

**RESHAPING** THE LEGAL  
PROFESSION,  
**REFORMING**  
THE LAW



# COMMEMORATIVE BOOKLET

24—26 September 2014 | The Royale Chulan Kuala Lumpur



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# Table of Contents

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Welcome Note   Chairperson of the IMLC 2014 Organising Committee	2
Welcome Note   President of the Malaysian Bar	3
IMLC 2014 Team Members	7
Floor Plan   Conference Area	8
Floor Plan   Exhibition Area	10
List of Exhibitors	11
Key Speakers	14
Plenary Speakers	16
3 <sup>rd</sup> Raja Aziz Addruse Memorial Lecture	23
Conference Programme	26
Session Speakers and Moderators	36
Acknowledgment of Sponsors	49



# Welcome Note

## Chairperson of the IMLC 2014 Organising Committee



Welcome to the International Malaysia Law Conference ("IMLC") 2014! It is indeed an honour to welcome all of you to this flagship event of the Malaysian Bar, an event that I am confident will be a rewarding and enriching experience for us all.

The theme of IMLC 2014 — "Reshaping the Legal Profession, Reforming the Law" — reflects what we believe is the single most important concern that all legal professionals and law firms must take cognisance of and address: change. The pace of change is unrelenting. What used to take years or decades to evolve, now seemingly takes only a matter of months. This means that we have to constantly adapt and transform our profession and law practices to meet the demands of rapid transformation.

In view of this, we have formulated sessions that we believe will address the issues pertaining to change in the legal profession, and how other jurisdictions are facing and coping with these pressures, and even thriving. These sessions are intended to challenge you to re-examine your existing approach to and perspectives of the traditional mode of legal practice.

On the same note, I am pleased to mention that we have assembled a line-up of prominent international and local speakers who will be involved in a total of 30 exciting sessions at IMLC 2014 that are relevant to your legal practice. It is my sincere hope that our selection of topics and speakers matches or exceeds your expectations of what to expect at an international law conference such as this. It is noteworthy that these speakers have contributed a great amount of time and effort to prepare for, attend and deliver what we anticipate to be lively, informative and inspiring sessions at IMLC 2014.

IMLC 2014 is not merely about sitting in conference rooms and listening to or participating in discussions on serious matters; it is also an opportune time to socialise and create or expand networking with other legal professionals, and an occasion to rekindle old friendships and acquaintances with fellow law practitioners.

I would like to pay tribute to my colleagues, partners and friends in enabling IMLC 2014 to be a successful reality. Organising a conference of this scale and magnitude is an immense and daunting challenge; a challenge that I only accepted upon being assured that the Bar Council Secretariat is experienced and competent, and could handle this huge task. Indeed, at no time in the last 12 months has this assurance been found wanting. I have been truly blessed to have a team of individuals at the Secretariat who have been not only capable but also immeasurably hard-working and committed to the cause of putting together a successful and memorable event. Thank you to them all.

I would also like to make a special mention of our sponsors and supporters. I doubt that any conference can proceed without adequate funding. Hence, it is a privilege to benefit from the very generous support of our funders and sponsors, without whom it is unlikely that Bar Council would have been able to organise a law conference of such stature.

Finally, to all IMLC 2014 delegates, do look forward to enjoying vibrant and robust discussions of the law and legal practice in a frank and engaging setting. My heartfelt wish is that our efforts and hard work in putting together a wonderful event for you have paid off!

**Brendan Navin Siva**

Chairperson

IMLC 2014 Organising Committee

## Welcome Note

### President of the Malaysian Bar



It is with pleasure that I welcome you to the International Malaysia Law Conference ("IMLC") 2014. It has been two years since we first saw the inauguration and transformation of the Malaysian Law Conference to an international level, a feat that the Malaysian Bar is most proud of.

This year, there is a pressing need to further address and highlight issues with regard to the evolving environment of legal practice, and the need for reform and development of the law, hence the theme of IMLC 2014 — "Reshaping the Legal Profession, Reforming the Law".

It is without doubt that changes to the legal profession have come knocking at our door: on 3 June 2014, the Legal Profession (Amendment) Act 2012 and further amendments to the legislation — Legal Profession (Amendment) Act 2012 (Amendment) Act 2013 and Legal Profession (Amendment) Act 2013 — came into force together with the Legal Profession (Licensing of International Partnerships and Qualified Foreign Law Firms and Registration of Foreign Lawyers) Rules 2014.

As a result, foreign law firms and foreign lawyers are now permitted to practise in Peninsular Malaysia in the manner set out in the legislation and the Rules. The Malaysian

legal profession thus stands at the threshold of inevitable transformation, and it is crucial for us to realise that should we stand against the tide of change, we would fall far behind. There is no room for complacency or lamentation; we have to take the bull by its horns — acknowledge the coming change, and continuously strive to improve and upgrade ourselves to meet the challenges and demands to come. Only then can we compete with the rest.

There is something for everyone at IMLC 2014. We have taken great care in securing leading proponents in the various practice areas, including consumer protection, matrimonial assets, corporate mergers and acquisitions, personal data protection, company law, company liquidation, Islamic finance, Goods and Services Tax, the Anti-Money Laundering and Anti-Terrorism Financing Act 2001, and many more. There will also be sessions covering human rights and the Federal Constitution.

On behalf of the Bar Council and the Malaysian Bar, I extend my appreciation and thanks to the ever-diligent IMLC 2014 Organising Committee, particularly its sterling Chairperson, Brendan Navin Siva, who steered the team in producing yet another marvellous instalment of the conference.

Let me sign off by wishing all participants, delegates and speakers an edifying and memorable conference.

See you at IMLC 2014!

**Christopher Leong**  
President  
Malaysian Bar

**The Kuala Lumpur Regional Centre for Arbitration (KLRCA)** was established in 1978 under the auspices of the Asian-African Legal Consultative Organisation (AALCO). KLRCA was the first regional centre established by AALCO in Asia to provide institutional support as a neutral and independent venue for the conduct of domestic and international arbitration proceedings in the region.

KLRCA is a non-profit non-governmental international arbitral institution. Pursuant to an agreement between the Government of Malaysia and AALCO, the Government of Malaysia supported the establishment of a regional centre for commercial arbitration in Kuala Lumpur and agreed to provide the facilities for the establishment and functioning of such a centre.

KLRCA is administered by a Director under the supervision of the Secretary General of AALCO. The Government of Malaysia has accorded KLRCA independence and certain privileges and immunities for the purposes of executing its functions as an international institution. KLRCA adopts the UNCITRAL Arbitration Rules with modifications i.e. The Rules for Arbitration of the Kuala Lumpur Regional Centre for Arbitration (KLRCA Rules).



**KLRCA NEW PREMISES 2014**

Bangunan Sulaiman, Jalan Sultan Hishamuddin, 50000 Kuala Lumpur, Malaysia.



## MAIN FUNCTIONS

- To promote international commercial arbitration in the Asia-Pacific region
- To co-ordinate and assist the activities of existing arbitral institutions in the Asia-Pacific region
- To render assistance in the conduct of ad hoc arbitrations, particularly those held under the UNCITRAL Rules
- To assist in the enforcement of arbitral awards
- To provide for arbitration under the auspices of KLRCA
- To carry out the functions envisaged in the agreement with the International Centre for the Settlement of Investment Disputes (ICSID)
- To provide alternative options for the settlement of disputes such as mediation under the Mediation Rules of KLRCA
- To administer international and domestic .my domain name disputes under MYDRP Rules and Policy and the Supplemental Rules of KLRCA
- To administer generic top level domain name disputes under an MOU signed with the Asian Domain Name Dispute Resolution Centre (ADNDRC) and Hong Kong International Arbitration Centre (HKIAC)
- To appoint arbitrators for disputing parties as and when requested under the KLRCA Rules and the Malaysian Arbitration Act, 2005 (Act 646)
- To be the official adjudication authority under the Construction Industry Payment and Adjudication Act [CIPAA] 2012

## FUNCTIONS OF KLRCA AS THE ADJUDICATION AUTHORITY UNDER CIPAA 2012

- Setting of the competency standard and criteria required of an adjudicator
- Determination of the standard terms of appointment of an adjudicator and the fees for the services of an adjudicator
- Provide administrative support for the conduct of adjudication
- To appoint adjudicators for disputing parties, as and when requested
- To recommend to the Minister of Works such regulations as may be expedient or necessary for giving full effect or the better carrying out of the provisions of CIPAA 2012, as provided under Section 39 of the Act
- To recommend to the Minister of Works on matters of exemption of any person or class of persons or any contract, matter or transaction from all or any of the provisions of CIPAA 2012, as provided under Section 40 of the Act.
- Any function as may be required for the efficient conduct of adjudication.



***Recommended model clause to be  
incorporated in any contract:***

*"Any dispute, controversy or claim arising out  
of or relating to this contract, or the breach,  
termination or invalidity thereof shall be settled  
by arbitration in accordance with the  
Rules for Arbitration of the Kuala Lumpur  
Regional Centre for Arbitration."*

## ADVANTAGES OF ARBITRATING AT THE KUALA LUMPUR REGIONAL CENTRE FOR ARBITRATION

Malaysia is a signatory to the 1958 New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards which enable KLRCA's arbitral awards to be enforceable in countries that are also signatories to the Convention.

KLRCA is internationally recognised as an experienced, neutral, efficient and reliable dispute resolution service provider since 1978.

KLRCA has a panel of experienced domestic and international arbitrators from diverse fields of expertise.

Costs of arbitration proceedings in KLRCA are comparatively lower than other established arbitral jurisdictions.

No visa and withholding tax imposed on arbitrators.

Foreign arbitrators are exempted from applying for a Work Permit or a Professional Visit Pass when entering into Malaysia to conduct hearings which are held for a short duration.

Arbitrators and foreign counsel will be exempted from the "fly-in fly-out" prohibition. They will not be subjected to the restriction of 60 days nor require immigration approval to enter into Malaysia to conduct arbitral proceedings.



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**KUALA LUMPUR REGIONAL CENTRE FOR ARBITRATION**

(ESTABLISHED UNDER THE AUSPICES OF THE ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANISATION)

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## IMLC 2014 Team Members

### **Standing (left to right)**

Baizura Abd Razak | Joane Sharmila | Sumitha Shaanthinni Kishna | Vilashini Vijayan |  
Lily Aw Kim Lee | Suriati Dalilan | Ruhil Amal Abdul Razak | Masrita Jusoh |  
Anne Andrew | Santhi Latha | Chin Oy Sim

### **Seated (from left)**

Nishta Jiwa | Khaizan Sharizad Ab Razak (Sherrie Razak) | Joe Chin | Brendan Navin Siva |  
Rajen Devaraj | Sangheetha Kuppusamy

### **Not in photo**

Florence Laway | Janet Chai Pei Ying | Khairul Anuar Md Salleh | Satha Selvan Subramaniam



# Floor Plan

## Conference Area

### GROUND FLOOR



### 1<sup>ST</sup> FLOOR



#### Legend

- Taming Sari 1
- Taming Sari 2
- Taming Sari 3
- Medical Aid Room
- Registration and Info Counter
- Exhibition and Coffee Area
- Taman Mahsuri
- Tun Sri Lanang 1
- Tun Sri Lanang 2
- Tun Sri Lanang 3
- Secretariat Room
- Speakers / Moderators Room
- VIP Room

