

What he said about the role of GC:

Since the company involves complex legal affairs and has a huge system, the general counsel not only needs to lead the team to consolidate the basic legal work, but also encourages and urges the team members to continuously innovate and move forward. SF's legal team pursues innovation while preserving good traditional practices, thus combining the conventional legal work with the application of information technology and big data. Our goal is to establish an efficient "shared and economic" mechanism for dealing with legal affairs.

SF Holding Co., Ltd. was listed on the Shenzhen Stock Exchange on February 24, 2017.

SF Holding Co., Ltd. is a leading integrated logistics and delivery service provider in China. It not only provides customers with a full range of logistics services, but also provides integrated supply chain solutions including warehousing services and information services.

After years of development, SF Holding has established an open logistics ecosystem in the logistics sector, featured the integration of logistics, capital flow and information flow.

2017年，孙逊先生带领顺丰法务团队全程参与借壳上市，并为顺丰成功上市提供法律保障。顺丰上市后成为深交所第一大股东。

顺丰法务团队在知识产权、资本市场、风险管理方面都取得了一定的成果。知识产权方面：在无形资产的布局上，顺丰知识产权持有量在全球快递企业中排名第二；资本市场方面：法务团队支持并促成了数项大型复杂交易完成，例如丰巢新一轮融资、与UPS设立合资公司、借壳上市配套融资等；风险管理方面：风险管理系统、电子签约系统、数据隐私保护体系的搭建，完善了顺丰海外19个国家和地区的法律支撑体系，提高了公司风险控制能力。

业务伙伴的评价：

"作为总法律顾问，孙逊先生具备踏实的做事风格和超凡的战略头脑。

孙逊先生领导的法务团队扎根传统业务领域，为公司发展保驾护航，尤其在上市合规方面，2017年度法务团队与董办团队通力合作，确保了信息披露零差错。

同时孙逊先生见微知著，敏锐察觉未来变化，提出'法律科技+'创新理念，并带领团队成功研发'风控APP'，使得十几万顺丰员工都可以随时报告突发事件，成为风险控制体系的重要成员。"

——甘玲，顺丰控股董事会秘书

他对于总法律顾问的理解：

由于公司涉及的法律事务纷繁复杂、体系庞大，所以总法律顾问不仅要带领团队夯实基本法务工作，还要促使团队成员不断创新向前。顺丰法务团队追求的是在传承中创新，让传统法务工作与电子化和大数据运用紧密结合，最终实现高效的"共享经济型"的法务机制。

顺丰控股股份有限公司于2017年2月24日在深交所挂牌上市。

顺丰控股股份有限公司系国内领先的快递物流综合服务提供商，不仅为客户提供全方位的物流服务，也提供包括仓储服务和信息服务等在内的一体化供应链解决方案。

经过多年发展，顺丰控股股份有限公司已在物流圈构建了集物流、资金流和信息流为一体的开放物流生态系统。



ALB Top GCs in China 2017

TAN ZHEN

ALB 2017年中国最佳总法律顾问

谈臻

SONY

SONY (CHINA) LIMITED
VP, Legal & General Counsel

Number of Years as General Counsel: 4 years

Number of people in the legal team: 15 staff

索尼(中国)有限公司
副总裁、总法律顾问

担任总法律顾问时长: 4年

管理法务团队人数: 15人

As Vice President, Legal and General Counsel of Sony China, Tan Zhen leads and manages a legal and compliance team of 15 Chinese and foreign professionals, which helped Sony China to achieve more than US\$ 5 billion in sales and operating income in the 2016 fiscal year, making Sony China ranked among the top global sales of Sony's global electronics business, becoming one of the most important profit contributors of Sony Group worldwide. Tan and his team's effective compliance mechanism for more than ten corporate entities in China, including Sony China, has made compliance an integral part of Sony's corporate culture. In the Sony Group's global compliance assessment program, the compliance work carried out by Sony China achieved outstanding results. The recognition and incentive mechanism established and implemented by Tan in his team has been recognized as Sony China's talent management innovation and demonstration project.

What his business partner said about him:

"As a Board Director and CFO of Sony (China) Limited, I have the oversight of legal and compliance functions of Sony (China) Limited.

For years, I have had the honor of working with Sony China Legal & Compliance Group led by Mr. Tan Zhen. In my observation, this is one of the best-run corporate functions that I have ever supervised in my career with the Sony Group.

Mr. Tan and his team are well recognized by Sony China executive leadership team for their strong business acumen, high standards of integrity and professionalism as well as excellent delivery of legal and compliance services."

—Mr. Rintaro Miyoshi, Director, EVP and CFO of Sony (China) Limited

What he said about the role of GC:

Tan Zhen believes that the general counsel should be a particularly trustworthy strategic adviser in whom the board of directors and the top management of the company have confidence, and who is really willing to listen. And forward thinking, business language and professional skills are the important elements that company lawyers should possess in order to create value for the company and to achieve their own professional growth.

Targeted at the operation strategy of "Global Localization", Sony Corporation set up Sony (China) Limited ("Sony China") in Beijing, China in October 1996, a legal entity to manage and coordinate Sony Group's business operations in China. After more than 20 years of unremitting efforts and constant development, Sony China has become a comprehensive operation platform integrating product planning, design, research and development, production, sales and service, with the aim of "rooted in China and long-term development".

作为索尼中国副总裁兼总法律顾问，谈臻领导和管理的一支由15名中外专业人士组成的法务及合规团队有效助力索尼中国2016财年成功实现逾50亿美元的销售和营业收入，索尼中国由此位列索尼公司全球电子业务销售总额的榜首，成为索尼集团全球范围内最重要的利润贡献者之一。谈臻和他的团队通过为包括索尼中国在内的索尼在华10余家法人实体实施的有效合规机制，已使合规成为索尼企业文化不可分割的组成部分，在索尼集团全球合规评估项目中索尼在华开展的合规工作取得全球领先的优异成绩。谈臻在他的团队中建立和实施的认可及激励机制成为索尼中国在人才管理方面的创新和示范项目。

业务伙伴的评价：

"作为索尼(中国)有限公司的董事和首席财务官，我对索尼(中国)有限公司的法律和合规职能负有监管责任。

这些年来，我有幸和谈臻先生带领的索尼中国法务及合规本部进行工作。就我的观察，这是我在索尼集团的职业生涯中监管的最好的公司职能部门之一。

谈臻先生和他的团队在商业意识、职业操守、专业技能以及法律和合规服务方面得到了索尼中国执行管理团队的完全认可。"

——三好林太郎，索尼(中国)有限公司董事、常务副总裁、首席财务官

他对于总法律顾问的理解：

谈臻认为，总法律顾问是公司董事会和最高管理层特别值得信赖、真正愿意倾听的战略顾问，而前瞻思维、商业语言和专业技能是公司律师为企业创造价值和实现自身职业提升的重要因素。

以“全球本土化”的运营策略为目标，Sony Corporation (索尼公司)于1996年10月在中国北京设立了统一管理和协调索尼集团在华业务活动的法律实体——索尼(中国)有限公司(“索尼中国”)。索尼中国以“植根中国、长远发展”为宗旨，经过20多年的不懈努力和不断发展，已成为集产品企划、设计、研发、生产、销售和服务于一体的综合性运营平台。



ALB Top 15 In-House Teams in China 2017

ERICA WANG

ALB 2017年中国15佳公司法务团队负责人
王音



3M CHINA

General Counsel for Greater China

Number of Years as General Counsel: 5 years

Number of people in the legal team: 13 staff

3M中国有限公司

大中华区总法律顾问

担任总法律顾问时长: 5年

管理法务团队人数: 13人

Erica led the legal team to clearly define and implement the three core aspects of work: helping the steady development of business, improving legal documentations and work guidelines, and focusing on talent training. During the past year, the legal team made achievements in supporting the company's major customer businesses, improving the document intensification for supply chain management and dealer management, clarifying and defining e-commerce related contracts and processes, establishing awareness and systems for personal information protection and cybersecurity, establishing online authorization system, and enhancing the compliance system. The team offered vivid and practical legal training programs to business departments and partners, and provided effective solutions to resolve disputes and guard against risks.

Under Erica's leadership, the legal team played an active role in a number of acquisitions and restructuring projects, including the acquisition of a safety device manufacturer Scott Safety from Johnson Control, the acquisition of a fall-protection equipment manufacturer Capital Safety from a private equity firm KKR, and the sale of its personal identification business to Gemalto. Through solid work and strong leadership, the legal team won the trust of the company's management team and colleagues. Furthermore, Erica led the legal team to actively get involved in social welfare undertakings, by working together with law firms to provide legal advice to more than 20 enterprises during the past two years and has made this program part of its regular work.

