



 RAJA, DARRYL & LOH

# CHINESE DESK

November 2024

[www.rajadarrylloh.com](http://www.rajadarrylloh.com)

# Introduction

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We have prepared this proposal to introduce our key Partners handling the Chinese Desk. We believe we are able to assist you to align your organisational aspirations with key legal functions and also ensure a successful collaboration between our teams.

## Key Contact Persons



**Wong Quan Sean**  
Partner,  
Corporate & Commercial,  
Real Estate and Property  
Management

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**Zack Tan Zhang Wei**  
Partner  
Construction,  
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# About Us

Raja, Darryl & Loh was born in 1964 as a sole-proprietorship and over the years has steadily morphed into the vibrant and still-growing partnership that it is today. Our current practice covers many different areas of law and sectors, having evolved from the original practice that comprised conveyancing, banking and finance law, to keep pace with developments in Malaysia. The firm's current principal focus would be in the areas of companies, foreign investment, land, construction, medico-legal, banking, finance, receivership, insurance, intellectual property, information & communications technology and tax. Having said that, the list of other areas included in our work is a long one.

We believe that another part of our strength is in our constant attention towards providing prompt responses and proactive thought to offering real solutions to the legal issues encountered by our clients. At the same time, our aim is to retain a traditional personalised approach to practice. This we fervently believe to be in the best interests of our clients.

Through networking over the years, the firm has established links with other professional and legal firms in other jurisdictions and hence is in a position to provide its clients with seamless international professional assistance and referrals.

## Our Accolades

RDL has received numerous accolades, awards and recognition from various international legal publications over the years. Please visit <https://rajadarrylloh.com/our-accolades/>

## Our Services

RDL provides a comprehensive range of services. Please visit <https://rajadarrylloh.com/our-services/>

## Our People

RDL draws from a comprehensive wealth of knowledge owing to the diverse skill set and experience of its people. Please visit <https://rajadarrylloh.com/our-people/>



# Key Partners

The following are the key Partners for Chinese Desk. Each Partner leads a team specialising in their respective practice group.



Wong Quan Seng

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Zack Tan Zhang Wei

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Cheong Chun Yeong

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**Corporate & Commercial**

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Teoh Chye Yi

**Partner**  
**Dispute Resolution**

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Jed Tan Yeong Tat

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**Technology, Multimedia & Communications**

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Tham Li Vylen

**Partner**  
**Dispute Resolution, Employment & Industrial Relations**

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# Wong Quan Sean

Partner  
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Property Management

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Quan Sean handles a wide variety of real estate transactions, such as those involving commercial projects and multi-storey buildings and the structuring of joint venture companies to undertake development activities. She is also experienced in advising on banking and finance laws and securitisation (including cross border securitisation). Her clients include banks, corporations, receivers/managers and liquidators and real estate developers.

Quite apart from the foregoing above, Quan Sean has also been involved in working on a range of corporate transactions, including mergers and acquisitions and joint ventures involving companies from various industries as well as corporate and debt restructurings.

In summary, Quan Sean has experience in the following areas of practice:

- general corporate and planning work (including but not limited to incorporation of companies for foreign clients and legal and regulatory compliance advisory);
- mergers and acquisitions, joint ventures;
- foreign investments and cross border transactions;
- corporate and debt restructuring exercises;
- commercial transactions;
- corporate governance and company law;
- banking & finance;
- real estate.

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Highlights of some of the work managed or advised by Quan Sean.

## Real Estate

- advised UEM Land Berhad on the transactions set out below. UEM Land is a wholly owned subsidiary of UEM Sunrise Berhad which is a public company listed on the Main Market of Bursa Malaysia Securities Berhad. UEM Sunrise is the flagship company for real estate investment and property development businesses of UEM Group Berhad and Khazanah Nasional Berhad, an investment holding arm of the Malaysian Government:
  - i. joint venture between Ascendas Land International Pte Ltd and UEM Land Bhd to develop an integrated eco-friendly tech park in Nusajaya, one of the five flagship zones in Iskandar, Johor, Malaysia. The projected investment value is S\$1.5 billion (RM3.7 billion);
  - ii. joint venture between UEM Land Berhad and Singapore-based FASTrack Autosports (Iskandar) Pte Ltd, to develop a RM3.5 billion, 300-acre “motorsports city” which will feature world-class racing, driving, biking and karting circuits;
  - iii. sale of 12.518 acres of land in Putri Harbour, Johor, Malaysia to Southern Marina Development Sdn Bhd which is a joint venture company of Kuok Brothers Sdn Bhd, Khazanah Nasional Bhd and PPB Group Bhd for approximately RM182 million. The estimated gross development value of the development on the land exceeds RM1 billion;
  - iv. sale of 17.65 hectares of land in Nusajaya, Johor, Malaysia to Liberty Bridge Sdn Bhd for RM400.79 million.

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## Real Estate

- advised and assisted a company listed on the Main Market of Bursa Malaysia Securities Berhad on the collaboration among 9 parties to build a flyover in Malaysia. The estimated cost of the project is approximately RM60 million;
- assisted a company listed on the Main Market of Bursa Malaysia Securities Berhad in reviewing the joint venture agreement and other related agreements with regard to a property development project with an estimated gross development value of RM1 billion;
- advised CapitaLand Investment Limited in its sale of 91.8% of the strata floor area of retails parcels in Queensbay Mall, Penang for the consideration of RM990.50 million;
- advised Chemical Company of Malaysia Berhad, a company listed on the Main Market of Bursa Malaysia Securities Berhad, on the sale of 2 pieces of land in Bukit Tunku, Kuala Lumpur, Malaysia to Permodalan Nasional Berhad for RM74.8 million. Permodalan Nasional Berhad is an agency owned by the Ministry of Finance Incorporated (MOF Inc.) with the mandate to lead the development of Malaysia's franchise industry;
- advised Comintel Sdn Bhd, a subsidiary of Comintel Corporation Berhad, a company listed on the Main Market of Bursa Malaysia Securities Berhad, on the sale and leaseback of Wisma Comcorp, Shah Alam, Malaysia;
- advised liquidators appointed over a company in the business of property investment (which is undergoing a voluntary dissolution) in the distribution and divestment of at least 25 pieces of properties across Malaysia to its shareholders and third parties, the aggregate value of which is approximately RM294 million;