13<sup>th</sup> floor Chulan View



AUSTRALIAN BARRISTERS  
IN THE ASIA PACIFIC



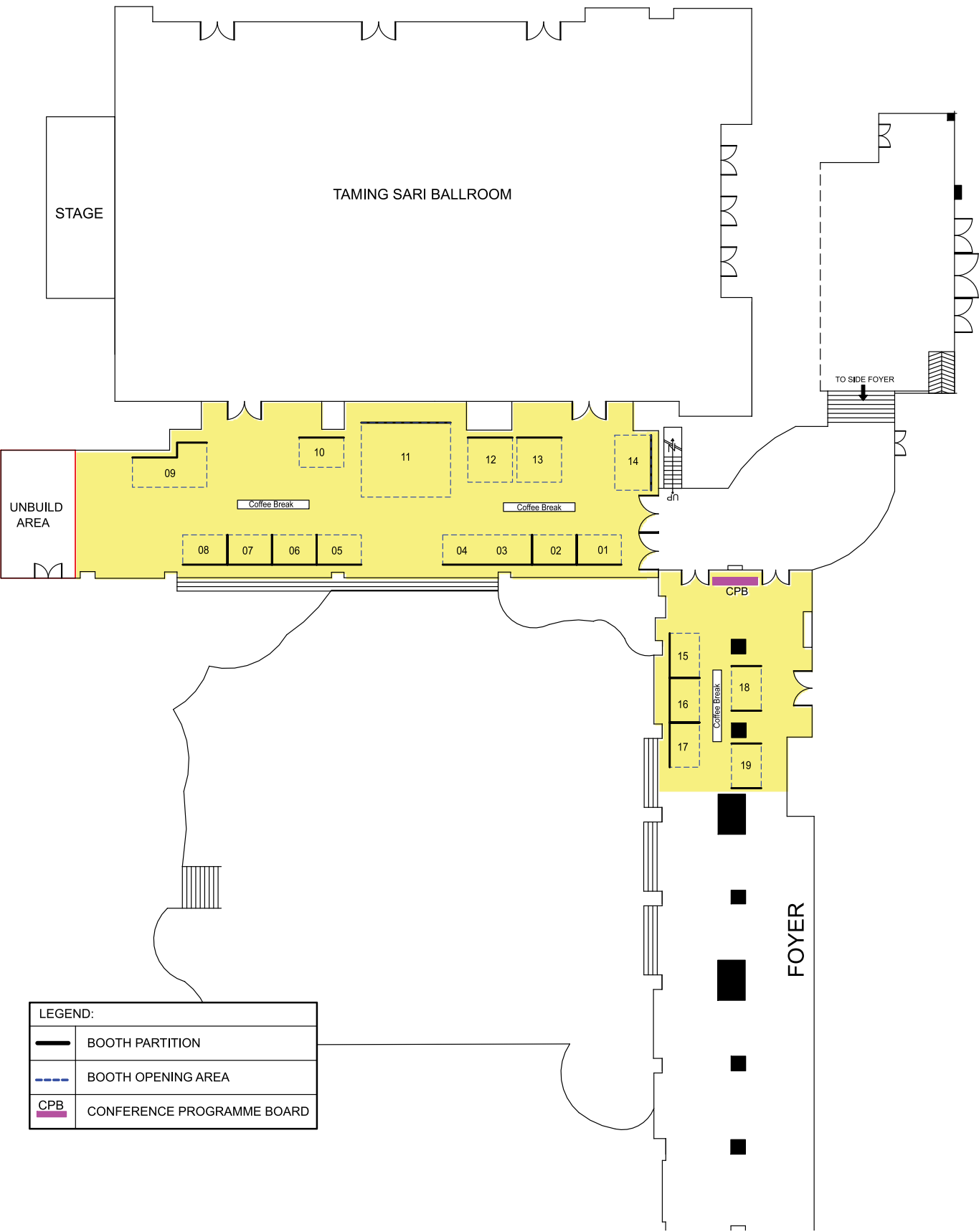
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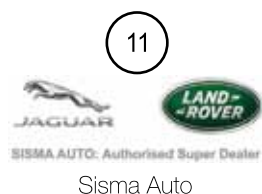
# Floor Plan

## Exhibition Area





## List of Exhibitors



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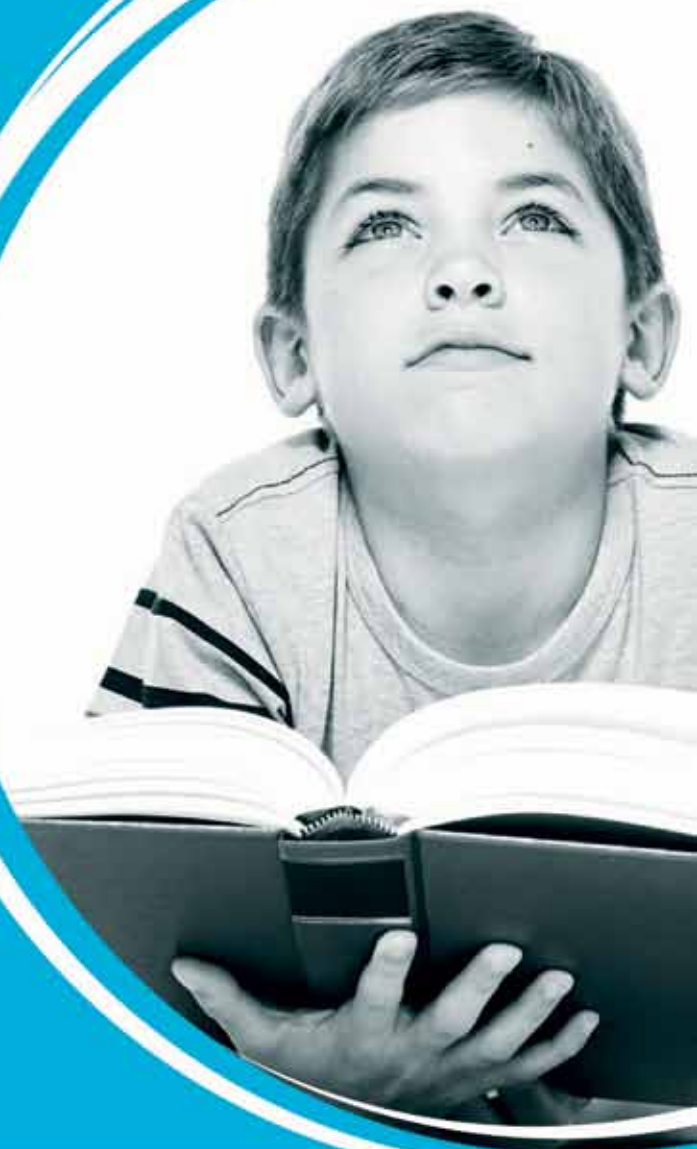
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## Key Speakers



### **The Right Honourable Tun Arifin Zakaria** *Chief Justice of Malaysia*

#### **Opening Address**

24 Sept 2014 (Wednesday) | 09:30 – 10:00

The Right Honourable Tun Arifin Zakaria was born on 1 Oct 1950. After completing his secondary education, he went to read law at the University of Sheffield in the United Kingdom. Upon graduation, he joined the Judicial and Legal Services of Malaysia in September 1974. In 1979, he pursued the Master of Laws course at the University College, London and the Bar Final Course at the Council of Legal Education. In June 1980, he was called to the English Bar, and in the same year, he was awarded the LLM degree by the University of London.

Prior to his elevation to the High Court Bench of Malaysia, His Lordship served in various capacities in the Government of Malaysia both in the Judicial Office and the Legal Department. Among the positions he held were Magistrate, President of the Sessions Court, Senior Assistant Registrar of the High

Court, Federal Counsel and Senior Federal Counsel, Legal Advisor to the Ministry of Primary Industries, Legal Advisor to the Public Services Department, Legal Advisor to the States of Malacca and Perak, Deputy Parliamentary Draftsman and Senior Federal Counsel of the Inland Revenue Department.

On 1 Mar 1992, His Lordship was appointed Judicial Commissioner of the High Court of Malaya, and two years after, as a High Court Judge of Malaya.

In 2002, His Lordship was elevated to the Court of Appeal, and to the Federal Court in 2005. His Lordship was appointed to the post of the Chief Judge of the High Court of Malaya effective 18 Oct 2008. His Lordship's elevation as the Chief Justice was on 12 Sept 2011.

His Lordship is married to Puan Sri Robiah Abd Kadir and has three sons and two daughters.



### **The Honourable Geoffrey Ma, GBM** *Chief Justice of the Hong Kong Court of Final Appeal*

#### **The Practice of Law: A Vocation Survives Amidst Globalisation**

Keynote Address

24 Sept 2014 (Wednesday) | 10:00 – 11:00

Mr Justice Geoffrey Ma was called to the Hong Kong Bar in 1980 and was appointed Queen's Counsel in 1993. He joined the Judiciary as a Judge of the Court of First Instance in 2001, and was then appointed as Justice of Appeal of the Court of Appeal in 2002, Chief Judge of the High Court in 2003, and finally as Chief Justice in 2010. He was made an Honorary Bencher of Gray's Inn in 2004.

Mr Justice Ma has wide legal experience in various areas of civil law. His main areas of practice prior to joining the Judiciary were arbitration, commercial (including shipping, admiralty, banking and insurance), company, building, administrative and constitutional law.





## Yang Amat Mulia Tunku Zain Al-'Abidin ibni Tuanku Muhriz

*Founding President, Institute for Democracy and Economic Affairs  
("IDEAS")*

### **Inspirations from Raja Aziz Addruse: Morality and the Rule of Law**

3<sup>rd</sup> Raja Aziz Addruse Memorial Lecture

24 Sept 2014 (Wednesday) | 17:00 – 18:00

YAM Tunku Zain Al-'Abidin was educated at the Kuala Lumpur Alice Smith School, Marlborough College, and the London School of Economics and Political Science, where he obtained his MSc in Comparative Politics in 2004. He then worked in the UK Houses of Parliament before moving to Washington DC to join the World Bank as a Public Sector Consultant. Upon returning to Malaysia in 2008, Tunku 'Abidin worked at the United Nations Development Programme and the KRA Group before becoming a Research Fellow at the Lee Kuan Yew School of Public Policy at the National University of Singapore.

Throughout, he helped to develop the Institute for Democracy and Economic Affairs ("IDEAS") which he co-founded in 2006, and maintained his weekly columns: firstly "Abiding Times" in *The Sun*, then "Roaming Beyond the Fence" in *The Star* and *Sin Chew*, and now "Conservatively Speaking Freely" in the *Malay Mail*, *Borneo Post* and *Oriental Daily*. From these articles, three books have been compiled, the latest being nominated for the Popular Readers' Choice Awards.

Tunku 'Abidin also authored a coffee table book for the Installation of the 11<sup>th</sup> Yang di-Pertuan Besar of Negeri Sembilan and led a major project to revitalise the State Anthem. He is a trustee of Yayasan Chow Kit, Yayasan Munarah and the Jeffrey Cheah Foundation; an independent non-executive director of a public-listed company; an advisor or patron to several educational and cultural organisations; an honorary major in the Malaysian Territorial Army; and a committee member of the Squash Racquets Association of Malaysia.

In 2013, he was selected for the Australia-Malaysia Muslim Cultural Exchange Programme, the French *Programme d'invitation des personnalités d'avenir*, and the Eisenhower Fellowship around the United States. Recently, he accepted the Rotary Young Integrity Award.

## Plenary Speakers



### Dr Azmi Sharom

*Associate Professor, Faculty of Law, University of Malaya*

#### **The Federal Constitution of Malaysia after 50 Years — What the Future Holds**

Plenary Session 1

24 Sept 2014 (Wednesday) | 11:30 – 12:45

Dr Azmi Sharom's teaching and research interests are primarily environmental law and civil liberties. He holds an LL.B (Hons) from the University of Sheffield, UK; LL.M from the University of Nottingham, UK; and PhD from the School of Oriental and African Studies, University of London.

He has published in the *Asian Yearbook of International Law*, the *Singapore Yearbook of International Law* and the *International Journal on Minority and Group Rights*, amongst others.

Besides lecturing, Dr Azmi writes a fortnightly current affairs column in *The Star* entitled "Brave New World". He is also a blogger.



### Dato' Dr Cyrus V Das

*Managing Partner, Shook Lin & Bok;*

*Past President, Malaysian Bar*

#### **The Federal Constitution of Malaysia after 50 Years — What the Future Holds**

Plenary Session 1

24 Sept 2014 (Wednesday) | 11:30 – 12:45

Dato' Dr Cyrus V Das joined Shook Lin & Bok in 1973 as an associate, and became a partner in 1979. Today, he is the firm's Managing Partner, and heads its General and Litigation Department.

His field of practice is largely in appellate work before the Court of Appeal and the Federal Court, which is Malaysia's apex court. A large number of cases conducted by him are reported in local law reports and cover a wide range from commercial, contract and tax cases to leading local cases in administrative and constitutional law.

He served as President of the Malaysian Bar from 1997 to 1999. Among others, he is the Life President of the Commonwealth Lawyers' Association; a member of the Advocates and Solicitors Disciplinary Board; a member of the Advisory Panel for the Faculty of Law, Universiti Malaya; and a Fellow of the Malaysian Institute of Arbitrators. He is also an author of several books on administrative and judicial justice and accountability.



## Gan Ping Sieu

*Co-President, Centre for a Better Tomorrow ("CENBET")*

### **Hard Talk on Human Rights — Freedom from Fear: Is it a Basic Human Right?**

Plenary Session 4

25 Sept 2014 (Thursday) | 16:30 – 17:30

Gan Ping Sieu read law at Queen Mary College, University of London; the International Islamic University; and University of Malaya, and was called to the English Bar (Lincoln's Inn) in 1990.

He started his legal practice as an advocate and solicitor of the High Court of Malaya in 1991. He is now a senior partner of Gan & Zul.

Gan Ping Sieu ceased legal practice for a period of three years from 8 June 2010 to June 2013, as he was appointed a Senator and served as a Deputy Minister in the Ministry of Youth and Sports from June 2010 until May 2013.

He served in many non-governmental organisations ("NGOs"), schools and companies throughout his years of legal practice. He has also served as a municipal councillor, member of statutory board, special officer to the Chief Minister of Johore, and was an elected State Assemblyman of the State of Johore from 2004 to 2008.

He is now the Co-President of the Centre for a Better Tomorrow ("CENBET"), a civil society NGO championing moderation and good governance. He is also the Chairman of the MCA Syariah Law and Policy Implementation Special Task Force.



