

3rd Conference on Corporate and Commercial Law (HCCLC)



4 to 8 Dec 2023 (Monday to Friday)

3:30 pm to 5:00 pm | 5:15 pm to 6:45 pm
(two sessions per day)

For all 10 Sessions register here

Raja Aziz Addruse Auditorium

Level 2, Wisma Badan Peguam Malaysia
2 Leboh Pasar Besar, 50050 Kuala Lumpur

**For individual session(s)
register here**

Registration Fees

Hybrid Attendance (Physically or Virtually)

You may choose to attend the sessions physically or virtually at your election or some sessions physically and other sessions virtually at your convenience

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Fewer than 7 years in practice	RM180 (RM20 per session)
7 years and above in practice	RM200 (RM25 per session)
In-House counsel	RM500 (RM70 per session)
Pupils in chambers and law students	RM100 (RM15 per session)
Non-Members	RM700 (RM80 per session)

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Please note that the following session is part of the ten sessions being held for the hybrid Conference.

Participants who attend all the Conference sessions will be entitled to 15 CPD points. Thus, you are highly encouraged to register for the full 10-session package.

Please refer to [Circular No 261/2023](#) (last page of this circular), to view the full list of sessions.

Session 2

4 Dec 2023 (Mon) | 5:15 pm to 6:45 pm

Environmental, Social and Governance (ESG)

Opportunities, Pitfalls and Challenges

CPD Code: T5/04122023/BC/BC233216/1

In this session, we will explore the multifaceted world of Environmental, Social, and Governance ("ESG") principles, delving into the opportunities, pitfalls, and challenges they present as well as where Malaysian lawyers need to do more. ESG has emerged as a critical framework for evaluating a company's impact on society and the environment, as well as its governance practices.

Speakers

YB Liew Chin Tong, Deputy Minister of Investment, Trade and Industry

YB Liew Chin Tong is the Deputy Minister of International Trade and Industry. He is currently the Member of Parliament for Iskandar Puteri, after being elected on 19 Nov 2022. He is also the State Assemblyperson for Perling, Johor. He was a Senator in Dewan Negara (17 July 2018 to 17 July 2021) and served as the Deputy Defence Minister from 17 July 2018 to 24 Feb 2020.



He was first elected Member of Parliament for Bukit Bendera (2008-2013) and was subsequently the Member of Parliament for Kluang (2013-2018).

Chin Tong graduated with a degree in Political Science and an honours degree in Asian Studies from the Australian National University. He also holds an International Masters in Regional Integration from the Asia-Europe Institute, Universiti Malaya.

YB Liew Chin Tong is the Chairman of Research for Social Advancement ("REFSA") since 2012 and was the Executive Director of Penang Institute (previously Socio-Economic and Environmental Research Institute ("SERI") from 2009-2012). He was also formerly a Visiting Research Fellow at the Institute of Southeast Asian Studies ("ISEAS"), Singapore. He is passionate about policies relating to the economy, defence and security, institutional reform, political Islam, security and international relations, and urban studies.

Cecil Rajendra, Consultant, Goik, Ramesh & Loo

Cecil Rajendra is an advocate and solicitor of the High Court of Malaya.



A champion of human rights and an environmentalist, Cecil received the 2019 Malaysian Bar Lifetime Achievement Award in recognition of his pioneering legal aid work and tireless commitment to human rights.

He is also the only Malaysian lawyer to have received the prestigious International Bar Association ("IBA") Pro Bono Award.

Cecil is credited for being the founder of free legal aid services in Malaysia and was the past President of the Human Rights Society ("HAKAM"). He has received various awards in recognition of his humanitarian work including the 2004 Malaysian Lifetime Humanitarian Award, the 2012 Individual Human Rights Award by the Malaysian Human Rights Commission (SUHAKAM), and in 2015 was declared a Living Heritage Treasure by the Penang Heritage Trust.

Cecil is also an internationally-acclaimed and celebrated poet and environmental activist. In 2011, he received a Danish International Visiting Artists Award from the Arts Council of Denmark, in recognition of his poems about ecological devastation and climate change.

In 1993, authorities seized his passport ostensibly for his anti-logging activities, which in reality was a body of work about the destruction of rainforests. After an international outcry in five continents, culminating in a protest reading at the National Theatre in London, his passport was summarily returned.

His writings have raised awareness on human rights and environmental issues, being published in over fifty countries and have been used by Amnesty International, the International Commission of Jurists ("ICJ") INDEX (on Censorship), UNICEF, United Nations Educational, Scientific and Cultural Organization ("UNESCO"), United Nations Development Programme ("UNDP"), United Nations High Commissioner For Refugees ("UNHCR"), the World Wide Fund for Nature ("WWF"), National Geographic, TIMF, OXFAM, BBC, CONCERN, and the WCC.