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## Real Estate

- advised on the project rationalisation exercise undertaken by PR1MA;
- advised a client on a lease agreement for land intended to be used for the purpose of placing water pipes connecting a hydroelectric dam to a river. This work also required correlating the lease to the concession that had been granted by the relevant authority to operate the hydroelectric dam and for the sale of hydroelectric power to Tenaga Nasional Berhad;
- advised the subsidiary of a public listed company on a joint venture with a statutory body in respect of a mixed residential/commercial development in Selangor with a gross development value of approximately RM1.5 billion. This transaction involves liaising with existing individual owners on the lands intended for development. Further issues to be tackled include ascertaining the legal owners of the multiple lands and appropriate modes of acquisition;
- advised the investment arm of a State government on a joint venture in respect of a mixed residential/commercial development with a projected gross development value of approximately RM3.7 billion;
- advised a client on a joint venture with a statutory body in respect of the development of 782 acres of land;
- advised a client on the acquisition of factory lands by the subsidiary of a foreign public listed company;
- advised a client on a sale of 20 pieces of land for approximately RM59 million; price of RM90 million;

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## Real Estate

- advised on the sale of a commercial tower to a Real Estate Investment Trust for approximately RM242 million;
- advised on the revival and completion of an abandoned housing project;
- advised on the acquisition of a hotel by the subsidiary of a Singapore public listed company for approximately RM197 million;
- advised a multi-national company in its acquisition of an industrial land at RM133 million;
- advised a land owner in a joint venture with a developer to develop approximately 25 acres of land in Klang Valley;
- advised a multi-national company in respect of an acquisition of properties for the purchase price of RM90 million;
- advised CapitaLand Malaysia Trust in respect of its acquisition of two logistics properties in Penang for RM80 million;
- advised a company in respect of a sale of an industrial land for RM40 million;
- advised a company in its acquisition of a commercial building at RM315 million;
- advised a land owner in a joint venture with a developer to develop a project in Penang with a GDV of RM155 million;

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## Real Estate

- advised a subsidiary of a listed company in a joint venture to develop affordable homes in Klang Valley;
- advised a company in respect of a sale of its building in Klang Valley for RM30 million;
- advised a liquidator of a group of companies in the sale of several industrial lands in several states in Peninsular Malaysia;
- advised a multi-national company in its acquisition of an industrial land in Klang Valley for RM40 million;
- currently advising the subsidiary of a listed company in its acquisition of 310 hectare of lands for the purposes of constructing and operating a solarfarm and modern farming;
- currently advising a liquidator in the sale of a defunct theme park;
- currently advising on the sale of en-bloc apartments / serviced apartments for RM150 million;
- currently advising on the sale of industrial lands belonging to a foreign listed company for RM250 million; and
- currently advising on the sale of a hotel and a mall for RM200 million.

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## Other Corporate Transactions

- advised The Edge Media Group on the transactions set out below. The companies in the Edge Media Group publishes Malaysia's bestselling and award winning business and investment weekly, The Edge Malaysia, The Edge Financial Daily, The Edge Singapore and runs a number of online news-portals including The Edge Markets, The Malaysian Insider and EdgeWiz,
  - i. acquisition of a Malaysian online news-portal. The news-portal is ranked at the second place for online news-portals in Malaysia based on the Malaysia Digital Association and comScore ranking for August 2015 released in October 2015;
  - ii. the acquisition of a radio station in Malaysia;
- advised Norma Pacific Singapore, which is part of the NORMA Group (founded in Germany), a global market and technology leader in Engineered Joining Technology solutions, in its acquisition of 2 Malaysian companies which has manufacturing plant and manufacturing capabilities in Malaysia;
- advised and assisted Halcyon Agri Corporation Limited, a company headquartered in Singapore and listed on the Singapore Exchange in the acquisition of a Malaysian natural rubber producer for RM63 million;
- assisted and advised Monier Malaysia (together with foreign counsels), which is part of the Monier Group - the world's leading provider of building materials for pitched roofs, roofing components, chimney and ventilation systems, in the acquisition of a company in Malaysia involved in the mining of clay, the manufacturing and supplying of clay roof tiles;
- assisted Monier Malaysia in the re-organisation of the companies in the Monier group in Malaysia;

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## Other Corporate Transactions

- advised Malaysia Dairy Industries Pte Ltd on the acquisition of a manufacturing company in Malaysia;
- acted as Malaysian counsel in connection with the listing of Beijing Tong Ren Tang Chinese Medicine Co. Ltd on the Growth Enterprise Market of the Hong Kong Stock Exchange. Beijing Tong Ren Tang Chinese Medicine Co. Ltd has Malaysian operations that are involved in the pharmaceutical industry;
- assisted a foreign company in the acquisition of a healthcare business in Malaysia; and
- advised on the acquisition of 2 manufacturing companies by a public listed company in Malaysia.

# Zack Tan Zhang Wei

Partner  
Construction, Infrastructure & Energy

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Zack focuses on construction law, with a particular emphasis on Infrastructure projects such as railway projects. His area of practice includes both contentious and non-contentious matters, covering pre-contract negotiation, preparation of contracts, project advisory work and dispute resolution, namely litigation, arbitration and statutory adjudication.

He has represented clients in disputes that involved the construction of commuter stations, a blast furnace complex, a shopping gallery, mixed development projects and the like and the supply of chilled water. Aside from that, Zack is also experienced in drafting and reviewing different types of agreements such as construction contracts, logistics service agreements and consultancy services agreements.

In 2018-2019, Zack was involved in drafting and negotiating the contracts converting the then-existing Project Delivery Partner (PDP) models for both the Light Rail Transit 3 (LRT3) and the Klang Valley Mass Rapid Transit 2 (MRT 2) Projects into Turnkey Contractor models.

In addition, he has also been involved in a cross-border railway project where he advised the asset owner and operator of the pending Johor Bahru – Singapore Rapid Transit System on the tender and award of all the packages for the construction of the system works and the system consultancy works.