## Jahabar Sadiq

*Editor and Chief Executive Officer, The Malaysian Insider*

### **Hard Talk on Human Rights — Freedom from Fear: Is it a Basic Human Right?**

Plenary Session 4

25 Sept 2014 (Thursday) | 16:30 – 17:30

Jahabar Sadiq is Editor and Chief Executive Officer of *The Malaysian Insider*, one of Malaysia's leading news portals.

He has now begun an online video portal that will collaborate with other startups to provide videos for the growing mobile phone and tablet sector.

He began as a journalist in the *New Straits Times* 26 years ago and has had extensive experience in the region from Afghanistan to East Timor, covering the news of the day, particularly politics, business, lifestyle and breaking news for Reuters Television, an international television news agency.

He returned to Malaysia in 2010 to head *The Malaysian Insider*.





## Datin Paduka Marina Mahathir

*Writer; Women's Rights and HIV/AIDS Activist; TV Producer*

### Hard Talk on Human Rights — Freedom from Fear: Is it a Basic Human Right?

Plenary Session 4

25 Sept 2014 (Thursday) | 16:30 – 17:30

Datin Paduka Marina Mahathir served as the President of the Malaysian AIDS Council for 12 years from 1993 to 2005.

In addition, Marina has served on many regional and international HIV/AIDS bodies including the AIDS Society of Asia and the Pacific ("ASAP"), UNAIDS and the Asia Pacific Leadership Forum on HIV and Development ("APLF").

Currently, she is a member of the Board of Sisters in Islam, which advocates for justice and equality for Muslim women. She is also a member of the International Advisory Group of Musawah, the global movement for justice and equality in the Muslim family, and a member of the Board of Trustees of the Asian University for Women in Chittagong, Bangladesh.

Marina has written a fortnightly column on social issues in a local English-language daily for more than 20 years, and writes and speaks regularly on current issues particularly where it relates to gender, human rights and religion.

Between 2001 and 2009, she was Co-Executive Producer of an award-winning TV programme for young women, *3R — Respect, Relax and Respond*, and resumed that role in the new *3R* series that began broadcasting in 2013. She was, for a time, an avid blogger with her own blog, [www.rantingsbymm.blogspot.com](http://www.rantingsbymm.blogspot.com), a Twitterer (@netrakL) and Facebooker. She has authored three books — *In Liberal Doses* (1997) and *Telling It Straight* (2012), which are compilations of her newspaper columns, and *50 Days: Rantings by MM* (2009).

In 2010, Marina was named the UN Person of the Year by the United Nations in Malaysia. On the occasion of the 100<sup>th</sup> anniversary of International Women's Day in 2011, Marina was one of only two Malaysian women named to WomenDeliver.org's list of 100 Most Inspiring People Delivering for Girls and Women.

In November 2013, she was appointed a member of the National Unity Consultative Council ("NUCC") that is tasked with finding ways to promote unity among Malaysians.



## YB Dato' Dr Mujahid Yusof Rawa

*Member of Parliament, Parit Buntar, Perak*

### National Unity and Harmony: Promoting Respect and Strength in Diversity

Plenary Session 5

26 Sept 2014 (Friday) | 16:00 – 17:15

YB Dato' Dr Mujahid Yusof Rawa was born on 25 Oct 1964 in Georgetown, Penang.

He received his primary and secondary education at Penang Free School, and pursued his graduate studies in Arabic studies at Al-Azhar University. He then obtained a Master's degree in Human Resource Management from Universiti Putra Malaysia and in 2008, he was awarded a Doctorate in Political Science from the University of Malaya.

Dato' Dr Mujahid previously worked as an Arabic teacher and a lecturer in Multimedia University, Malacca. He is also an active writer and has published a few books, such as *Rejuvenasi PAS*, *Menuju PAS Baru*, and *Berdialog dengan Gereja*.

Dato' Dr Mujahid is a Member of the Malaysian Parliament representing Parti Islam Se-Malaysia ("PAS") for the Parit Buntar parliamentary constituency. He is also the Chairman of PAS's Bureau of National Unity. In 2013, he was appointed as a member of the National Unity Consultative Council ("NUCC"). He was entrusted as a member of the AIPA CAUCAS Committee at the parliamentary level. In 2011, Dato' Dr Mujahid was elected as the Chairman of the Southeast Asia Inter-Religious Dialogue for Peace.

As a Member of Parliament, Dato' Dr Mujahid has presented and has been involved in many seminars and presentations as a panellist. He often attends international conferences representing Malaysia in the US, Niger, Kyrgyzstan, Morocco, Indonesia, Taiwan, Uzbekistan and many others.



## YB Nurul Izzah Anwar

*Member of Parliament, Lembah Pantai, Kuala Lumpur*

### **National Unity and Harmony: Promoting Respect and Strength in Diversity**

Plenary Session 5

26 Sept 2014 (Friday) | 16:00 – 17:15

YB Nurul Izzah Anwar is the current Member of Parliament ("MP") for Lembah Pantai. Prior to being an MP, Nurul Izzah was and still is a

strong proponent of human and civil rights, with a special interest in prisoners of conscience and the rights of women working both at the national and international level.

She has worked with a number of agencies and institutes on advocacy work, among which are Suara Rakyat Malaysia ("SUARAM"), Women Leaders International Forum ("WLIF"), and Friedrich-Ebert Stiftung ("FES"). She has, in the past, advocated on behalf of Malaysian political prisoners and Malaysian human rights movements at the international level,

most notably through an intervention in the main session at the 55<sup>th</sup> Session of the Commission on Human Rights, Geneva.

Nurul Izzah's political career began with the creation of the People's Justice Party ("KEADILAN") in 1998 where she played a vital role in its establishment and is currently on her second term as Vice President-Elect, as well as the Head of Division for Lembah Pantai. Prior to entering politics, she earned her Master's degree from Johns Hopkins University, studying International Relations (with specialisation in Southeast Asia Studies from SAIS). She graduated from University Tenaga Nasional in September 1998 with a Bachelor's degree in Electrical and Electronics Engineering.



## YB Senator Datuk Paul Low Seng Kuan

*Minister in the Prime Minister's Department*

### **Hard Talk on Human Rights — Freedom from Fear: Is it a Basic Human Right?**

Plenary Session 4

25 Sept 2014 (Thursday) | 16:30 – 17:30

YB Senator Datuk Paul Low Seng Kuan currently serves as the Minister in the Prime Minister's Department in charge

of Governance and Integrity.

He is the immediate past President of Transparency International Malaysia, the accredited national chapter of the Berlin-based Transparency International, which is an independent, non-governmental and non-partisan organisation committed to fight against corruption at all levels of society.

Datuk Paul Low also served as Vice President of the Federation of Malaysian Manufacturers ("FMM"), and was the President of FMM from 1997 to 1999.

He has extensive knowledge and experience in industry as he was involved in the glass manufacturing and automotive industries for more than 35 years and was the Managing Director of Malaysian Sheet Glass Sdn Bhd until his retirement in March 2010. Datuk Paul Low also sat on the

boards of Sunway Berhad and Pos Malaysia Berhad up until his recent appointment as a Minister.

He was privileged to serve on several key agencies of the Malaysian Government, some of which are the National Economic Action Council ("NEAC") (during the financial crisis of 1997 to 1999), Malaysian Industrial Development Authority ("MIDA"), Malaysian Institute of Economic Research ("MIER"), and Malaysian Services Development Council ("MSDC"). He was also actively involved in international multilateral organisations including APEC, WTO, and ASEAN, and chaired the Private Sector Taskforce on Free Trade Arrangement.

On 1 Apr 2011, he was appointed Deputy Chairman and Commissioner of the Enforcement Agency Integrity Organisation ("EAIC").

Datuk Paul Low is a chartered accountant by profession and graduated from the Royal Melbourne Institute of Technology ("RMIT"), Melbourne.



## **Datuk Dr Shad Saleem Faruqi** *Emeritus Professor of Law, Universiti Teknologi Mara ("UiTM")*

### **National Unity and Harmony: Promoting Respect and Strength in Diversity**

Plenary Session 5

26 Sept 2014 (Friday) | 16:00 – 17:15

Datuk Dr Shad Saleem Faruqi is a Senior Professor of Law at UiTM, a Visiting Professor at Universiti Sains Malaysia, and serves as UiTM's Legal Advisor. He has served UiTM in various capacities since 1971, and from 1979 to 1984, was Head of the Diploma of Law programme in the university.

He was born on 17 Nov 1946 in New Delhi. At 19 years of age, he graduated from Wesleyan University in Connecticut, US with a bachelor's degree in the field of political science. He did his LL.M and LL.B at the Aligarh Muslim University in India, and his PhD at Universiti Islam Antarabangsa in 1992. His teaching and research interests are in the fields of constitutional law, human rights, administrative law, media law, jurisprudence, university, and education.

He has served as a consultant for Afghanistan, Iraq, Fiji and Timor Leste, advising these governments on their constitutional documents. Datuk Dr Shad drafted the

Constitution of the Republic of Maldives in 1991, as part of an Asia Foundation Project. He also drafted the Kuala Lumpur Declaration to Criminalise War in 2007.

Datuk Dr Shad has written legal opinions for the Attorney General's Chambers, and the Governments of Sabah and Kelantan. He also drafted the following laws: Institut Teknologi MARA (Amendment) Act 1996; Universiti Teknologi MARA (Amendment) Act 2000; Universities and University Colleges (Amendment) Act 2009; and the Constitution of Universiti Sains Malaysia 2010.

He has written in newspapers over the years, including "Legally Yours", a free legal advice column in the *New Straits Times* from 1983 to 1984. He currently maintains a weekly column for *The Star*, entitled "Reflecting on the Law".

Datuk Dr Shad is an ardent reader and loves gardening in his spare time. He is married to Abidah Adam and they have five children.



## **The Honourable Justice Susan Mary Kiefel AC** *Judge, High Court of Australia*

### **Liability of Barristers for Negligence — England and Australia**

Plenary Session 2

25 Sept 2014 (Thursday) | 10:45 – 11:30

A native of Cairns, North Queensland, Australia, Justice Susan Mary Kiefel AC received her LL.M from the University of Cambridge. In 1993, she was appointed a Judge in the Supreme Court of Queensland in 1993, and subsequently a Judge in the Federal Court in 1994. She rose to the rank of Justice of the High Court of Australia in 2007.

Justice Kiefel served in various other capacities while serving as a Judge. From 2004 to 2006, she served as President of the Federal Police Disciplinary Tribunal. She was also appointed a Justice of the Supreme Court of Norfolk Island

from 2004 to 2007. She is a Fellow of the Australian Academy of Law, and in 2011, she was appointed a Companion in the General Division of the Order of Australia.

She is also a patron of the Ambassadors of St John's Cathedral in Brisbane, the International Advocacy Training Council, and the Griffith University's History Lecture Series. In 2013, Justice Kiefel became a titular member of the International Academy of Comparative Law.

Justice Kiefel was the first woman to become a Queen's Counsel in Queensland.





## **Timothy Bruinders SC** *Barrister, Group 621, South Africa*

### **National Unity and Harmony: Promoting Respect and Strength in Diversity**

Plenary Session 5

26 Sept 2014 (Friday) | 16:00 – 17:15

Timothy Bruinders SC was admitted to the Johannesburg Bar in 1989, and appointed a Queen's Counsel in 2003. He has been an Acting High Court Judge since 2004. Tim has been involved in advocacy training at the Johannesburg Bar since 1998, and is Chair of the Advocacy Training Committee of the General Council of the Bar ("GCB") of South Africa.



## **Tommy Thomas** *Partner, Tommy Thomas*

### **The Federal Constitution of Malaysia after 50 Years — What the Future Holds**

Plenary Session 1

24 Sept 2014 (Wednesday) | 11:30 – 12:45

### **Hard Talk on Human Rights — Freedom from Fear: Is it a Basic Human Right?**

Plenary Session 4

25 Sept 2014 (Thursday) | 16:30 – 17:30

Tommy Thomas was educated at the University of Manchester and the London School of Economics. He is a Barrister (Middle Temple).

Called to the Malaysian Bar in 1976, Tommy Thomas started his career at one of the largest law firms in Malaysia before being invited to join its partnership in 1982. He is currently in partnership with two barristers, and acts as counsel in a varied practice.

In a career spanning 36 years, Tommy Thomas has had the privilege of appearing as counsel in landmark cases in various branches of the law, in all the courts of Malaysia, from the magistrate's court to the Privy Council in London, which was Malaysia's highest court until 1985. He has had more than 120 reported cases and countless unreported

cases. He has been singled out as one of Malaysia's leading litigation lawyers by numerous independent international publications including *The Asia Pacific Legal 500*, *Which Lawyer, Who's Who Legal* (The International Who's Who of Business Lawyers), *Commercial Litigation Lawyers of Asia* and *Chambers Asia*.

Apart from being a litigator, Tommy Thomas has been active in corporate governance issues. He was a Director of the Malaysian Institute of Corporate Governance from 1995 to 2001, and was appointed by the United Nations Development Programme as Senior Consultant to lead the Corporate Governance initiative for Asian countries affected by the financial and economic crisis of 1997, and edited its report published in 2001.