Yew Yee Tee, Executive Director and General Counsel Securities Commission Malaysia ("SC")

Yew Yee Tee graduated and obtained her Bachelors of Law (LLB (Hon.)) from the University of Malaya. She practised as an advocate and solicitor of the High Court of Malaya at Skrine & Co. and was involved in both corporate and litigation work before joining the Kuala Lumpur Stock Exchange (now known as Bursa Malaysia) as a legal manager.



At Bursa Malaysia, she held various roles including Head, Enforcement and subsequently, as the Chief Regulatory Officer. During her approximately 20-year tenure in Bursa Malaysia, she was responsible for all regulatory matters under the purview of Bursa Malaysia ranging from regulatory strategies and policies, listing, market and corporate surveillance, corporate governance, participant supervision, investigation, and enforcement.

Thereafter, Yee Tee joined the SC in 2020 as the Executive Director for its Intermediary and Fund Supervision responsible for authorisation, licensing as well as supervision of intermediaries and funds before taking on the role of General Counsel. As General Counsel, she is currently involved in law reform, rules and regulations, legal and regulatory advisory as well as consumers and investors matters.

Dalvin Kaur, Group Head, Legal, Global Banking & Group Corporate & Legal Services; Regional Head of Legal, Maybank Investment Banking Group

With a career spanning over 25 years in the legal sector, Dalvin Kaur is a known figure in the legal realm of banking and finance. Since joining Maybank in 2013, Dalvin has contributed to the organisation, currently serving as the Group Head of Legal for Global Banking and Group Corporate & Legal Services, as well as



the Regional Head of Legal for Maybank Investment Banking Group.

Dalvin brings global experience to Maybank. Prior to joining the Bank, she honed her expertise in London, working for 14 years with law firms like Allen & Overy and Cadwalader, Wickersham & Taft. Her focus in structured finance, derivatives, and securitisation positioned her as a key figure in the industry. She further solidified her career in London with an in-house role at Credit Agricole Corporate & Investment Bank, where she served as Director of Legal in structured credit markets, securitisation, distressed assets, and Islamic derivatives.

Dalvin's return to Asia, basing her operations in Malaysia with Maybank, marked a new chapter in her career. She now oversees legal risk management across Maybank's regional footprint, spanning 10 countries, focusing on investment banking and global banking. Dalvin has been instrumental in transforming the in-house legal team into a group of business counsel across the region, proving to be a high-value stakeholder in providing strategic, solution-driven legal advice.

A recent highlight in her career is her leadership in spearheading ESG legal initiatives within the bank, on a regional scale, enhancing/harmonising ESG related contractual provisions in financing documentation, legal parameters in the inaugural carbon credit trading initiative on Bursa Carbon Exchange, legal stakeholder to ESG client solutioning initiatives. She is currently setting up the Malaysian Chapter-International Transposition Team for TCLP in harmonising climate related contracts. She is frequently sought to provide thought leadership and industry engagements on ESG legal issues across the region and conducting ESG continuous development and training on global regulatory changes for internal stakeholders.

During her tenure at Maybank, she and her team have garnered accolades such as the ALB SEA In-House Lawyer of the Year in 2015 and a consistent presence in the ALB Malaysia Financial Services In-House Team of the Year awards from 2015 through 2021; most recently, In House Community's Legal Team of the Year -Banking and Finance 2023 and Regional Legal Team of the Year (2023, Asia) at the In House Community Counsel of the Year awards. She is also recognised in the Inaugural Malaysia Legal 500 GC Powerlist 2023.

Dalvin holds a Masters in Law (LLM)(Banking and Finance), and an LLB (Hons), both from King's College, London. She is admitted to the Malaysian Bar Council (since 1998) and the Law Society of England & Wales.

Moderator

Abhilaash Subramaniam, Abhilaash Subramaniam & Co

Abhilaash was recognised as a Recommended Practitioner by the Legal 500 Asia Pacific 2022 in the area of Tax and Revenue. He previously hailed from Shearn Delamore & Co, practising in the Tax & Revenue and Competition Law Departments.



His practice includes all areas of tax advisory and litigation (including indirect tax (SST & GST), transfer pricing, Real Property Gains Tax ("RPGT"), stamp duties, land assessments and all other duties), general litigation, ESG, competition law, Personal Data Protection Act ("PDPA"), anti-money laundering and anti-bribery laws.