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Other projects in which Zack has been and/or is still advising on include the Kuala Lumpur Monorail Fleet Expansion project, the Gemas-Johor Bahru electrified double tracking railway project, cashless payment options in public buses and rail services under Rapid Bus Sdn Bhd and Rapid Rail Sdn Bhd, the mid-life refurbishment of essential equipment used in the urban public bus system and the upgradation of the Automatic Train Control of the Kelana Jaya LRT line.

As Zack is fluent in Mandarin, he also advises and represents various clients from China such as developers, contractors, oil and gas companies and tyre manufacturers on both contentious and non-contentious matters.

In the 2023 and 2024 editions of the IFLR1000 Asia Pacific, a publication that is called “the guide to the world’s leading financial and corporate law firms and lawyers”, Zack was recognised as a Rising Star Partner in the area of Project Development: Infrastructure.

Highlights of some of the work managed or advised by Zack.

## **Project Documentation and Advisory Work – Construction, Infrastructure & Energy**

Zack has drafted documentation and/or advised in respect of *inter alia* the following projects and disputes:

- Advised the project owner of Projek Mass Rapid Transit Laluan 3: Laluan Lingkaran in the preparation of project documentation for the project management consultancy (PMC) agreement and civil main contracts for the entire line which is to be included as part of the tender documents;
- Advised the project owner of the Light Rail Transit 3 (LRT3) project in converting the then-existing Project Delivery Partner (PDP) model into turnkey contractor model and have been retained as adviser on legal issues that may occur during the construction period;

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## **Project Documentation and Advisory Work – Construction, Infrastructure & Energy**

Zack has drafted documentation and/or advised in respect of *inter alia* the following projects and disputes:

- Advised the project owner of the Mass Rail Transit 2 project in converting the then-existing Project Delivery Partner (PDP) model into turnkey contractor mode;
- Advised the asset owner and operator of the Johor Bahru-Singapore Rapid Transit System (RTS Link) project on the tender and award of all the packages for the construction of system works and system consultancy works and have been retained as adviser on legal issues that may occur during the construction period;
- Advised the project owner of Kuala Lumpur Monorail Fleet Expansion project in drafting the EPCC (or turnkey contract) for the completion of the works that involve inter-alia the manufacture, completion and commissioning of twelve four-car revenue service vehicles and have been retained as adviser on legal issue that may occur during the construction period;
- Advised a consortium formed by three Chinese companies (mainly state-owned) in drafting the sub-contract for the design, construction, supply, installation, completion, testing, commissioning and maintenance for the Gemas-JB electrified double tracking railway project;
- Advised the project owner on the tender and award of the design, supply, deliver, installation, integration, testing and commissioning of Automatic Train Control (ATC) Signalling for Central Systems and associated works for Kelana Jaya Line where the value of contract is in excess of RM100million;

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## **Project Documentation and Advisory Work – Construction, Infrastructure & Energy**

Zack has drafted documentation and/or advised in respect of *inter alia* the following projects and disputes:

- Advised the project owner on the tender and award of the mid-life refurbishment for approximately four hundred over units of buses;
- Advised the project owner on the request for proposal for sale and lease back, refurbishment works and maintenance services for public bus fleet;
- Advised the project owner on the request for proposal for the manufacture, supply, delivery, testing & commissioning and warranty, provision of technical support and refurbishment works for 4-car train sets of monorail line;
- Advised an international semiconductor manufacturer on the preparation of the contract documentation for the construction of a factory and also the design and build contract for the conversion of a logistic warehouse into a manufacturing facilities with an overall contract value of around RM3.4billion;
- Advised main contractor on projects involve EPCC of liquefied petroleum gas storage facility in Klang, Malaysia and also Hambantato, Sri Lanka;
- Advised main contractor on project that involves EPCC of the plant for the production of Euro 4 fuel in Malaysia;

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Highlights of some of the work managed or advised by Zack.

## **Project Documentation and Advisory Work – Construction, Infrastructure & Energy**

Zack has drafted documentation and/or advised in respect of *inter alia* the following projects and disputes:

- Advised a petroleum company in a project that involves the construction of palm methyl ester plant including the preparation of contract documents;
- Advised a main contractor in a project that involves the EPCC of a gas facility which includes claims for extension of time and cost against the employer and from its sub-contractors;
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- Advised a pharmaceutical company in drafting the EPCC (or turnkey) contract for its stability walk-in chamber;
- Advised one of the Malaysia's leading producers of cold rolled coils in drafting the engineering, procurement, construction and commissioning contract for the construction of acid regeneration plant and upgradation of continuous pickling line;
- Advised a Chinese oil and gas contractor of its project or its bids/tenders for projects within the Southeast Asia;
- Advised the project owner in the preparation of turnkey supply contract and consultancy agreement for the construction of ceramic tile factory;
- Advised the contractor on the maintenance services for the light rail vehicle of the Ampang Line;

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Highlights of some of the work managed or advised by Zack.

## **Project Documentation and Advisory Work – Construction, Infrastructure & Energy**

Zack has drafted documentation and/or advised in respect of *inter alia* the following projects and disputes:

- Advised an international asset servicing banking group on the contracts for interior design, project management and also fit out works for its premises for an overall contract value of RM42million;
- Project involves engineering, procurement, installation and commissioning of point of presence;
- Project involves design and build of industrial facility;
- Tender relating to subsea fiber project; and
- Review and preparation of standard form contracts for railway owner, various developers and contractors including construction contract, engineering contract, consultancy services agreement and logistic service contract.

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Highlights of some of the work managed or advised by Zack.