What her business partner said about her:

"Our legal team is a wonderful team who always puts its customers first."

——Stephen Shafer, Vice President Greater China Area & Managing Director 3M China

What she said about the role of GC:

Erica believes that leadership is the backbone of the team, leading, inspiring and motivating the whole team to reach greatness. She focuses on building a learning team where everyone enjoys what they are doing, pursues excellence at work and grows with the team. Erica believes that a pleasant work environment may help people to stay positive, work more efficiently and be more active in meeting their work challenges. It is important to build the trust, which is essential for great relationships with colleagues at business departments and the headquarters. To build the trust, we need to first lay a solid foundation and meanwhile develop strong acumen judgment and executive ability. Building trust is a long-term work. It requires commitment, cooperation and good communication. Erica believes that an outstanding legal professional should be an interesting person with dreams and passion, who meanwhile does not mind doing tedious work.

Founded in 1902, 3M is based in St. Paul, Minnesota. As one of the world's leading diversified technology innovation companies, 3M's products and technologies have been helping improve people's lives worldwide. Over more than a century, 3M has developed nearly 70,000 products— household goods, medical products, products applied in transportation, construction, commerce, education, electronics and communications— 3M science is everywhere. 3M China, incorporated in China in November 1984, is the first wholly foreign-owned enterprise in China established outside the Shenzhen Special Economic Zone.

王音领导法务团队明确和落实三个工作核心：助力业务稳健发展、完善法务文件库和工作指引、人才培养。在过去的一年里，着重于支持公司的大客户业务，提升供应链管理和经销商管理文件集约化，明确电子商务相关的合同和流程，建立个人信息保护和网络安全意识和制度，创立网上授权系统，健全合规体系；为业务部门和合作伙伴开展生动接地气的法务知识培训；有效解决纠纷并防范风险。王音领导的法务团队在多个收购和重组项目中发挥积极作用，包括向江森自控收购安全装置生产企业 Scott Safety；向私募股权公司KKR收购防坠落设备制造企业Capital Safety；剥离了个人身份识别业务出售予金雅拓 (Gemalto)等。通过扎实的工作及领导力风格赢得了公司领导和同事们对法务团队的信任。此外，王音领导法务团队积极奉献社会公益，与律师事务所合作于过去两年共向20多家社会企业提供法律咨询，并将这项活动常态化。

业务伙伴的评价：

“优秀的，客户至上的法务团队”

——Stephen Shafer, 3M大中华区总裁

她对于总法律顾问的理解：

王音的领导力信条是去做团队的主心骨，引导正能量。她希望营造学习型团队，让大家欣然于工作的乐趣和追求自我提升，在舒心的状态下，法务人士才能积极应对工作挑战，高效率和有开拓精神地做好工作。王音认为，赢得业务同事和总部同事的信任很重要。赢得信任基于扎实的功底、敏锐的判断力和高效执行力，言行一致的态度和合作精神；信任是逐渐积累的过程。在王音看来，优秀的法务人才集结三个条件：有梦想和激情、不介意做不引人注目的工作、是一个有趣的人。

3M公司创建于1902年，全球总部位于美国明苏达州的圣保罗市。作为一家世界领先的多元化科技创新企业，3M的产品和技术早已深深地融入人们的生活。100多年以来，3M开发了近七万种产品，从家庭用品到医疗产品，从运输、建筑到商业、教育和电子、通信等各个领域。3M中国于1984年11月在中国注册成立，是在深圳经济特区外成立的中国第一家外商独资企业。



中国绿色债券与绿色资产证券化的法律特点

一、中国绿色债券与绿色资产证券化相关法规

绿色债券，泛指将所得资金专门用于资助符合规定条件的绿色项目或为这些项目进行再融资的债券工具。绿色债券与普通债券最本质的区别是“绿色”，即募集资金须投向于绿色产业项目。绿色债券与普通债券在结构上并无差异，目前债券市场上的债券种类都可以适用绿色债券。

当前我国绿色债务融资工具相关的试点政策和规章正在同步推进和完善中。就证券市场而言，沪深证券交易所在2016分别出台了各自关于“开展绿色公司债券试点的通知”(以下简称“《试点通知》”)。《试点通知》提出：1、绿色项目的行业范围限定在中国金融学会绿色金融专业委员会编制的《绿色债券支持项目目录(2015年版)》及经交易所认可的相关机构确定的绿色产业项目内；2、募集资金用于绿色产业项目建设、运营、收购或偿还绿色产业项目贷款；3、符合要求的绿色资产支持证券在交易所的相关审核、上市交易或挂牌转让，参照《试点通知》执行。中国证监会于2017年发布《中国证监会关于支持绿色债券发展的指导意见》(以下简称“《指导意见》”)，明确绿色资产支持证券参照绿色公司债券的相关要求执行，募集资金用于支持绿色产业项目，主要参考《绿色债券支持项目目录》要求，重点支持节能、污染防治、资源节约与循环利用、清洁交通、清洁能源、生态保护和适应气候变化等绿色产业。

二、中国绿色资产支持专项计划的发展

资产支持专项计划以基础资产的信用而非原始权益人主体信用为发行基础。绿色产业项目通常属于新兴产业，原始权益人可借助发行绿色资产支持证券以优质的绿色产业项目实现低成本融资，不受原始权益人可能存在的成立时间较短、规模较小等因素的限制。

根据公开数据统计，截至2017年11月底，沪深交易所共发行11单绿色资产支持专项计划，发行规模超126亿元，基础资产集中于污水处理费、生物质发电电费、风电收费、公交收费等，主要集中于《绿色债券支持项目目录(2015年版)》的资源节约与循环利用、清洁交通、清洁能源与生态保护等绿色产业项目一级分类。

绿色资产支持专项计划在交易结构、现金流归集、信用增级、投资者保护等方面与一般的资产支持专项计划并无区别。以上海融孚律师事务所作为项目法律顾问在上海证券交易所发行的“中国中投证券-武汉地铁信托受益权一期绿色资产支持专项计划”为例，产品涉及双SPV结构：1、在资产支持专项计划层面，各参与人通过《计划说明书》、《标准条款》、《信托受益权转让协议》、《托管协议》、《认购协议》等交易文件对资产支持专项计划的基础资产、运行管理、信息披露、投资人权利义务等事项进行了约定。该专项计划的基础资产为原始权益人在专项计划设立日转让给计划管理人的、原始权益人享有的目标信托受益权。2、目标

信托计划层面为附应收账款质押担保的信托贷款，通过《信托合同》、《信托贷款合同》、《应收账款质押协议》、《资产服务协议》和《保管合同》的约定，将资产支持专项计划的底层基础资产锁定为质押财产，即基于地铁附属物业及地下空间收益权而产生的特定期间的应收账款。本项目中，中节能咨询有限公司出具《第三方独立认证报告》，同时原始权益人确认募集资金全部用于地铁设施建设、偿还地铁工程贷款和补充运营资金。

三、国际绿色债券市场经验的借鉴

就绿色债券而言，目前国际通用的做法是债券发行人聘请独立的专业认证机构出具对募集资金使用方向的绿色认证，或是对绿色债券募集资金的使用进行独立审计。

《指导意见》和《试点通知》中，均提到了鼓励绿色公司债券发行人提交独立的专业评估或认证机构就募集资金拟投资项目属于绿色产业项目所出具的评估意见或认证报告。虽然第三方绿色认证并不是强制的，但从实际情况来看，发行人都聘请了独立的专业认证机构出具第三方绿色认证意见，就项目基本信息、绿色产业项目类别和认定依据、募集资金使用及管理、信息披露机制与制度、环境效益预测和核证等发表独立认证意见。

绿色金融体系、绿色债券市场的建设发展是和国家的经济转型和产业升级相辅相成的。中国人民银行等七部委发布《关于构建绿色金融体系的指导意见》，不仅对于中国绿色金融体系的构建提出了细化意见，并提出需广泛开展绿色金融领域的国际合作、积极稳妥推动绿色证券市场双向开放。国际市场成熟的绿色债券市场的经验可以助力中国绿色资产证券化市场的发展。



LAWRENCE LU
吕琰律师
高级合伙人及联合创始人



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ALB Top 15 In-House Teams in China 2017

WEI WEI

ALB 2017年中国15佳公司法务团队负责人

韦炜



BGI SHENZHEN (BGI GROUP)

General Counsel

Number of Years as General Counsel: 5 years

Number of people in the legal team: 26 staff

深圳华大基因科技有限公司 (华大基因集团)

法务总监

担任总法律顾问时长: 5年

管理法务团队人数: 26人

Under the leadership of Wei Wei, the Legal and Intellectual Property Center provided a full range of legal and intellectual property support for BGI Group in the global expansion of its business, helped the group successfully acquire U.S.-based Complete Genomics, and assisted the group in setting up its strategic global presence in gene organism, gene sequencer, national gene pool, medicine, regulatory compliance, agriculture, precision nutrition, the Internet, sports, education, health and many other sectors. During the past year, the team took the lead in handling a large number of litigation and arbitration cases for BGI Group worldwide, involving disputes over a wide range of business fields such as biology, medicine, agriculture, regulatory compliance, sports, education and precision nutrition. The cumulative amount of those disputes was up to several hundred million of RMB yuan. The team was considerably involved in helping the group set up a number of domestic and overseas private equity firms which are owned by BGI Group and issue private equity products with the total fundraising amount up to tens of billions of RMB yuan. Furthermore, the team was a great contributor to the successful IPO of BGI Genomics Co., Ltd. (BGI Group's subsidiary) on the Growth Enterprise Market, and helped a number of subsidiaries of the group secure financing with the fundraising scale of billions of RMB yuan.