He has been involved in landmark Malaysian cases on tax, legal professional privilege, competition law, data protection, the use of anti-money laundering legislation against taxpayers, ratings by local authorities, conduct of regulators etc including acting in Malaysia's largest tax and competition law disputes (by parties).

He also regularly advises, speaks and conducts training for companies, professional bodies, accounting professionals and the Malaysian Bar on tax, competition law, investigations and dawn raids, whistle-blowing, ESG and anti-bribery laws (including the preparation of anti-bribery frameworks and manuals for corporations).

He also has had the privilege of regularly advising and acting for the Malaysian Bar in a number of legal matters.

Special Closing Address

Amar Gill, Secretary General Designate, Asian Corporate Governance Association ("ACGA")

Amar Gill will be responsible for directing ACGA's research, advocacy and educational work in 12 Asia-Pacific markets, as well as for overall management of the association.



Amar has been a passionate advocate of good governance in the region for over 20 years and was a council member of ACGA from 2005 to 2008. From 1995 to 2018, he had been with CLSA, a Hong Kong-based regional securities company where he was responsible for thematic research; among various reports, Amar was co-author of the CLSA-ACGA CG Watch reports from 2001 to 2014. He won equity research awards from publications including Asiamoney, Euromoney and Institutional Investor at CLSA, and rose to become its Head of Asia Research. In the early years of his career prior to joining CLSA, Amar held positions at Chemical Bank in Singapore as well as Southern Bank and Rashid Hussain Berhad in Malaysia.

Amar joined BlackRock in 2018 where he was Head of Investment Stewardship for APAC, leading the largest engagement and voting in the region. In 2023, Amar led a team to produce a report titled "Board Independence in Asia Pacific: A stewardship perspective", highlighting the dominant governance issues characterised by significant controlled companies. He has been a member of the Hong Kong Securities and Futures Commission Public Shareholder Group since 2020.

Amar graduated with a first class degree in philosophy, politics and economics and completed a Masters thesis in ethics from Oxford University, England.



Jointly organised by
Bar Council Corporate and Commercial Law Committee and
Bar Council Continuing Professional Development Department

Should you have any enquiries, please email us at:
cpd@malaysianbar.org.my

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Session 1:
4 Dec 2023 (Mon) | 3:30 pm to 5:00 pm
Succession Planning
Pillars of Wealth Planning: Why, When, Where, Way
Speakers:

- ♦ Chan Ee Lin, *Business Families Advisory Limited, Labuan*
- ♦ Looi Kian Seng, *Tax and Solutions Structuring Counsel (First Vice President), Howden Private Wealth, Singapore*

Moderator:

- ♦ Carolyn Oh, *Carolyn Oh & Co*

CPD Code: T5/04122023/BC/BC233215/1

Session 2
4 Dec 2023 (Mon) | 5:15 pm to 6:45 pm
Environmental, Social, and Governance (ESG)
Opportunities, Pitfalls, and Challenges
Speakers:

- ♦ YB Liew Chin Tong, *Deputy Minister of Investment, Trade and Industry*
- ♦ Dalvin Kaur, *Legal Head, Global Banking, Maybank Group*
- ♦ Cecil Rajendra, *Consultant, Goik, Ramesh & Loo*
- ♦ Yew Yee Tee, *Executive Director and General Counsel Securities Commission Malaysia (SC)*
- ♦ Amar Gill, *Secretary General Designate, Asian Corporate Governance Association (Special Closing Address)*

Moderator:

- ♦ Abhilaash Subramaniam, *Abhilaash Subramaniam & Co*

CPD Code: T5/04122023/BC/BC233216/1

Session 3
5 Dec 2023 (Tue) | 3:30 pm to 5:00 pm
Malaysian Listed Companies
Managing Conflicts of Interest and Other Topical Issues
Speakers:

- ♦ Aaron Gerard Sankar, *Aaron Sankar & Co*
- ♦ Tn Hj Mohamad Azhar Hamidi, *EVP and Department Head, Corporate Governance and Sustainability, Regulation, Bursa Malaysia*
- ♦ Tan Ai Chia, *EVP and Department Head, Regulatory Policy and Advisory, Regulation, Bursa Malaysia*
- ♦ Shanti Geoffrey, *Partner, Christopher & Lee Ong*

Moderator:

- ♦ Grace Yeoh Cheng Geok, *Shearn Delamore & Co*

CPD Code: T5/05122023/BC/BC233217/1

Session 4
5 Dec 2023 (Tue) | 5:15 pm to 6:45 pm
Company Law
Legal Issues of Fiduciaries in Group Enterprise: De Facto, Shadow, and Nominee Directors
Speakers:

- ♦ Dato Loh Siew Cheang, *Cheang & Ariff*
- ♦ Tan Sri James Foong, *Retired Judge of the Federal Court*

Moderator:

Philip Koh, Mah-Kamariyah & Philip Koh

CPD Code: T5/05122023/BC/BC233218/1

Session 5
6 Dec 2023 (Wed) | 3:30 pm to 5:00 pm
BNM
BNM is back! Policy updates
Speakers:

- ♦ Izhar Ismail, *Bank Negara Malaysia*
- ♦ Tai Kuan Thye, *Bank Negara Malaysia*

Moderator: Sathish Ramachandran, *Deol & Gill*

CPD Code: T5/06122023/BC/BC233219/1

Session 6:
6 Dec 2023 (Wed) | 5:15 pm to 6:45 pm
Contract Law
Illegality and Unjust Enrichment
Speakers:

- ♦ Choong Shaw Mei, *Universiti Malaya*
- ♦ Dr Adnan Trakic, *Monash University Malaysia*

Moderator:

- ♦ Rabindra S Nathan, *Shearn Delamore & Co*

CPD Code: T5/06122023/BC/BC233220/1

Session 7
7 Dec 2023 (Thu) | 3:30 pm to 5:00 pm
Competition Law
Topical Issues in Competition Law and Merger Control
Speakers:

- ♦ Nurul Afiqah Soohaimi, *Senior Assistant Director of the Investigation and Enforcement Division, Malaysian Competition Commission (MyCC)*
- ♦ Dr Wan Khatina Nawawi, *EconWorks LLP*
- ♦ Suren Rajah, *Rajah Chambers*
- ♦ Anand Raj, *Shearn Delamore & Co*

Moderator: YA Puan Adlin bt Abdul Majid, *Judge, High Court of Malaya, Kuala Lumpur (TBC)*

CPD Code: T5/07122023/BC/BC233221/1

Session 8
7 Dec 2023 (Thu) | 5:15 pm to 6:45 pm
Transnational Contracts: Conflicts of Laws
Key Issues of Commercial Law in Transactional Contracts: The Neglected Dimension in Private International Law
Speaker:

- ♦ Professor Dr Jason Chuah, *Universiti Malaya*

Discussants:

- ♦ YA Dato' Azizul Azmi b Adnan, *Judge, Court of Appeal of Malaysia*
- ♦ YA Tuan Ong Chee Kwan, *Judge, High Court of Malaya, Kuala Lumpur*

Moderator: Wong Tat Chung, *Wong Beh & Toh*

CPD Code: T5/07122023/BC/BC233222/1

7 Dec 2023 (Thursday):
Cocktail Reception* - sponsored by TRATAX
Session 9
8 Dec 2023 (Fri) | 3:30 pm to 5:00 pm
Tax Law
Capital Gains Tax and Its Implications for Corporate Malaysia and Legal Practitioners

(Sponsored by TraTax)

Speakers:

- ♦ Thenesh Kannaa, *TraTax*
- ♦ Vijey M Krishnan, *Raja, Darryl & Loh*
- ♦ Wong Tat Chung, *Wong Beh & Toh*

Moderator: Anand Raj, *Shearn Delamore & Co*

CPD Code: T5/08122023/BC/BC233224/1

Session 10
8 Dec 2023 (Fri) | 5:15 pm to 6:45 pm
Insolvency
Proposed Amendments to the Rescue Mechanism: A Game Changer?
Speakers:

- ♦ Jimmy Ng Chwe Hwa, *Chooi & Company*
- ♦ Leong May Lee, *Perun Consultants (Malaysia) Sdn Bhd*
- ♦ Anoopal Kaur, *Baker Tilly Malaysia*

Moderator: Roger Lo, *K J Lo & Co*

CPD Code: T5/08122023/BC/BC233223/1

*invitations to this and any other sponsored cocktails are to be confirmed and will be limited to a certain number of agreed pax and sent to those who are speakers, moderators and hybrid/physical attendees only at the sole discretion of the organisers.

CPD Points for HCCLC Conference

No of Session(s) Attended	Total CPD Points
1	1
2	3
3	4
4	6
5	7
6	9
7	10
8	12
9	13
10	15


 Jointly organised by
Bar Council Corporate and Commercial Law Committee and
Bar Council Continuing Professional Development Department

 Should you have any enquiries, please email us at:
cpd@malaysianbar.org.my