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### **Editorial Notes**

1

### **News Update**

2

### **Industrial Analysis**

The Increase of Ageing Population – A Critical Situation for Aged-care in China

4

The Supply-Demand Scenario Analysis for China Aged-care Market

5

The Current Situation of Investment in China Aged-care Industry

6

### **Policy Focus**

China's Pilot on 'the Reverse Mortgage Endowment Insurance'

8

### Cross-culture Perspective

The Old Stage – Reflections on Aged-care in Chinese Culture

10

### **Editorial Notes**

Dear readers,

Looking back to the first edition of our newsletter published almost three years ago, we unsurprisingly found it was a very nascent market. Now it is still a VERY young industry, but we are good to know "what we don't know". Also looking back to the first article we wrote about the regulatory environment of senior housing for foreign investment, we now surprisingly find many issues in that article have already been changed.

The market is in a dynamic development, so should every participant in the industry do. For our Newsletter, we are happy to announce our collaboration with C-Joint to co-produce the China Senior Housing & HealthCare Newsletter. With the great contribution of teams from C-Joint, we will present more insights on market analysis data and information, human behavior, cross-cultural communication, etc. Of course, regulatory updates and business analysis will continue to take our readers ahead of the industrial curve as always.

As the founder of C-Joint Research & Consultancy, Jane Zhang, said, "Aged-care is still at the very beginning – introduction stage in China. With the continuing improvement of Chinese living standards and people's cognition in the so-called quality of life, China will be gradually demanding differentiated high quality services with regard to a wide and varied selection of extended aged-care products." How to position ourselves in this huge market might be a constant theme to explore for every participant.

We look forward to your continuous attention to this new chapter of our Newsletter.

Michael Qu

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## **News Update**

## A Revision to the Regulations on Supervision and Administration of Medical Device

On the 31st of March 2014, the State Food and Drug Administration (SFDA) and Legislative Affairs Office of the State Council called a press conference. It officially announced the newly revised Regulations on Supervision and Administration of Medical Device ("New Regulations"), which will come into force from the 1st of June this year. This has been the first revision based upon the current edition of Regulations on Supervision and Administration of Medical Device being carried out since the 1st of April 2000.

One of its highlights was the "handling of adverse events and medical device recall system" of special creation, which specifically proposes to establish post-marketing surveillance system, such as monitoring for, reevaluation of, and recall from medical device adverse events. This, together with





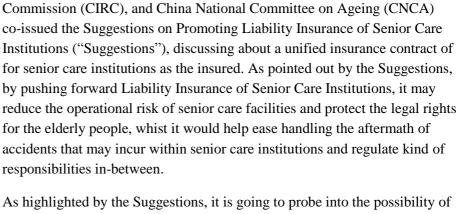
other regulatory means of medical device production, marketing, quality control, supervising and sampling test, constitute a relatively more comprehensive administrative system of international standards for medical device product launches, and form an effective linkage between the pre- and post-marketing surveillance to oversee the product life cycle of medical devices.

Overall, the new edition has mainly made further complements and improvements to the existing one from five aspects. Firstly, it has improved medical device classification system, clarified the principle of classifications, stressed those dynamic adjustments, raised related classification to a scientific level, and further refined the regulatory measures whilst attaching great importance to high-risk products. Secondly, it has reduced ante licensing, cutting off 7 permits in total. Thirdly, production, business and user units have to take more responsibilities, including product quality control and the establishment of incoming goods inspection and sales record system during the management and application process. Fourth, it is necessary to strengthen the supervision over daily practice and to establish code of conduct for surveillance. Fifth, it has reinforced legal liabilities, detailed the corresponding penalties, and enhanced the feasibility of such a practice, by adjusting the scope of and adding types of punishments as well as leveraging the level of penalties on serious offences.

Such an amendment would enhance the capability of risk control for medical devices. It has significant implications for regulating the R&D, manufacturing, marketing, and application activities, strengthening supervisions and administration, and guaranteeing safety and effectiveness of medical devices, as well as ensuring public health and life security.

## China Intends to Unify the "Facility Liability Insurance" Premium and Standard





Recently, the Ministry of Civil Affairs (MCA), China Insurance Regulatory



As highlighted by the Suggestions, it is going to probe into the possibility of applying insurance contracts, basic premium, and service standard in consonance into the future, and it is to guide and encourage senior care institutions to be insured by insurance companies. However, Liability Insurance of Senior Care Institutions should cover the elderly throughout the whole residing and service process at senior care facilities.