What his business partner said about him:

"Under Wei's leadership, the legal and intellectual property team has been heavily involved with developing and implementing major strategic decisions for all business segments of BGI Group over the past year, and provided important legal service supports for the group's overall business development. The team worked very hard on the group's overall early risk prevention, provided effective and feasible compliance advice, actively guided and supported the group's global patent portfolio and protection, and appropriately handle domestic and overseas investments, M&As and major collaboration projects. Our legal team played a significant role in helping the group navigate business through changes and risks."

—Mu Feng, CEO of BGI Group

What he said about the role of GC:

A well-qualified legal counsel should have good business acumen skills and professional qualifications. As the general counsel of a large multinational conglomerate, it means more – not only you need to have the competency for a legal counsel, it is even more important for you to understand the industry, market position, nature of the company's business, and its strategic direction, and explore to find out about the company's specific requirements for the in-house counsel. It is also important to build team cohesion, make full use of internal and external resources, develop positive work relationships with business units, and do a good job in ex ante prevention, interim control and ex post measures, to ensure the healthy development of the company.

BGI Group was founded in 1999 with the vision of using genomics to benefit mankind and has since become the largest genomic organization in the world. BGI leads the development of genomics following the innovative model of "industry-education-research resource integration", and establishes extensive cooperation with all related industrial chains through its branches all over the world. BGI is committed to applying cutting-edge genome scientific research results in medicine and health, agricultural breeding, conservation of resources and other fields to promote the transformation of genetic science and technology achievements, thus using genomics to benefit mankind and innovating and promoting the development of the genetic industry.

韦炜带领华大基因集团法务与知识产权团队为华大基因集团业务全球扩张提供了全方位法律与知识产权服务支持,协助华大基因集团收购美国Complete Genomics公司,实现基因生物、基因测序仪、国家基因库、医学、司法、农业、精准营养、互联网、运动、教育、健康等多个产业板块业务全球布局战略。在过去一年,为华大基因集团主导处理了全球范围内多起诉讼、仲裁案件,涉诉纠纷涉及生物、医学、农业、司法、运动、教育、精准营养等多个业务领域,涉诉金额累积多达数亿元;主导申请设立数个华大基因集团自己的海内外私募基金公司及发行私募基金产品,募资规模达数百亿元;主导华大基因集团旗下子公司深圳华大基因股份有限公司顺利实现创业板IPO,多个子公司顺利实现融资,融资规模达数十亿元。

业务伙伴的评价:

"华大集团法务与知识产权团队在韦炜法务总监的专业领导下,过去一年以来深度参与华大集团各个产业板块的重大战略决策与执行,为华大集团的整体业务发展起到了很好的法律服务支撑作用,致力于集团整体事业的前期风险防范、提供有效可行的合规建议,积极主导和支持集团全球专利布局与保护、海内外投资并购与重大项目合作、仲裁诉讼等纠纷案件的妥善处理,为华大集团整体业务发展真正起到了保驾护航的重要支持作用。"

——华大集团CEO牟峰

他对于总法律顾问的理解:

首先,一名称职优秀的法律顾问需要良好的商业、专业和职业的素养。身为一个大型跨国企业集团的总法律顾问,不仅要求自身具备成为法律顾问的专业素养,更需要了解所服务企业的行业、市场地位、公司特点和公司战略方向,关注和发现公司对法律顾问专业性的要求,进而结合自身的专业能力,发挥管理才能形成团队凝聚力,充分撬动内部法务团队和外部资源,与企业其它部门形成良性互动,事前防范、事中控制与事后妥善处理相结合,为公司的良性发展保驾护航。

华大基因集团成立于1999年,是全球最大的基因组学研发机构。华大基因集团以"产学研"一体化的创新发展模式引领基因组学的发展,通过遍布全球的分支机构与产业链各方建立广泛的合作,将前沿的多组学科研成果应用于医学健康、农业育种、资源保存等领域,推动基因科技成果转化,实现基因科技造福人类,创新推动基因产业乃至生命经济的腾飞发展。



ALB Top GCs in China 2016, 2017

XU QIAN

ALB 2016年, 2017年中国最佳总法律顾问

徐茜



BGI GENOMICS CO., LTD.

General Counsel & Board Secretary

Number of Years as General Counsel: 4 years

Number of people in the legal team: 6 staff

深圳华大基因股份有限公司

总法律顾问, 董事会秘书

担任总法律顾问时长: 4年

管理法务团队人数: 6人

Xu Qian joined BGI-Shenzhen in 2013 as the general counsel and secretary of the board of directors, responsible for the company's global legal affairs. Over the years, she has been leading the legal team to provide legal support and risk management for the company's business development, participating in the company's strategic decision-making and promoting the company's compliance governance. She successfully led the domestic and foreign acquisitions, financing and listing and other major projects. In 2016, under the leadership of Xu, the legal affairs department was deeply involved in making and implementing a number of important strategic decisions of the company, including the advocacy of intellectual property right protection, innovation and international distribution, and help the company win a number of awards, including the patent and trademark of the year. The legal team was committed to promoting listing and financing M&A, and played a key role in fostering connections between the company and the capital market. The team also led the formulation of the compliance strategy for the global layout of the first China-made sequencer, and provided a full range of legal compliance support for the whole industry chain of the company, where the upstream chain manufactures sequencing equipment and reagent, the midstream provides sequencing services, and the downstream constructs the precision medical research center.

What her business partner said about her:

"Xu Qian has excellent legal analytic skills and strong leadership, providing vigorous legal support for the company's global business development and access to the capital market. She has great industry development insight, actively studying on the frontier regulatory policies and ethical issues in the life sciences and exploring and demonstrating the new business model. Xu also actively participates in corporate governance and offers advice and suggestions for the company's standardized operation and strategic decision-making. Xu is a multi-talented person, a good lawyer with excellent business management skills."

—Yin Ye, BGI Genomics Co., Ltd.

What she said about the role of GC:

She believes that a good legal counsel, first of all, should participate in the formulation and implementation of the company's strategy, and the legal affairs department should not only be positioned as a support department for front-end business; in fact, it itself should become a strategic sector; Secondly, a good legal counsel should understand every aspect of the company's business model, thus achieving full control of legal risks; And thirdly, he or she should promote the concept of compliance, so that everyone would play the game.

BGI was founded in 1999 with the vision of using genomics to benefit mankind and has since become the largest genomic organization in the world. With a focus on research and applications in the healthcare, agriculture, conservation, and environmental fields, BGI has a proven track record of innovative, high profile research, which has generated over 2,137 publications, many in top-tier journals such as Nature and Science.

徐茜于2013年加入深圳华大基因股份有限公司,担任总法律顾问及董事会秘书,负责公司全球法律事务,带领法务团队为公司业务发展提供法律支持及风险管理,参与公司战略决策并推动公司合规治理,成功主导了境内外收购、融资及上市等重大项目。2016年法务部在徐茜的带领下,深度参与了公司多项重要战略决策及执行,包括倡导知识产权的保护、创新与国际布局,公司荣获年度专利及商标等多项大奖;推动上市及融资并购,在公司与资本市场的对接中,发挥了关键性作用;主导首台国产测序仪全球布局的合规策略制定等,为公司打通全产业链,实现上游测序仪器、试剂生产,中游提供测序服务及下游建设精准医学中心,提供全面的法务合规支持。

业务伙伴的评价:

"徐茜具有优秀的法律分析及领导能力,为公司全球业务的发展及进入资本领域提供了有力的法律支持;同时具有杰出的行业发展洞见,积极研究生命科学领域前沿的法规政策及伦理问题,探索论证新的商业模式;积极参与公司治理,为公司的规范化运作和战略决策建言献策,是难得的法律和管理的复合型人才。"

——尹烨,深圳华大基因股份有限公司

她对于总法律顾问的理解:

她认为,作为一名优秀的法律顾问,首先,参与公司战略的制定和执行,法务部的定位不仅是前端业务的支撑部门,更应该成为战略部门;其次,了解公司商业模式的每一个环节,实现法律风险的全面管控;再次,推广合规理念,使每一个人都成为合规的参与者。

华大成立于1999年,是全球最大的基因组学研发机构。华大以“产学研”一体化的创新发展模式引领基因组学的发展,通过遍布全球的分支机构与产业链各方建立广泛的合作,将前沿的多组学科研成果应用于医学健康、农业育种、资源保存等领域,推动基因科技成果转化,实现基因科技造福人类。



ALB Top GCs in China 2017

XU XINLIN

ALB 2017年中国最佳总法律顾问

徐新林



SINAR MAS PAPER (CHINA) INVESTMENT CO., LTD.

