

**CHAN &
ASSOCIATES**
Advocates & Solicitors

KUALA LUMPUR

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Jalan Tun Sambanthan,
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OFFICE HOURS

8:30 a.m. to 5:30 p.m. Monday to Friday

Our History & Practice

The firm began in Ipoh on 1st April 1986 and has since grown and founded its second office in Kuala Lumpur on March 1993.

Being a multi-disciplinary law firm, we possess a wide range of advocacy and advisory expertise in a number of areas of law and are committed to professional excellence in the provision of legal services to our clients.

As a reflection of our clients' confidence in us, we are on the Panel of Solicitors of a number of financial institutions, public and private corporations, securities firms, clubs and associations.

An overview of our areas of practice include the following:

CONVEYANCING

Banking Documentation
Licensing / Distributorship / Agency Agreements
Agreements for Sale & Purchase of Businesses, Properties, Shares in Companies, Intellectual Properties
Tenancy Agreements

LITIGATION

Arbitration, Building Contract & Construction Law
Bankruptcy
Company Law
Constitutional Law
Debt Recovery
Employment / Industrial Relations Law
Judicial Review
Matrimonial Proceedings / Family Law
Other Civil / Commercial Litigation

CORPORATE

Banking Law & Banking Industry Regulation/Mergers
Corporate Restructuring
Joint Venture Agreements
Land Law
Securities Industry Regulation

OTHERS

Company & Commercial Law
Intellectual Property (Patents, Trade Marks, Industrial Designs)
Probate & Administration

(The above does not provide the complete list of areas within our practice and experience. For areas not covered above, please enquire from us).

Our Team

PARTNERS

CHAN KOK KEONG

LL.B (Keele)

LL.M. (London)

Barrister-at-Law (Middle Temple & Lincoln's Inn)

Admitted Michaelmas 1982 (England)

Admitted 22 September 1984 (Malaysia)

LEE YEN LYN

LL.B. (Queen's)

Certificate of Legal Practice (Malaysia)

Admitted 8 January 1994 (Malaysia)

YAU WAI LEONG

LL.B. (Leeds)

Barrister-at-Law (Lincoln's Inn)

Admitted 25 July 1996 (England)

Admitted 14 June 1997 (Malaysia)

TEOH ENG KEAT

LL.B. (Leeds)

Certificate of Legal Practice (Malaysia)

Admitted 15 November 1997 (Malaysia)

NORAZALI BIN NORDIN

BA in Law. (Nottingham)

Barrister-at-Law (Lincoln's Inn)

Admitted November 1997 (England)

Admitted 31 October 1998 (Malaysia)

RAJA BADARIAH BT RAJA DAUD

LL.B (Hons), International Islamic University

DSLP, International Islamic University

Admitted 27 June 1998 (Malaysia)

ASSOCIATES

JAMES HUNTZEN ONG

LL.B (Hons) (Wales)

LL.M. (King's College, London)

Barrister-at-Law (Middle Temple)

Admitted July 2003 (English Bar)

Admitted July 2008 (Sol.England & Wales)

Admitted December 2009 (Malaysia)

ENGKU KAMANURRULL ZAHARA BT ENGKU KAMARUDIN

LL.B. (Malaya)

Admitted 3 December 2010 (Malaysia)

SITI HAWA BT HASSAN

LL.B (Hons), International Islamic University

Admitted 30 March 2012 (Malaysia)

MAH MUN YAN

LL.B (Malaya)

Admitted 25 June 2012 (Malaysia)

NUR SYAFIKAH BT CHE HASSAN

LL.B (Malaya)

Admitted 16 July 2014 (Malaysia)

OTHERS

A combined (Ipoh & Kuala Lumpur) total of around 30 team members, covering management, accounting, administrative, clerical and other functions, and including the abovementioned Partners and Legal Assistants, complete a team that is dedicated to professional, effective and friendly client care.

CONVEYANCING & CORPORATE PRACTICE

Conveyancing

Our offices are equipped with **computer network systems** to enable prompt and accurate production of documents.