## Tony Williams

*Principal, Jomati Consultants LLP, United Kingdom*

### **Global Trends Disrupting and Driving the Legal Profession in the Next Five Years**

Plenary Session 3

25 Sept 2014 (Thursday) | 11:45 – 12:30

Tony Williams has more than 30 years' experience in the legal profession, occupying senior management positions as well as direct client handling and fee earning. He is admitted as a solicitor in England and Wales, Hong Kong and Victoria, Australia. In Jomati Consultants, Tony does not practise as a lawyer.

As Principal of Jomati Consultants, Tony has worked for a range of international and domestic firms in the UK, US and Continental Europe, Asia and Australia. His advice covers such matters as management succession, partner appraisal and remuneration, peer reviews, firm strategy and its implementation, including business planning and the positioning of law firms in their market. He is also actively involved in firms' strategic expansion including mergers, new offices, alliances and team hires. He also assists firms on reorganisations, profitability analysis and client strategies.

Before founding Jomati Consultants, Tony was worldwide managing partner of Andersen Legal, and Head of its UK practice. He developed the international strategy for Andersen Legal, which in 2001, was the ninth largest global law firm in fee income. Following the Enron crisis, he managed the dissolution of Andersen Legal and of the English law firm Garretts. For his role in the orderly and controlled dissolution of Garretts, he was named "Partner of the Year" by *The Lawyer* magazine in 2002.

Prior to joining Andersen Legal, Tony was Managing Partner of the world's largest law firm, Clifford Chance. He was with Clifford Chance for almost 20 years and prior to his managing partner role, he was a Corporate Partner in London and Hong Kong, and the Managing Partner of the firm's Moscow office.

Tony is a founding member of Halsbury's Law Exchange, an independent and politically neutral legal think tank which contributes to the development of law and the legal sector.

### 3<sup>rd</sup> Raja Aziz Addruse Memorial Lecture



In 2011, Bar Council Malaysia instituted the Raja Aziz Addruse Memorial Lecture series in memory of Raja Aziz Addruse, the Malaysian Bar's President thrice over.

The inaugural Raja Aziz Addruse Memorial Lecture, organised in collaboration with The Honourable Society of Lincoln's Inn Alumni Association of Malaysia, was held at the Bar Council's Raja Aziz Addruse Auditorium on 29 Oct 2011. Subsequent memorial lectures feature as plenary sessions during the Malaysian Bar's biennial International Malaysia Law Conference ("IMLC").

The 2nd Raja Aziz Addruse Memorial Lecture, entitled "Counter-Terrorism, Human Rights and the Rule of Law — The UN Perspective" was presented by Ben Emmerson QC, the United Nations Special Rapporteur on Human Rights and Counter-Terrorism, on 27 Sept 2012 at IMLC 2012.

The 3<sup>rd</sup> Raja Aziz Addruse Memorial Lecture, entitled "Inspirations from Raja Aziz Addruse: Morality and the Rule of Law", will be presented by Yang Amat Mulia Tunku Zain Al-'Abidin ibni Tuanku Muhriz, the Founding President of the Institute for Democracy and Economic Affairs ("IDEAS")<sup>1</sup>, at 5:00 pm on 24 Sept 2014 (Wednesday).

Raja Aziz Addruse was President of the Malaysian Bar three times: 1976–1978, 1988–1989 and 1992–1993. He also served as a Bar Council member for 21 years.

Ungku, as he was affectionately known, was born in Chemor, Perak on 10 Feb 1936. He received his secondary school education at Anderson School, Ipoh, and read law at the University of Bristol. He was called to the English Bar by The Honourable Society of Lincoln's Inn in 1960. Upon his return to Malaya, he joined the Federal Judicial and Legal Services as a deputy public prosecutor, and later, as a deputy parliamentary draftsman. In 1964, Ungku left public service and read in the chambers of Fred Arulanandom in Ipoh. He subsequently entered private practice after his admission to the Bar on 8 Jan 1966.

Ungku was indubitably a legal luminary and a doyen of the Malaysian Bar. His unequivocal commitment to the independence of the Bar and the Judiciary is legendary.

He did not hesitate to speak out courageously on various issues that troubled him and the nation, such as deaths by police killings and the mandatory nature of the death penalty. In 2001, Ungku openly criticised the appointment of Justice Ahmad Fairuz Sheikh Abdul Halim as the Chief Judge of Malaya, as the then-senior-most Federal Court judge, Justice Abdul Malik Ahmad, was bypassed.

Ungku did not think twice about taking up cases, including those affecting the public interest, that some lawyers would shy away from. He represented former Lord President Tun

Salleh Abas when the latter was sacked by then-Prime Minister Mahathir Mohamad in the 1988 constitutional crisis. Ungku was also the lead defence counsel in Anwar Ibrahim's corruption and (first) sodomy trial, and was counsel for former Communist Party of Malaya leader, Chin Peng, in the latter's bid to return to Malaysia.

Ungku thus brought true meaning to the statutory duty of the Bar, that is, "to uphold the cause of justice without regard to its own interests or that of its members, uninfluenced by fear or favour".

A highly principled and urbane gentleman, he was known for his fairness in handling cases, even towards his opponents, regardless of their seniority.

Ungku was a strong advocate of human rights. He was instrumental in founding the National Human Rights Society ("HAKAM"), and served as its President twice. In May 2006, he was elected as a Commissioner of the International Commission of Jurists. On 11 Apr 2010, he was honoured with the Lifetime Professional Integrity Award by the Malaysian Professional Centre (Balai Ikhtisas Malaysia).

Ungku passed away on 12 July 2011.

Ungku was a towering Malaysian, both in personality and character. The Malaysian Bar has been blessed by his leadership, and is most honoured and privileged to be associated with him.

<sup>1</sup> The speaker's profile appears on page 15 of this Commemorative Booklet.





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- 07:30 - 09:00 Registration | Ground Floor, Registration and Info Counter
- 09:00 - 09:15 Introduction | Taming Sari 1, 2 & 3
- 09:15 - 09:30 Welcoming Address by **Christopher Leong**, *President, Malaysian Bar* | Taming Sari 1, 2 & 3
- 09:30 - 10:00 Opening Address by **The Right Honourable Tun Arifin Zakaria**, *Chief Justice of Malaysia* | Taming Sari 1, 2 & 3
- 10:00 - 11:00 Keynote Address: **The Practice of Law: A Vocation Survives Amidst Globalisation** | Taming Sari 1, 2 & 3  
Speaker: **The Honourable Geoffrey Ma, GBM**, *Chief Justice of the Hong Kong Court of Final Appeal*  
  
Moderator: **Steven Thiru**, *Vice-President, Malaysian Bar; Partner, Shook Lin & Bok*
- 11:00 - 11:30 Coffee Break | Exhibition Area
- 11:30 - 12:45 **Plenary Session 1 | Taming Sari 1, 2 and 3**  
**The Federal Constitution of Malaysia after 50 Years — What the Future Holds**

The Federal Constitution of Malaysia reached its half-century mark last year. What is in store for Malaysia in the future? Will we observe a continuing downward trend, particularly in terms of the protection of fundamental liberties as enshrined in the Constitution, or are there signs of better and more progressive things to come? Fifty years on, how have the Courts in their decisions stayed true to their oath to "preserve, protect and defend its Constitution"?

Speakers:

1. **Dato' Dr Cyrus V Das**, *Managing Partner, Shook Lin & Bok; Past President, Malaysian Bar*
2. **Tommy Thomas**, *Partner, Tommy Thomas*
3. **Dr Azmi Sharom**, *Associate Professor, Faculty of Law, University Malaya*

Moderator: **Firdaus Husni**, *Advocate & Solicitor, Chooi & Co*

- 12:45 - 13:30 Networking Lunch | Taman Mahsuri  
Sponsored by Malaysian Current Law Journal and SCC Online



- 13:30 - 14:45 **Breakout Session 1**

**Stream A | Taming Sari 1 & 2**  
**Litigation & Dispute Resolution**

**Lifting the Corporate Veil: Maxim, Mystery or Myth?**

The topic of lifting (or piercing) the corporate veil is a vivid and much-used, but probably misleading, description of situations in which the law looks behind the separate corporate personality to see, to a greater or lesser extent, what is or has been going on behind it. It is an issue that arises in many varied contexts and jurisdictions. This session will explore recent cases in the United Kingdom and other jurisdictions.

Speakers

1. **The Right Honourable Lord Robert Walker of Gestingthorpe**, *United Kingdom*  
*Retired Justice of the Supreme Court of the United Kingdom*
2. **Lim Koon Huan**, *Partner, Skrine*
3. **Dr Josh Wilson SC**  
*Senior Counsel, Owen Dixon Chambers West, Australia*  
(unable to attend; paper only)

Moderator

**The Honourable Justice Dato' Mary Lim Thiam Suan**  
*Judge, High Court of Malaya*

**Stream B | Taming Sari 3**  
**Corporate & Commercial**

**The International Financial Reporting Standards — Impact on Legal Advice**

The International Financial Reporting Standards ("IFRS") is the *de facto* world standard for accounting standards. It is also an important framework used in deriving company financial results and determines how merger and acquisition ("M&A") transactions involving corporate entities are structured. This talk will explore the recent history of the IFRS and the key concepts underlying the accounting standards. The speakers will also address the common accounting and financial issues that lawyers encounter and have to take into account when advising clients on corporate transactions.

Speakers

1. **Dato' Mohammad Faiz Azmi**  
*Executive Chairman, PwC Malaysia*
2. **Datuk Dr Nik Norzrul Thani Nik Hassan Thani**  
*Senior Partner, Zaid Ibrahim & Co*
3. **Dato' Azmi Mohd Ali**  
*Partner, Azmi & Associates*

Moderator

**Gunasegaran Singaravelu**  
*Partner, John Ang & Guna*

**Stream C | Chulan View\***  
**International Law & Public Interest**

**Wealth Protection and Preservation**

The creation of wealth itself, especially new wealth, gives rise to many legal issues relating to trust, succession, matrimonial disputes, family company disputes and government intervention. As the Asia-Pacific region continues to develop and generate new wealth rapidly, these issues assume a greater importance. This session will address these matters, as well as cultural, Syariah and cross-border considerations.

Speakers

1. **Eason Rajah QC**  
*Barrister, Ten Old Square Chambers, United Kingdom*
2. **Tim Cartwright**, *Director, Hawksford, United Kingdom*

Moderator

**George Pathmanathan**  
*Consultant, Naqiz & Partners*

\* Chulan View is located on the 13<sup>th</sup> floor of The Royale Chulan Kuala Lumpur.



**Stream A | Taming Sari 3  
Litigation & Dispute Resolution**
**Directors' Duties and Commercial Risk-Taking**

This session will address the general duties of directors in respect of commercial undertakings and risk-taking, and explore the evolving nature of such duties when a company is at the onset of insolvency. It will also consider whether there ought to be reforms to our current laws and corporate legislation in light of commercial realities. Recent cases and developments in the law will be highlighted.

Joint Session with the Australian Bar Association


**Speakers**

1. **Saheran Suhendran**  
*Partner, Kadir Andri & Partners*
2. **Mark Livesey QC**, *President, Australian Bar Association*
3. **YM Tunku Dato' Mahmood Fawzy Tunku Muhiyiddin**  
*Independent Director in several companies*

**Moderator**

**Robert Low**

*Partner, Ranjit Ooi & Robert Low*

**Stream B | Taming Sari 1 & 2  
Corporate & Commercial**
**GST and the Legal Profession — What You Need to Know**

The state of GST-preparedness is a current concern among Malaysian businesses in light of the GST implementation date of 1 Apr 2015. This fiscal initiative is expected to significantly influence the way firms and businesses, large or small, manage their processes and operate in the country. This session will focus on the top considerations of GST as it impacts the legal profession and businesses, and will include the sharing of experience of GST and the law by an expert from Australia, top five significant impacts of GST specifically for the property development and construction industry in Malaysia, as well as the legal appeal process of GST.

Session Sponsor:

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**Speakers**

1. **Ng Swee Weng**, *Senior Advisor, Accounting & GST, BDO Malaysia*
2. **Jeff O'Connell**  
*Executive Director, Tax & GST, BDO Malaysia*
3. **S Saravana Kumar**, *Partner, Tax, GST & Private Clients, Lee Hishammuddin Allen & Gledhill*

**Moderator**

**Datuk DP Naban**

*Senior Partner and Head of Tax, GST & Private Clients, Lee Hishammuddin Allen & Gledhill*

**Stream C | Chulan View\*  
International Law & Public Interest**
**Environmental Law: Private Law Remedies and the Role of Government in Enhancing Environmental Protection and Management**

This session will address the increasing need for diligence and legal recourse by private individuals in relation to environmental issues and also the role of government in relation to environmental protection and management. It will deal with the latest developments in private law remedies in the United Kingdom. In addition, the session will address the role of the Government and the need for proactive and constructive legislative initiatives and reform to ensure proper protection and management of environmental issues in Malaysia.

