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INTERNATIONAL MALAYSIA LAW CONFERENCE

ASIAN PERSPECTIVES, GLOBAL VIEWPOINTS



Daily Conference News | 28 Sept 2012 (Friday)

Asian Landscape: What Next?

Datuk Dr Cyrus Das, the moderator of the session, started the introductions by referring to the speakers as "an academic, a banker and a lawyer", and wittily added that the speakers were introduced in alphabetical order.

Political economy of development: Lessons from Asia

The first speaker, Professor Edmund Terrence Gomez, Dean of Social and Behavioral Science, Research Cluster, University of Malaya, gave the audience an academic insight into the not-so-simple world of the Asian socio-political landscape through his detailed speech, which was aptly described as a "microview" of Asian economics by Datuk Dr Cyrus Das.

The professor started off by referring to the economic history of a number of Western and Asian countries, such as the economic development of Japan, Korea, Taiwan, the United Kingdom and the United States. The essence of Professor Edmund Gomez's speech was 2 economic theories, namely the Developmental Stage and neo-liberalism. The Developmental Stage is essentially the concept of government-business cooperation, where there is supervision of economic development by the government, whilst neo-liberalism is the complete opposite — it is a liberalisation of the economy, allowing free rein to the economic players.

He explained that regulation is very important in neo-liberalism by expounding the concept of "revolving door", where financial entities utilise their wealth to capture the state which allows for the determination of policies. He noted, interestingly, that the person who controls the bank controls the economic development of the country.

Professor Edmund Gomez went on to explain the importance of policies, and steps to improve the economic development post-global crisis. In doing so, he suggested that the state has to play a role in the creation of a tripartite link between the state, banks and investments. He explained that the economic emphasis of several successful Asian economies was distinct, for example in Korea, the emphasis was on big corporations whilst in Taiwan, the economy was based on small and medium enterprises ("SMEs"). On the subject of SMEs, Professor Gomez noted their importance and gave the example of Singapore where there was presently a shift of focus from government-linked companies ("GLCs") to SMEs.

Professor Edmund Gomez also pointed out other important areas in improving economic development, such as the need to promote research & development ("R&D"). He felt that Malaysia was not paying sufficient attention to R&D compared to other countries in the Asian region and emphasised the need to nurture GLCs productively. He wrapped up his speech by stating that the government, business and labour must work together to improve the economic development of a country, and suggested that state intervention will actually inspire confidence in economic growth and development but it must be accompanied by institutional political reforms in Malaysia.

What next?

The second speaker, Dato' Sri Nazir Razak, Group Chief Executive, CIMB Group, provided a banker's insight as to what he saw as the Asian landscape. In the second



half of the session "What next?", Dato' Sri Nazir Razak gave an insight as to what the future offers for Asia. To him, what was next for the Asian landscape was something less certain.

Much like the first speaker, Dato' Sri Nazir Razak's focus was on the global financial crisis, stating that different versions of market capitalisation brought the fall of capitalism, fuelling the said crisis but unable to deal with it.

"Ironically, it feels that we are at the end of an era," Dato' Sri Nazir Razak continued.

"It feels like something new is emerging. This is the Asian century."

"Changes come, by definition, with friction." Dato' Sri Nazir Razak drew comparison between the Chinese and American way of governance and how the economy was impacted. The Western system advocates freedom whilst the Eastern system involves more regulation and supervision by the government. He further proposed that the introduction of a 3rd system, a combination of the Western and Eastern systems of banking, might be the way to go in terms of economic development.

"The future rests on how Asians make the best of it but we are not fully making the best of it yet."

Dato' Sri Nazir Razak suggested that it would not be a good idea to mimic the West when it comes to banking.

In concluding his speech, he stated that "I don't have the answers, nobody does."

However, he went on to say that a subset of Asia is the Association of Southeast Asian Nations ("ASEAN"), and that ASEAN is placed in an opportune position to prosper, as they can communicate with China, India and the West.



He ended by saying that we were living in a time of great change and there was uncertainty of what was lying ahead.

When it comes to banking, look East, not West. The third speaker, prominent lawyer Tommy Thomas, started his speech echoing Dato' Sri Nazir Razak's statement, that there are no answers to what comes next, but with far less subtlety.



