



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

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

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

Episode 4: Getting data out of China - the challenge of operating your China business offshore

26 June 2019

Navigating China: The digital journey

An updated and substantially more onerous draft of China's long awaited position on cross border data transfers has just been published. The Measures on Personal Information Cross Border Transfer Security Assessment (Measures) apply to all "Network Operators" and will require specific action to be taken by all businesses that send personal information out of China.

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.

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).

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.

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.

Episode 1: Cyber enforcement starts

21 May 2019

Navigating China: The digital journey

China's cybersecurity regulators are now taking their first steps to verify organisations' (including foreign businesses') compliance with China's cybersecurity laws. As anticipated, the focus is on businesses that have an online presence in China.

New Year, New Regulations: Cyberspace Administration of China launches new blockchain regulatory framework

4 MAR 2019

You may need to comply with new regulations if you use Blockchain technology to conduct your business in mainland China. The "Regulations for Managing Blockchain Information Service" take effect on 15 February 2019. The new regulations encourage Blockchain industry organisations to enhance self-discipline and establish sound industry standards.

China data and cyber: New guidelines you need to know

28 JUN 2018

In the last two weeks the Chinese authorities have been busy providing much-anticipated guidance on the practical steps organisations must take to comply with the new data protection, cybersecurity and technology regulations.

Time to update your Singapore data protection compliance programme

30 MAY 2018

If you handle Singapore personal data - whether inside or outside of Singapore - you need to review and update your data protection compliance programme in light of recent developments and imminent changes.

- "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

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

25 March 2020

Webinar

TechLaw

3 March 2020

TechLaw Event Series

Melbourne

NEWS

DLA Piper announces launch of Blockchain and Digital Assets practice

26 FEB 2019

DLA Piper announced today the launch of its Blockchain and Digital Assets practice, which will offer strategic advice on a global basis to address the needs of companies implementing blockchain technology solutions and creating and deploying digital assets.

DLA Piper joins Governing Council for Hedera Hashgraph

20 FEB 2019

DLA Piper has joined the initial group of Governing Council members for Hedera Hashgraph, a next-generation public ledger designed to have highly diversified governance and the most distributed consensus at scale. The announcement was made at Hedera Hashgraph's first annual summit in Seoul, Korea.

As part of the council, DLA Piper will help oversee changes to the software run by millions of Hedera distributed nodes over time. The governing council has been established to ensure stability and guaranteed continued decentralization to the Hedera Hashgraph distributed public ledger.
