



**Majlis Peguam
Bar Council Malaysia**

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**Circular No 220/2012
Dated 12 Oct 2012**

To Members of the Malaysian Bar

3rd Asia Pacific Regional Forum Conference (25 to 27 Nov 2012)

The 3rd Asia Pacific Regional Forum Conference will take place in Kuala Lumpur, Malaysia from 25 to 27 Nov 2012. This marks the first time that the International Bar Association is holding a conference in Malaysia and as such presents a great opportunity for Malaysian practitioners to showcase what the Malaysia legal fraternity and our country has to offer. Details are as follows:

Date : 25 to 27 Nov 2012 (Sunday to Tuesday)
Venue : Shangri-la Hotel, Kuala Lumpur
Theme: Southeast Asia and the Global Economy — Legal Developments

On 26 Nov 2012 (Monday), the conference will begin with an opening address from the Chief Justice of Malaysia, Tun Arifin b Zakaria; and a keynote address by His Royal Highness, Sultan Muhammad V, Deputy King of Malaysia. The Opening Plenary Session thereafter will include some of Malaysia's leading lights from the business and financial sector. We are fortunate to have among the speakers the likes of Dato' Seri Nazir Razak, Group Chief Executive Office of CIMB Bank Berhad; Tengku Dato' Zafrul Tengku Abdul Aziz, Chief Executive Officer of Maybank Investment Bank Berhad; Jiv Samanathan, Executive Director of Khazanah Nasional Berhad; and Amit Oberoi, Chief Executive Officer of Coca-Cola Singapore Beverages Pte Ltd.

Over the course of Monday and Tuesday, the conference will host a number of sessions of interest to practitioners specialising in different fields ranging from:

- Inbound and outbound corporate/M&A activity in Southeast Asia;
- Arbitration and other means of dispute resolution throughout Southeast Asia;
- Intellectual property ("IP") protection and enforcement of IP rights in the region;
- Liberalisation of legal practice restrictions in Asia;
- Financing alternatives and issues in the region;
- Islamic finance;
- Energy practice in Southeast Asia;
- Competition law rules and enforcement issues in the region;
- Activities of Asian-based multinationals and state-owned enterprises;
- Media law and defamation; and
- Human rights issues for practitioners in the region.

Some of the noteworthy sessions include the law firm management session, which will feature a keynote address from the Honourable Attorney-General of Singapore, Stephen

Chong, focusing specifically on the liberalisation of legal practice in Southeast Asia. There is the media law and defamation session, which is likely to prove an entertaining session with the presence of some of Southeast Asia's prominent defamation law counsel, media defence practitioners and political bloggers.

On the business-law side, we have a number of sessions of note that will deal with issues pertaining to competition law, intellectual property rights, investment strategies of Asian State-owned enterprises and multinationals as well as due diligence and transaction structuring in cross-border transactions across Asia.

We have also planned a conference dinner that will be held at the famous Petronas Twin Towers where delegates will be afforded the rare opportunity of dining at the Malaysian Petroleum Club, as well as viewing the city of Kuala Lumpur from the sky bridge connecting the Twin Towers at night.

While enjoying Kuala Lumpur's rich heritage, diverse culture and hospitality, our programme will explore the compelling opportunities for foreign investment, finance and trade that have surfaced in the Asia Pacific Region with particular regard to the emerging markets in Southeast Asia as well as India and China. On behalf of the Host Committee, it is hoped that this will be the principal conference in 2012 for anyone having an interest in this dynamic and rapidly-expanding part of the global economy. A diverse selection of prominent speakers will be present at the conference and will analyse the relevant legal regimes and practices in the region, which will be of tremendous interest to those who wish to learn about current developments in Southeast Asia, India and China, amongst others.

For registration information pertaining to the 3rd Asia Pacific Regional Forum Conference, please click [here](#).

In conjunction with the 3rd Asia Pacific Regional Forum Conference, a training programme for young lawyers and junior members of the Bar entitled "The Fundamentals of International Legal Business Practice" will be jointly organised with the Bar Council on 28 Nov 2012. For more information and to register, refer to the attached brochure.