"The title foreshadows an open-ended subject which has no boundaries," said Tommy Thomas.

To him, Asia is far more populous and far too diverse for anyone to speculate on what is next for the Asian economic landscape.

Tommy Thomas' presentation is centred upon the view that Asia should not adopt the Western banking system, based on the recent and ongoing global financial crisis.

"Why did the crisis start? Why didn't the remedial steps work? When will it end? There are no answers to these questions."

The remainder of Tommy Thomas' speech focused on the weaknesses of the US banking model based on the statistics given, and how Malaysia needed to find a balance between the US economic model and Malaysia's current model.

"Some kind of mixed economy might be the way forward."

But Tommy Thomas was absolutely clear that when it comes to banking matters, the East need not learn from the West.

By Tan Jee Tjun and Nizam Bashir

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Celebration Dinner
Date: 28 Sept 2012
Time: 7:30 pm - midnight
Venue: Ballroom A
Renaissance Hotel, Jalan Ampang
Kuala Lumpur
Tickets: RM200 per person

International Commercial Arbitration: Perspectives from the Four Corners of the Globe

Moderated by Dato' WSW Davidson, a Consultant at Azman Davidson & Co, the session saw a panel of distinguished arbitration practitioners from different corners of the globe speak on the challenges encountered in international commercial arbitration.

Challenges to the enforcement of arbitral awards: The new dawn

The first speaker, Ng Jern-Fei, a Malaysian practising as a barrister in the Essex Court Chambers, UK, began by presenting the case of *Dallah Real Estate and Tourism Holding Company v The Ministry of Religious Affairs, Government of Pakistan* ("Dallah") regarding conflicting judgments from the UK Supreme Court and an International Chamber of Commerce tribunal sitting in Paris.

Ng explained that essentially, *Dallah* is about:

a) the question of whether a losing respondent to a jurisdictional challenge in arbitration can apply to set aside or challenge an arbitral award, and b) whether a losing respondent, who had not applied to set aside the award, is nonetheless entitled to do so by resisting enforcement in other jurisdictions.

The UK Supreme court had held (in *gistic*) that it is open to an enforcing court to review the tribunal's determination on jurisdiction. Ng quoted Lord Mance who had said "...the Tribunal's own view of its jurisdiction has no legal or evidential value when the issue at hand is whether the tribunal had any legitimate authority in relation to the government at all..."

Ng further explained on how the principles in *Dallah* apply in a Model Law jurisdiction such as Malaysia, in relation to an award by a tribunal seated within the jurisdiction in which enforcement is sought.

Next, Ng presented a recent case in Singapore of *Astro v Lippo* which tested the extent to which one can apply the *Dallah* principle. The central issue was whether Lippo was entitled to resist enforcement of the awards on the basis that the tribunal lacks the jurisdiction to make them, despite the fact that Lippo had not applied to set them aside in the first place. Judgment in this case is currently pending.

Ng ended his presentation with a brief summary on the drafting history of the Model Law as well as an explanation on waiver and estoppel in arbitration.

Recent developments in the Hong Kong courts
Yang Ing Loong, a Singaporean who is a partner and Global Coordinator at Sidley Austin, Hong Kong, next focused on state immunity and the courts' attitude in arbitration.

Yang stated that when Hong Kong reverted to Chinese sovereignty in 1997, there was a lacuna, as arbitral awards made prior to that were no longer subject



to the New York Convention, and vice versa. In 2000, after extensive consultation, both governments agreed on the Arrangement of Reciprocal Enforcement of Arbitral Awards between Mainland China and Hong Kong.

He then presented a few cases, including a Congo case where a fund known as FG Hemisphere bought over some arbitral awards from a Yugoslav claimant that had obtained the awards from the Democratic Republic of Congo. The central issue in that case was whether state immunity applicable in Hong Kong was one of restrictive immunity, as was the case prior to Hong Kong's return to China, or whether it was absolute immunity, as used by China.

Yang said that it was eventually decided that Hong Kong now only applies absolute immunity. The controversy regarding that case was whether that approach

undermines the independence of Hong Kong as an attractive place for arbitration.