As to fund management, the Suggestions proposed that premium grants reimbursed by the government and insurance costs of the public senior care institutions should be listed in strict financial budget management, being used exclusively for its intended purposes. In case of accidents that happen to the elderly residents, insurance firms should immediately settle contract claims and assist in odds and ends afterwards according to the provisions of the agreement. In the mean time, all senior care institutions shall strictly abide by the agreement of contract of insurance and pay the insurance premium by the due time, but should neither charge extra premiums from elderly residents nor embezzle or divert funds from indemnities.

We believe that the introduction of liability insurance for senior care facility will mitigate the risk caused by injury or accidents and enhance the competency in fending of the risk for senior care institutions. It will also help attract more capital inflows into the construction of senior living facilities. All these will greatly facilitate the progress of the senior care industry development in China.

## **Industrial Analysis**

# The Increase of Ageing Population – A Critical Situation for Aged-care in China

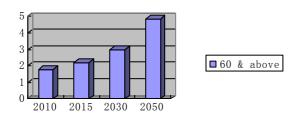
From 1990 to 2020, the average annual growth rate of the world's ageing population is about 2.5%. And the proportion of ageing population to total in the world would rise from 6.6% in 1995 to 9.3% in 2020. It is estimated that there will be nearly 2 billion elderly people worldwide by 2050. In other words, the number of senior citizens aged above 60 will be increasing three times of the current figure.

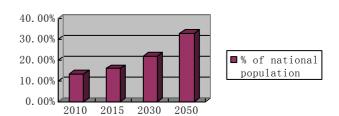
In accordance with international criteria, a country or region would be remarked as an ageing society if the number of elderly people aged 60 and above accounts for 10% of its total population or the number of elderly people aged 65 and above accounts for 7% of its total population. In China, people over the age of 60 are called senior citizens. According to statistics, at the end of 2004, the aged population in China was about 143 million, occupying 10.97% of the national population. As stated in the table below, the ageing population in China has still been obviously rising from year 2011 to year 2013.

% of national % of national **Ageing** Year population population population (60 & above) (60 & above) (65 & above) 2011 185 million 13.70% 9.1% 2012 194 million 14.30% 9.4% 2013 202 million 14.80% 9.7%

Table 1: The Rising Ageing Population in China from Y2011 to Y2013

Some research institutes have pointed out that ageing population will still be speeding up in China. As shown in the following two charts, to the end of 2010, the aged population (60 and above) in China was about 178 million occupying 13.3% of the total national population and 23.6% of the worldwide aged one; By 2015, the number of Chinese elderly people aged 60 and above may reach 221 million, which will probably weigh 16% of the country's total population; In 2020, the ageing population in China will be nearly 243 million and the proportion of people aged 60 or above to the total shall exceed 17%; By year 2030 and 2040, the sizes of China elderly group are expected to be enlarged further; and in 2050, China's ageing population is likely to be around the highest peak with an enormous number of 483 million. By then, China will enter an advanced stage of ageing.





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As per China National Committee on Ageing (CNCA), the ageing trend of China can be divided into three phases from year 2001 to year 2100:

• 2001-2020: rapid stage of ageing;

• 2021-2050: accelerated stage of ageing;

• 2051-2100: advanced stage of ageing.

The time period for the population structure switching from adult-onset society to aged one differs from one country to the other. Statistics shows that it takes 115 years in France, 60 years in the US, 45 years in the UK, 25 years in Japan, but in China, it may merely need 18 years. Also, data released by the United Nations suggest that the ageing proportion for China was about10% in 2000, very similar to world average level. However, this figure was increasing to 3.3% in China till 2010 whilst such an increasing rate was only 1% worldwide. In the next 40 years, this is going to be scaled at 10.8 % globally but will be growing up by 21 % in China.

In sum, the above information fully illustrates a picture that China is facing a critical moment of the rapid expansion of the elderly population – China has the largest ageing population in the world in terms of its scale, and China is the fastest one in relation to its growing rate. As a result, aged care and ageing related services are expected to be launching as much soon as possible but shall be delivered in order suiting the Chinese context as well as the international norms.

# The Supply-Demand Scenario Analysis for China Aged-care Market

Some experts used to point out that when the ageing proportion (people aged 60 or above in one nation's total population) in one country or region or is over 7% and its average GDP is exceeding USD 5,000, its Aged Care sector will have rapid development. Although data painted a mixed picture for investors, China National Committee on Ageing (CNCA) still predicted that the annual demand of China Aged-care market might break through trillions of yuan and the gap between supply and demand would be vast. In an effort to reach the China Aged-care target for year 2020 set by the central government, its related market scale will be increasing at a pace of 100 billions of yuan per annual within the next seven years.