**Speakers**

1. **Colin McCaul QC**  
*Barrister, Thirty Nine Essex Street Chambers, United Kingdom*
2. **Stephen Tromans QC**  
*Barrister, Thirty Nine Essex Street Chambers, United Kingdom*
3. **YB Elizabeth Wong Keat Ping**  
*Member, Selangor State Legislative Assembly for Bukit Lanjan*

**Moderator**

**Roger Chan Weng Keng**, *Partner, Chan Weng Keng & Associates*

\* Chulan View is located on the 13<sup>th</sup> floor of The Royale Chulan Kuala Lumpur.

16:15 - 16:45 Coffee Break | Exhibition Area

16:45 - 17:00 Arrival of Guests for 3<sup>rd</sup> Raja Aziz Addruse Memorial Lecture

17:00 - 18:00 **3<sup>rd</sup> Raja Aziz Addruse Memorial Lecture | Taming Sari 1, 2 & 3**

**Inspirations from Raja Aziz Addruse: Morality and the Rule of Law**

Speaker: **YAM Tunku Zain Al-'Abidin ibni Tuanku Muhriz**

*Founding President, Institute for Democracy and Economic Affairs ("IDEAS")*

18:15

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**Stream A | Tun Sri Lanang 1 & 2  
Litigation & Dispute Resolution****Fair and Efficient Disposal of Legal Proceedings**

A forum-styled discussion in which speakers from the Judiciary and the Malaysian Bar will address the key developments implemented by the Judiciary towards achieving the objective of fair and efficient disposal of legal proceedings. The speakers will discuss the effectiveness of these measures, and further measures that are likely to enhance the efficiency of the disposal of legal proceedings with due regard to the interests of all parties.

**Speakers**

1. **The Honourable Justice Dato' Azahar Mohamed**  
*Judge, Federal Court of Malaysia*
2. **The Honourable Justice Vernon Ong Lam Kiat**  
*Judge, Court of Appeal*
3. **Dato' V Sithambaram**  
*Partner, Sitham & Associates*
4. **Nahendran Navaratnam**  
*Partner, Navaratnam Chambers*

**Moderator**

**Desmond Ho Chee Cheong**  
*Partner, Desmond Ho & Associates*

**Stream B | Taming Sari 1 & 2  
Corporate & Commercial****Embracing the Age of Personal Data Protection**

This session will involve a discussion on issues and experiences with the Personal Data Protection Act 2010 ("PDPA"). Tackling both viewpoints — pre- and post-compliance — this session sees experienced data protection practitioners addressing issues that are pertinent to moving forward with PDPA compliance. It will deal not just with the intricacies of compliance, but also the handling of complaints, dealing with the wide powers of the Commissioner, and a global analysis of enforcement regimes.

**Session Sponsor:**

Lee Hishammuddin Allen & Gledhill

**Lee Hishammuddin Allen & Gledhill**  
\* advocates and solicitors

**Speakers**

1. **Adlin Abdul Majid**, *Partner, Lee Hishammuddin Allen & Gledhill*
2. **Bahari Yeow Tien Hong**  
*Partner, Lee Hishammuddin Allen & Gledhill*
3. **Ainul Azlinda Inon Shaharuddin**  
*Senior Corporate Counsel, Telekom Malaysia Berhad*

**Stream C | Taming Sari 3  
International Law & Public Interest****Protecting the Deal: Mergers and Acquisitions — The Risks Involved and Strategies to Mitigate and Insure Against Risks**

Merger and acquisition ("M&A") lawyers in Malaysia are increasingly acting for both private and corporate acquirers that are looking for new growth areas in unfamiliar sectors and new territories. These acquisitions bring with them new risks and many entities are interested in new ways to limit their risk exposure. The use of M&A insurance is proving to be an invaluable tool to closing deals successfully, mitigating a number of transaction risks and providing an alternative solution for some of the more difficult areas of negotiating a successful deal.

This interactive session will address areas that include the risks involved in and associated with M&A transactions, an introduction to transactional risk insurance and how it can be best applied to Malaysian and cross-border deals, and the key benefits these policies offer to corporate and financial buyers.

**Session Sponsors:**

AIG Malaysia Insurance Berhad and  
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**Speakers**

1. **Michael Turnbull**  
*M&A Manager, AIG Insurance*
2. **Maria Steeples**, *Associate, Morrison & Foerster, Singapore*
3. **Ali Chaudhry**, *Managing Director, Professional & Executive Risks, Jardine Lloyd Thompson*

**Plenary Session 2 | Taming Sari 1, 2 and 3  
Liability of Barristers for Negligence — England and Australia**

The Courts of Australia and of England have diverged on the question of whether barristers should be immune from an action in negligence brought by a client. This session will trace the development of the law in England and compare the justifications for the abolition of the immunity recognised by Australian law and the standard by which negligence on the part of lawyers is assessed in England and Australia.

**Speaker: The Honourable Justice Susan Kiefel AC**, *Judge, High Court of Australia*

**Moderator: Ragunath Kesavan**, *Partner, Kesavan; Past President, Malaysian Bar*

11:45 - 12:30

### Plenary Session 3 | Taming Sari 1, 2 and 3

#### Global Trends Disrupting and Driving the Legal Profession in the Next Five Years

This session will address the prevailing disruptors to the conventional law firm model and the global trends that will drive the legal profession in the years to come. It will also highlight how law firms in other developed jurisdictions are dealing with the challenges and opportunities brought about by the changing landscape of legal services.

Session Sponsor: Zaid Ibrahim & Co



Speaker: **Tony Williams**, *Principal, Jomati Consultants LLP, United Kingdom*

Moderator: **Chew Seng Kok**, *Partner, Zaid Ibrahim & Co*

12:30 - 13:30

Networking Lunch | Taman Mahsuri

13:30 - 14:45

### Breakout Session 4

#### Stream A | Tun Sri Lanang 1 & 2 Litigation & Dispute Resolution

##### Defamation Laws: Time for Reform?

A comprehensive study to evaluate defamation laws in Malaysia and to propose reform that would reflect the changes and developments in social media and other modes of dissemination of information. This session will also study developments in other jurisdictions and recommend what would be similarly applicable and effective in our legal system.

##### Speakers

1. **Ang Hean Leng**, *Partner, Lee Hishammuddin Allen & Gledhill*
2. **Desmond Browne QC**, *Joint Head of Chambers, 5RB, United Kingdom*
3. **The Honourable Justice Dato' Anantham Kasinather**, *Judge, Court of Appeal (Rtd)*

##### Moderator

##### HR Dipendra

*Partner, Arianti Dipendra Jeremiah*

#### Stream B | Taming Sari 1 & 2 Corporate & Commercial

##### Corporate Exercises vs Competition Law — Running the Gauntlet

With increased globalisation comes the need to introduce level playing fields for consumer and enterprise alike. The last few years have seen an increase in consumer protection laws with the object of protecting the interests of consumers against the onslaught of enterprises seeking to maximise profitability.

This session will look at the tensions between the rights of individuals and those of enterprises in relation to safeguarding and promoting competition in commercial activity. Does the Competition Act 2010 sufficiently manage the tensions? What are the aspects and pitfalls to avoid in the conduct of commercial activity? The session will also discuss, in the context of corporate takeovers and acquisitions, the potential minefield for due diligence exercises in an increasingly regulated environment.

Session Sponsor:  
Shearn Delamore & Co



##### Speakers

1. **Dato' Johari Razak**, *Partner, Shearn Delamore & Co*
2. **Ng Swee Kee**, *Partner, Shearn Delamore & Co*
3. **Anand Raj**, *Partner, Shearn Delamore & Co*
4. **K Shanti Mogan**, *Partner, Shearn Delamore & Co*
5. **Dr R Ian McEwin**, *Khazanah Nasional Chair, University of Malaya Malaysian Centre of Regulatory Studies ("UMCoRS")*

#### Stream C | Taming Sari 3 International Law & Public Interest

##### The Law Firm of the Future — How Technology is Impacting Law Firm Practice

Around the world, innovation through the use of non-traditional legal tools has taken a foothold in the profession, and flattened the legal landscape — big law firms have restructured and small firms have merged. With the use of technology, competition amongst lawyers has intensified, and today's consumers demand speedy, high-quality legal services delivered at lower costs. This session will be run as a practical, solution-based programme that will introduce solutions you can use in your practice, and is aimed at taking advantage of technology to modernise and improve the efficiency of law firms.

Session Sponsor:  
Thomson Reuters



##### Speakers

1. **Tony Williams**, *Principal, Jomati Consultants LLP, United Kingdom*
2. **Paul Subramaniam**, *Partner, Zaid Ibrahim & Co*
3. **Robert Head**, *Director, Online and Commercial, Thomson Reuters Legal, ASEAN & North Asia*

##### Moderator

**Neerav Srivastava**, *Content Development Director, Thomson Reuters Legal, ASEAN & North Asia*



**Stream A | Taming Sari 1 & 2  
Litigation & Dispute Resolution**
**Electronic Discovery  
and Admissibility of  
Electronically-Stored Information**

In an age when most, if not all, commercial and business communications are conducted electronically, either through emails, social media, websites, text messaging or computed documents, it is increasingly important to examine the admissibility and presentation in court of electronically- or digitally-stored information. This session will explore issues relating to the admissibility of such evidence, and will highlight methods of e-discovery, ie the identification, compilation, processing, categorisation and verification of electronically-stored information for the purpose of legal proceedings. The latest developments in forensic technology in relation to investigation, retrieval and preservation of electronically-stored evidence for use in court, will also be examined.

Session Sponsor:  
PwC Malaysia


**Speakers**

1. **Alex Tan**, *Executive Director, Forensic Services, PwC Malaysia*
2. **Neil Meikle**, *Associate Director, Forensic Technology, PwC Malaysia*
3. **The Honourable Justice Glenn Martin AM**, *Judge, Supreme Court of Queensland*

**Stream B | Tun Sri Lanang 1 & 2  
Corporate & Commercial**
**Islamic Finance: Some Remaining  
and Unsettled Issues**

This session aims to explore some contemporary legal issues that confront lawyers and other stakeholders alike. The panel discussion will not only be centred on a legal discourse but will include bankers' and other industry players' take on what the playing field is. How do we deliver on the deal in the face of these issues? How do we manoeuvre through and around this legal maze? The tussle between legal and beneficial ownership, the trust as the elixir of all ills and Syariah non-compliance as the ultimate defence. This session will explore and investigate why these issues remain ... and remain unsettled.

**Speakers**

1. **Nicholas Edmondson**, *Partner, Trowers & Hamlin LLP, United Kingdom*
2. **Dr Hurriyah El Islamy**, *Head of Group Legal, Islamic Banking and Capital Markets, CIMB Group*
3. **Rehan A Ahmed**, *Vice President, Origination, HSBC Amanah, Malaysia*
4. **Maya Marissa Malek**, *Managing Director, Amanie Advisors Sdn Bhd*

**Moderator**

**Jal Othman**  
*Partner, Shook Lin & Bok*

**Stream C | Taming Sari 3  
International Law & Public Interest**
**The Three R's: Creating the Future  
of Our Industry — R-evolutionise  
the Profession, R-adicalise Lawyers,  
R-eshape Solutions**

Changing the way the world works means changing ourselves first, by disrupting convention, innovating through technology, and improving efficiency. What will the legal profession look like five years from now? How must we adapt in order to enhance delivery, create new opportunities and sustain future growth?

This "open canvas" session will delve into what law firms, practising in litigation, conveyancing law and corporate law, will look like in 2020. Topics will include improved collaboration through mobile technology, sharing of information in secure environments, staying ahead of the digital curve, online dispute resolution, emerging trends of self-employed counsel, and many more. Join us to set the direction for the future.

Session Sponsor: OMESTI Group


**Speakers**

1. **The Honourable Justice Lee Swee Seng**, *Judge, High Court of Malaya*
2. **Azhar Azizan @ Harun (Art Harun)**, *Advocate & Solicitor, Hisham Sobri & Kadir*
3. **Edmund Bon Tai Soon**, *Partner, BON Advocates*

**Moderator**

**Mah Xian-Zhen**  
*Executive Director, OMESTI Group*

**Plenary Session 4 | Taming Sari 1 & 2**
**Hard Talk on Human Rights — Freedom from Fear: Is it a Basic Human Right?**

With the recent spate of arrests and prosecutions under the Sedition Act 1948 and Penal Code, deaths in police custody, and many other breaches of human rights in Malaysia, this session will weigh in on selected issues within the human rights debate in this country. It will also reveal how Malaysia fares against international standards of human rights, and discuss ways on uplifting human dignity in Malaysia.