Emergency arbitrator and interim orders

The third speaker was Chan Leng Sun, a Senior Counsel practising at Baker & McKenzie Wong & Leow in Singapore, who is originally from Seremban, Malaysia. His presentation focused on interim orders by emergency arbitrators. According to him, the need often arises to obtain urgent relief in circumstances such as the need for preservation of evidence. However, setting up a tribunal may take some time.

Chan also said that one reason arbitration might be preferred over going to court is the cost of the latter, and concern over whether there is an effective judiciary.

According to Chan, the allowance for an emergency arbitrator also presented some issues. One significant issue raised was whether an award made by an emergency arbitrator is enforceable.

Chan then wrapped up his segment with a comparison between the Singapore International Arbitration Centre Rules, the International Arbitration Act and the Malaysian Arbitration Act 2005.

By Melissa Sasidaran and Jeremiah Gurusamy

Inspired by Ramli Ibrahim



Ramli Ibrahim is not an individual who needs any introduction in Malaysia, nor in many parts of the world. The Ministry of Information and Culture has given the Sutra Foundation Chairman the title "Tokoh Orang Hidup" ("Living Idol"), and Ramli is set to receive the Sangeet Natak Akademi Award from the President of India on the 9 Oct 2012.

Ramli is accomplished in ballet, modern and traditional dances, and has nurtured some of the brightest dance talents in Malaysia. It is no hyperbole to say that Ramli has been instrumental in revolutionising dance in Malaysia.

Ramli began his presentation lightly, expressing his incredulity at having been invited, as a dancer, to give a talk to inspire lawyers. However, he perhaps hit the nail on the head when he quipped, "But then again, many lawyers are frustrated performers!"

Ramli began his journey by studying and dancing the Malay traditional dances. He subsequently poured his

heart and soul into Indian dances. When Ramli returned home in the early 90s, Kelantan had banned the Mak Yong dance and wayang kulit. Ramli decided to champion the preservation of traditional Malay dances. "To ban (these dances) is a form of cultural genocide of the Malays."

Ramli also related his disagreement with the government's stance of appraising the value of traditional dances in terms of ringgit and sen. "When we talk about projecting the identity of the nation, it has to be something more than [ringgit] and sen."

Ramli went on to explain the creativity and allure of dance according to his perception.

"According to the Natyasastra, there is no concept in the universe that cannot be expressed in dance...for a dancer to be still, is death."

"The body of a dancer is the instrument of the dancer. [It] can be an instrument to express anything in the world, even mathematical equations. The body to an Indian dancer is like a temple. Just as a temple has to be beautified and purified to house the god, the body of the dancer also has to be purified."

Ramli went on to state that this concept is no different to the one in Malay dance, whereby the body is looked upon as the "Istana" (palace) and the "semangat/ angin" (inspiration/wind) is the metaphor for the ruler of the "Istana". The "semangat" has to be in a state in which it can govern the body proper.



Ramli drew a relation between this almost mystic concept with everyday life, where a person would have to be in full control of their body in order to achieve their goals.

Ramli explained that dance is a metaphor, and it becomes transformative for the observer because of its power of suggestion. "The movements in a dance are universal, and it can [explain] even when words become inadequate."

One of the highlights of the evening was when the audience was treated to an improvised performance of dance by one of Ramli's pupils, Guna.

When asked by a delegate whether there were any mental obstacles to overcome by virtue of being a Malay performer doing Indian dances, Ramli responded with a definitive and resounding no.

"I am fully liberated in that sense. I am a very spiritual person but that [such mental obstructions] is not the way religion taught us. So the kind of spirituality that I kind of feel for is to be in connection... and dance or movements can [do that]. That is the universal message and that is what I am about."

Ramli was also asked by the Malaysian Bar President, Lim Chee Wee, as to how he had achieved the toned physique that he had. Ramli replied:

"Did you ask Tony [Fernandes] the same question? To be fair Tony also asked me and I answered, it is by suffering. And I told him, Tony, you just don't suffer enough as I do."

Ibrahim theatrically bowed out to a well-deserved standing ovation.