Also, this will benefit the Aged-care related business such as healthcare, domestic service, insurance, education, fitness and traveling. With the rapid increase of ageing population in China, the market demand for senior housing tends to be fast-growing as well. Research data reveals that the total demand for senior housing would be rising from 500 million square meters in 2010 to 700 million square meters in 2020 and 1.3 billion square meters in 2050. This shows huge opportunities for investment in the China Senior Housing market.

Furthermore, according to recent reports, there were 3.5 million beds in 2010 and 4.165 million beds produced by 44 thousand senior living facilities in 2012. However, until Nov 2013, there were merely around 5.0017 million beds with 45 thousand Aged-care institutes in China that didn't seem to make a significant progress. During the 12<sup>th</sup> five-year plan period, China has been planning to add 3.42 million of extra beds. As projections from industrial experts, 6.66 million of beds are likely to be available by 2015, but this may still be in short supply. The resulted land requirement will be 0.126 million mu if we calculate it based on 30 square meters per bed.

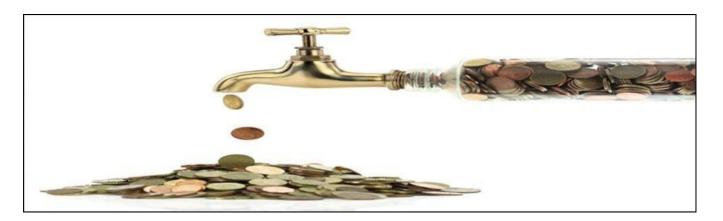
Nevertheless, only 2-3% of Chinese elderly can be accommodated in those senior living facilities. This means there would only be 25 beds available for one thousand senior citizens in China, far lagging behind the average rate of 5-7% in the developed countries.

For example, Beijing aims to have 160 thousand of beds (with 40 square meters of construction area per bed, larger than the national average level) in 2020. So far the capital city has already arranged 2-4 square kilometers of land. Moreover, a community-based elderly nursery will occupy 800 square meters of land instead of its current standard of 630 square meters. For the distribution of senior living facilities, population structure in different districts and / or counties will be taken into consideration to satisfy local elderly care demands and to meet with the problem of shortage of land and concentration of population in central areas. Facing almost 300 thousands of disabled elderly, there are only 80 thousands of beds with functions of nursing and rehabilitation care. This, again, discloses another facet of insufficient supply.

However, senior living facilities and care homes are not equally located in China and the development of China Aged-care market should not be treated in a universal manner. The China Aged-care industry will possibly involve the market isation of 300 billion yuan of senior care assets, proposed by the Ministry of Civil Affairs (MCA). In spite of the fact that the China aged-care market demand is huge, the occupancy-vacancy index for private care homes is not well supported by the supply-demand scenario, exhibiting a pair of co-existing contradictions.

Apparently, such indexes are constrained by geographical locations, surrounding environment, medical care and service capabilities. Although the China Aged-care market currently exhibits great opportunities, what to do and how to locate them shall still be remained as elusive as ever for participants who are interested in being an active part of this supply chain.

# The Current Situation of Investment in China Aged-care Industry



The Chinese government says that on the basis of 'ensuring basic necessities and assuring bottom lines', social forces should be encouraged to be 'major players' in the establishment of professional care homes and official capital are welcomed in the development of elderly services in China. At present, foreign investments get involved in China Aged-care industry mainly through (a) senior housing developers, (b) setting up management

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or investment consulting firms, (c) establishing foreign invested senior; living facilities, (d) finance and insurance sector, and (e) equity investment. So far foreign investors are mainly from those developed countries in Europe, America and Australia (also Japan and Taiwan) and settled in the most developed first/second tier cities of China (e.g., Beijing, Shanghai, Shenzhen, Guangzhou, Qingdao and Hangzhou, etc.).

China's private capital has been pouring into the elderly care market. Some examples of investment in different realms for this industry are listed below.

