



### Scott Thiel

Partner

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Scott Thiel's background in engineering and dual qualifications in both intellectual property law and computer science provide him with a unique opportunity to understand the technical aspects of client's ICT and outsourcing projects. An understanding of the issues faced by both sides of a transaction enables Scott to seek innovative solutions to resolve negotiation deadlocks and deliver completed deals for his clients.

He advises both users and suppliers of IT outsourcing services on all aspects of the procurement process. He also advises on complex technology transactions. His work usually involves him on business critical projects frequently valued in the tens or hundreds of millions of dollars. He advises clients across a range of sectors including technology, banking, transport, energy and sport.

#### RELATED SERVICES

- Intellectual Property and Technology

#### RELATED SECTORS

- Technology

#### LANGUAGES SPOKEN

English

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- English

#### EXPERIENCE

- Advising Cathay Pacific Airlines on the creation of a framework IT services contract to certify and implement electronic flight bags across the entire Cathay fleet of aircraft
- Advising Neosystems on a project management software hosting agreement to support a major aircraft development project in China
- Advising Dragonair on the outsourcing of all services associated with the launch of a new crew uniform including the design, production and supply chain management
- Advising Cathay Pacific Airlines on the establishment of a dual vendor outsourced services arrangement for cargo handling services at the new Hong Kong cargo facility
- Advising HCL on its successful bid and the conclusion of contracts with eircom to provide call centre outsourcing services

- Lead external adviser to National Australia Group Europe in relation to the outsourcing of a range of service requirements including desktop support arrangements, data centre relocation project, ATM support requirements and the procurement of its front-end replacement solution

## CREDENTIALS

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### Professional Qualifications

- Solicitor of the Senior Courts of England and Wales
- Solicitor of the High Court of Hong Kong

### Recognitions

- Ranked as a leading individual in the area of TMT - China (International Firms) by *Chambers and Partners* 2013-2019
- *Chambers and Partners* 2019: "Scott Thiel has a 'strong reputation and an extensive track record for IT projects and has done a very good job advising us on outsourcing and IP licensing matters.'"
- *Legal 500 Hong Kong: TMT*, 2019: "Combining IP knowledge with computer science expertise, team head Scott Thiel has a unique insight into IT work; he is regularly at the forefront of the most significant mandates handled by the team."

### Education

- Monash University, LL.M (Intellectual Property), 1998
- Melbourne University, LL.B. 1995
- University of Melbourne, BSc. 1995

## INSIGHTS

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### Publications

#### Episode 12: More obligations on Chinese mobile app operators to comply with

9 April 2020

Navigating China: The digital journey

Following the crackdown by Chinese authorities against non-compliant mobile apps in late 2019 (please see Episode 8 in this series), the authorities have issued a series of app compliance guidelines (including the Guide to Self-Assess Illegal Collection and Use of Personal Information by Apps, Methods for Identifying Unlawful Acts of Apps to Collect and Use Personal Information, and Draft Specification for Collecting Personal Information in Mobile Applications). These guidelines imposed detailed obligations and practical actions to urge mobile app operators to conduct self-assessments and to rectify any non-compliant data processing practices. Organisations may have noted that some of these guidelines contain conflicting requirements.

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#### Episode 11: Important clarifications and changes to China's data privacy standards

27 March 2020

Navigating China: The digital journey

Important updates to China's de facto data privacy regulations will come into force on 1 October 2020. The amendments to the Personal Information Security Specification (PIS Specification) comprise important clarifications rather than substantial changes to the existing regulations.

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## **Episode 10: Stricter data localisation and security rules for financial and insurance data in China**

06 Mar 2020

Navigating China: The digital journey

The People's Bank of China has released new guidelines on the collection and processing of personal financial information (PFI Guidelines), which provide much-needed clarity on how personal financial information in China should be processed, secured, and transferred. While the PFI Guidelines do not impose an outright ban on personal financial information leaving China, mandatory compliance steps (including consent and impact assessments) must be taken.