General Counsel

Number of Years as General Counsel: 18 years

Number of people in the legal team: 90-100 staff

金光纸业(中国)投资有限公司

总法律顾问

担任总法律顾问时长: 18年

管理法务团队人数: 90-100人

Xu Xinlin has been working with Sinar Mas Paper (China) Investment Co., Ltd. for 18 years. Under Xu's leadership, the legal team has accomplished the following outstanding achievements: helping the Group work through the difficulties in the Asian financial crisis; properly resolving the corporate debt risk through the restructuring of the debt structure and reconstruction of the firewall; rationally optimizing the organizational structure to ensure the healthy development of the company – now the Group ranks top three in the world pulp and paper industry while it ranked top ten when Xu joined the company; initiating China's first case after its accession to the WTO, the coated paper anti-dumping case, which helped Chinese enterprises to regain the domestic market advantage; dealing with dozens of anti-dumping duty and countervailing duty investigations initiated by foreign countries, which cleared the way for products to enter the international market; completing equity acquisition of the Jin Hong Qiao real estate project, and full participating in the first high-rise Puxi Platinum Plaza project – from the construction land auction, to the completion check of the construction project, and to the bringing in and opening the Hotel W; and assisting in the completion of the first case of restructuring a foreign-funded bank to a joint-stock commercial bank.

What his business partner said about him:

“(Mr. Xu is) professional and efficient, and has a strong sense of responsibility.”
——Shen Yan, Finance Manager of Sinar Mas Paper (China) Investment Co., Ltd.

What the lawyers said about him:

“Mr. Xu Xinlin believes that ‘the Internet thinking is not only unique to Internet companies; and it is even more important for in-house counsels of traditional companies to change toward Internet thinking, thus changing corporate legal organization structure, working methods and risk control and prevention models.’ This innovative concept has been widely recognized by the legal community.”

What he said about the role of GC:

Xu said that a general counsel should strive to build a suitable legal team and make reasonable adjustments to it according to the Group's development planning – selecting appropriate candidates according to requirements of different positions to build a formidable legal team with excellent teamwork and strong cohesiveness. A good general counsel should also, on the premises of compliance and legitimacy, try as much as possible to balance the interests of all parties, and maintain a strong sense of social responsibility while helping the enterprise to create the greatest commercial value.

APP (China) is synonymous with Sinar Mas Paper (China) Investment Co., Ltd. and all companies under its direct investment in mainland China. By focusing on operations in the Yangtze River Delta and Pearl River Delta since 1992, APP(China) has made significant investments in establishing several state-of-the-art manufacturing mills successively, as well as very well-developed plantations. As of the end of 2014, APP (China) has more than 20 pulp & paper mills as wholly-owned subsidiaries and holding companies and 19 forestry companies, representing a total asset of RMB 147.1 billion yuan and annual processing capacity of approximately 11 million tons. Its sales revenue was about RMB 42.2 billion yuan in 2014. The accumulated value of the investment of APP (China) in environmental protection has exceeded RMB 9.335 billion yuan.

加入公司18年来，徐新林带领其团队取得如下突出业绩：帮助集团在亚洲金融危机中度过难关，通过重组债务结构和重构防火墙等方式妥善化解企业债务风险，合理优化集团组织结构，促使企业更健康发展，集团在世界浆纸业综合排名由入职时的前十位上升至目前的前三位；发起中国入世第一案铜版纸反倾销，帮助中国企业重拾国内市场优势，应对数十起国外“双反”调查案件，为产品进入国际市场扫清障碍；完成金虹桥地产项目股权收购，并全程参与浦西第一高楼白玉兰广场从拿地到项目竣工验收再到引进W酒店及开业；协助完成第一例外资银行改制成为股份制商业银行等。

业务伙伴的评价：

“专业、高效、勇于担当”
——沈艳，金光纸业(中国)投资有限公司财务经理

律师的评价：

“徐新林先生秉持的‘互联网思维不仅是互联网企业特有，传统企业法务更应以互联网思维改变企业法务组织架构、工作方式及其风险防范模式’的创新理念受到业界广泛认同。”

他对于总法律顾问的理解：

他表示，总法律顾问应努力构建恰当的法务组织并根据集团发展规划合理调整，根据不同岗位定位选择合适人选，组建配合默契、有凝聚力的强大法务团队；以合规合法为前提，尽可能平衡各方利益，在为企业创造最大的商业价值的同时保持较强的社会责任感。

APP (中国) 全称为金光纸业(中国)投资有限公司及其在中国大陆投资的公司。自1992年起，APP (中国) 以长江三角洲、珠江三角洲为投资重点，先后斥巨资建立了具有世界领先水平的大型浆纸业企业，以及大规模的现代化速生林区。截至2014年底，APP (中国) 拥有20多家全资和控股浆纸企业，并拥有19家林业公司，总资产约1,471亿元人民币，年加工生产能力约1,100万吨，2014年在华销售额约422亿元人民币，APP(中国)累积环保投入已超过93.35亿元人民币。



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- 建筑房地产专业法律服务的领跑者
- ALB“2017中国精品律所”
- 四度蝉联ENR“最值得推荐的10家中国工程法律专业律师事务所”
- Leading Role as a professional legal service provider in the area of construction and real estate
- ALB“Top 10 Firms To Watch in 2017”
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ALB Top 15 In-House Teams in China 2017

XUE WEN

ALB 2017年中国15佳公司法务团队负责人

薛雯



SUNAC CHINA HOLDINGS LIMITED

Executive President

Number of Years as General Counsel: 14 years

Number of people in the legal team: 158 staff

融创中国控股有限公司

执行总裁

担任总法律顾问时长: 14年

管理法务团队人数: 158人

Xue Wen has led the group and regional in-house teams of Sunac China Holdings Limited in completing over 150 mergers and acquisitions, during which she supported the company to acquire industry-leading increment project value by developing comprehensive systems for, and tightening quality control over, pre-investment due diligence, interim performance risk control and post-investment project management. When it comes to major acquisition projects that are of strategic value to the company, Xue's approach is to design an overall work plan and acquisition plan according to the different characteristics of each project, organize group and regional in-house teams to conduct all-round due diligence, draft transaction plans and documents, lead business negotiations and handle project hand-over according to due diligence results, and organize in-house team members to research and study the post-investment management, project post-mortem and guidelines compilation of key projects. In the meantime, she also organizes the in-house team to work with other business departments to jointly design financing structures, discuss financing solutions and review financing documents with financial institutions, with close to 200 financing transactions completed along the way. Moreover, Xue has also set up a standardization building team where in-house team members established and improved the contract database and re-optimized the existing contract templates of the entire group.

What her business partner said about her:

"Xue Wen's outstanding professional skills, precise business logic and decisive judgment, all of which are traits that top general counsels should have, help her provide the company with suggestions of strategic value in all types of large and complicated transactions. Apart from the significant contributions she has made to the company as a legal professional, Xue has devoted a great deal of efforts to the development and improvement of the legal system of the entire group, and made highly-respected achievements. I think both my colleagues and I have a lot to learn from her in terms of the thinking, vision and leadership she has demonstrated in managing the group in-house team of over 100 members."

-- Cao Hongling, Executive President and Chief Financial Officer, Sunac China Holdings Limited

What she said about the role of GC:

Xue believes that general counsels play two sets of roles: 1. Behind-the-scenes heroes. General counsels are heroes behind the scenes in the sense that though their efforts, judgment and support are indispensable in any important business transaction, general counsels do not work under the spotlight, and instead offer services in the background with their professionalism and expertise. 2. Problem solvers. General counsels should never merely work to detect problems and risks. The true value of general counsels lies in their ability to find solutions to the problems and risks already uncovered and guard against risks from a long-term perspective that is most beneficial to their companies and transactions.

