

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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Members of the Malaysian Bar, Advocates Association of Sarawak, and Sabah Law Society	
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* Cancellation is not allowed, and no refund will be given for registration fees.

* The organisers reserve the right to make any modifications which are necessary.

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.

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

Session 9

8 Dec 2023 (Fri) | 3:30 pm to 5:00 pm

Tax Law

The New Capital Gains Tax: A Game Changer

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

Sponsored by TraTax



The Government has just amended the introduction of a new Capital Gains Tax (CGT) and proposed Statutory Language as contained in the Finance Bill (No. 2) 2023. This session will explore how and why this could be a game-changer for corporates in Malaysia and other implications.

Speakers

Thenesh Kannaa, Partner, TraTax

Thenesh is a fellow member of FCCA (UK), MIA, CTIM and IFA. He also holds a Diploma in International Taxation from Leiden University, Netherlands.



Thenesh is a licensed tax agent in Malaysia. Thenesh has experience working at a legal firm, accounting firms and the academia, being adjunct to a university ranked among the top 100 in the world. He has also presented on numerous tax topics in more than 100 forums, conferences and seminars organised by various institutions. He is also co-author of the following books published by Wolters Kluwer (CCH):

1. Manual of Capital Allowances and Charges;
2. The RPGT Handbook; and
3. Malaysia Master GST Guide (2nd Edition, 2015)

Thenesh is also the author of the Malaysian chapter of the *Holding Companies Database* published by International Bureau of Fiscal Documentation ("IBFD"), Amsterdam. A work co-authored by him has been awarded the MIA's Articles of Merit Award for Public Accountants in Business (2013).

He serves/has served several professional qualifications examination or education teams by being an examiner, a member of their marking team and/or contributing towards maintaining currency of the educational materials. His views and articles on contemporary taxation issues and the related matters has been published in MIA's *Accountants Today*, CTIM's *Tax Guardian*, ACCA's AB magazine, Chartered Secretaries of Malaysia's ("MAICSA") *Corporate Voice* and the Taxation Institute of Hong Kong's *Asia-Pacific Journal of Taxation*. He has been interviewed on contemporary tax matters by Traxx.fm (RTM 4), V'Buzz (Astro TV), *New Straits Times* and *Malaysia SME Business Newspaper*.

Vijey R Mohana Krishnan, Partner, Raja, Darryl, & Loh

Vijey has more than 25 years of experience in tax matters. He joined Raja, Darryl & Loh in 1999 and heads its revenue law practice group. The team is active in all areas of tax law including income tax, petroleum income tax, real property gains tax, stamp duty, GST, sales and service tax, customs duties and stamp duties. Vijey regularly appears before the Special Commissioners of Income Tax, the Customs Appeal Tribunal, the High Court and the Court of Appeal on major points of tax law.



Vijey has consistently been recommended in the area of tax in publications such as The Asia Pacific Legal 500, the Tax Directors Handbook and Chambers Asia Pacific. He is listed as a "Leading Individual" in the area of tax in Chambers Asia Pacific and as a "Leading Lawyer" in Asialaw Profiles. He has also been listed as a "Litigation Star" in Benchmark Litigation and the Asia Business Law Journal lists Vijey as "one of the top 100 lawyers practising in Malaysia".

Vijey is an associate of the Chartered Tax Institute of Malaysia and has been involved in various committees including the Bar Council GST and Tax Sub-Committee, the Tax Committee of the American Malaysia Chamber of Commerce and the Chartered Tax Institute of Malaysia Technical Committee - Indirect Taxation and Stamp Duty.

Wong Tat Chung, Partner, Wong Beh & Toh

Wong Tat Chung was admitted to the Bar of England and Wales in 1986, and as an advocate and solicitor of the High Court of Malaya in 1988. His fields of practice include corporate finance, mergers and acquisitions and capital markets, and other corporate and commercial matters. He has been involved in both domestic and cross-border transactions. His experience and practice also include debt and equity securities offerings, corporate restructurings of insolvent companies, takeovers, initial public offerings, infrastructure, privatisations, and debt restructurings.



He is the Co-Chairperson of the Bar Council Corporate and Commercial Law Committee and chairs its various subcommittees. He was also one of the vice chairs of the banking finance and securities committee of the Inter-Pacific Bar Association; a member of the Company Secretarial, Practice Sub-Committee; the Accounting and Audit Sub Committee; and the Insolvency Sub-Committee under the Corporate Practice Consultation Forum established by CCM/SSM. He is a member of the Curriculum Advisory Committee for the LLM (Applied Law) in Malaysian legal practice and the ASEAN+6 Legal Practice, The College of Law, Sydney.

Moderator

Anand Raj, Partner, Shearn Delamore & Co

Anand Raj was admitted as an Advocate & Solicitor of the High Court of Malaya in 1996 and has been a partner of Shearn Delamore & Co. since 2003.



Asia Business Law Journal (2020-2022) recognised Anand as one of Malaysia's "Top 100 Lawyers". Asialaw's Client Service Excellence (2021) recognised Anand as The Highest Rated Lawyer To Work With in tax and competition/antitrust. Asialaw Profiles recognised Anand as an "Elite Practitioner" in tax and competition/antitrust in 2023. Anand was also recognised as the "2017 Asia Tax Disputes and Litigation Practice Leader of the Year", and as "Highly Regarded" in World Transfer Pricing in 2023 by the International Tax Review ("ITR"). Asialaw Leading Lawyers recognised Anand as an "Elite Practitioner" (2020-2023) in tax as well as in competition/antitrust, "Leading Lawyer" (2015-2019) in taxation and competition and antitrust and "Recommended Individual" (2011, 2013-2016) in tax.

Anand is recognised as a "Highly Regarded Practitioner" in indirect tax and tax controversy (2019-2022) by the ITR. Anand is ranked by The Legal 500 Asia-Pacific (2019-2022) as a "Leading Individual" in tax as well as antitrust and competition. The Legal 500 Asia-Pacific (2023) also highlighted Anand in their Hall of Fame in Antitrust and Competition. Who's Who Legal recognised Anand as a "Global Leader" (2019-2021) in corporate tax controversy and advisory as well as competition. Who's Who Legal (2021 and 2022) recognised Anand as "National Leader (Southeast Asia)" in corporate tax as well as competition. In 2023, Who's Who Legal recognised Anand as the "National Leader in Competition and Corporate Tax". Anand is recognised as "Band 1 Lawyer in Tax" (2011-2023) and "Band 1 Lawyer in Competition/Antitrust" (2015-2023) by Chambers Asia-Pacific. Anand was regarded by Global Law Expert (2018 - 2019) as "Competition Lawyer of the Year for Malaysia Jurisdiction".

Anand has acted in numerous leading tax cases, including for the Malaysian Bar regarding privilege before the Federal Court, and many others. Anand is the Secretary of Malaysian Bar, the former Chair of the International Fiscal Association ("IFA"), Malaysia Branch, the former chair of the IPBA Competition Law Committee and the inaugural chair of the LAWASIA Antitrust Committee.



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:

- ♦ Dalvin Kaur, *Legal Head, Global Banking, Maybank Group*
- ♦ YB Liew Chin Tong, *Deputy Minister of Investment, Trade and Industry*
- ♦ Cecil Rajendra, *Consultant, Goik, Ramesh & Loo*

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, *Deal & 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:

- ♦ Iskandar Ismail, *Chief Executive Officer, Malaysian Competition Commission (MyCC)*
- ♦ Anand Raj, *Shearn Delamore & Co*
- ♦ Competition and Consumer Commission of Singapore (CCCS)
- ♦ Other speakers to be invited

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.

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