Aged-care business	Domestic Investors
senior housing projects	World Union Realty, Shanghai Tianchen, Guangdong
	Tapai Group Jinling Hotel, VANKE, Greentown
medical care, nursing care, rehabilitation or diagnosis	TASLY Pharm, Hengrui Medicine, Kanion Pharm,
	LeadmanBiochem, Lepu Medical, Yuyue Medical, Dian
	Diagnostics, Ginwa Enterprise
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elderly food supply & daily	By-health, BrightDairy, ChengDeLoLo, Hainan Yedao,
consumptions	Kemen Noodle, Jahwa United, SATLPEC
elderly services &	Double Arrow, AllWin Telecom., Wonders Info., Han's
necessities	Laser, Comfort Science & Tech.
Elderly Chinese medicine	Harbin Pharm., Zhongxin Pharm., Yiling Pharm.
ElderlyCare R & D	Phoenix
Reverse mortgages	China PingAn

Social capitals rushing to China Aged-care industry mostly concentrate on senior housing projects. Active players in this area include private elderly service institutes, real estate firms, insurance companies and overseas investors. Statistics reports that there are about 80 real estate developers entering into the senior housing sector, and public information discloses that there are hundred of senior housing projects. Some researchers and consultants predict that, there will be an 'explosion' period for China senior housing development from year 2014 to year 2016 pushed by the market opportunity and the transition of real estate enterprises.

In Mainland China, senior housing projects can be mainly seen from

- an upgraded version of care homes being run as long-term commercial property projects launched by insurance funds, such as TAIKANG LIFE, Xinhua Insurance, China Life, Union life, Strategic Alliance formed by Wanda and China Taiping
- senior housing projects aiming to target 'high-end market' launched by real estate developers, such as VANKE, Greentown ('Academic senior living style' @ Wuzhen Garden), Poly (5-star senior living apartment), Ocean, Green Land, Forte, Initiative, Renaissance, R & F

However, potential risks with investment in the senior housing sector are mainly three-folds: firstly, the total amount and period of funding requirement is usually extremely high and long and ROI remains uncertain; secondly, exploring the Chinese senior living development model requires both monetary input and time cost; thirdly, due to the involvement of large numbers of real estate developers and other agencies, this market is going to face fierce competition. Hence, how to highlight one's advantages and uniqueness in the competitive market will be a real challenging topic worthy of further attentions and discussions.

## **Policy Focus**



## China's Pilot on 'the Reverse Mortgage Endowment Insurance'

The *Guidance Draft on Carrying out House-for-Pension Scheme Pilot (hereinafter referred to as the Draft)* was recently issued by China Insurance Regulatory Commission to all life insurance companies, in order to implement the relevant requirements of the State Council on *the Opinions on Accelerating the Development of Senior Care Service Industry* and create new approaches for social security for the aged. The new House-for-Pension Scheme will be implemented on a pilot basis, whereas Beijing, Shanghai, Guangzhou and Wuhan will become the first batch of pilot cities. The pilot period starts from the date of publication of official documents to March 31<sup>st</sup>, 2016. Formal regulation to the Draft will be officially announced to the public after consultation with public views. This insurance 'exotic' once landing in China, will make a profound impact on the insurance, real estate market, and even the social pension system of the entire country. However, due to the cross-industrial nature of this innovative product that cover insurance and real estate, among others, combined with the hamper of traditional Chinese concept of the elderly care, it is a real challenge for insurance companies, who are the main participant of this product, to manage risks in practice.

The Draft provides restrictive requirements on the pilot insured object, qualification of the pilot insurance company and the type of insurance products. Insured group are limited to the elderly over 60 years old with wholly self-owned property rights. Among the qualifications of insurance companies applying for pilot scheme are: having at least five years' business existence with a registered capital of more than RMB 2 billion; when applying for a pilot, solvency adequacy ratio of the insurance company as of the previous year and the end of the current quarter is more than 120%; having strong actuarial techniques and capability of pricing scientifically and rationally for reverse mortgage endowment insurance; being equipped with professional legal staffs who can handle related legal issues for reverse mortgage endowment insurance; having professionals in real estate property management who can carry out daily maintenance of mortgage real estate and disposal in accordance with law. Meanwhile, according to different approaches to deal with value addition of the mortgaged property by insurance companies, the pilot products will be categorized into participatory reverse mortgage endowment insurance products and non-participating ones. In addition, the Draft also stipulates that during the pilot period,

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the initial mortgage loan amount of each reverse mortgage endowment insurance contract shall not exceed RMB 5 million.

### Then what is 'reverse mortgage endowment insurance'?

Originated from the US, the 'house-for-pension scheme' is also termed in 'reverse mortgage', which means the elderly pledges their own property rights to financial institutions to receive a certain sum of pensions at regular intervals or to access to senior housing services, and eventually, banks or insurance companies may withdraw the house-use right and housing ownership for sale or leasing. It is viewed that this may play an active role in solving the problem of pension funds for the elderly and activating the existing housing resources.