**Speakers:** **YB Senator Datuk Paul Low Seng Kuan**, *Minister in the Prime Minister's Department*  
**Datin Paduka Marina Mahathir**, *Writer; Women's Rights and HIV/AIDS Activist; TV Producer*  
**Jahabar Sadiq**, *Editor and Chief Executive Officer, The Malaysian Insider*  
**Gan Ping Sieu**, *Co-President, Centre for a Better Tomorrow ("CENBET")*  
**Tommy Thomas**, *Partner, Tommy Thomas*

**Moderator:** **Dato' Ambiga Sreenevasan**, *Partner, Sreenevasan; Past President, Malaysian Bar*

**Stream A | Taming Sari 3  
Litigation & Dispute Resolution****Tracing of Matrimonial Assets in Malaysia and Abroad**

This session will discuss the legal and procedural provisions on how matrimonial assets may be traced in Malaysia and abroad before trial, including the use of private investigators, forensic accountants and other experts. It will also address the legal and practical challenges faced by parties when embarking on this exercise.

**Speakers**

1. **Bruce Doyle**, *Accredited Family Law Specialist, Doyle Family Law, Australia*
2. **Kiranjit Kaur Dhaliwal**, *Partner, YN Foo & Partners*
3. **Malathi Das**, *Partner, Joyce A Tan & Partners, Singapore*

**Moderator**

**Honey Tan Lay Ean**  
*Partner, Tan Law Practice*

**Stream B | Tun Sri Lanang 1 & 2  
Corporate & Commercial****Reporting Obligations of Legal Advisers under the Provisions of the Anti-Money Laundering and Anti-Terrorism Financing Act 2001**

The Anti-Money Laundering and Anti-Terrorism Financing Act 2001 imposes on lawyers the obligation to promptly report transactions where the identity of the person, the transaction, or any circumstances gives rise to a reason to suspect that the transaction involves proceeds of an unlawful activity. Abu Hassan Alshari Yahaya will address the specific legislative provisions, and work undertaken by the Financial Intelligence and Enforcement Department within Bank Negara Malaysia to curb money laundering and other illegal monetary transactions. Andrew Khoo Chin Hock will discuss the impact of the legislation on the operations of a law firm, and the internal processes and procedures that every law firm ought to consider to be in compliance with the strict legislative provisions.

**Speakers**

1. **Abu Hassan Alshari Yahaya**, *Assistant Governor, Bank Negara Malaysia*
2. **Andrew Khoo Chin Hock**, *Partner, Andrew Khoo & Daniel Lo*

**Moderator**

**Karen Cheah Yee Lynn**  
*Treasurer, Malaysian Bar; Partner, Fatima Tan & Cheah*

**Stream C | Taming Sari 1 & 2  
International Law & Public Interest****Arbitration: Interim Relief or Long-Term Pain?**

This session will address the considerations when choosing between the courtroom and arbitration in seeking interim relief, and judicial attitudes and trends in dealing with urgent interim relief applications in aid of arbitration. It will examine the effectiveness of an arbitral award in respect of interim relief. This session will also consider other forms of interim applications such as discovery applications and the test to be applied in this regard.

Joint Session with the Law Society of Singapore

**Speakers**

1. **Lok Vi Ming SC**, *President, The Law Society of Singapore*
2. **Edwin Glasgow CBE, QC**, *Barrister, Thirty Nine Essex Street Chambers, United Kingdom*
3. **Campbell Bridge SC**, *Senior Counsel and Arbitrator, 7 Selborne Chambers, Australia*
4. **Lim Chee Wee**, *Partner, Skrine; Past President, Malaysian Bar*

**Moderator**

**The Honourable Justice Datuk David Wong Dak Wah**  
*Judge, Court of Appeal*

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Legal Associate, Zul Rafique & partners, Kuala Lumpur

**Stream A | Taming Sari 3  
Litigation & Dispute Resolution**
**The Company Liquidator –  
The Good, the Bad and the Ugly**

This session will explore company liquidation in Malaysia from a practical perspective and with a particular emphasis on the duties and liabilities of liquidators, including the principles governing their removal. It will also examine the problems faced by creditors, contributories and liquidators in the process, as well as potential areas of reform.

**Speakers**

1. **The Honourable Justice Datuk Nallini Pathmanathan**  
*Judge, Court of Appeal*
2. **Rabindra S Nathan**  
*Partner, Shearn Delamore & Co*
3. **Ooi Huey Ling**  
*Partner, Ranjit Ooi & Robert Low*
4. **Mok Chew Yin**  
*Head, Transaction Services and Insolvency, BDO Malaysia*

**Moderator**

**Gopal Sreenevasan**  
*Partner, Sreenevasan Young*

**Stream B | Tun Sri Lanang 1 & 2  
Corporate & Commercial**
**The Challenges Facing General  
Counsel in Cross-Border  
Regulatory Compliance**

General and in-house counsel face a progressively challenging landscape with increased regulation and monitoring by government bodies and agencies in the many jurisdictions that multinational companies operate in. Companies are also facing greater scrutiny of their practices with the heightened regulatory emphasis on the curbing and prevention of corrupt practices and bribery, market information disclosure and data protection across jurisdictions. This session will discuss the role of general counsel and the challenges faced in relation to cross-border regulatory compliance. It will also deal with the role of external counsel in facilitating compliance across the various jurisdictions.

**Speakers**

1. **Mohamed Nasri Sallehuiddin**  
*Director, Legal, and Head, Corporate & Support Services, Khazanah Nasional Bhd*
2. **Lee Chin Tok**, *Group General Counsel, CIMB Group*
3. **Raj Kulasingam**  
*Senior Counsel, Dentons, United Kingdom*
4. **Tan Choo Lye**, *Partner, K&L Gates, Hong Kong*

**Moderator**

**Lee Shih**, *Partner, Skrine*

**Stream C | Taming Sari 1 & 2  
International Law & Public Interest**
**Arbitration: Litigating Arbitral  
Disputes – Challenging and  
Defending Arbitral Awards**

This session will deal with applications to court to challenge arbitral awards. It will specifically address challenges in terms of questions of law and will discuss the limits and boundaries of such challenges. It will also look at issues pertaining to the enforcement and setting aside of the arbitral awards.

Joint Session with LAWASIA and the Hong Kong Bar Association


**Speakers**

1. **The Honourable Justice Dato' Mary Lim Thiam Suan**  
*Judge, High Court of Malaya*
2. **Prashant Kumar**  
*President-Elect, LAWASIA*
3. **Kim Rooney**  
*Member, Council of the Hong Kong Bar Association*
4. **Dr Gavan Griffith AO, QC**  
*Barrister, Australia*

**Moderator**

**The Honourable Justice Dato' Varghese George**  
*Judge, Court of Appeal*



The Kuala Lumpur Regional Centre for Arbitration ("KLRC") is a non-profit, non-governmental, international arbitral institution that was established in 1978 under the auspices of the Asian-African Legal Consultative Organisation ("AALCO"). It was the first centre of its kind to be established by AALCO in Asia.

KLRC provides institutional support for domestic and international arbitration, and alternative dispute resolution proceedings in Asia. It is the default appointing authority for adjudication in Malaysia and is responsible for training and setting the competency standard and criteria of adjudicators.

KLRC also offers arbitration for disputes on Syariah-based contracts by referring to KLRC's internationally-acclaimed and award-winning i-Arbitration Rules, mediation, and domain name dispute services.

In August 2014, KLRC relocated to the Sulaiman Building, a gazetted heritage building that houses state-of-the-art facilities including 19 hearing rooms, 22 breakout rooms, a business centre, a specialised Alternative Dispute Resolution ("ADR") and construction law library, dining areas and an auditorium. It also boasts ultra-modern facilities such as advanced video conferencing equipment that enables worldwide connectivity, making cross-border proceedings much more convenient.

Please visit KLRC's website at [www.klrca.org](http://www.klrca.org) or email [enquiry@klrca.org](mailto:enquiry@klrca.org) for more information.

**Stream A | Taming Sari 3**  
**Litigation & Dispute Resolution**
**Modern Appellate Advocacy**

This forum-styled discussion with three speakers from the Judiciary and three speakers from the Malaysian Bar, will address advocacy in the appellate courts. The speakers will discuss a wide range of aspects relating to modern appellate advocacy from the perspective of the Bar to the expectations of the Bench.

**Speakers**

1. **The Honourable Justice Tan Sri Abdull Hamid Embong**  
*Judge, Federal Court of Malaysia*
2. **The Honourable Justice Dato' Mohamad Ariff Md Yusof**  
*Judge, Court of Appeal*
3. **The Honourable Justice Dato' Mah Weng Kwai**  
*Judge, Court of Appeal*
4. **Robert Lazar**  
*Partner, Shearn Delamore & Co*
5. **Dato' Bastian Vendargon**  
*Partner, Bastian Vendargon*
6. **Ranjit Singh**  
*Partner, Ranjit Singh & Yeoh*

**Moderator**
**Alex De Silva**
*Partner, Bodipalar Ponnudurai De Silva*
**Stream B | Taming Sari 1 & 2**  
**Corporate & Commercial**
**What's Next in Company Law in Malaysia?**

The Companies Commission of Malaysia has published the Companies Bill 2013 ("Bill"), which contains legislative reforms intended to replace the current Companies Act 1965. The Bill introduces significant changes to provisions governing the formation, operation and regulation of companies in Malaysia. This session will deal with expectations for this next evolutionary stage of company law in Malaysia. It will also include a comparative study of the current state of company law in Malaysia and the prospective legislative changes.

Session Sponsor:

Shook Lin &amp; Bok


**Speakers**

1. **Ivan Ho Yue Chan**  
*Partner, Shook Lin & Bok*
2. **Lau Kee Sern**  
*Partner, Shook Lin & Bok*

**Stream C | Tun Sri Lanang 1 & 2**  
**International Law & Public Interest**
**Business and Human Rights**

On 16 June 2011, the United Nations Human Rights Council endorsed the "Guiding Principles on Business and Human Rights". These guiding principles recognise the role of business enterprises as specialised organs of society, and require them to comply with all applicable laws and to respect human rights.

With the Companies Commission of Malaysia currently in the process of amending the Companies Act 1965 to include corporate social responsibility obligations as part of the law, it is timely for business enterprises in Malaysia to take note of their ever-increasing obligations and responsibilities in a globalised business world.

**Speakers**

1. **Michelle Gyles-McDonnough**  
*UN Resident Coordinator for Malaysia*
2. **Nor Azimah Abdul Aziz**  
*Director, Corporate Development and Policy Division, Companies Commission of Malaysia*
3. **Professor Dato' Dr Aishah Bidin**  
*Commissioner, Human Rights Commission of Malaysia ("SUHAKAM")*
4. **Long Seh Lih**  
*Co-Founder, Malaysian Centre for Constitutionalism and Human Rights*

**Moderator**
**Andrew Khoo Chin Hock**
*Partner, Andrew Khoo & Daniel Lo*
**National Unity and Harmony: Promoting Respect and Strength in Diversity**

This session will address the Sedition Act 1948 and the promise to repeal and substitute it with legislation that expressly deals with the promotion and protection of national harmony and unity. It will discuss whether this should be done by the use of legislation. The speakers will also address ways to promote national unity and harmony through legislation and the role the Federal Constitution has to play in this regard.

Speakers: **YB Nurul Izzah Anwar**, *Member of Parliament, Lembah Pantai, Kuala Lumpur*  
**YB Dato' Dr Mujahid Yusof Rawa**, *Member of Parliament, Parit Buntar, Perak*  
**Datuk Dr Shad Saleem Faruqi**, *Emeritus Professor of Law, Universiti Teknologi Mara ("UiTM")*  
**Timothy Bruinders SC**, *Barister, Group 621, South Africa*

Moderator: **Syahredzan Johan**, *Partner, Ram Rais & Partners*



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# Session

## Speakers and Moderators



**The Honourable Justice Tan Sri Abdull Hamid Embong**  
Judge, Federal Court of Malaysia

**Modern Appellate Advocacy**

**Stream A (Session 8)**

26 Sept 2014 (Friday)  
14:15 – 15:30



**Alex De Silva**  
Partner, Bodipalar Ponnudurai De Silva

**Modern Appellate Advocacy**

**Stream A (Session 8)**

26 Sept 2014 (Friday)  
14:15 – 15:30



**Abu Hassan Alshari Yahaya**  
Assistant Governor,  
Bank Negara Malaysia

**Reporting Obligations of Legal Advisers under the Provisions of the Anti-Money Laundering and Anti-Terrorism Financing Act 2001**

**Stream B (Session 6)**

26 Sept 2014 (Friday)  
09:00 – 10:15



**Alex Tan**  
Executive Director, Forensic Services,  
PwC Malaysia

**Electronic Discovery and Admissibility of Electronically-Stored Information**

**Stream A (Session 5)**

25 Sept 2014 (Thursday)  
15:00 – 16:15



**Adlin Abdul Majid**  
Partner, Lee Hishammuddin Allen & Gledhill

**Embracing the Age of Personal Data Protection**

**Stream B (Session 3)**

25 Sept 2014 (Thursday)  
09:00 – 10:15



**Ali Chaudhry**  
Managing Director, Professional & Executive Risks, Jardine Lloyd Thompson

**Protecting the Deal: Mergers and Acquisitions — The Risks Involved and Strategies to Mitigate and Insure Against Risks**

