

Virtual Conference on

Corporate and Commercial Law

6 to 10 Sept 2021

10 CPD points

Register online
HERE

Registration Fees

Members of the Bar

In-House Counsel

Pupils in Chambers and Law Students

Non-Members

| RM100 for 10 sessions (or RM15 per session)

| RM250 for 10 sessions (or RM30 per session)

| RM50 for 10 sessions (or RM10 per session)

| RM350 for 10 sessions (or RM50 per session)

Notes:

10% discount for groups of 5 and 20% discount for groups of 10 or more.

Discounts applicable only for full 10-session package.

Participants who attend all of the Conference sessions will be entitled to 10 CPD points.

Interested participants are invited to join us as the registration for the Conference is still open and places are available. We are now able to accommodate a maximum of 1,000 participants at our sessions; currently we are already at half-capacity.

We refer to Circular No 322/2021, which contains the full list of sessions.

Session 8:

Tax Law

Title: *Recent Adventures in Suing the Tax Authorities*

9 Sept 2021 (Thursday) | 5:10 pm to 6:10 pm

CPD Code: T5/09092021/BC/BC213198/1

CPD Point: 1

This session will cover the latest developments, controversies and legal practice points arising from the increased belligerence of the tax authorities. Join our panel for an overview of the following:

- Recent trends in the taxation of land transactions and real property company ("RPC") issues;
- Is personal data safe against the tax authorities or can you challenge them?;
- Issues in the deduction of Employee Share Option Scheme ("ESOS") charges and drafting of by-laws;
- Obtaining of tax incentives and risks of clawback;
- Tax authorities seeking to overturn established principles of tax law; and
- Challenging abuse of power via judicial review.

Speakers

Preetha Pillai is a Partner at Skrine, and a litigator with over 22 years of experience in civil and commercial litigation and arbitration. She is also a Fellow of the Chartered Institute of Arbitrators.



She acts for clients in a broad range of disputes involving joint-ventures, supply of services and goods in the information technology sector, leasing and financing, and land matters, to name a few. She has experience particularly in the area of asset recovery in fraud matters requiring involvement at the forensic investigation stage, providing strategic advice on evidence gathering, obtaining interlocutory orders for preservation of assets and evidence, and ultimately handling the litigation to recover the client's assets. Having a strong interest in rights-based disputes, her other area of interest is administrative law.

Preetha also heads the Tax and Revenue practice and acts for clients in disputes with the tax authorities.

She is a regular speaker at international conferences and is particularly active with the International Bar Association, holding the position of Secretary of the Asia Pacific Regional Forum.

At her firm, Preetha heads the Social Responsibility Unit and in this capacity, coordinates and directs the various *pro bono* activities undertaken by the firm.

Vijey Krishnan is a Partner at Raja, Darryl & Loh, and has about 25 years of experience in tax matters. He joined his current firm in 1999 and heads the revenue law practice group there. He regularly appears before the Special Commissioners of Income Tax, Customs Appeal Tribunal, High Court, and Court of Appeal, on major points of tax law.



Vijey is an Associate of the Chartered Tax Institute of Malaysia and has been involved in diverse tax-related committees, including the GST and Tax Subcommittee under the Bar Council Corporate and Commercial Law Committee, Tax Committee of the American Malaysian Chamber of Commerce ("AMCHAM"), and the Chartered Tax Institute of Malaysia Technical Committee – Indirect Taxation and Stamp Duty.

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. The Asia Business Law Journal lists Vijey as one of the top 100 lawyers practising in Malaysia in 2019 to 2021.

Jason Tan Jia Xin is a Partner at Lee Hishammuddin Allen & Gledhill. His primary area of practice is income tax and customs litigation, trade remedy investigations, tax and customs investigations, and trade facilitation.



He has been involved in many income tax and customs disputes before all levels of Court on major points of tax law. The disputes involve issues on transfer pricing, withholding tax, income recognition, capital allowance, reinvestment allowance, double taxation agreements, deductibility of expenditure, excise valuation, and customs procedures.

Jason also represents manufacturers in local and foreign trade remedy investigations such as anti-dumping, safeguard duties, countervailing duties, and anti-circumvention investigations.