Listed on the Stock Exchange of Hong Kong, Sunac China Holdings Limited is a comprehensive residential and commercial real estate developer that has a regional focus and pursues high-end and boutique development strategies to build high-end and boutique properties for clients.

Focusing on tier-1 and neighboring cities as well as core cities, Sunac China develops and sells high-end boutique properties that cover a wide range of property types such as high-end residential buildings, villas, commercial developments and office towers. In 2017, Sunac China registered total sales of RMB 362.01 billion, ranking it No. 4 among all developers across the country.

薛雯女士组织和管理的融创中国控股有限公司集团法务及区域法务共完成逾150笔收并购项目，对收并购项目的投前尽职调查、投中履约风险控制、投后项目管理进行全方面的制度建设和质量把控，支持公司获取了领先业界的新增项目货值。在对公司具有战略价值的重大收购中，根据各个项目的不同特点，设计整体的工作计划和收购方案，组织集团层面的法务和区域层面的法务对重大项目进行全方位的尽职调查、根据尽调结果拟定交易方案、起草交易文件、主导商务谈判、进行项目交接，并就重大项目的投后管理、项目复盘、指引汇编，组织法务体系进行研究和学习。与此同时，她还组织法务团队与其他业务部门一起同金融机构设计融资结构、论证融资方案、审核融资文件，完成近200笔融资；成立了标准化建设小组，组织法务团队建立和完善了合同文本库并将整个集团现有的合同模板再次进行了优化。

业务伙伴的评价：

"薛雯具备总法律顾问应当具备的出色的专业技能、精准的商业逻辑、果决的判断能力，在各种大型和复杂的交易中为公司提供了具有战略价值的建议，除了在专业上薛雯对公司做出非常重要的贡献，在管理上，她投入了大量的精力去建设和完善整个集团的法律体系并取得了非常值得赞赏的成绩，她管理100多人的集团法务团队时，展示出的格局、视野和领导力，都值得我和我的同事们去学习。"

——曹鸿玲，融创中国控股有限公司执行总裁兼首席法务官

她对于总法律顾问角色的理解

薛雯认为应该从以下两个角度去理解总法律顾问的角色：1.幕后英雄。总法律顾问发挥的是幕后英雄的作用，在各种重要的商业交易中，离不开我们的努力、判断和支持，但是，我们并不出现在前台，我们以职业的态度和专业的技能为公司、交易提供帮助；2.问题的解决者。我们不应该仅仅是问题和风险的发现者，这不是我们存在的价值，而是应当在发现问题和风险后，从对公司和交易最有利的长远角度找到解决问题和防范风险的方法。

融创中国控股有限公司是一家于香港联交所上市的住宅及商业地产综合开发的企业，公司坚持区域聚焦和高端精品发展战略，为客户打造高端精品物业。

融创中国聚焦于一、环一线及核心城市，开发销售高端精品物业，产品涵盖高端住宅、别墅、商业、写字楼等多种物业类型，2017年融创中国销售金额达到3620.1亿元，位列全国房企第四位。



ALB Top GCs in China 2015, 2016

YAO JUN

ALB 2015年, 2016年中国最佳总法律顾问

姚军

中国平安
PING AN
保险·银行·投资

PING AN INSURANCE (GROUP) COMPANY OF CHINA, LTD.

Chief Legal Officer and Company Secretary

Number of Years as General Counsel: 15 years

Number of people in the legal team: 750 staff

中国平安保险(集团)股份有限公司

首席律师兼公司秘书

担任总法律顾问时长: 15年

管理法务团队人数: 750人

Prior to joining Ping An, Yao Jun was a partner with the Beijing-based Commerce & Finance Law Offices where he specialized in securities, corporate restructuring/merger, joint venture, real estate and other practices. Since joining Ping An in 2003, Yao founded the Group's legal department. Under his direct leadership, the Group has established a complete system for legal risk management and control, and built a legal team of 750 members. In 2017, the in-house team was involved in a number of major strategic projects of Ping An Group, including providing legal support for the restructuring and financing of the Internet finance and medical companies of the Group, providing legal services for the launch of innovative insurance products, such as patent insurance and litigation liability insurance, by Ping An Property & Casualty Insurance, and participating in the legislative, judicial research and academic activities organized by the Legislative Affairs Office of the State Council, the Supreme People's Court and the China Law Society.

What his business partners said about him:

"Yao Jun and I became good partners when we worked together for the listing of Ping An Group on the Stock Exchange of Hong Kong in June 2004. Yao is not only capable of curing illnesses, i.e. solving issues that have already been uncovered, but is even more skilled at providing preventative care, namely, guarding against legal risks for the company."

-- Yao Bo, Director, Executive Deputy General Manager and Chief Financial Officer, Ping An Group

"Yao Jun always helps business departments carry out their business in compliance with the law, gives very constructive legal advice and promotes business innovation."

- Li Yuanxiang, Director, Executive Deputy General Manager and Deputy Chief Executive Officer, Ping An Group

What he said about the role of GC:

To Yao, a top general counsel should excel at the following two fronts: internally, he/she should strive to be a business enabler by working with business units to help them achieve their goals in compliance with the law, while externally, he/she needs to coordinate relevant departments to create an environment for good interactions. To achieve the above goals, he/she should focus on the organizational structure of legal team, the structure of legal personnel, and the cultural building of the legal team; he/she should pay close eye on the future development orientation of the company so as to make good preparation for business innovation; he/she should pay close attention to the legislation development so as to always keep pace with the legal development and never forget the general counsel is the soul of the legal team and the strong support to all in-house lawyers of the company.

Ping An Insurance (Group) Company of China, Ltd., China's first joint-stock insurance company, has now grown into a personal financial and life service conglomerate that integrates insurance, banking and investment as its three core business segments and pursues both traditional and Internet finance business. Dual-listed on the Main Board of the Stock Exchange of Hong Kong and the Shanghai Stock Exchange, Ping An ranked No. 16 among the Forbes 2017 Global 2000, clinching the top spot among global diversified insurance companies, and ranked No. 39 in the Fortune Global 500 list.

在加入平安之前,姚军是北京通商律师事务所的合伙人,在此期间他主要从事证券、公司重组/兼并、合资、房地产等方面的业务。自2003年加入中国平安以来,姚军创建了集团法律部。在他的直接领导下,集团建立了完整的法律风险管控制度体系,整个集团现有法律人员750人。2017年参与了平安集团多项重大战略项目包括为集团下属互联网金融、医疗公司重组、融资提供法律支持,为平安产险推出创新保险产品如专利保险、诉讼责任保险提供法律服务并参与中国国务院法制办、最高人民法院以及中国法学会的立法、司法调研以及学术活动。

业务伙伴的评价:

"2004年6月平安集团在香港联交所上市时,我们成了好搭档,姚律师不但能为企业治病,而且更善于为企业做保健工作即防范企业法律风险。"

——姚波,平安集团董事、常务副总经理兼首席财务官

"姚律师经常能够帮助业务部门合法合规地开展业务,给出很有建设性的法律意见,促进业务创新。"

——李源祥,平安集团董事、常务副总经理兼副首席执行官

他对于总法律顾问角色的理解

姚军先生认为,一名优秀的总法律顾问应做到:对内与各业务单元合作,协助其合法合规达成目标,成为业务的好帮手;对外协调有关部门,营造良性互动的环境。要达到上述目标,就必须关注法律团队组织架构、法律人员结构、法律团队文化建设;关注集团业务未来发展方向,为业务创新提前做好准备;关注立法动向,始终站在法律的前沿并时刻不忘总法律顾问是法律团队的灵魂,是所有公司律师的坚强后盾。

中国平安保险(集团)股份有限公司,是中国第一家股份制保险企业,现已发展成为融保险、银行、投资三大主营业务为一体、核心金融与互联网金融业务并行发展的个人金融生活服务集团之一。公司为香港联合交易所主板及上海证券交易所两地上市公司。中国平安在2017年《福布斯》“全球上市公司2000强”中名列第16位,居全球多元化保险企业第一;美国《财富》世界500强第39位。

Haier



ALB Top 15 In-House Teams in China 2017

ZHANG CUIMEI

ALB 2017年中国15佳公司法务团队负责人

张翠美

HAIER GROUP

Commercial General Counsel

Number of Years as General Counsel: 5 years

Number of people in the legal team: 100 staff

海尔集团

商业总法律顾问

担任总法律顾问时长: 5年

管理法务团队人数: 100人

The legal team of Haier Group took the lead in the construction of a global legal platform, supporting the Group to establish a venture partner legal mechanism with Haier characteristics and set up an expertise sharing platform known as business and legal resource cloud supermarket system. Furthermore, the team set up a value generation platform TechLaw based on the "legal plus technology" system, utilized big data and the Internet as the driver to maximize the business value of legal services, and introduced a number of the legal-plus-technology smart legal products. In 2017, the legal team of Haier set up the first smart registration platform for government-enterprise cooperation in China, through which enterprises may complete the registration formalities online with one click. The platform greatly facilitates innovation and entrepreneurship. The smart contract product completely changed the existing contract lifecycle management, using the block-chain technology to synchronously record the whole process from interaction to conclusion, thus realizing consolidation of the whole-process evidence.