## **Dispute Resolution – Construction, Infrastructure & Energy**

Zack has represented clients in respect of *inter alia* the following matters:

- Represented a steel manufacturer in an international arbitration under AIAC Arbitration Rules relating to the design, supply, install, construct, test and commissioning of a blast furnace complex, sinter plant and raw material yard for a steel making plant and succeeded in obtaining an award in its favour for a sum of USD9.7million;
- Represented a Chinese developer in defending an adjudication proceeding brought by its main contractor for a sum of RM88million which comprises of payment for work done, loss and expense claim and also loss of profit for a residential project;
- Represented a Chinese communication network products provider in an international arbitration relating to the laying of subsea cable under ICC Arbitration Rules for the estimated claim value of USD5million and the seat of arbitration is Singapore and advising on counterclaim in the estimated sum of USD11million;
- Represented a Chinese oil and gas company in recovering the outstanding payment for work done and loss and expense claim amounting to around USD17million for the installation of piping and steel structure and painting works for the cold area of the RAPID steam cracker complex;
- Arbitration relating to defects discovered in a mobile offshore production unit (MOPU) for use in offshore oil and gas extraction and production where the value of claim is in the regime of RM380million;

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Highlights of some of the work managed or advised by Zack.

## **Dispute Resolution – Construction, Infrastructure & Energy**

Zack has represented clients in respect of *inter alia* the following matters:

- Arbitration relating to mixed development project comprising condominium, offices and retail outlets where the value of claim and the counterclaim is in the regime of RM80million;
- Represented a Chinese developer and successfully defended a claim brought by the sub-contractor for direct payment pursuant to Section 30 of CIPAA 2012 for a sum of RM2.5million in both High Court and Court of Appeal;
- International arbitration involves dispute relating to final account under SIAC Arbitration Rules;
- Arbitration relating to the construction of a commuter station;
- Arbitration relating to the construction of a shopping gallery;
- Litigation relating to prolongation claims made by sub-contractor for liquefied petroleum gas terminal project;
- Litigation relating to defective piping materials supplied to an oil and gas project;
- Litigation relating to a sea water fountain at a seaside resort;

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## **Dispute Resolution – Construction, Infrastructure & Energy**

Zack has represented clients in respect of *inter alia* the following matters:

- Litigation relating to vehicular box culvert and drainage works;
- Litigation in relation to action brought by management corporation of a luxury condo against the developer for defects in common area;
- Proceedings relating to injunction to restrain demand on performance bond;
- Proceedings relating to enforcement, setting-aside or stay of adjudication decisions; and
- Other adjudications and court litigation relating to various construction, infrastructure and residential projects and developments.

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Highlights of some of the work managed or advised by Zack.

## Others

Zack also represented or advised clients on *inter alia* the following matters:

- International arbitration relating to a debt recovery action that involves scam email based on Singaporean law under ICC Arbitration Rules;
- Arbitration relating to the supply of chilled water;
- Litigation in relation to claims for defective or poor quality tiles by a group of purchasers;
- Litigation in relation to nuisance caused by closure of road for construction of railway line;
- Litigation in relation to a patent infringement action for oil and gas offshore production unit;
- Litigation in relation to trade mark infringement action;
- Litigation in relation to judicial review proceedings for the land acquisition proceedings;
- Litigation in relation to claim for loss of cargoes; and
- Litigation in relation to share manipulation, an offence under Securities Industry Act 1983.

# Cheong Chun Yong

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Chun Yong is one of the two partners in the Firm who specialise in Competition law, a relatively new area of law in Malaysia as the Competition Act 2010 only came into force in 2012.

In the dynamic field of Competition law, Chun Yong has played a pivotal role in advising clients on various complex matters. Some notable aspects of his work include:

- providing counsel on the legality of collaborations between competitors in the telco industry;
- successfully defending four insurance companies before the Malaysia Competition Commission where our clients had been alleged to have engaged in cartel behaviour;
- advising a key player in the automotive industry on potential collaborations and joint production with a competitor;
- guiding an association with members in the financial services industry, from a competition law perspective, on potential collaborative efforts focusing on ESG (Environment, Social and Governance).

He has been praised for delivering pragmatic legal solutions to clients.

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Chun Yong has also conducted multiple competition law audits and due diligence on clients' practices, agreements and policies and delivered competition law training in both English and Mandarin.

In addition to Competition law, Chun Yong is experienced in commercial law, adeptly handling a range of business legal documents, whether straightforward or complex, including but not limited to:

- Distributorship Agreements
- Consultancy Agreements
- Software Maintenance Agreements
- Contract Manufacturing Agreements
- Collaboration Agreements
- Licensing Agreements
- Technical Assistance Agreements
- Shareholders' Agreements
- Joint Venture Agreements
- Sale and Purchase Agreements.

In the 2023 and 2024 editions of Legal 500 Asia Pacific, Chun Yong was recognised as a Rising Star in the area of Antitrust and Competition.

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Chun Yong has assisted in the following matters:

**Competition law**, including the following:

- advised Digi.com Berhad on competition law matters and submissions to Malaysian Communications and Multimedia Commission in the proposed merger between Telenor and Axiata;
- assisted a leading airline in the filing of an individual exemption application to the Malaysian Aviation Commission;
- advised a leading mobile telecommunications company in Malaysia on whether it could lawfully collaborate with its competitors to share the use of telecommunication towers while exchanging sensitive information for the purpose of the collaboration;
- defended four insurance companies (MSIG, Etiqa, QBE and Pacific Insurance) before the Malaysian Competition Appeal Tribunal against a decision of the Malaysian Competition Commission regarding their cartel behaviour;
- advised a Malaysia listed company in the automotive industry in relation to a potential collaboration with a competitor in obtaining supplies for parts as well as producing a joint product;
- advised an association with members involved in the financial services industry on a potential collaborative effort in ESG from a competition law perspective;
- assisted an association with members involved in the financial services industry to provide a response to Bank Negara Malaysia (BNM) in relation to a competition law query raised by BNM;

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Chun Yong has assisted in the following matters:

## **Competition law**, including the following:

- advised a Malaysia listed company in the F&B industry on its distribution structure and incentive structure to be in compliance with competition laws;
- conducted competition law compliance programme for various clients (including clients involved in the automotive industry, pharmaceutical industry and mobile phone products industry); and
- drafted and vetted competition law policies and dawn raid policies for various clients and provided competition law awareness training to clients in English and Mandarin.