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## **Important changes proposed to Hong Kong's data protection law**

27 February 2020

Any organisation processing Hong Kong personal data must plan ahead to anticipate significant new compliance obligations requirements. These are proposed in a recent consultation paper to amend Hong Kong's Personal Data (Privacy) Ordinance (PDPO), and would – if passed – constitute the first changes to the PDPO since 2012.

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## **Episode 9: 2020 - Privacy, Security and Content Regulation to Increase in China**

10 January 2020

Navigating China: The digital journey

China's authorities have published a much-anticipated brand new directive on internet content regulation and governance, which will come into force on 1 March 2020. This law will require organizations which host websites in China to make fundamental changes to their website governance frameworks.

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## **Stricter outsourcing rules for Singapore's banking sector**

13 December 2019

Banks and credit card providers in Singapore should consider updating their outsourcing arrangements in anticipation of stricter new laws. Singapore's Government has proposed new powers to regulate more closely the outsourcing arrangements of banks and credit card providers regulated by the MAS, and to impose stricter sanctions.

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## **Episode 8: Crackdown on infringing China apps**

13 November 2019

Navigating China: The digital journey

China's authorities have launched a crackdown against non-compliant mobile apps. The crackdown is taking place during November and December 2019, so businesses operating apps in China must take urgent action or else face sanctions.

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## **Hong Kong's SFC introduces strict conditions on cloud data storage**

8 November 2019

All entities licensed by the Hong Kong SFC and storing data in the cloud must urgently review their data storage arrangements in light of a new circular from the SFC on "Use of external electronic data storage". This circular introduces strict new conditions on both cloud users and cloud vendors.

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## **Episode 7: New China encryption law passed**

6 November 2019

Navigating China: The digital journey

The new PRC Encryption Law will come into force on 1 January 2020. It will bring fundamental changes to the sale, import and use of encryption technologies in China by foreign and domestic organizations.

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## **Episode 6: Further developments in PRC data privacy regulations**

1 November 2019

Navigating China: The digital journey

An updated draft of China's Amended Personal Information Security Specification (Amended PIS Specification) and proposed new amendments to the privacy specification for mobile apps (App Privacy Specification) were published this week, alongside brand new draft regulations for the banking sector.

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## **Episode 5: Apps are being shut down in China - will yours be next?**

12 July 2019

Navigating China: The digital journey

While apps are incredibly popular in China, in recent months some have been disappearing from app stores in the country because they do not comply with recent apps regulations. Indeed many companies are not even aware of the comprehensive new privacy compliance obligations for apps in China.

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## **Episode 3: Yet more regulators join the party in enforcing cybersecurity**

4 June 2019

Navigating China: The digital journey

Licensed telcos and internet businesses in China face a new wave of investigations by the Ministry of Industry and Information Technology (MIIT) as they announce a new enforcement campaign aimed at ensuring network security compliance.

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## **The Singapore Payment Services Act 2019 - What you need to know if dealing in crypto-currency or e-money**

4 JUN 2019

If you issue crypto-currency or electronic money (i.e. money which is stored electronically), or provide services dealing in crypto-currency or electronic money in Singapore, you will now need to apply for a licence from the Monetary Authority of Singapore (MAS).

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## **Episode 2: New stringent cyber security rules announced in China, what will your business need to do?**

29 May 2019

Navigating China: The digital journey

Organisations with operations in China must prepare now for new comprehensive cybersecurity rules. The Chinese authorities have announced MLPS "version 2.0", which will come into force on 1 December 2019, and have potential significant impact to businesses' infrastructure and operations in China.

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## Singapore data security - Recent incidents and compliance steps you

23 May 2019

Organisations handling Singapore personal data should re-evaluate their data security compliance programmes in light of recent regulatory scrutiny and enforcement action.

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- "Outsourcing: A Practical Guide", *Globe Law and Business*, September 2015
- Co-Author, and Asia lead author on the soon to be released Cybertrak product summarizing and comparing e-security laws across multiple jurisdictions.

## Events

## Previous

### COVID-19: The Age of Viral Outbreaks – Impact on Outsourced Functions and Relationships

30 March 2020

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### Webinar: Skyscrapers for the masses: Real Estate Tokenisation and the future of STOs

25 March 2020

Webinar

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