Zhang Cuimei led the legal team to carry out Haier's acquisitions of GE appliances, Fisher & Paykel and Sanyo Asian appliances businesses. Under Zhang's leadership, the team also supported Haier's global capital platform in completing all major financing projects, and helped the Group complete the first offshore issuance of U.S. dollar-denominated bonds, with the issuing size of USD1 billion.

What her business partner said about her:

"Our legal team is a reliable business partner of the company. It provides business departments with robust support with its expertise, efficient execution ability and perfect solutions, and continuously supports Haier's capital platform to create value-added innovation under the premise of risk control, laying a solid foundation for a variety of small and micro development programs. We are excited to have such a wonderful legal team – young, energetic, professional and efficient – who always provides our business units with practically feasible solutions."

——Shao Xinzhi, Global Fund Director of Haier Group

What she said about the role of GC:

I believe that the general counsel is a "steersman" in terms of corporate legal risk prevention, or an adviser who should clearly understand the group's strategy and make proposals and plans accordingly. A good general counsel should be able to plan ahead, which requires a clear global perspective and keen insight.

The general counsel is a "shield", guarding the company against legal risks, providing compliance guidelines concerning corporate major issues, especially in terms of global compliance, to help the company navigate through changes and risks during its development.

The general counsel is also the "general manager" responsible for the development of corporate legal solutions. In the context of Internet of Things + AI, my job is to combine legal services with artificial intelligence, help legal team members to grow and become legal solutions development manager, thus maximizing the value of legal services.

Founded in 1984, Haier Group is the world's leading brand of white goods. It has now transformed from a traditional manufacturing enterprise of home appliances to a whole-society-oriented incubator platform. In the Internet era, Haier is committed to becoming an Internet company, completely changing the closed and self-contained system of traditional enterprise and becoming a "node" in the interconnected network in order to realize resource sharing and create a new win-win platform to add values for all parties related.

海尔集团法务团队牵头构建了全球法律平台，支持集团搭建具有海尔特色的创客合伙人法律机制，设立了专业共享平台—商业法律云超市系统。运用法律+科技转型成“TechLaw”价值创造平台，运用大数据和互联网驱动法务最大商业价值，并推出了多个法律+科技智能法律产品。2017年，建立全国首家政企合作智能登记平台，企业登记注册实现线上“一键办理”，让创新创业更具效率。智能合约产品颠覆现有合同全生命周期流程，从交互到签署的全流程利用区块链技术进行同步记录，实现全流程证据固化。

张翠美带领法律团队开展海尔收购GE家电，Fisher & Paykel，三洋亚洲家电项目。支持全球资金平台完成所有重大融资项目，支持集团完成首次美元债券离岸发行，发行规模10亿美元。

业务伙伴的评价：

"公司业务伙伴的海尔法务团队凭借其专业的业务知识、高效的执行能力、完善的解决方案给予业务团队大力支持，持续支撑海尔资金平台在管控风险的前提下增值创新，为各小微发展奠定了坚实的基础；'成为一个年轻的团队不难，成为一个有活力的团队不难，成为一个专业的团队不难，成为一个高效的团队也不难，但一个年轻、有活力、专业、高效且能帮助业务团队提供解决方案的团队却不常见。海尔法律团队就是这样一个团队！"

——邵新智 海尔集团全球资金总监

她对于总法律顾问的理解：

总法律顾问是企业法律风险防范的“掌舵者”。紧跟集团战略，定位为企业战略的建议者，“未雨绸缪”要求具有清晰的全局观与敏锐的洞察力。

总法律顾问是企业法律事项处理的“挡箭牌”。特别是在全球合规领域，为企业重大事项提供合规指引，使企业在发展中立于不败之地。

总法律顾问是企业法律产品开发的“总经理”。在物联网+AI背景下，将法律与人工智能相结合，把法务团队成员培养为开发法律产品的经理人，最大限度提高法律价值。

海尔集团创业于1984年，是全球大型家电第一品牌，目前已从传统制造家电产品的企业转型为面向全社会孵化创客的平台。在互联网时代，海尔致力于成为互联网企业，颠覆传统企业自成体系的封闭系统，变成网络互联中的节点，互联互通各种资源，打造共创共赢新平台，实现有关各方的共赢增值。



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汇业律师事务所是一家全国领先的、以商业法律服务见长的综合性律师事务所。汇业具有优秀的法律与商业资源整合能力，总部位于上海，并在北京、广州、南京、成都、兰州、太原、西安、宁波、武汉、香港以及美国亚特兰大设立办公机构；在加拿大、法国、瑞士、瑞典、澳大利亚等地拥有战略合作伙伴，以为全球客户提供个性化的、创造性的法律服务方案为宗旨。

Huiye Law Firm is a domestically pioneering full-service law firm that specializes in providing commercial legal services. Huiye has an excellent capacity to integrate the commercial resources of different expertise and extensive experience. With its head office in Shanghai, Huiye has set up representative offices in Beijing, Guangzhou, Nanjing, Chengdu, Lanzhou, Taiyuan, Xi'an, Ningbo, Wuhan, Hong Kong and Atlanta, U.S. It also has strategic partners in Canada, France, Switzerland, Sweden, Australia and other countries. It is Huiye's aim to provide personalized and creative legal services for global clients.

PRACTICE AREAS:

- ▶ Corporate and Merger & Acquisition
- ▶ Cross-border Investment
- ▶ Capital Market
- ▶ Financial Law
- ▶ Intellectual Property
- ▶ Antitrust and Competition Law
- ▶ Labor and Employment
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- ▶ International Trade and Shipping
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ALB Top 15 In-House Teams in China 2017

ZHANG WEI

ALB 2017年中国15佳公司法务团队负责人

张伟

vanke

CHINA VANKE CO., LTD.

General Manager of Legal Affairs Department

Number of Years as General Counsel: 3 years

Number of people in the legal team: 180+ staff

万科集团

法务部总经理

担任总法律顾问时长: 3年

管理法务团队人数: 180+人

During the famous nearly-three-year Vanke takeover battle, Vanke legal team, under the leadership of Zhang Wei, appropriately responded to many challenging issues such as hostile takeover, major restructuring, corporate governance, securities trading, disclosure, infringement and litigation and took effective measures to settle the case successfully. Meanwhile, Mr. Zhang led his team to firmly stay in line with the company's main strategy and implement innovative plans to support its core business and protect it from potential risks. Over the last three years, Vanke's gross revenue saw an increase from RMB215.13 billion yuan to RMB 529.88 billion yuan. The legal team also supported the company in rolling out the strategic layout integrated urban development service provider that involves ten business sectors including, among others, service apartment, logistics and commercial operation, adding new fuel to the quality growth of Vanke. In 2017, the legal team helped the company explore and expand businesses in cross-border M&As, distressed assets and asset management, and took the lead in completing a number of milestone transactions, including the privatization of Global Logistic Properties (GLP), the acquisition of certain assets of Guangdong International Trust Investment Corp, and setting up a new distress assets fund by Vanke in collaboration with ICBC. Mr. Zhang led the legal team to play a pioneering role in exploring new channels and gaining access to strategic resources.

What his business partner said about him:

"Our legal team actively participated in M&A, buyout of distressed assets and financing projects while ensuring that the company's core business achieved a rapid growth of more than RMB500 billion yuan. With the vigorous support from the legal team, Vanke successfully completed a number of major projects including the privatization of Global Logistic Properties (GLP), Vanke-Banyan Tree Joint Venture, the acquisition of certain assets of Guangdong International Trust Investment Corp, setting up a new distress assets fund by Vanke in collaboration with ICBC, and the cooperation between Vanke and China Railway Materials Harbin. Zhang Wei led the legal team to play an important role in exploring new channels and gaining access to strategic resources, making outstanding contribution to the formation of the new momentum for the development of Vanke's businesses."

——Zhang Xu, Chief Operating Officer of China Vanke Co., Ltd.