## **Corporate & Commercial**, inclusive of:

- acted as counsel to Pos Logistics Berhad, a wholly-owned subsidiary of Pos Aviation Sdn Bhd, which in turn is a wholly-owned subsidiary of Pos Malaysia Berhad, in the disposal of its wholly owned subsidiary, PNSL Berhad to SWA Shipping Sdn Bhd for an aggregate amount of RM123.21 million comprising RM55.61 million for the purchase of the entire equity interest in PNSL and RM67.60 million for settling outstanding debts and advances that PNSL owes within its group of companies;
- acted as lead counsel to Datapos (M) Sdn Bhd, a wholly-owned subsidiary of Pos Malaysia Berhad, in the sale by Datapos (M) Sdn Bhd of its records management and storage service contracts and agreements to Efficient Storage Solutions Sdn Bhd, a wholly owned subsidiary of Efficient E-Solutions Berhad for RM1.9 million;

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Chun Yong has assisted in the following matters:

## **Corporate & Commercial**, inclusive of:

- drafting and vetting licensing agreements, copyright agreements, royalty agreements and technical assistance agreements for clients from various sectors/industries (including clients involved in the education industry, automotive industry, pharmaceutical industry, sporting goods industry and aluminium home products industry);
- providing specific advice on transfer of copyright in a sale of business transaction;
- advised a major Chinese technology company on a proposed joint venture with a Malaysian offshore investment bank to operate a digital bank to serve institutional and corporate customers globally;
- assisted in a proposed listing exercise in the ACE market by a large company dealing in precious metal;
- led and assisted in due diligences on various sectors/industries, including companies involved in logistics, talent agencies, die-casting, electronics, environmental consultancy and micro financing;
- advised on the sale of business involving a leading company in the leather goods industry, including drafting of the transaction documents and assisted on the completion matters;
- providing specific advice on anti-money laundering and counter-terrorism financing laws and regulations for various sectors/industry players including a French Luxury Group of its operations in Malaysia;

# Cheong Chun Yong

Partner  
Corporate & Commercial

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Chun Yong has assisted in the following matters:

## **Corporate & Commercial**, inclusive of:

- drafted various commercial agreements for amongst others, an international organisation which is based in Malaysia, a large sporting goods group, one of the Fortune Global 500 companies;
- drafting and advising on sale and purchase agreements, term sheets, shareholders' agreements, powers of attorney and undertakings;
- drafting and vetting commercial agreements such as non-disclosure agreements, distribution agreements, agency agreements, accession agreements, grant agreements, consultancy services agreements, waste management agreements, terms and conditions, tenancy agreements, lease agreements, licence agreements and service agreements;
- advice on corporate structuring including shareholding arrangements, transactional documents;
- advice on licensing and other requirements imposed by local authorities in respect of various industries (including regulatory compliance under the Companies Act 2016); and
- specific advice on anti-money laundering and counter-terrorism financing ("AML-CFT") laws and regulations for various sectors/industry players.

# Teoh Chye Yi

Partner  
Dispute Resolution

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Since commencing practice in 2014, Chye Yi has primarily been a litigator, and has appeared as counsel at every level of the Malaysian judicial system. With her principal clients being financial institutions and insolvency specialists, her main areas of practice are in commercial litigation in respect of matters such as banking, receivership and insolvency.

Over the course of the years, she has handled matters relating to the administration of companies in receivership or liquidation, defended the receiver and manager of a company in a civil suit for negligence and successfully opposed a petition against a company in receivership on the ground of, amongst others, public interest.

Chye Yi is experienced in representing creditors not just in civil suits arising from defaults in payments, but also creditors of financially distressed companies which have applied to Court under the Companies Act 2016 for a compromise or arrangement and/or for judicial management.

Other areas of dispute resolution with which Chye Yi is familiar include cases pertaining to companies, such as disputes between shareholders and the like, as well as contentions over land. She has a special interest in land controversies, having acted in several cases with complex issues of fact and law.

# Teoh Chye Yi

Partner  
Dispute Resolution

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Aside from advising and serving her clients, Chye Yi serves as a member of the Kuala Lumpur Bar Civil Practice and Court Liaison Committee. She was also part of the team who contributed to the chapter on receivership in the book “Restructuring and Insolvency: A commentary”, which provides instructive section-by-section commentaries on the provisions of the Companies Act 2016 which relate to the restructuring and insolvency of companies.

Chye Yi is fluent in written and spoken Mandarin.

Highlights of some of the reported cases managed or advised by Chye Yi.

- Hong Leong Islamic Bank Berhad v JKT Petroleum Sdn Bhd [2018] MLJU 733
- Ng Kim Fong v Menang Corporation (M) Berhad [2020] 1 MLJU 644 / [2020] 1 LNS 1263
- United Overseas Bank Ltd v United Securities Sdn Bhd (in liquidation) & Ors [2021] 6 MLJ 897 / [2021] 9 CLJ 593
- United Overseas Bank (Malaysia) Bhd v Mentakab Starmall Sdn Bhd (Dalam Penerimaan) Dan Lain-Lain [2022] MLJU 1742 / [2022] 1 LNS 1745
- Country Earth Sdn Bhd v Pesaka Technologies Sdn Bhd [2022] MLJU 2632 / [2022] 1 LNS 2498
- Maysie Long & Anor v Rahimah bt Mohd Noor & Ors [2023] 6 MLJ 723 / [2023] 1 LNS 1917
- Probis Financial Services Pty Limited v City Credit Investment Bank Limited [2024] CLJU 1759

# Jed Tan Yeong Tat

Partner  
Technology, Multimedia & Communications

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Jed Tan (Tan Yeong Tat) specialises in the areas of Telecommunications, Multimedia & Technology and Data Protection. He advises a wide array of clientele on a broad spectrum of Information & Communications Technology (ICT) projects and is actively involved in structuring, drafting and negotiating complex ICT contracts (including contracts drafted in Chinese).

In 2021, Jed played a key role in assisting a major telecommunications equipment and services provider in the provision of a turnkey broadband cellular system, advising the client in the agreement for the manufacture, supply, delivery, integration, installation, testing, commissioning, management, operation and maintenance of the same.