By Tan Shang Neng and K Shanmuga

Economic Transformation: The Sun is Shining and the Roses are Blooming

Dato' Sri Idris Jala is of course synonymous in the nation's mind with PEMANDU, GTP and ETP (the Performance Management and Delivery Unit of the Federal Government, and their Government and Economic Transformation Plans, respectively). He currently serves as Chief Executive Officer of PEMANDU, and is a Minister in the Prime Minister's Department.

He came out of the blocks and into his slides, showing the rationale, figures and milestones achieved so far under the GTP and ETP. He softened up the audience (or riled them up, depending on which football club you support) by revealing he was a Chelsea fan, and that without being united under one coach, they would not have been European champions last season. Likewise, a united Malaysia was necessary to not only grow the economy but also achieve equitable income distribution.

He explained that initiatives like improving urban public transport and building more low-income housing may not directly boost the economy, but were equally important to achieve equitable growth in Malaysia. Executive summaries, slides and whole briefings were available for the public to educate themselves better on the government's initiatives to take our country to the next level on the unit's website at www.pemandu.gov.my.

On education, his team had discovered that only 60% of students had pre-school education, yet our current Primary One education system assumes that students have had such preparation. This handicaps the "other" 40% who have not had pre-school education. The team had also gone on to put schools into different bands (ranked "one" for the best schools, and "seven" for the worst schools) based on their performance, so they have data to improve both underperforming schools and teachers, and then take remedial steps. On crime, Dato' Sri Idris Jala trumpeted how 500 cases of crime being reported daily had been reduced to 421, and relied on this as proof that our streets are safer these days. It must be said that this analysis did not seem to have been very well-received, judging by twitter reactions during the speech.

He went on to explain the National Key Economic Area ("NKEA") projects like the Refinery and Petrochemical Integrated Development ("RAPID") scheme at Pengerang,



and the Regional Oil Storage & Trading Hub. He was of the view that the law industry is a part of the overall equation, along with IT, fashion, consulting, engineering, construction, healthcare, advertising and many more service industries, as part of the Business Services National Key Result Area ("NKRA").

He ended with two insightful quotes:

"One of the most tragic things I know about human nature is that all of us tend to put off living. We are all dreaming of some magical rose garden over the horizon instead of enjoying the roses that are blooming outside our windows today."
- Dale Carnegie



"Keep your face to the sunshine and you cannot see a shadow."
- Helen Keller

In summary, Dato' Sri Idris Jala reminded the audience that for Malaysia to achieve high-income status, we have to aim to be competitive, and we have to stay focused by picking the right industries and supporting them through with minimal regulation.

During the question-and-answer session, former Malaysian Bar President, Ragnath

Kesavan, asked about the seeming lack of recognition and collaboration for Malaysian professionals – such as lawyers, accountants and doctors – under his Unit's initiatives. To this, Dato' Sri Idris Jala said he is open to suggestions from the professions on how to broaden their horizons. For lawyers, he suggested outsourcing in-house work within Malaysian companies to our law firms.

Lim Chee Wee, current Malaysian Bar President, then asked two questions, the first being whether there is a need for an Independent Police Complaints and Misconduct Commission ("IPCMC") to get our police force into shape.

By Joachim Leong and K Shanmuga

Glamorous Cocktail Reception at the Porsche Centre



Surely, it can't get any more glam! than having the ILMC 2012's Welcome Cocktail Reception in a luxury car showroom!

Right smack in the heart of Kuala Lumpur, the dinner to welcome all delegates on the opening day of the conference was held at the gorgeous and unlikely venue that was the Porsche Centre, Bukit Bintang.

It was a scene set for a perfect evening. Beautiful, sexy curves were laid bare for all to see (and touch) in the form of the myriad Porsches dotting the two-floor venue. The ladies and gentlemen present were dressed well



enough to get lucky if they needed to, and there was in fact a lucky draw with very attractive prizes (but not, unfortunately, a new car).

The live band entertained, as delegates knocked back some good food and better drinks as they let loose after an eventful day of seminars, inspirational talks and scouring the booths at the "Anything Legal" Exhibition.

The venue boasted an outdoor and indoor setting, as well as an upper floor which had four luxury cars on display.