However, such a realization might be thrown into a dilemma: 1) how to deal with those properties once their term of use rights or ownerships of the house are expired ? 2) is the society responsible for elder care or are kids responsible for looking after their old parents ? 3) is it more practical for reverse mortgages or direct lease?

According to the web survey in the title of 'house-for-pension scheme', the number of opponents is nearly 10% more than that of proponents among 966 collected votes in the survey. Survey data shows opponents occupy 54.76%, while proponents account for 45.24%. As the netizens are mostly young people, this survey can be considered as 'a survey of the young'. However, during another random survey of 10 elderly people, the opponents account for 90%. Most elderly people consider they have feelings for the house where they have lived for a lifetime, so they prefer to leave it to their children. The proponent is a childless old lady, who has no one to leave it to.

China, with the tradition of bringing up kids for elderly care, is a country very different from the US, where the government, society and individuals are co-operating in taking the high responsibility of aged-care. For the enforcement of this brand-new but a fast-growing hot terminology, it is necessary to dissolve two obstacles:

to stimulate well-nurtured enforcement context: At present, the imperfect credibility system of agency and the incompetence of operation management would lead to the reluctance of the public in pledging their property rights. Also, in recent years, the real estate market has been ups and downs that make lenders and borrowers feel perturbed, lacking 'cornerstone' of transactions;

to overcome the traditional Chinese cultural barrier: the misinterpretation of 'filial piety' and 'selling properties or pledging lands', together with the traditional opinion on 'property inheritance' and 'bringing up kids for elderly care', would possibly hinder its market access in general.

### **Our View**

The cultivation of new ideas must undergo a painful recognition process. Such market demand may be nurtured by successful overseas experiences and shift of ideologies. Today's 'house-for-pension scheme' may merely be positive complementary to China aged-care resources.

- The 'house-for-pension scheme' won't be widely acknowledged by the traditional Chinese custom. Promising kids would never let their parents sell their properties for elderly care and feckless one would never allow their parents to sell their properties for elderly care. Perhaps the 'house-for-pension scheme' can start from families with no kids (either lost their only-one-child or unwilling to have kids). And then its practical mechanism can be gradually improved.
- Investment in aged-care products is to be raised. People advocating the 'house-for-pension scheme' may worry about that if they have sold their properties, there might be no ideal elderly care products available, possibly falling between two stools.
- The uncertainty of property value and the 70-year household ownership policy may cause potential risks for both parties the elderly and financial institutions. All relevant supporting system, risk control and policy guarantee are to be cleared up.

## **Cross-culture Perspective**

## The Old Stage – Reflections on Aged-care in

**Chinese Culture** 

The hometown deeply engraved in my mind was that kind of small south-east-China style town with grey brick, slabstone pavement and spiraling smoke upward from kitchen chimneys. When I was only at the age of 6-7, I could have been counted as one of the 'old' fans of Chinese opera. At the bottom of the lane not far away from my home, there was a magnificent building – the 'Old Stage'. Although the stage wasn't huge, it still signified the most prosperous part of such a tiny, peaceful town. It was often the case that during each festival, either at the beginning or the end, the audiences had already been waving their fans hummed genre of folk song with accompaniment of bamboo clappers ('lianhualuo' in Chinese) before the performance formally started on the stage. The Stage, at that time, was always a gathering point for old people in the town. In a sharp contrast, naughty boys, like us, were usually playing looper games sitting on the stools brought by ourselves, or chasing each other and joining in the rough and tumble for fun. All these just resembled a series of typical civil plays ('wenxi' in Chinese) and military plays ('wuxi' in Chinese).

The above scene has been passing along for years. Nowadays, the little town has already been constructed into a modern place, with the 'Old Stage' standing in a grand area of new fashionable buildings, mottled over memories of vicissitudes. The stage is no longer for opera performance, but rather, as an activity venue for the elderly. There are also newly built elderly activity rooms alongside the 'Old Stage'. Yet, the current young generation run around, engaged in their own work as busy as bees, whilst the elders, accompanied the 'Old Stage', still live a life of ease. It seems as if that the tune still lingers as in the old days looking up the overhanging roofs, and actors still remain danced by their long sleeves in classical operas after the handrail of the stage. By a metaphor, the distant past of the small town looks like a veil of mist curling up from the stream in the winter that spreads over current days. In the depth of mist, the idle time carries on, as if, in a trance, nothing has been changed.