Jed was also involved in a cross-border railway link project where he advised on the procurement of a management and operation IT system (that provides software solutions and related managed services) for the Johor Bahru – Singapore Rapid Transit System.

Data Protection law is another area in respect of which Jed is regularly engaging with clients. He is particularly experienced in guiding and advising clients on their data protection risk assessment and compliance exercises relating to the Personal Data Protection Act 2010.

# Jed Tan Yeong Tat

Partner  
Technology, Multimedia & Communications

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Other notable projects in which Jed has played a significant role include:

- an ICT Transformation Project where he acted for a multinational joint venture in respect of its highly complex ICT assets/systems procurement and transfer exercise;
- a Turnkey International Submarine Fibre Optic Cable System Project where he advised the main contractor on its work in respect of the turnkey development of an internet cable system for an international internet gateway.

Jed has contributed to, among others, the Malaysian chapter to “Lexology: Getting the Deal Through – Digital Business 2022”.

Clients have been impressed with Jed. In the 2023-2024 edition of asialaw, clients provided feedback as follows:

“Jed is an extremely capable attorney and is an excellent communicator. He is able to understand both legal and commercial issues and provide clear advice to non-legal personnel.”

“He has consistently provided excellent legal support, and I appreciate his patient [sic] and attention to detail and responsiveness to my needs.”  
Further, in the 2024 edition of The Legal 500 Asia Pacific, a client had this to say:

“Jed Tan Yeong Tat is very engaging and detail-oriented. His ability to understand the risks towards the business and balance them with legal mitigations is excellent, making him an effective adviser.”

# Jed Tan Yeong Tat

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Details of some other projects Jed Tan Yeong Tat has been involved in include:

- a Turnkey International Submarine Fibre Optic Cable System Project where he advised the main contractor on its works in respect of the turnkey development and supply of an internet cable system for an international internet gateway involving multiple jurisdictions (including Malaysia);
- a Retail Management and Payment System Project, advising the client on multiple transactions involving the turnkey supply and delivery of a retail management and payment system with multiple customers (pharmacies, hypermarkets etc), including the supply of customised applications and payment terminals;
- an ICT Services Procurement Project where he represented a cross-border joint venture (formed from the strategic alliance of two of the world's largest national oil companies) in relation to a complex ICT services procurement project involving the procurement of a wide range of solutions, applications, assets and related services in relation to the business of the joint venture, including the procurement of payment, verification, security and operational systems;
- advising a foreign solution service provider on a Merchant Acquisition and Digitalisation Project involving the supply, delivery, testing, commissioning, licensing and maintenance of a customised solution;
- a Total Hospital and Clinical Information and Management System Project where he acted for an international hospital conglomerate in the turnkey procurement and implementation of a nation-wide critical hospital solution;
- a Parking System Project, where he advised a parking operator in respect of the supply and transfer of a parking system involving the supply, delivery, testing, commissioning, implementation and support of the same;

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Details of some other projects Jed Tan Yeong Tat has been involved in include:

- advising a client on the applicability of licences and related matters involving a cross-border submarine cable landing station and the provisioning of bandwidth services involving two strategic alliance partners;
- advising a property developer group in relation to its Data Centre Park Project in Malaysia, including: (a) advising on matters pertaining to licences under, and compliance with, the communications and multimedia laws in Malaysia in setting up the communications infrastructure for the data centre park; (b) drafting and negotiating agreements with land owners in relation to the construction of the communications infrastructure for the data centre park; and (c) drafting and negotiating access agreements with telecommunication providers in relation to the data centre park;
- providing the relevant regulator in Malaysia independent view on matters relating to the licensing framework under the Communications and Multimedia Act 1998 and violation thereunder (including the applicability of licences, drafting of relevant documentation etc);
- assisting a global telecommunications service provider in applying for licences under the Communications and Multimedia Act 1998, the application of which was successful;
- a Master Data Centre and Disaster Recovery Services Project where he acted for a multinational conglomerate in relation to its procurement of a colocation data centre and related services from a solution provider, including the provisioning of data centre infrastructure and facilities, managed services, disaster recovery services and operational services in relation to the data centre;

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Details of some other projects Jed Tan Yeong Tat has been involved in include:

- an ICT Transformation Project where he acted for a multinational joint venture in respect of its highly complex ICT assets/systems procurement and transfer exercise involving the procurement, transfer and novation of ICT services and assets, including the procurement of services in relation to a shared data centre;
- assisting and advising a multinational conglomerate in respect of its desktop outsourcing and procurement of network support and disaster recovery related services, including the drafting of the relevant master services agreements;
- advising one of the pioneer mobile operators in its corporate restructuring exercise involving the procurement and transfer of telecommunications infrastructure/services and conducting specific due diligence on related matters;
- advising a number portability clearinghouse on its agreements with telecommunication companies in Malaysia and with the Malaysian Communications and Multimedia Commission;
- advising several companies (loyalty programme platform owner, marketplace owners and foreign owned brewery company included) on matters relating to their respective e-commerce platforms/applications, including drafting the relevant end-user licence agreements, agreements with third party vendors and relevant privacy policies;
- advising an entertainment conglomerate on the procurement of services for a theme park;
- advised a leading financial institution and negotiated legal documentation for the procurement of cloud services (SaaS and PaaS);

# Jed Tan Yeong Tat

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Details of some other projects Jed Tan Yeong Tat has been involved in include:

- advising a multinational conglomerate on the development of a security system (from software design, to development, installation, implementation and maintenance of such security system);
- advising foreign telecommunication clients on the provisioning and reselling of telecommunication services in Malaysia (including cellular services, VoIP and SIP Trunking);
- assisting and advising a banking group in relation to its procurement, implementation and integration of various software solutions, including the drafting of solution subscription agreement and end-to-end development, customisation, integration, testing, licensing and maintenance agreement with multiple vendors;
- assisting and advising a reputable financial institution in relation to its outsourcing arrangement, including the drafting of the outsourcing templates (both IT and non-IT);
- advising an overseas mobile games provider on applicable Malaysian laws in respect of a game show covering e-sports/video game streaming activities;
- assisting and advising an insurance company in relation to its procurement of connector system, including the drafting and negotiating of the relevant turnkey IT services agreement;
- advising local and global advertisers on the contents of television commercials;

# Jed Tan Yeong Tat

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Details of some other projects Jed Tan Yeong Tat has been involved in include:

- advising multiple clients on their respective data protection risk assessment and compliance exercises, including conducting interviews and audits relating to the clients' personal data practices, identifying gaps, providing practical recommendations for compliance, preparing and drafting personal data protection manuals/policies and conducting personal data protection trainings;
- advising a service provider on its supply, installation, testing and commissioning of a national utility metering system;
- advising an online gaming marketplace with regard to compliance with laws and reviewing its end user terms and conditions, affiliate program agreement and policies;
- advising a foreign online video entertainment group in respect of the applicable laws in Malaysia pertaining to its subscription-based streaming services (live videos included); and
- advising a leading Chinese game publisher on game publishing in Malaysia and other matters related thereto.