Even the President of the Malaysian Bar, Lim Chee Wee, knew what was needed and delivered a short and sweet speech, thanking our kind hosts Porsche and Auto Bavaria, and jokingly implored the "fat cats" present that evening to buy one car each.

A marvellous way to end a fantastic first day of the ILMC 2012.

By Tan Shang Neng and K Shanmuga

ILMC 2012 "Anything Legal" Exhibition | Presentations

Day 3 | Friday | 28 Sept 2012

Organisation	Presentation Title	Time
Fileforce Sdn Bhd	Transforming Legal Records and Document Management Landscape	10.05am – 10.35am
Legal Manager Software & eLawyer Recruitment	Total Solutions for Legal Profession – Legal Technology & Talent	10.35am – 11.05am
Multimedia University	An Overview of Law Programme in MMU	11.05am – 11.35am
Brickfields Asia College	Upgrading Yourself through the BAC-PLS	3.35pm – 4.05pm
eCabin.com.my	Cloud Computing for Lawyers	4.05pm – 4.35pm

Whither Freedom of the Press?

To set the scene, the scintillating moderator Jacqueline Ann Surin (Co-Founder and Editor of The Nut Graph) asked the crowd this: Do we have the media we deserve?

How did we come to this state?

The vast majority of delegates in the hall responded in the negative. So one of the main questions in the session was how we have found ourselves in the state that we are in.

Lawyer Malik Imtiaz Sarwar (Partner, Malik Imtiaz Sarwar) attributed this primarily to the situation in which the mainstream media ("MSM") is linked or owned, either directly or indirectly, by political parties, some of which form the government of the day.

"Now, there is nothing wrong with that *per se*. However, what is happening in Malaysia is that there is a conflict of interest that is immediately set up by the fact that there is a regulatory framework", said Imtiaz.

He explained that this regulatory framework, which covers the award of licences to the MSM for their operations, is managed by the government of the day, which in turn has interests in the MSM themselves. Such a circumstance would remove the objectivity from the relevant authorities' judgments, or introduce an apprehension of bias, at the very least.

R Nadeswaran (Editor, Special and Investigative Reporting, The Sun Daily) however, held a different view.

"The main culprits are the editors. It is the editor who decides what you, the Malaysian public, will read," he said.

Nadeswaran opined that editors (who are generally perceived as politically-appointed, given the control of newspapers by political parties) continuously second-guess whether an item to be published will be approved by their "political masters". Such a practice encourages self-censorship, geared along political lines, without any express directions from the "political



In *Lim Guan Eng v. Utusan Melayu (M) Bhd* (2012) Justice Varghese George Varughese decided that "[in becoming] a more liberal democracy... the courts would have to respond appropriately when the required standards are violated or the right to publish freely are abused".

Imtiaz suggested that judges could look at the constitutional provisions more dynamically, to give effect to the freedom of

the press even if it is not expressly enshrined within the constitution.

To a question by a delegate, Imtiaz said that currently, it would seem that suing the MSM might well be the best method to promote ethical and professional journalism.

A poignant suggestion of Masjaliza's was for the creation of an independent and regulatory media council. This will not only remove the government's outright involvement in regulation but also allow the prospective council to impose standards and codes upon its members.

The consensus among the speakers was that we now have a media that we do not deserve, and it is within our power as the electorate to create the political will and force to assert the change that we want.

By Tan Shang Neng and Kevin Kam

masters". It is for this reason, Nadeswaran said, that editors are the foremost party responsible for the decline in ethical journalism.

Can Malaysian Journalists be Ethical in Today's Media Landscape?

"Yes, they can, but with very severe limitations. The whole country and newsroom is against you", Masjaliza Hamzah (Executive Officer, Centre for Independent Journalism) said.

Masjaliza explained that a journalist is often unsure of whether one's editor, union or colleagues would support him when he or she is backed into a corner, especially when the laws and regulations are designed to further limit the freedom of the press and restrict access to information.

"Unlike Indonesia and the Philippines, Malaysia does not have laws which protect and help promote the freedom of the press. Even Article 10 (guaranteeing freedom of speech, as enshrined in the Federal Constitution of Malaysia) has been interpreted restrictively at times to place limitations on the freedom of expression," she added.