We have been made lead solicitors in numerous development projects in Perak and the Klang Valley and have over the past 15 years achieved good working rapport with **developer clients** and **bankers**. We are both adept in preparation of documents for **project work** and for **sub-sales**. The notable projects and developers where we figured in the drafting, advising and attending to the **sale & purchase** and **financing agreements** are as follows:

Perak

Bandar Baru Tambun 1000 units of mixed development by Total Investment S/B

Desa Pengkalen Indah 200 residential units development by Mebea Mercantile S/B

Sunway City, Ipoh A Joint-venture township development between Sunway Group and PKNP

Taman Bersatu, Pulau 250 residential units by Summit Development (subsidiary of Hexza Berhad)

Taman Ipoh Jaya 100 units of mixed development by Anastoria S/B (subsidiary of South Malaya Industries Bhd)

Taman Ipoh Perdana 100 units of residential units development by Wan Holdings S/B

Taman Kledang Emas 700 residential units development by Antap Enterprises S/B

Taman Pusing Baru 100 units of mixed development by Pusing Jaya S/B

Pocket developments of Medan Pasir Puteh, Taman Changkat Jering Taman Tronoh by Chuan Wah & Lee Development S/B

Klang Valley

Taman Impian Ehsan, Balakong, Selangor.

-A 600 unit project of medium cost apartments by Bina Satu Leasing S/ B

Taman Tempua Bestari, Kalumpang, Ulu Selangor.

-A 400 unit project of a 'Pembesaran Kampung' near Tanjong Malim, by Rampai Asia Development S/ B

Taman Serendah Makmur

-A 700 units mixed development in Rawang by Bina Satu Leasing Sdn Bhd

Taman Aman Putri

-A 162 residential units development in Sungei Buloh by PPC Glomac Sdn Bhd

Besides **commercial bank loans**, we gained much exposure to the numerous documentation, departments, procedures and timetable involved in **Government Loans** given through the Ministry of Defence, Ministry of Finance and Lembaga Tabung Angkatan Tentera (LTAT).

Corporate

We have provided advisory, drafting and negotiation services to our corporate clients on acquisitions from Pengurusan Danaharta Bhd, Joint-ventures with State Authorities, shareholders' agreements, **mergers & acquisitions, due diligence, capital-reduction** and **restructuring exercises**, as follows:

-Purchase, JV and development negotiations of a multi-storey commercial property from Danaharta of over 10 million;

-Restructuring exercise of a PLC involving sale of stakes to foreign purchasers, transactions within related companies, management and lease agreements totaling over 40 million;

-Purchase & JV of an established chain of small luxurious hotels;

-Advise, negotiation & drafting of a redevelopment of hill station with a State Authority;

-Advise and application for Capital Reduction of limited companies.

-Drafting of Reporting/Disclosure Requirements for a member company of the London Stock Exchange

-Drafting and advising IT procurement of a Malaysian financial Statutory Body

-Advising & Drafting of joint ventures relating to real estate investments, hydro power projects and start-up technology venture in Taiwan, Vietnam and Laos

-Advising on and negotiating the sale of a retail business in Malaysia on behalf of foreign shareholders

Our track record gives sufficient confidence to various financial institutions to instruct us for Corporate and Bridging loans in excess of 20 million.

LITIGATION PRACTICE

All our partners have wide exposure to various fields of **complex litigation work**. With an experienced work force and a computer network system, we are also equipped to handle **bulk litigation** matters. The firm is notably strong in the fields of:

- Appellate Court advocacy
- Company and Securities Industry
- Judicial Review
- Financial Institutional Debt Recovery

Some of Our Institutional Clients

Financial Institutions

AIA Bhd
CIMB Bank Bhd
Hong Leong Bank Berhad
OCBC Bank Berhad
RHB Bank Berhad
United Overseas Bank (Malaysia) Bhd

Corporate Clients

Amalgamated Industrial Steel Berhad
Aseana Properties Ltd.
Bonanza Venture Holdings Berhad
Bursa Malaysia Bhd
Choo Bee Metals Berhad
DKLS Industries (M) Berhad
Genting Sanyen Power Sdn Bhd.
GS Paper & Packaging Sdn Bhd.
Hexza Corporation Berhad
Ireka Land Sdn Bhd
Malaysian Smelting Corporation (M) Berhad
Mega First Corporation Berhad.
Rock Chemical Industries (M) Berhad
Symphony House Bhd.
Scomi Engineering Bhd.
The Straits Trading Co. Ltd.
ThyssenKrupp Elevator (M) Sdn Bhd
YNH Berhad

Professional Indemnity Insurance

We have a total aggregate cover of RM5.00 million.