# Tham Li Vyen

Partner  
Dispute Resolution, Employment & Industrial  
Relations

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After her graduation but before commencing legal practice, Li Vyen joined the Malaysian Attorney-General's Chambers and served as a Deputy Public Prosecutor and a Federal Counsel. After her call to the Malaysian Bar, she practised a number of years in the firm's medico-legal practice group. Her present core practice area is in employment and industrial relations. In the course of her work, she has advised various clients on the management and handling of employment and industrial relations issues such as business rationalisation and cost-cutting measures as well as retrenchment exercises (particularly resulting from the global pandemic). Other areas in her portfolio include mutual separation and domestic inquiries arising from misconduct and/or poor performance. In this regard, she has structured performance review plans and prepared templates for retrenchment exercises and mutual separation agreements.

She also advises on occupational health and safety concerns. Her clientele extends from large multi-national corporations to small and medium enterprises.

Li Vyen has substantial experience as a litigator in representing employer clients in claims brought against them in the Industrial Court for unfair dismissal and constructive dismissal. Her performance has been recognised: notably, she has been listed as a "Leading Individual" in the 2024 edition of The Legal 500 Asia Pacific, after having been named as a "Next Generation Partner" in the 2022 and 2023 editions.

# Tham Li Vyen

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In addition, the legal publication Benchmark Litigation named her as a “Future Star” in its 2019 –2024 editions. She was also named as a “Rising Star” by asialaw in its 2023 – 2024 editions.

A client has been reported as describing her as “highly competent and my trusted employment lawyer when I have contentious employment matters in Malaysia. She’s quick to respond and offers practical advice that’s easy to understand and implement for corporates”.

Highlights of some of the work managed or advised by Li Vyen.

## **Workforce Restructuring/ Workforce Reduction**

- Advice on the reduction in force exercises and closure of businesses which involve the implementation of voluntary separation schemes, retrenchment exercises and redeployment of employees. Some of these include instances involving business and operations which are impacted by the COVID-19 pandemic;
- Advice on employment related obligations regarding employee transfer and the drafting of relevant documentation; and
- Advice on employment related obligations arising from the transfer of undertakings and the drafting of relevant documentation.

## **Contracts, Handbooks & Policies, Employment benefits**

- Drafting and review of employment contracts, employee handbooks, policies, collective agreements and training bonds; and
- Advice on the review of employee compensation and benefits packages. Some of these involve advice on restructuring of these packages arising from business and operational changes which are brought about by the COVID-19 pandemic and harmonisation of benefits arising from mergers.

# Tham Li Vyen

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Highlights of some of the work managed or advised by Li Vyen.

## **Compliance**

- Advice on related employment/ labour law obligations related to setting up of business and operations in Malaysia;
- Advice on occupational health and safety obligations to ensure compliance with local employment and labour law requirements;
- Drafting and review of occupational health and safety policies; and
- Drafting and review of sexual harassment notices and policies.

## **Disciplinary, Termination & Human Resource Issues**

- Advice on negotiations and preparation of mutual separation agreements; often involving employees in senior management;
- Advice on a variety of employment and human resource related issues e.g. the management and handling of employee misconducts and poor performance;
- Advice on internal investigations involving fraud, conflict of interest, sexual harassment and breach of confidentiality as well as non-solicitation and non-compete obligations (during and post-employment). Preparation of related documentation such as show cause letters, replies to show cause letters, warning letters and letters of termination of employment, etc.;
- Advice on the conduct and preparation for domestic inquiries in relation to employee misconducts. Preparation of related documentation such as domestic inquiry notices and charges and relevant correspondence with employees;

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Highlights of some of the work managed or advised by Li Vyen.

## **Disciplinary, Termination & Human Resource Issues**

- Panel member of panel of inquiry on workplace/ work environment related issues and preparation of report on recommendations for improvement; and
- Investigations into complaints on workplace grievances and preparation on report on recommendations for improvement.

## **Industrial Relations/ Trade Union**

- Review and advice on obligations arising from collective agreements. Some of these relate to employee benefit and remuneration obligations and reduction in force exercises.

## **Litigation (Selected cases)**

- Tajul Ahmad Idris Bin Nor Yusof v Rahman Hydraulic Tin Sdn Bhd [2024] ILRU 0597  
(Industrial Court Case No.: 10/4-1018/23)
- Mohd Hanafiah bin Ramli v Perbadanan Perwira Harta Malaysia  
(Kuala Lumpur High Court Judicial Review No.: WA-25-555-12/2019)
- Sharifah Nurzehan bt Syed Hazani v Petrofac (Malaysia – PM304) Ltd [2019] 2 LNS 1631  
(Kuala Lumpur High Court Judicial Review No.: WA-25-476-10/2019)
- Theodoros Gkitzos v Finance Accreditation Agency Bhd [2019] 2 LNS 2827

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Highlights of some of the work managed or advised by Li Vyen.