Imtiaz subsequently identified the various legislation, including regulations, which further restrict or hinder the freedom of the press. In particular, the Printing Presses and Publication Act 1984 still requires the MSM to have a permit from the relevant ministries which can be revoked. Other laws like the Sedition Act 1984 and the Penal Code further create instances whereby the MSM, or even the responsible individuals within, may fall foul of criminal sanctions.

The lack of protection for press freedom and the restrictive nature of many pieces of legislation are seen to contribute to the state we are in.

Where Do We Go From Here?

"This is fundamentally a rule of law issue," Imtiaz said. "The situation now allows the government to act without reproach or without fair consideration." Imtiaz said that even if the government refuses to make the adequate amendment or legislation to protect and promote press freedom, the judicial system itself could create such a fundamental right. He observed that judges have been willing to make some stunning and positive judgments on civil liberties and rights.

Today's Schedule

09:00am - 10:15am	Plenary Session: Market liberalisation of legal services in Asia: A tsunami confronting lawyers or a world of opportunity? (Venue: Plenary Hall) Speakers: • Chew Seng Kok , Regional Managing Partner, ZICOlaw, Singapore • Masaakira Kitazawa , Senior Partner, Anderson Mori & Tomotsune, Japan • Jimmy Yim SC , Managing Director, Litigation & Dispute Resolution Department, Drew & Napier LLC, Singapore • Stuart Fuller , Global Managing Partner, King & Wood Mallesons, Hong Kong Moderator: Christopher Leong , Vice-President, Malaysian Bar; Partner, Choo! & Co Coffee Break with Exhibitors Breakout Session	
10:15am - 10:45am 10:45am - 12:00pm		
Stream 1 (Session 8) - Plenary Hall LAW & SOCIETY		
Human rights: Do businesses have roles and obligations as corporate citizens? Joint Session with Bar Council Human Rights Committee and Constitutional Law Committee, and Advocates' Association of Sarawak Speakers • Nahendran Navaratnam , Partner, Kadir Andri & Partners • David Watkins , Partner, Slaughter and May, Hong Kong Academic Paper • Dr Tan Seng Teck , Senior Lecturer, Taylor's Business School, Taylor's University Moderator: Khairil Azmi b Haji Mohamad Hasbie , President, Advocates' Association of Sarawak		
Stream 2 (Session 8) - Plenary Theatre LAW PRACTICE MANAGEMENT		
How small- and medium-sized firms can accelerate their profits and how group practice can benefit small-and medium-sized firms Joint Session with Bar Council Small Firms Committee Speakers • Ian R Homer , Business Coach, ActionCOACH • Mathew Thomas Philip , Managing Partner, Thomas Philip • Mark Goh Aik Leng , Founder, Mark Goh & Co, Singapore Moderator: George Varughese , Partner, George Varughese		
Stream 3 (Session 8) - Rooms 304 & 305 ARBITRATION		
Asia's contribution to international commercial arbitration: The tools and skills Session Sponsor: Kuala Lumpur Regional Centre for Arbitration Joint Session with Bar Council Arbitration Subcommittee Speakers • John Tackaberry QC , Member of 39 Essex Street Chambers and Arbitration Chambers • Azimeer Manaf , Deputy Director, Kuala Lumpur Regional Centre for Arbitration • K Shanti Mogan , Partner, Shearn Delamore & Co • Rashda Rana , Barrister, Arbitrator; Mediator; Wentworth Chambers, Australia Moderator: Sitpah Selvaratnam , Consultant, Tommy Thomas		
12:00pm - 02:00pm 02:00pm - 02:30pm	Networking Lunch Defending every man, woman and child under the rule of law (Venue: Plenary Hall) Inspired by Karen I Tse , Founder and Chief Executive Officer, International Bridges to Justice Moderator: Dato' Ambiga Sreenevasan , Partner, Sreenevasan; Past President, Malaysian Bar Plenary Session: The independence of the Attorney General and the public interest (Venue: Plenary Hall) Speakers: • The Honourable Tan Sri Abdul Gani Patail , Attorney General of Malaysia • Kevin P Zervos , Director of Public Prosecutions, Hong Kong • Bala Reddy , Chief Prosecutor (Projects), Singapore Moderator: Steven Thiru , Treasurer, Malaysian Bar; Partner, Shook Lin & Bok Coffee Break with Exhibitors Breakout Session	
02:30pm - 03:45pm		
03:45pm - 04:15pm 04:15pm - 05:30pm		
Stream 1 (Session 9) - Plenary Hall LAW & SOCIETY		
What maketh a judge? Joint Session with Bar Council Human Rights Committee and Constitutional Law Committee Speakers • Judge Nico Tuijn , Judge of the Court of Appeal, Hertogenbosch, Netherlands • Dato' Haji Sulaiman b Abdullah , Partner, Sulaiman; Past President, Malaysian Bar Academic Paper • Mark Goh , Senior Lecturer, Department of Law and Government, HELP University Moderator: The Honourable Justice Dato' Mohamad Ariff b Md Yusof , Judge of the Court of Appeal		
Stream 2 (Session 9) - Plenary Theatre COMPLIANCE		
Primary and secondary listings of foreign corporations and foreign securities on stock exchanges in the East Asian region Session Sponsor: Bursa Malaysia Berhad Joint Session with Bar Council Corporate and Commercial Law Committee Speakers • Voon Keat Lai , Stephenson Harwood, Hong Kong • Selvarany Rasiyah , Chief Regulatory Officer, Bursa Malaysia Berhad • Jeff Leong Pak Lim , Senior Partner, Jeff Leong, Poon & Wong Moderator: Cynthia Toh , Partner, Wong Beh & Toh		
Stream 3 (Session 9) - Rooms 304 & 305 ARBITRATION		
Statutory adjudication: Boon or burden for litigants? Joint Session with Bar Council Arbitration Subcommittee Speakers • Lim Chong Fong , Partner, Azman Davidson & Co • Robert Fenwick Elliott , Partner, Fenwick Elliott Grace, Australia • Alan Stewart , Managing Director, Sweett Resolution, United Kingdom • IR Harbans Singh KS , Member, Adjudication Society and the Association of Independent Construction Adjudicators Moderator: Datuk Sundra Rajoo , Director, Kuala Lumpur Regional Centre for Arbitration		
05:45pm - 06:30pm 06:30pm - 06:45pm 07:30pm - midnight	Closing Remarks by The Right Honourable Tun Arifin Zakaria , Chief Justice of Malaysia (Venue: Plenary Hall) Closing Remarks by Lim Chee Wee , President, Malaysian Bar; Partner, Skrine (Venue: Plenary Hall) Celebration Dinner at Renaissance Hotel Kuala Lumpur	