Thank you.

Sunil Abraham
Senior Vice-Chair
Asia Pacific Regional Forum
International Bar Association



the global voice of
the legal profession

This course is part of an on-going programme devised by the IBA's Public and Professional Interest Division (PPID) to assist young lawyers and junior members of the profession with their understanding of the fundamentals of international legal practice.

The Fundamentals of International Legal Business Practice

0930 – 2200

Wednesday 28 November 2012

Malaysian Bar

Raja Aziz Addruse Auditorium Bar Council

15 Leboh Pasar Besar

50050

Kuala Lumpur

A set of course materials will be made available to delegates.

The course will be conducted in English.

Registration fee is Ringgit Malaysia 200.00 and lunch will be offered to all participants.

Programme

Registration fee of Ringgit Malaysia 200.00 includes lunch and light reception

0930 – 0945 **Welcome remarks and introduction**

Speakers

Sunil Abraham *Zul Rafique & Partners, Kuala Lumpur, Malaysia; Senior Vice Chair, IBA Asia Pacific Regional Forum, LPD Liaison Officer of Young Lawyers' Committee*

Rouven Bodenheimer *Lungerich Lenz Schuhmacher, Germany; Chair, IBA Young Lawyers' Committee*

0945 – 1115 **Mergers & Acquisitions Session**

Cross-border M&A in Asia

This session will cover the fundamentals of a typical international acquisition transaction. Topics will follow the lifecycle of a cross-border acquisition, beginning with preliminary matters such as non-disclosure agreements, letters of intent and term sheets. The session will then address the preparation and negotiation of the principal transaction documentation, including stock and asset purchase agreements, and related documentation such as non-competition agreements, shareholders agreements and other arrangements that are often present in transactional contexts. The relevance of foreign investment approval, tax, antitrust, employment and other legal and regulatory considerations in a typical cross-border acquisition context will be identified and discussed, as well as the important terms of acquisition documentation, such as representations and warranties, pre-closing covenants, purchase price adjustments, indemnification, termination and remedies. The session will also discuss various cultural and other practical considerations that are relevant in cross-border acquisitions and how lawyers should effectively contend with these matters.

Speakers

Jeffrey Blount *Fulbright & Jaworski, Hong Kong; Co-Chair, IBA Asia Pacific Regional Forum*

Dato E Sreesanthan *Kadir Andri & Partners, Malaysia*

1115 – 1130 **Tea/coffee break**

1130 – 1245 **Due Diligence and Transaction Structuring in Cross-Border Transactions in Southeast Asia**

The session involves a round-table discussion involving in-house counsel and lawyers with an Asian practice. It will cover, amongst others, the different focus of due diligence exercises depending on the nature of the transaction, for example, whether an M&A, IPO or Greenfield project and the challenges, pitfalls, regulatory/compliance and investment requirements in different countries in Asia. The session will highlight how the data and information from a due diligence may be used to structure a transaction or investment to minimise investment risks.

Speakers

Caroline Berube *HJM Asia Law & Co Guangdong, China ; Vice Chair, IBA Asia Pacific Regional Forum*

Ng Swee Kee *Shearn Delamore & Co, Malaysia*

MOBILE TELEPHONES

Delegates are requested to ensure that mobile telephones and any other portable devices are switched off during the working sessions.

1245 – 1500 **Lunch and Round Table**

Raja Aziz Auditorium

A roundtable discussion will be held to address common issues among young lawyers around the world. The young lawyers in the roundtable will discuss their experiences in their law firms/ companies over the last couple of years – in these times of global financial crisis and its impact and the positive impact of the recovery in the Asia Pacific Region.

The discussion could cover topics such as career options, impact on remunerations, promotions, client/corporate counsel expectations in recessionary times, changes in fee structure, changes in nature of client assignments.