What he said about the role of GC:

The general counsel is the company's watchman, also a pioneer in terms of business development. The core task of the general counsel is to provide risk control and technical support for the company to implement its strategy and expand its development space. An excellent general counsel must have profound knowledge of the nature of the company's businesses, understand the political, governance and operational risks facing the company, and appropriately exert his influence, and use his management ability, legal experience and financial expertise to actively promote the legislation and policy improvement and dynamically upgrade the company's legal compliance management system and provide solutions for major transactions in line with business logic and purpose.

Founded in 1984, China Vanke Co., Ltd. is the world's leading developer of real estate and urban development service provider. Vanke is active in business areas including real estate development, property management, service apartment, commercial operation, logistics and warehousing, skiing business, eldercare and healthcare, and education, and has set up operations in mainland China, the United States, the United Kingdom, Singapore, Malaysia and Hong Kong. Vanke ranked at 307th on the Fortune Global 500 List in 2017.

在历时近三年、教科书式的万科股权事件中，面对恶意收购、重大重组、公司治理、证券交易、信息披露、侵权、诉讼等诸多挑战性问题，张伟带领法务团队研判系统、应对妥当、措施得力，为事件的圆满解决做出突出贡献。同时，他带领团队坚守主航道，在行进中提速变轨拓频，不仅为核心业务营收在3年间由2151.3亿元增长至5298.8亿元提供了强力技术支持和安全保障，而且助力“城市配套服务商”战略骨架的拉开，在长租公寓、物流、商业等近10个领域落子布局，为万科的高质量发展提供新动能。2017年，还在跨境并购、压力资产、资产管理等领域开疆拓土，牵头完成私有化普洛斯、收购广信资产包、新设工银万科转型基金等一系列里程碑项目，在开辟战略资源获取新通道方面发挥了先锋作用。

业务伙伴的评价：

“万科法务团队在保障公司核心业务向5000多亿高速增长的同时，积极参与并购、压力资产获取和融资等工作，落地了私有化普洛斯、悦榕庄合资、广信资产包、工银万科基金和中铁物哈尔滨等一系列重大项目，在丰富万科生态和开辟资源获取新通道方面发挥了重要作用，为打造公司业务新动能作出了贡献。”

——张旭，万科集团首席运营官

他对于总法律顾问的理解：

总法律顾问是公司的守夜人，也是业务的拓荒者，核心任务是为落实公司战略和拓展发展空间提供安全保障和技术支持。为此，一位优秀的总法律顾问必须深刻理解商业本质，洞察公司面临的政治、治理和运营风险，恰当运用自己的影响力、管理能力、法律经验和财务金融知识，积极推动立法与政策的完善，动态升级公司的法务合规管理体系，并为重大交易提供符合商业逻辑和目的的解决方案。

万科集团成立于1984年，是全球领先的房地产开发商和城市配套服务商，业务版图覆盖地产开发、物业管理、长租公寓、商业运营、物流仓储、冰雪度假、养老健康、教育等领域，布局遍及中国、美国、英国、新加坡、马来西亚和香港。万科位列2017年《财富》“世界500强”第307位。



ALB Top GCs in China 2017

LESLIE ZHANG

ALB 2017年中国最佳总法律顾问

张伟华



UNITED ENERGY GROUP LIMITED

Vice president & General Counsel

Number of Years as General Counsel: 1 year

Number of people in the legal team: 7 staff

联合能源集团有限公司

副总裁兼总法律顾问

担任总法律顾问时长: 1年

管理法务团队人数: 7人

Before joining United Energy Group Limited, Leslie Zhang served as the project management director of the legal department of the China National Offshore Oil Corporation. This experience helped Zhang to gain solid professional skills and accumulate abundant management experience. Since joining United Energy Group Limited, Zhang has established for the legal team a global coordination mechanism and the knowledge management system, and implemented the wholeprocess tracking by in-house lawyers for M&A projects. During the previous year, Leslie Zhang led the legal team to carry out M&A projects where each of the projects involved a transaction amount of more than USD1 billion, establish a group-wide legal management system and expand the legal team. The team is also responsible for matters related to compliance monitoring, government regulation, project operations and litigation risks. Leslie Zhang also writes books about his practices and experiences. In 2016, he published two books on cross-border M&A transactions: the Practical Guide on Overseas M&A Transactions and Case Analysis and the Era of M&As: Capital Strategy and Practice. He also coauthored three other books : *the Joint Operating Agreements: Challenges and Concerns from Civil Law Jurisdictions*; *the Understanding Joint Operating Agreements*; and *the Local Content for the International Petroleum Industry*.

What his business partner said about him:

“Business and law are inseparable, so a good lawyer must have a keen sense of business and management thinking. Leslie’s plentiful experiences in numerous world-class M&A projects and risk control experiences of large-scale projects made him an excellent legal manager with thorough understanding of business.”
Zhang Jianguang, Managing Director of RRJ Capital

“During the past years of cooperation, Leslie has always been able to combine complicated legal terms with business. He has always been the fastest one to understand our tax considerations and reflect the same in the complicated transaction agreements in combination with the business needs. He is not only a legal expert, but also a very smart business and tax expert. His level reflects the new height of legal elite of Chinese enterprises in the international M&A stage.”

Xie Yijia, Head of Energy Tax, KPMG

What he said about the role of GC:

The general counsel needs to be involved in the company’s strategy formulation and select the right team to achieve the company’s business goals. As to the positioning of General Counsel, the basics seem to be “Counsel”, but the focus should be “General”. There are a lot of requirements on “General”, such as understanding management, knowing the trend, clarifying strategy, promoting business, controlling risk, compliance, formulating rules, public relations and coaching the team. The general counsel should keep in constant communication with the board of directors and the management, support the company’s strategy from a legal perspective, provide risk solutions from a business perspective, create a “bottom line” of safe operation for the company from a compliance perspective, coordinate and mobilize resources from a management perspective and build a global legal team from a team perspective.

United Energy Group Limited is a leading independent Exploration and Production company which is listed on the main board of the Hong Kong Stock Exchange.

UEG focuses mainly on the upstream oil and gas business as well as oil-field services involving UEG’s patent fire flood technology. Over the last few years, UEG has grown rapidly and in 2016 annual production was more than 4 million tons which makes it the 4th largest E&P Company on the Hong Kong Stock Exchange.

曾在中国海洋石油总公司担任法律部项目管理处处长的经历，为张伟华奠定了坚实的专业能力并积累了丰富的管理经验。自加入联合能源以来，他为法律团队建立了全球协调机制、知识管理系统，在并购项目实行内部律师全程跟踪等管理模式。在过去一年，张伟华带领的团队从事了十亿美元级别以上并购项目，建立了集团层面法律管理体系及扩充法律团队；以及监控合规、政府监管、项目运营及诉讼风险。除此之外，张伟华还专注于将其实践经验著书立说，在2016年出版了《海外并购交易全程实务指南与案例评析》和《并购大时代：资本的谋略与实战》两本关于跨境并购交易的专著。合著三部国际油气实务英文著作：*Joint Operating Agreements : Challenges and Concerns from Civil Law Jurisdictions*; *Understanding Joint Operating Agreements*; *Local Content for the International Petroleum Industry*.

业务伙伴的评价：

“商务和法律是密不可分的，因此一个好的律师必须具备敏锐的商务意识和管理思维。诸多的世界级并购项目实践经验和大型项目的风险管控经验，造就了伟华这样一位透彻理解商务的优秀法律管理者。”

——张建光 RRJ Capital董事总经理

“在过去多年的合作中，伟华总能够将复杂的法律条文和商务结合的非常出色，在我们共同经历的海外油气并购交易中，他总是能最快速理解我们财税的考量，结合商务需求，将其反映在复杂的交易文本之中。他不仅仅是一个法律专家，还是一个很有灵性的商务和财税专家。他的水准反映了中国企业的法律精英在国际并购舞台上开拓的新高度。”

——谢亿佳 毕马威能源税务主管合伙人

他对于总法律顾问的理解：

总法律顾问需要参与公司战略制定、选择合适团队以达至公司商业目标的实现。General Counsel的定位，基础定位看起来是Counsel，但是要点在于General，General的要求就多了，要懂管理、知趋势、明战略、促商业、控风险、抓合规、定制度、搞关系和炼团队。总法律顾问应与董事会及管理层经常沟通、从法律视角出发为公司战略保驾护航、以商业视角提供问题的风险解决方案、从合规视角为公司打造安全运营“底线”、从管理视角协调及动员资源、从团队角度打造全球化法律团队。。

联合能源集团有限公司是在香港联合交易所主板上市的独立石油天然气勘探开发企业。联合能源主要从事上游石油天然气勘探与生产开发运营、提供石油开采火驱技术服务等业务，并分别在中国、巴基斯坦设有子公司。联合能源业务发展迅速，二零一六年作业产量约400多万吨，是香港联交所主板第四大石油公司。



ALB Top GCs in China 2016
ALB Top 15 In-House Teams in China 2017

ZHAO BIN

ALB 2016年中国最佳总法律顾问
ALB 2017年中国15佳公司法务团队负责人
赵斌

Qualcomm

QUALCOMM (CHINA) HOLDING CO., LTD.