2nd Raja Aziz Addruse Memorial Lecture



Performance by Temuan Tribe at 4F



IMLC Delegates' Opinion Poll

The International Malaysia Law Conference ("IMLC") 2012 has created history with many "firsts". The conference, previously known as "Malaysian Law Conference", has gone global. We have been bold with our choice of topics on various diverse themes. And, we have employed the latest in information technologies, including radio-frequency identification technologies, and social media and web broadcasting.

The IMLC Organising Committee is running an opinion poll throughout the three-day conference to garner delegates' opinions on selected issues presented at the IMLC 2012.

The voting for the main question will run throughout the three days and delegates can cast their votes via SMS until 3:45 pm on 28 Sept 2012.

In addition, one question based on a selected plenary session topic will be posed daily. Voting via SMS for the daily question can be done until 3:45pm on 28 Sept 2012.

Questions for IMLC Delegates' Opinion Poll

Should the mandatory death penalty in Malaysia be abolished and discretionary powers restored to the Judiciary?

YES (60164) NO (60192)
Text your response to +614-2988 3481

Each delegate may vote only ONCE. Delegates can cast their votes via SMS until 3:45pm on 28 Sept 2012. Telco charges are applicable.

Question for Day 03
Is allowing the entry of foreign lawyers to Malaysia a positive development?

YES (561168) NO (561169)
Text your response to +614-2988 3481

Each delegate may vote only ONCE. Delegates can cast their votes via SMS until 3:45pm on 28 Sept 2012. Telco charges are applicable.