## **Litigation (Selected cases)**

- KD Northern Resources Sdn Bhd v Volvo Car Manufacturing Malaysia Sdn Bhd  
(Kuala Lumpur High Court Suit No. 22NCVC-548-10/2015)  
(Court of Appeal Appeal No.: W-02(NCVC)(W)-1655-08/2018)  
(Federal Court Civil Application No.: 08(f)-484-12/2019(W))
- ABF Terinai Sdn Bhd v Baker Hughes (M) Sdn Bhd  
(Court of Appeal Civil Appeal No. W-02(NCVC)(W)-1503-08/2016)
- John Brian Chesson v Baker Hughes (M) Sdn Bhd & Anor  
(Kuala Lumpur High Court Judicial Review No.: WA-25-96-04/2018)
- Niall Atholl Murray v Baker Hughes (M) Sdn Bhd & Anor  
(Kuala Lumpur High Court Judicial Review No.: WA-25-204-08/2018)
- Brian Meadows v Petrofac Energy Services Sdn Bhd [2019] 2 LNS 2222
- Siti Fatimah bt Amir v Petrofac (Malaysia-PM304) Ltd [2019] 2 LNS 2031
- Chew Yoke Hui v Foodteller Sdn Bhd  
(Kuala Lumpur High Court Judicial Review No.: WA-25-73-02/2019)

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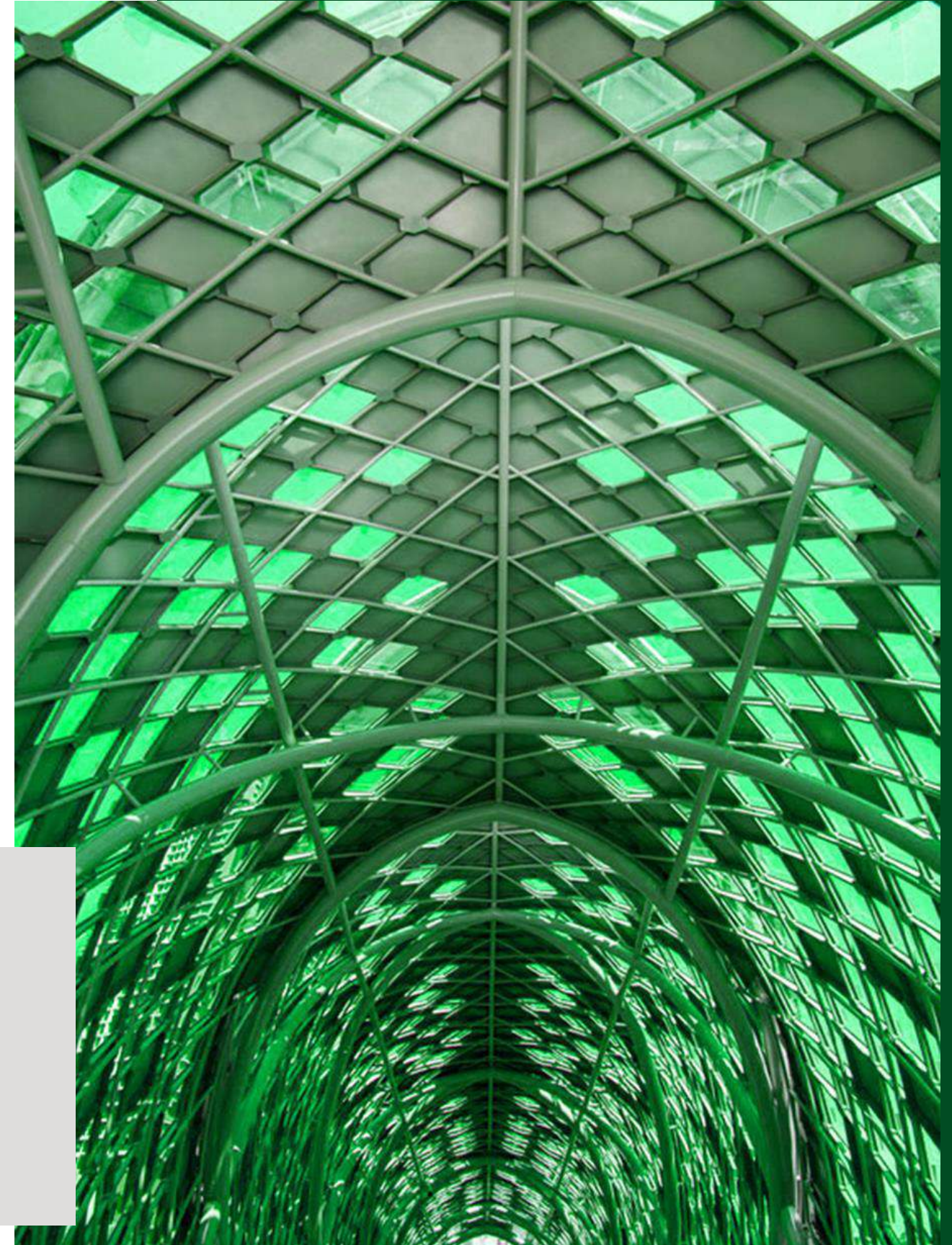
Highlights of some of the work managed or advised by Li Vyen.

## **Litigation (Selected cases)**

- Wong Meng Tatt v DSG Malaysia Sdn Bhd [2019] 2 LNS 0907
- Lai Kin Shin & Goh Poh Lee v Dominant Opto Technologies Sdn Bhd [2016] 2 LNS 0058

# Key Industries and Practice Areas

- Arbitration and Alternative Dispute Resolution
- Aviation
- Banking & Finance
- Capital Markets
- China Desk
- Commercial Law
- Company Secretarial Support
- Competition Law
- Construction
- Dispute Resolution
- E-Commerce
- Employment & Industrial Relations
- Energy
- Environmental, Social and Governance (ESG)
- Financial Technology
- Foreign Investment
- Healthcare & Medical Law
- Industrial Incidents & Health, Safety and Environment (HSE)
- Infrastructure
- Intellectual Property
- Insolvency and Restructuring
- Insurance
- Islamic Finance
- Japan Desk
- Media Law & Reputation Management
- Mergers & Acquisitions
- Money Services Business
- Personal Data Protection & Privacy
- Real Estate
- Regulatory Compliance
- Tax & Revenue
- Technology, Multimedia & Telecommunications
- Unit Trust & Investment Funds
- Wills, Probate & Administration





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