1500 – 1615 **The A to Z of international arbitration – A quick guide**

This session will cover how different international arbitration is from domestic arbitration if at all and what investment treaty arbitration is all about. In addition there will be a discussion amongst the panel members on the interplay between arbitration and court proceedings and the different judicial approaches in different jurisdictions. Finally, the panel will also deal with the somewhat controversial topic of how one is to break into the 'arbitration mafia'.

Speakers

Rouven Bodenheimer *Lungerich Lenz Shumacher, Cologne, Germany; Chair, IBA Young Lawyers' Committee*

Tan Sri Dato' Cecil Abraham *Zul Rafique & Partners, Malaysia*

Lawrence Teh *Rodyk & Davidson, Singapore; Senior Vice Chair, IBA Asia Pacific Regional Forum*

1615 – 1630 **Tea/coffee break**

1630 – 1745 **Building a successful and satisfying legal career**

Building a successful legal career is akin to running a marathon. It is a long, hard road with ups and downs and a few bumps here and there but the reward at the end is most fulfilling. The panel of speakers will consider, how the field of law is changing, discuss new developments in different jurisdictions, and identify the principal areas of opportunity in legal practice. The speakers will provide a practical perspective on what building blocks younger practitioners ought perhaps to have in place in order to create the cornerstone for a successful legal career. Some of the key areas discussed will include knowledge of the law, team building, networking, time management as well as the ultimate goal for many – 'the road to partnership.'

Speakers

Lim Chee Wee *President of the Malaysian Bar, Malaysia*

Wong Meng Meng SC *Wong Partnership LLP, Singapore*

1745 – 1800 **Closing remarks**

Speaker

Lim Chee Wee *President of the Malaysian Bar, Malaysia*

1815 – 2200 **Drinks reception**

Twenty-one Tables + Terrace

MOBILE TELEPHONES

Delegates are requested to ensure that mobile telephones and any other portable devices are switched off during the working sessions.



the global voice of
the legal profession

Registration form

The Fundamentals of International Legal Business Practice

Wednesday 28 November 2012

Malaysian Bar

Raja Aziz Addruse Auditorium Bar Council

15 Leboh Pasar Besar

50050

Kuala Lumpur

Please complete this form and return it together with your payment to **Mohd Fazli Rosman or Vilashini Vijayan** at the address below.

Please type or use block capital letters or attach a business card.

Name _____

IBA membership number (if applicable) _____

Address _____

Telephone _____

Fax _____

E-mail _____

Special dietary requirements _____

Please tick box if you will be attending the evening reception at Twenty-one Tables + Terrace

Payment

Payment can be made by direct deposit (bank in to Hong Leong Bank Berhad, No 9 Jalan Tun Tan Cheng Lock, 50000 Kuala Lumpur; Account No 283-00-00108-6; SWIFT CODE NO: HLBBMYKL), or by cheque (made payable to "Bar Council").

For more details or to register, kindly contact Mohd Fazli Rosman (03-2050 2105; fazli@malaysianbar.org.my) or Vilashini Vijayan (03-2050 2095; vila@malaysianbar.org.my)

There are limited places available and registration is on a first-come, first-served basis. Completed forms and proof of payment are to be forwarded to:

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the legal profession

International Bar Association

The **International Bar Association** (IBA), established in 1947, is the world's leading organisation of international legal practitioners, bar associations and law societies. The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of more than 45,000 individual lawyers and over 200 bar associations and law societies spanning all continents. It has considerable expertise in providing assistance to the global legal community.

Legal Practice Division and the Public and Professional Interest Division

Grouped into two divisions – the **Legal Practice Division** and the **Public and Professional Interest Division** – the IBA covers all practice areas and professional interests, providing members with access to leading experts and up-to-date information. Through the various committees of the divisions, the IBA enables an interchange of information and views among its members as to laws, practices and professional responsibilities relating to the practice of business law around the globe. Additionally, the IBA's high-quality publications and world-class conferences provide unrivalled professional development and network-building opportunities for international legal practitioners and professional associates.

Contact information

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