The stage is a venue for opera play and play watching, bit its function has been far more than that. In old times it was actually a platform for social interactions – while emperors and chancellors, wits and beauties performed on the stage, family gossip and ordinary life were vividly shown off the stage. This proves the rule that 'the world means a big stage and the stage shows a small world '.



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A stage does not usually stands alone, rather, it often attaches to an architectural complex of ancestral halls and temples with slightly different auxiliary functions. In accordance with the affiliated architectural complex, stages vary from Royal, Ordinary, Temple, Ancestral, Assembly, to Family-use (in categories).

Actually, the Ordinary Stage lives up to both rural and urban area, providing an arts and entertainment space for the public. In comparison with some other theaters, the ordinary stage appears to be more lively, easy-going, and much closer to the people's daily life, having a more direct impact on the mass' sense of art.

In Dongan Village of Shaoxing, the Qing-dynasty-Stage was built with unfolding eaves in simple shapes. It has become of the unique features of Shaoxing since one half of its building was rooted in the water and the other half was landed in the solid foundation. Its antithetical couplets – 'shuiguoyuyangeyueli, shichengyanhuozhaoshengping', literally means that the watershed full of fish and salts sings for joys and happiness and the stone-city surrounded by chimney smoke and fireworks moves residents onward and upward, reflecting the ordinary people's thriving life. Now this has been an enjoyable place for the elderly villagers to dine out during their leisure time.

In Tongli Town of Suzhou, there is another stage located in the central square. This is one of the remarkable buildings of this ancient town of millennium, but indeed, it was an imitated architecture of ancient style. Despite the fact that it has been newly built in recent years, it has been greatly benefiting from the niceties of 'Old Stage'. The stage normally keeps itself busy with several shows per day, during which both visitors and local residents feel like being back to the old era.

Some of today's senior housing projects are also equipped with public utilities congregating various functions such as social, entertainment and fitness. On the one hand, those facilities may create lively living environment for the elder, including proper care and enjoyable experience; On the other hand, those facilities are circled around the central part of the property development plan. From this point of view, the ordinary stage played a very similar virtual role in care services for these elderly in the past.

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## LAW VIEW PARTNERS 恒为律师事务所

Law View Partners is a boutique law firm in China that specializes in providing services to foreign investors and companies in high-growth sectors. The firm's resources and services span foreign investment and trade, M&A and finance, construction and real estate, corporate compliance, as well as market-leading experience advising clients in corporate transactional advice, intellectual property and commercial litigation. The Firm's strengths are in the fields of senior housing and healthcare; hotel and retail real estate; corporate compliance; and merger and acquisition.

Having represented international companies in their investment in the Chinese senior living market, our clients can benefit from our deep industry knowledge and experience, and from our creative, solution-oriented and responsive approach. Especially we can assist senior care investors and developers with the following issues:

- Advice on structuring business models and regulatory study
- Conduct legal due diligence on project acquisition
- Business incorporation and licensing and negotiate with joint venture partner
- Draft and standardize documents on (i) construction, operation and business transaction;
   (ii) third-party agreements and vendor's contracts;
   (iii) policies and procedure for residency
- Advice on finance, tax and government relation
- Deal with issues on intellectual property, licensing, general liabilities and employment.

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C-joint Research & Consultancy was set up with research initiatives in cultural differences. We believe that, during the era of globalization, 'culture differences' would not merely constitutes 'serious impediments' to cross-national expansions, but may also provide 'magic solutions' for business development. Our senior project managers and consultants have been actively taking part in management consulting, market research and cross-cultural exchanges for various industries.

We have also established a R&D centre conducting industry studies with particular reference to cultural insights. With the continuing improvement of Chinese living standards and people's cognition in the so-called quality of life, China will be gradually demanding high quality services with regard to a wide and varied selection of Housing & Health related products. Over this platform, we honestly think that all industry participants need to be integrated together for system innovations and energy synthesis. In order to achieve so, we offer the following services:

- Comparative Study & Market Research on HealthCare Industry and Housing Market across China & Abroad;
- Knowledge Development & Transfer (including healthcare, service flow and management model etc.);
- System Design & HR Consulting: Organisation Chart & JDs, Performance Appraisal System (esp. KPIs), Remuneration Package & Motivation Scheme, Head Hunting & Labour Dispute Resolution etc.;
- Consultation on Stakeholder Relationship Management in China (including Government, Media, Employer-Employee Relationship)
- Business Visits, Cross-cultural Exchange, Training & Education, etc.