He is also particularly active in issues relating to excise duty valuation, import and export controls, customs compliance, international trade regulations, customs valuation, sales and services tax, and customs penalties.

Jason is a regular speaker in the tax scene on issues relating to income tax and customs.

Khong Siong Sie is a Partner in Jason Teoh & Partners. He has experience resolving disputes with tax authorities. Siong Sie has advised or represented local and international clients of various industries on all aspects of tax and revenue law, and is ranked in Band 3 in Tax in Chambers Asia-Pacific 2021.



Siong Sie was a former Partner and Co-Head of the Tax and Revenue practice group in Skrine. He is a chartered accountant, formerly working in PricewaterhouseCoopers, Kuala Lumpur and Tesco Stores Malaysia. Apart from his legal qualifications, he is also a Fellow Chartered Certified Accountant and an Associate Member of the Chartered Tax Institute of Malaysia.

Moderator

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



Anand was recognised as the "2017 Asia Tax Disputes and Litigation Practice Leader of the Year" by the International Tax Review ("ITR"); one of Malaysia's "Top 100 Lawyers in Tax Disputes & Controversy and Competition Law & Antitrust" by Asia Business Law Journal (2020-2021); "The Highest Rated Lawyer to Work With" in tax and competition / antitrust by Asialaw's Client Service Excellence (2021); an "Elite Practitioner" (2020-2021) in tax as well as in competition / antitrust, and "Leading Lawyer" (2015-2019) in taxation and competition & antitrust by Asialaw Leading Lawyers; and a "Highly Regarded Practitioner" in indirect tax and tax controversy (2019-2021) by ITR.

Anand is ranked by Legal 500 Asia-Pacific (2019-2021) as a "Leading Individual" in tax as well as antitrust and competition. Who's Who Legal recognised Anand as a "Global Leader" (2019-2020) in corporate tax controversy & advisory as well as competition. He has also been recognised by Who's Who Legal (2021) as "National Leader (Southeast Asia)" in corporate tax as well as competition, and "Global Leader" in competition. He is ranked a Band 1 Lawyer in tax (2011-2021) and Band 1 Lawyer in competition / antitrust (2015-2021) by Chambers Asia-Pacific. Asia Profiles named Anand as an "Elite Practitioner" (2020 and 2021) in tax.

Anand is the Chairperson of the Tax Subcommittee of the Bar Council Corporate and Commercial Law Committee ("CCLC"), and also Chairperson of CCLC. He was the former Chair of the International Fiscal Association ("IFA"), Malaysia Branch. He is a member of the IFA Asia Pacific Regional 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

Upon successful registration, a link to the webinar will be emailed to registered participants only. **Registration will close on 8 Sept 2021 (Wednesday) at 5:00 pm.**

Please note that **no** additional registration will be accepted once the closing date has passed, or if the webinar is full.

We may not permit future registration if you fail to attend the webinar after registering, unless you provide an acceptable and valid reason(s).

A Step-By-Step Guide to Join a Webinar via Zoom

Webinar via Zoom is an initiative by the Bar Council during the Movement Control Order.

Continue learning even while at home. We're here to inspire you, connect with you and learn with you. This guide will show you how to join a webinar smoothly.

01

For seamless streaming, download the Zoom app.



You will be given a webinar ID and a password to join the webinar once your registration has been confirmed.

02

Log in to Zoom, and provide your username.

For Members of the Bar or pupils in chambers, use the format below for identification purposes when prompted: **Full name (as per NRIC) | Bar Council membership number or petition number.**

For non-Members, provide your full name only.

03

Set up your space.



Find a spot which is comfortable and free from background noises. You may use an earpiece with microphone for clarity. Having a strong internet connection is equally important.

04

Please raise your questions only during the Question-and-Answer session.

Please take note that no speaking is allowed when the webinar is taking place.

If you wish to raise a question, please type in the Q&A box and the speaker will respond accordingly.

05

Please do not do these



Sharing screen recording and webinar ID and password links, and reproducing the content of the webinar on any platform.

Any unregistered person may be removed without prior notice and no CPD point will be awarded. Failure to adhere to this may result in disciplinary action by the Bar Council.



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Should you have any enquiries,
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