

# Legal Transplantation of Foreign Public Law in Asia

*Thursday & Friday, 3 & 4 November 2016*  
Sanya Dharmasakti Conference Room, Dome Building,  
Thammasat University, Tha Phra Chan Campus

## Programme

### Thursday, 3 November 2016 (Day 1)

9:45am	<b>Meet &amp; Greet Participants at the hotel lobby</b> (Attendance Taking)
9:50am	<b>Network at the Faculty of Law, Thammasat University</b>
10:00am – 10:15am	<b>Opening Remarks</b> <b>Professor Dr. Udom RATHAMARIT</b> DEAN FACULTY OF LAW, THAMMASAT UNIVERSITY
	<b>Welcome Address</b> <b>Associate Professor Gary F. BELL</b> DIRECTOR ASIAN LAW INSTITUTE FACULTY OF LAW, NATIONAL UNIVERSITY OF SINGAPORE
	<b>Assistant Professor Dr. Munin PONGSAPAN</b> ASSOCIATE DEAN LECTURER OF LAW AND THE DIRECTOR OF THE LL.B. PROGRAM IN BUSINESS LAW (INTERNATIONAL PROGRAM) FACULTY OF LAW, THAMMASAT UNIVERSITY
10:15am – 10:45am	<b>Morning Tea Break (0.5 hrs)</b>
10:45am – 12:15pm	<b>Panel I</b> <b>Regulation of Business Entities</b> <b>Moderator:</b> Assistant Professor Dr. Munin PONGSAPAN, Associate Dean, Thammasat University  <b>Session 1:</b> <b>Dr Nurul BARIZAH</b> , Airlangga University The Transplantation of Western Law in Indonesian Copyrights Act and the Problem of Its Enforcement  <b>Session 2:</b> <b>Mr Suphawatchara MALANOND</b> , Prince of Songkla University Incomplete Transplants: Case Study of Competition Law of Thailand  <b>Session 3:</b> <b>Dr Koesrianti KOESRIANTI</b> , Airlangga University Globalization and the Challenge of International Financial Institution Legal Transplant in Indonesia  <b>Discussion</b>
12:45pm – 2:15pm	<b>Lunch (1.5 hrs)</b>

2:20pm – 3:50pm

## Panel II

### Transplants and Legal History

**Moderator:** Professor Andrew HARDING, *National University of Singapore*

#### Session 4:

**Mr Moeen CHEEMA**, *Australian National University*

A 'Janus-Faced' Rule of Law in British India

#### Session 5:

**Mr Rawin LEELAPATANA**, *Chulalongkorn University*

*The influence of foreign public law philosophies on Sarit Thanarat's Thai-style democracy and today's challenges*

#### Session 6:

**Mr Watcharachai JIRAJINDAKUL**, *University of Washington*

The Art of Saying and Not Saying Clearly in Thai Constitution: Where Several Foreign Legal Concepts and Practices Are Mixed for the Harmonization

#### Discussion

3:50pm – 4:20pm

Afternoon Tea Break (0.5 hrs)

4:20pm – 5:30pm

## Panel III

### Transplants and the Judiciary

**Moderator:** Dr. Lasse SCHULDT, *Lecturer of Public Law, Thammasat University*

**Session 7:** Associate Professor and Dean Tran Van Nam, *Faculty of Law, National Economics University, Hanoi*

Legal Transplantation into Vietnam: Is it a Right Time to Acquire Case Law Approach for Its Better Judiciaries?

#### Session 8:

**Associate Professor Eugene TAN**, *Singapore Management University*

Ambivalent Resistance? The Perils and Promise of Legal Transplantation of Foreign Public Law in Singapore

#### Discussion

5:30pm

Return to the Hotel to freshen up

6.00pm

Bus pick-up for Dinner  
(Meet at Hotel Lobby)

6:30pm

Welcome Dinner hosted by Thammasat University (by Invitation Only)

8.30pm

Back to Hotel

# Programme

Friday, 4 November 2016 (Day 2)

10:00am	<b>Meet &amp; Greet Participants at the hotel lobby</b> (Attendance Taking)
10:05am	<b>Network at the Faculty of Law, Thammasat University</b>
10:10am	<b>Keynote Speech</b> <b>Professor Kittisak PROKATI</b> FACULTY OF LAW, THAMMASAT UNIVERSITY
10:40am – 11:10am	<b>Morning Tea Break (0.5 hrs)</b>
11:10am – 12:40pm	<b>Panel IV</b> <b>Good Governance and Institutions</b> <i>Moderator: Mr. Henning GLASER, Lecturer and Director of the German-Southeast Asian Center of Excellence for Public Policy and Good Governance (CPG)</i>  <b>Session 10:</b> <b>Professor Andrew HARDING, National University of Singapore</b> Monarchy in SE Asia: Legal Transplant or Legal Tradition?  <b>Session 11:</b> <b>Dr Andhika DANESJVARA, University of Indonesia</b> The General Principles of Good Governance in Indonesian Administrative Law  <b>Session 12:</b> <b>Mr Fritz SIREGAR, University of Indonesia and Indonesia Jentera School of Law</b> The Future of Judicial Review Authority in Indonesia  <b>Discussion</b>
12:40pm – 2:10pm	<b>Lunch (1.5 hrs)</b>
2:10pm – 3:20pm	<b>Panel V</b> <b>Transplantation and Criminal Law</b> <i>Moderator: Associate Professor Gary F. BELL, National University of Singapore</i>  <b>Session 13:</b> <b>Associate Professor Nuggehalli NIGAM, Azim Premji University</b> Transplantation of Criminal Liability for Corporate Officers: from United Kingdom to India  <b>Session 14:</b> <b>Professor Yong Chul PARK, Sogang University Law School</b> Exclusionary Rule and Rule against Hearsay in Korea - Ready for Overhaul after Transplantation History of These Rules Came to Life of its Own?  <b>Discussion</b>
3:20pm – 3:50pm	<b>Afternoon Tea Break (0.5 hrs)</b>
3:50pm	<b>Conclusion &amp; Objectives</b>
4:35pm	<b>Return to the Hotel to freshen up</b>
5.30pm	<b>Bus pick-up for Dinner</b> (Meet at Hotel Lobby)
6:30pm	<b>Closing Dinner hosted by National University of Singapore</b> (by Invitation Only)
8.30pm	<b>Back to Hotel</b>