**Stream C (Session 3)**

25 Sept 2014 (Thursday)  
09:00 – 10:15



**Ainul Azlinda Inon Shaharuddin**  
Senior Corporate Counsel,  
Telekom Malaysia Berhad

**Embracing the Age of Personal Data Protection**

**Stream B (Session 3)**

25 Sept 2014 (Thursday)  
09:00 – 10:15



**Dato' Ambiga Sreenevasan**  
Partner, Sreenevasan; Past President, Malaysian Bar

**Hard Talk on Human Rights — Freedom from Fear: Is it a Basic Human Right?**

**Plenary Session 4**

25 Sept 2014 (Thursday)  
16:30 – 17:30



**Professor Dato' Dr Aishah Bidin**  
Commissioner, Human Rights Commission of Malaysia ("SUHAKAM")

**Business and Human Rights**

**Stream C (Session 8)**

26 Sept 2014 (Friday)  
14:15 – 15:30



**Anand Raj**  
Partner, Shearn Delamore & Co

**Corporate Exercises vs Competition Law — Running the Gauntlet**

**Stream B (Session 4)**

25 Sept 2014 (Thursday)  
13:30 – 14:45





**The Honourable Justice  
Dato' Anantham Kasinather**  
Judge, Court Of Appeal (Rtd)

**Defamation Laws: Time for Reform?**

**Stream A (Session 4)**

25 Sept 2014 (Thursday)  
13:30 – 14:45



**Dato' Azmi Mohd Ali**  
Partner, Azmi & Associates

**The International Financial  
Reporting Standards – Impact on  
Legal Advice**

**Stream B (Session 1)**

24 Sept 2014 (Wednesday)  
13:30 – 14:45



**Andrew Khoo Chin Hock**  
Partner, Andrew Khoo & Daniel Lo

**Reporting Obligations of Legal  
Advisers under the Provisions of  
the Anti-Money Laundering and  
Anti-Terrorism Financing Act 2001**

**Stream B (Session 6)**

26 Sept 2014 (Friday)  
09:00 – 10:15

and

**Business and Human Rights**

**Stream C (Session 8)**

26 Sept 2014 (Friday)  
14:15 – 15:30



**Bahari Yeow Tien Hong**  
Partner, Lee Hishammuddin Allen &  
Gledhill

**Embracing the Age of Personal  
Data Protection**

**Stream B (Session 3)**

25 Sept 2014 (Thursday)  
09:00 – 10:15



**Dato' Bastian Vendargon**  
Partner, Bastian Vendargon

**Modern Appellate Advocacy**

**Stream A (Session 8)**

26 Sept 2014 (Friday)  
14:15 – 15:30



**Ang Hean Leng**  
Partner, Lee Hishammuddin Allen &  
Gledhill

**Defamation Laws: Time for Reform?**

**Stream A (Session 4)**

25 Sept 2014 (Thursday)  
13:30 – 14:45



**Bruce Doyle**  
Accredited Family Law Specialist,  
Doyle Family Law, Australia

**Tracing of Matrimonial Assets in  
Malaysia and Abroad**

**Stream A (Session 6)**

26 Sept 2014 (Friday)  
09:00 – 10:15



**The Honourable Justice  
Dato' Azahar Mohamed**  
Judge, Federal Court of Malaysia

**Fair and Efficient Disposal of Legal  
Proceedings**

**Stream A (Session 3)**

25 Sept 2014 (Thursday)  
09:00 – 10:15



**Campbell Bridge SC**  
Senior Counsel and Arbitrator,  
7 Selborne Chambers, Australia

**Arbitration: Interim Relief or  
Long-Term Pain?**

**Stream C (Session 6)**

26 Sept 2014 (Friday)  
09:00 – 10:15



**Azhar Azizan @ Harun  
(Art Harun)**  
Advocate & Solicitor,  
Hisham Sobri & Kadir

**The Three R's: Creating the Future  
of Our Industry – R-evolutionise  
the Profession, R-adicalise  
Lawyers, R-eshape Solutions**

**Stream C (Session 5)**

25 Sept 2014 (Thursday)  
15:00 – 16:15



**Chew Seng Kok**  
Partner, Zaid Ibrahim & Co

**Global Trends Disrupting and  
Driving the Legal Profession in the  
Next Five Years**

**Plenary Session 3**

25 Sept 2014 (Thursday)  
11:45 – 12:30



# Session

## Speakers and Moderators



**Colin McCaul QC**  
Barrister, Thirty Nine Essex Street  
Chambers, United Kingdom

**Environmental Law: Private  
Law Remedies and the Role  
of Government in Enhancing  
Environmental Protection and  
Management**

**Stream C (Session 2)**  
24 Sept 2014 (Wednesday)  
15:00 – 16:15



**Datuk DP Naban**  
Senior Partner and Head of Tax,  
GST & Private Clients,  
Lee Hishammuddin Allen & Gledhill

**GST and the Legal Profession —  
What You Need to Know**

**Stream B (Session 2)**  
24 Sept 2014 (Wednesday)  
15:00 – 16:15



**The Honourable Justice  
Datuk David Wong Dak Wah**  
Judge, Court of Appeal

**Arbitration: Interim Relief or Long-  
Term Pain?**

**Stream C (Session 6)**  
26 Sept 2014 (Friday)  
09:00 – 10:15



**Desmond Browne QC**  
Joint Head of Chambers, 5RB,  
United Kingdom

**Defamation Laws: Time for Reform?**

**Stream A (Session 4)**  
25 Sept 2014 (Thursday)  
13:30 – 14:45



**Desmond Ho Chee Cheong**  
Partner, Desmond Ho & Associates

**Fair and Efficient Disposal of Legal  
Proceedings**

**Stream A (Session 3)**  
25 Sept 2014 (Thursday)  
09:00 – 10:15



**Eason Rajah QC**  
Barrister, Ten Old Square Chambers,  
United Kingdom

**Wealth Protection and Preservation**

**Stream C (Session 1)**  
24 Sept 2014 (Wednesday)  
13:30 – 14:45



**Edmund Bon Tai Soon**  
Partner, BON Advocates

**The Three R's: Creating the Future  
of Our Industry — R-evolutionise  
the Profession, R-adicalise  
Lawyers, R-eshape Solutions**

**Stream C (Session 5)**  
25 Sept 2014 (Thursday)  
15:00 – 16:15



**Edwin Glasgow CBE, QC**  
Barrister, Thirty Nine Essex Street  
Chambers, United Kingdom

**Arbitration: Interim Relief or  
Long-Term Pain?**

**Stream C (Session 6)**  
26 Sept 2014 (Friday)  
09:00 – 10:15



**YB Elizabeth Wong Keat Ping**  
Member, Selangor State Legislative  
Assembly for Bukit Lanjan

**Environmental Law: Private  
Law Remedies and the Role  
of Government in Enhancing  
Environmental Protection and  
Management**

**Stream C (Session 2)**  
24 Sept 2014 (Wednesday)  
15:00 – 16:15



**Firdaus Husni**  
Advocate & Solicitor, Chooi & Co

**The Federal Constitution of  
Malaysia after 50 Years — What the  
Future Holds**

**Plenary Session 1**  
24 Sept 2014 (Wednesday)  
11:30 – 12:45



**Dr Gavan Griffith AO, QC**  
Barrister, Australia

**Arbitration: Litigating Arbitral Disputes — Challenging and Defending Arbitral Awards**

**Stream C (Session 7)**  
26 Sept 2014 (Friday)  
11:00 – 12:15



**HR Dipendra**  
Partner, Arianti Dipendra Jeremiah

**Defamation Laws: Time for Reform?**

**Stream A (Session 4)**  
25 Sept 2014 (Thursday)  
13:30 – 14:45



**George Pathmanathan**  
Consultant, Naqiz & Partners

**Wealth Protection and Preservation**

**Stream C (Session 1)**  
24 Sept 2014 (Wednesday)  
13:30 – 14:45



**Honey Tan Lay Ean**  
Partner, Tan Law Practice

**Tracing of Matrimonial Assets in Malaysia and Abroad**

**Stream A (Session 6)**  
26 Sept 2014 (Friday)  
09:00 – 10:15



**The Honourable Justice Glenn Martin AM**  
Judge, Supreme Court of Queensland

**Electronic Discovery and Admissibility of Electronically-Stored Information**

**Stream A (Session 5)**  
25 Sept 2014 (Thursday)  
15:00 – 16:15



**Dr Hurriyah El Islamy**  
Head of Group Legal, Islamic Banking and Capital Markets, CIMB Group

**Islamic Finance: Some Remaining and Unsettled Issues**

**Stream B (Session 5)**  
25 Sept 2014 (Thursday)  
15:00 – 16:15



**Gopal Sreenevasan**  
Partner, Sreenevasan Young

**The Company Liquidator — The Good, the Bad and the Ugly**

**Stream A (Session 7)**  
26 Sept 2014 (Friday)  
11:00 – 12:15



**Ivan Ho Yue Chan**  
Partner, Shook Lin & Bok

**What's Next in Company Law in Malaysia?**

**Stream B (Session 8)**  
26 Sept 2014 (Friday)  
14:15 – 15:30



**Gunasegaran Singaravelu**  
Partner, John Ang & Guna

**The International Financial Reporting Standards — Impact on Legal Advice**

**Stream B (Session 1)**  
24 Sept 2014 (Wednesday)  
13:30 – 14:45



**Jal Othman**  
Partner, Shook Lin & Bok

**Islamic Finance: Some Remaining and Unsettled Issues**

**Stream B (Session 5)**  
25 Sept 2014 (Thursday)  
15:00 – 16:15

# Session

## Speakers and Moderators



**Jeff O'Connell**  
Executive Director, Tax & GST,  
BDO Malaysia

**GST and the Legal Profession —  
What You Need to Know**

**Stream B (Session 2)**  
24 Sept 2014 (Wednesday)  
15:00 – 16:15



**Kim Rooney**  
Member, Council of the  
Hong Kong Bar Association

**Arbitration: Litigating Arbitral  
Disputes — Challenging and  
Defending Arbitral Awards**

**Stream C (Session 7)**  
26 Sept 2014 (Friday)  
11:00 – 12:15



**Dato' Johari Razak**  
Partner, Shearn Delamore & Co

**Corporate Exercises vs Competition  
Law — Running the Gauntlet**

**Stream B (Session 4)**  
25 Sept 2014 (Thursday)  
13:30 – 14:45



**Kiranjit Kaur Dhaliwal**  
Partner, YN Foo & Partners

**Tracing of Matrimonial Assets in  
Malaysia and Abroad**

**Stream A (Session 6)**  
26 Sept 2014 (Friday)  
09:00 – 10:15



**Dr Josh Wilson SC**  
Senior Counsel, Owen Dixon Chambers  
West, Australia  
(paper only)

**Lifting the Corporate Veil: Maxim,  
Mystery or Myth?**

**Stream A (Session 1)**  
24 Sept 2014 (Wednesday)  
13:30 – 14:45



**Lau Kee Sern**  
Partner, Shook Lin & Bok

**What's Next in Company Law in  
Malaysia?**

**Stream B (Session 8)**  
26 Sept 2014 (Friday)  
14:15 – 15:30



**K Shanti Mogan**  
Partner, Shearn Delamore & Co

**Corporate Exercises vs Competition  
Law — Running the Gauntlet**

**Stream B (Session 4)**  
25 Sept 2014 (Thursday)  
13:30 – 14:45



**Lee Chin Tok**  
Group General Counsel, CIMB Group

**The Challenges Facing General  
Counsel in Cross-Border  
Regulatory Compliance**

**Stream B (Session 7)**  
26 Sept 2014 (Friday)  
11:00 – 12:15



**Karen Cheah Yee Lynn**  
Treasurer, Malaysian Bar;  
Partner, Fatima Tan & Cheah

**Reporting Obligations of Legal  
Advisers under the Provisions of  
the Anti-Money Laundering and  
Anti-Terrorism Financing Act 2001**

**Stream B (Session 6)**  
26 Sept 2014 (Friday)  
09:00 – 10:15



**Lee Shih**  
Partner, Skrine

**The Challenges Facing General  
Counsel in Cross-Border  
Regulatory Compliance**

**Stream B (Session 7)**  
26 Sept 2014 (Friday)  
11:00 – 12:15





**The Honourable Justice Lee Swee Seng**

Judge, High Court of Malaya

**The Three R's: Creating the Future of Our Industry — R-evolutionise the Profession, R-adicalise Lawyers, R-eshape Solutions**

**Stream C (Session 5)**

25 Sept 2014 (Thursday)  
15:00 – 16:15



**The Honourable Justice Dato' Mah Weng Kwai**

Judge, Court of Appeal

**Modern Appellate Advocacy**

**Stream A (Session 8)**

26 Sept 2014 (Friday)  
14:15 – 15:30



**Lim Chee Wee**

Partner, Skrine; Past President, Malaysian Bar

**Arbitration: Interim Relief or Long-Term Pain?**

**Stream C (Session 6)**

26 Sept 2014 (Friday)  
09:00 – 10:15



**Mah Xian-Zhen**

Executive Director, OMESTI Group

**The Three R's: Creating the Future of Our Industry — R-evolutionise the Profession, R-adicalise Lawyers, R-eshape Solutions**