Global Senior Vice President, China Legal and Government Affairs

Number of Years as General Counsel: 6 years

Number of people in the legal team: 11 staff

高通(中国)控股有限公司

全球高级副总裁, 中国法务及政府关系事务

担任总法律顾问时长: 6年

管理法务团队人数: 11人

Zhao Bin has set up for Qualcomm China a lean and efficient in-house team and developed a complete legal compliance system for the company. Zhao led his team to assist Qualcomm's US headquarters in responding to the antitrust investigation initiated by the National Development and Reform Commission, contributing to the satisfying resolution of the case. In 2016, the in-house team under Zhao's leadership participated in the negotiations between Qualcomm's headquarters and a SOE of Guizhou to establish a Sino-foreign equity joint venture for server chip research and development. Zhao and his litigation team provided legal support for more than a dozen patent infringement and antitrust lawsuits between the company's headquarters and Meizu Technolog, which eventually led to the smooth closure of this series of cases. Zhao has personally designed a complete set of legal solutions and roadmaps to provide legal support for the entire process of Qualcomm's large investment in Shanghai, Shenzhen and other places.

What his business partner said about him:

"Under Zhao Bin's leadership, the in-house team has been providing strong support and systematic safeguards for our work. The team's accurate and efficient routine contract review ensures the smooth running of daily business. Its swift feedback and proper actions in dispute resolution and administrative law enforcement and investigation help fully safeguard the company's legitimate rights and interests. In addition, the in-house team also discusses with us the difficulties and high-risk areas during business development of emerging hot fields such as the compliance of marketing campaigns, online information security, etc., and works with us to fine-tune business models. The team's efforts are the embodiment of a high degree of integration between legal competency and innovative spirit."

-- Hou Mingjuan, Vice President, General Manager of China Marketing

What he said about the role of GC:

In Zhao's opinion, over the past three decades, both the commercial and the legal environment have become increasingly complicated, the regulatory framework for business compliance has been tightened, and the intensity and force of law enforcement has also been gradually beefed up, greatly increasing the legal risks faced by businesses. In this new era, general counsels must tackle these challenges head-on, fully anticipate difficulties and uncertainties, have a clear understanding of the business models and core interests of their enterprises, and apply professional legal knowledge and creativity to design for business departments legal solutions that are not only compliant but also serve to meet business needs and solve business problems. For a company, its general counsel is a pillar in escorting its business development. For the senior management of a company, on the other hand, the general counsel is both a candid friend and a mentor who not only monitors and enforces the top-level design of corporate governance, but also works to help the company navigate the complex and sophisticated legal and regulatory framework.

Qualcomm is a global leader in 3G, 4G and next-generation wireless technologies, and a major innovator in mobile and adjacent industries. For more than 30 years, Qualcomm's technologies have driven the evolution of smartphones, connecting billions of people. After making groundbreaking contributions to 3G and 4G, Qualcomm is now leading the charge of 5G towards a new era of smart networking. Qualcomm's products are revolutionizing automobiles, computers, the Internet of Things, medical and health care services, data centers and other industries, supporting millions of terminals to connect to each other in ways that were once beyond imagination.

赵斌先生为高通中国区建立了一个精干高效的法律团队, 分驻于北京、上海、深圳三地, 打造了一套完整的法律合规体系, 实现了公司日常业务行为及重大经济活动的法律审核全覆盖。在2013至2015年间, 赵斌先生率领这支团队, 协助高通美国总部应对国家发改委启动的反垄断调查, 使得案件得以圆满解决。2016年, 赵斌先生带领团队参与总部与贵州省属国企合资成立服务器芯片研发企业的谈判, 该合资项目对于推动中国半导体行业的长足发展具有里程碑式的意义。同年年底, 赵斌先生及其诉讼团队为总部与魅族公司之间在中国多个法院的十多起专利侵权诉讼和反垄断诉讼提供法律支持, 最终促成这起知识产权界备受瞩目的案件得到顺利解决。2017年以来, 赵斌先生亲自设计了一套完整的法律方案与路线图, 为高通在上海、深圳等地开展大规模投资全程提供法律支持, 是高通历史上首次在中国开展半导体制造测试业务, 进一步推动中国半导体行业专业能力的提升。

业务伙伴的评价:

"赵总领导下的法务团队为我们工作的开展提供了强有力的支持和系统化的保障, 在日常的合同审核中做到了准确、高效, 保证了日常业务工作的顺利开展; 在争议解决和行政执法调查中反馈迅速、应对妥当, 充分维护了公司的合法权益; 在市场推广活动合规性、网络信息安全等新的热点领域, 与我们探讨业务开展中的难点和高风险点, 共同完善业务模式, 体现了法律素养和创新精神的高度结合。"

——侯明娟, 副总裁, 市场部中国区总经理

他对于总法律顾问的理解:

赵斌先生表示, 在过去的三十多年间, 商业法律环境日益复杂化, 合规经营监管体系愈加严格, 执法力度和尺度逐步加大, 这使得企业面临的法律风险大大增加了。新时期的总法律顾问必须直面这些挑战, 对困难和不确定性有充分的预计, 对企业的商业模式与核心利益有清晰的理解, 运用专业法律知识和创造能力, 为业务部门设计出合规合法、能满足商业需求的法律方案, 解决业务问题。总法律顾问对于企业而言, 是保驾护航的重要力量; 对于企业高级管理层而言, 既是诤友, 也是良师, 既要监督落实公司治理的顶层设计, 又要帮助公司在复杂精密的法律监管体系当中游刃有余。

Qualcomm是全球3G、4G与下一代无线技术的领军企业, 也是移动行业与相邻行业重要的创新推动者。30多年来, Qualcomm的技术驱动了智能手机的变革, 将数十亿人连接起来。Qualcomm在3G和4G当中作出了开创性的贡献, 现在正在引领5G之路, 迈向智能终端的新时代。我们的产品正在变革汽车、计算、物联网、健康医疗、数据中心等行业, 并支持数以百万计的终端以从未想象的方式相互连接。



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隆安律师事务所成立于1992年,是中国创立最早的合伙制律师事务所之一。经过25年的发展,隆安已经成为一家在全国22个城市设有办公室,拥有合伙人200余人、执业律师800余人的综合性律师事务所。隆安为包括世界500强企业在内的众多大中型企业提供在知识产权、资本市场及金融、公司、大型项目、国际业务、诉讼与仲裁等领域专项优质的法律服务。凭借近年来的整体实力,隆安成功以第十一的成绩荣登《亚洲法律杂志》亚洲最大50家律所及中国律所30强榜单,并在英国《律师》杂志中国精英律所30强榜单中位居前列。

Established in 1992, Long An Law Firm is one of the earliest privately owned law firms in China. Now, Long An, with over 200 partners and almost 800 attorneys working in twenty-two offices, has been successfully serving and representing clients, many of which are Fortune Global 500 companies, for 25 years in various industries, including intellectual property, capital markets, finance, corporate, large-scale projects, international business, litigations and arbitrations. Long An has been consistently ranked an outstanding law firm by many well-known international legal rating agencies, including 11 of the Asia Top 50 Largest Law Firms, China Top 30 Largest Law Firms (by "Asian Legal Business"), as well as China Elite Top 30 (by "The Lawyer").

Key Practice Area / 主要业务领域

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|---|--|---|
| ■ 税务
Taxation | ■ 海事海商
Maritime | ■ 破产重整与清算
Bankruptcy & Reorganization |
| ■ 劳动法
Labor and Employment | ■ 国际业务
International Business | ■ 公司法与法律顾问
Corporate & Legal Consulting |
| ■ 知识产权
Intellectual Property | ■ 医药与健康
Pharmacy and Healthcare | ■ 信息网络与高新技术
Technology, Media and Telecoms and Entertainment |
| ■ 争议解决
Dispute Resolution | ■ 兼并与收购
Mergers & Acquisitions | ■ 环境、能源与自然资源
Environment, Energy And Natural Resources |
| ■ 银行与金融
Banking and Finance | ■ 房地产与建设工程
Real Estate and Construction | ■ 家事与私人财富规划传承
Family Law & Wealth Planning |
| ■ 资本市场/证券
Capital Markets/Securities | ■ 私募股权与投资基金
Private Equity & Investment Funds | |

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