**Stream C (Session 5)**

25 Sept 2014 (Thursday)  
15:00 – 16:15



**Lim Koon Huan**

Partner, Skrine

**Lifting the Corporate Veil: Maxim, Mystery or Myth?**

**Stream A (Session 1)**

24 Sept 2014 (Wednesday)  
13:30 – 14:45



**YM Tunku Dato' Mahmood Fawzy Tunku Muhiyiddin**

Independent Director in several companies

**Directors' Duties and Commercial Risk-Taking**

**Stream A (Session 2)**

24 Sept 2014 (Wednesday)  
15:00 – 16:15



**Lok Vi Ming SC**

President, The Law Society of Singapore

**Arbitration: Interim Relief or Long-Term Pain?**

**Stream C (Session 6)**

26 Sept 2014 (Friday)  
09:00 – 10:15



**Malathi Das**

Partner, Joyce A Tan & Partners, Singapore

**Tracing of Matrimonial Assets in Malaysia and Abroad**

**Stream A (Session 6)**

26 Sept 2014 (Friday)  
09:00 – 10:15



**Long Seh Lih**

Co-Founder, Malaysian Centre for Constitutionalism and Human Rights

**Business and Human Rights**

**Stream C (Session 8)**

26 Sept 2014 (Friday)  
14:15 – 15:30



**Maria Steeples**

Associate, Morrison & Foerster, Singapore

**Protecting the Deal: Mergers and Acquisitions — The Risks Involved and Strategies to Mitigate and Insure Against Risks**

**Stream C (Session 3)**

25 Sept 2014 (Thursday)  
09:00 – 10:15

# Session

## Speakers and Moderators



**Mark Livesey QC**  
President, Australian Bar Association

**Directors' Duties and Commercial Risk-Taking**

**Stream A (Session 2)**  
24 Sept 2014 (Wednesday)  
15:00 – 16:15



**Michelle Gyles-McDonnough**  
UN Resident Coordinator for Malaysia

**Business and Human Rights**

**Stream C (Session 8)**  
26 Sept 2014 (Friday)  
14:15 – 15:30



**The Honourable Justice Dato' Mary Lim Thiam Suan**  
Judge, High Court of Malaya

**Lifting the Corporate Veil: Maxim, Mystery or Myth?**

**Stream A (Session 1)**  
24 Sept 2014 (Wednesday)  
13:30 – 14:45



**The Honourable Justice Dato' Mohamad Ariff Md Yusof**  
Judge, Court of Appeal

**Modern Appellate Advocacy**

**Stream A (Session 8)**  
26 Sept 2014 (Friday)  
14:15 – 15:30

and

**Arbitration: Litigating Arbitral Disputes — Challenging and Defending Arbitral Awards**

**Stream C (Session 7)**  
26 Sept 2014 (Friday)  
11:00 – 12:15



**Mohamed Nasri Sallehuiddin**  
Director, Legal, and Head, Corporate & Support Services, Khazanah Nasional Bhd

**The Challenges Facing General Counsel in Cross-Border Regulatory Compliance**

**Stream B (Session 7)**  
26 Sept 2014 (Friday)  
11:00 – 12:15



**Maya Marissa Malek**  
Managing Director, Amanie Advisors Sdn Bhd

**Islamic Finance: Some Remaining and Unsettled Issues**

**Stream B (Session 5)**  
25 Sept 2014 (Thursday)  
15:00 – 16:15



**Rehan A Ahmed**  
Vice President, Origination, HSBC Amanah, Malaysia

**Islamic Finance: Some Remaining and Unsettled Issues**

**Stream B (Session 5)**  
25 Sept 2014 (Thursday)  
15:00 – 16:15



**Michael Turnbull**  
M&A Manager, AIG Insurance

**Protecting the Deal: Mergers and Acquisitions — The Risks Involved and Strategies to Mitigate and Insure Against Risks**

**Stream C (Session 3)**  
25 Sept 2014 (Thursday)  
09:00 – 10:15



**Dato' Mohammad Faiz Azmi**  
Executive Chairman, PwC Malaysia

**The International Financial Reporting Standards — Impact on Legal Advice**

**Stream B (Session 1)**  
24 Sept 2014 (Wednesday)  
13:30 – 14:45

**Nahendran Navaratnam**

Partner, Navaratnam Chambers

**Fair and Efficient Disposal of Legal Proceedings****Stream A (Session 3)**25 Sept 2014 (Thursday)  
09:00 – 10:15**Ng Swee Weng**Senior Advisor, Accounting & GST,  
BDO Malaysia**GST and the Legal Profession — What You Need to Know****Stream B (Session 2)**24 Sept 2014 (Wednesday)  
15:00 – 16:15**The Honourable Justice Datuk Nallini Pathmanathan**

Judge, Court of Appeal

**The Company Liquidator — The Good, the Bad and the Ugly****Stream A (Session 7)**26 Sept 2014 (Friday)  
11:00 – 12:15**Nicholas Edmondes**Partner, Trowers & Hamlin LLP,  
United Kingdom**Islamic Finance: Some Remaining and Unsettled Issues****Stream B (Session 5)**25 Sept 2014 (Thursday)  
15:00 – 16:15**Neerav Srivastava**Content Development Director,  
Thomson Reuters Legal, ASEAN &  
North Asia**The Law Firm of the Future — How Technology is Impacting Law Firm Practice****Stream C (Session 4)**25 Sept 2014 (Thursday)  
13:30 – 14:45**Datuk Dr Nik Norzrul Thani Nik Hassan Thani**

Senior Partner, Zaid Ibrahim &amp; Co

**The International Financial Reporting Standards — Impact on Legal Advice****Stream B (Session 1)**24 Sept 2014 (Wednesday)  
13:30 – 14:45**Neil Meikle**Associate Director, Forensic  
Technology, PwC Malaysia**Electronic Discovery and Admissibility of Electronically-Stored Information****Stream A (Session 5)**25 Sept 2014 (Thursday)  
15:00 – 16:15**Nor Azimah Abdul Aziz**Director, Corporate Development and  
Policy Division, Companies Commission  
of Malaysia**Business and Human Rights****Stream C (Session 8)**26 Sept 2014 (Friday)  
14:15 – 15:30**Ng Swee Kee**

Partner, Shearn Delamore &amp; Co

**Corporate Exercises vs Competition Law — Running the Gauntlet****Stream B (Session 4)**25 Sept 2014 (Thursday)  
13:30 – 14:45**Ooi Huey Ling**

Partner, Ranjit Ooi &amp; Robert Low

**The Company Liquidator — The Good, the Bad and the Ugly****Stream A (Session 7)**26 Sept 2014 (Friday)  
11:00 – 12:15



# Session

## Speakers and Moderators



**Paul Subramaniam**  
Partner, Zaid Ibrahim & Co

**The Law Firm of the Future — How Technology is Impacting Law Firm Practice**

**Stream C (Session 4)**  
25 Sept 2014 (Thursday)  
13:30 – 14:45



**Raj Kulasingam**  
Senior Counsel, Dentons,  
United Kingdom

**The Challenges Facing General Counsel in Cross-Border Regulatory Compliance**

**Stream B (Session 7)**  
26 Sept 2014 (Friday)  
11:00 – 12:15



**Prashant Kumar**  
President-Elect, LAWASIA

**Arbitration: Litigating Arbitral Disputes — Challenging and Defending Arbitral Awards**

**Stream C (Session 7)**  
26 Sept 2014 (Friday)  
11:00 – 12:15



**Ranjit Singh**  
Partner, Ranjit Singh & Yeoh

**Modern Appellate Advocacy**

**Stream A (Session 8)**  
26 Sept 2014 (Friday)  
14:15 – 15:30



**Dr R Ian McEwin**  
Khazanah Nasional Chair, University of  
Malaya Malaysian Centre of Regulatory  
Studies ("UMCoRS")

**Corporate Exercises vs Competition Law — Running the Gauntlet**

**Stream B (Session 4)**  
25 Sept 2014 (Thursday)  
13:30 – 14:45



**Robert Head**  
Director, Online and Commercial,  
Thomson Reuters Legal, ASEAN &  
North Asia

**The Law Firm of the Future — How Technology is Impacting Law Firm Practice**

**Stream C (Session 4)**  
25 Sept 2014 (Thursday)  
13:30 – 14:45



**Rabindra S Nathan**  
Partner, Shearn Delamore & Co

**The Company Liquidator — The Good, the Bad and the Ugly**

**Stream A (Session 7)**  
26 Sept 2014 (Friday)  
11:00 – 12:15



**Robert Lazar**  
Partner, Shearn Delamore & Co

**Modern Appellate Advocacy**

**Stream A (Session 8)**  
26 Sept 2014 (Friday)  
14:15 – 15:30



**Ragunath Kesavan**  
Partner, Kesavan;  
Past President, Malaysian Bar

**Liability of Barristers for Negligence — England and Australia**

**Plenary Session 2**  
25 Sept 2014 (Thursday)  
10:45 – 11:30



**Robert Low**  
Partner, Ranjit Ooi & Robert Low

**Directors' Duties and Commercial Risk-Taking**

**Stream A (Session 2)**  
24 Sept 2014 (Wednesday)  
15:00 – 16:15



**The Right Honourable Lord Robert Walker of Gestingthorpe, United Kingdom**

Retired Justice of the Supreme Court of the United Kingdom

**Lifting the Corporate Veil: Maxim, Mystery or Myth?**

**Stream A (Session 1)**

24 Sept 2014 (Wednesday)  
13:30 – 14:45



**Roger Chan Weng Keng**

Partner, Chan Weng Keng & Associates

**Environmental Law: Private Law Remedies and the Role of Government in Enhancing Environmental Protection and Management**

**Stream C (Session 2)**

24 Sept 2014 (Wednesday)  
15:00 – 16:15



**S Saravana Kumar**

Partner, Tax, GST & Private Clients, Lee Hishammuddin Allen & Gledhill

**GST and the Legal Profession — What You Need to Know**

**Stream B (Session 2)**

24 Sept 2014 (Wednesday)  
15:00 – 16:15



**Saheran Suhendran**

Partner, Kadir Andri & Partners

**Directors' Duties and Commercial Risk-Taking**

**Stream A (Session 2)**

24 Sept 2014 (Wednesday)  
15:00 – 16:15



**Steven Thiru**

Vice-President, Malaysian Bar; Partner, Shook Lin & Bok

**The Practice of Law: A Vocation Survives Amidst Globalisation**

**Keynote Address**

24 Sept 2014 (Wednesday)  
10:00 – 11:00



**Syahredzan Johan**

Partner, Ram Rais & Partners

**National Unity and Harmony: Promoting Respect and Strength in Diversity**

**Plenary Session 5**

26 Sept 2014 (Friday)  
16:00 – 17:15



**Tan Choo Lye**

Partner, K&L Gates, Hong Kong

**The Challenges Facing General Counsel in Cross-Border Regulatory Compliance**

**Stream B (Session 7)**

26 Sept 2014 (Friday)  
11:00 – 12:15



**Tim Cartwright**

Director, Hawksford, United Kingdom

**Wealth Protection and Preservation**

**Stream C (Session 1)**

24 Sept 2014 (Wednesday)  
13:30 – 14:45



**Tony Williams**

Principal, Jomati Consultants LLP, United Kingdom

**The Law Firm of the Future — How Technology is Impacting Law Firm Practice**

**Stream C (Session 4)**

25 Sept 2014 (Thursday)  
13:30 – 14:45



**Dato' V Sithambaram**

Partner, Sitham & Associates

**Fair and Efficient Disposal of Legal Proceedings**

**Stream A (Session 3)**

25 Sept 2014 (Thursday)  
09:00 – 10:15

## Session

### Speakers and Moderators



**The Honourable Justice Dato' Varghese George**  
Judge, Court of Appeal

**Arbitration: Litigating Arbitral Disputes — Challenging and Defending Arbitral Awards**

**Stream C (Session 7)**  
26 Sept 2014 (Friday)  
11:00 – 12:15



**The Honourable Justice Vernon Ong Lam Kiat**  
Judge, Court of Appeal

**Fair and Efficient Disposal of Legal Proceedings**

**Stream A (Session 3)**  
25 Sept 2014 (Thursday)  
09:00 – 10:15



**Stephen Tromans QC**  
Barrister, Thirty Nine Essex Street Chambers, United Kingdom

**Environmental Law: Private Law Remedies and the Role of Government in Enhancing Environmental Protection and Management**

**Stream C (Session 2)**  
24 Sept 2014 (Wednesday)  
15:00 – 16:15



**Mok Chew Yin**  
Head, Transaction Services and Insolvency, BDO Malaysia

**The Company Liquidator — The Good, the Bad and the Ugly**

**Stream A (Session 7)**  
26 Sept 2014 (Friday)  
11:00 – 12:15

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