Reported Cases

CASES REPORTED

MATTER

Singapore Finance Ltd v Lim Kah Ngam (Singapore) Pte Ltd [1984] 2 MLJ 202 HC	Tort, Evidence
Public Finance Bhd v Soo Hock Siong [1988] 3 MLJ 352 HC	Charge Action
Pakianathan s/o Samuel v Jenni Ibrahim [1988] 2 MLJ 173 SC	Libel & Slander
Roxy (M) Bhd v Alexander Lee & Others [1989] 3 MLJ 231 HC	Take-Overs & Mergers
Liew Yin Yin Construction Sdn Bhd v Talam Corp Bhd [1989] 1MSCLC 90 257 HC	Companies Winding Up
Liew Yin Yin Construction Sdn Bhd v Yata Enterprise Sdn Bhd [1989] 3 MLJ 249 / [1990]1MSCLC 90 419 HC	Companies Winding Up
Chin Swee Onn v Puchong Realty Sdn Bhd [1990] 1MLJ 108 SC	Bankruptcy
Lai Kwee Lan & Another v Ng Yew Lay & Another [1990] 1 MLJ 211 HC	Law of Contract, Equity
Hwang Chin Hor & Others v Song Seng Sdn Bhd & Others [1990] 1MSCLC 90 375 HC; [1990] 2 MLJ 105	Minority Shareholder Action
Kwong Fook Seng v Yee Hoong Loong Corporation Sdn Bhd [1990] 2 CLJ 635 HC	Mareva Injunction
James Capel (Far East) Ltd v Y.K. Fung Securities Sdn Bhd [1991] 1 CLJ 770 HC	Civil Procedure
Foo Ban Nyen v Foo Nyet Kai & Sons [1991] 1MSCLC 90 744 HC	Directors' Fiduciary Duties
Marble Terrazzo Industries Sdn Bhd v Anggaran Enterprise Sdn Bhd & Others [1991] 1 MLJ 253 HC	Assignment of Permit
Ong Ah Kooi v Public Finance Bhd [1992] 1 CLJ 177 HC	Bankruptcy
Petaling Tin Bhd v Lee Kian Chan [1992] 4 CLJ 1878 HC	Take-Overs & Mergers
Public Finance Bhd v Hock Seng Housing Development Sdn Bhd (See Ha Chai & Ors[1992] 1 MLJ 442 HC	Consolidation of charges under NLC
Yee Hoong Loong Corp Sdn Bhd v Kwong Fook Seng Co [1993] 1 MLJ 163 HC	Exercise of discretion by Arbitrator
James Capel (Far East) Ltd v Y.K. Fung Securities Sdn Bhd [1993] 1 CLJ 416 HC	Civil Procedure
Kandiah Peter v Public Bank Bhd [1994] 1 MLJ 119 SC	Orders for Sale
Yeow & Foo Sdn Bhd v Peninsular Rack Sdn Bhd [1994] 4 CLJ 1084 HC	Removal of Caveats

Keet Gerald Francis Noel John v Mohd Noor bin Abdullah & Others [1995] 1 MLJ 193 CA	Interlocutory Injunction
Teh Khem On & Another v Yeoh & Wu Development Sdn Bhd & Others [1995] 2 MLJ 663 HC	Breach of Contract; Sale of Goods
Tan Yar Joo v Sin yee Estate Sdn Bhd [1995] 2 CLJ 657 HC	Winding-up
James Capel (Far East) Ltd v Y.K. Fung Securities Sdn Bhd [1996] 2 MLJ 97 HC	Conflict of Laws; Licensing of Brokers
How Yew Hock v Employees Prov Fund [1996] 2 MLJ 474 SC	Statutory Interpretation; Probate
Lim Chia Min v Cheah Sang Ngeow & Another [1997] 1 MLJ 127 CA	Formation of Contract
Y K Fung Securities v James Capel (Far East) Ltd [1997] 2 MLJ 621 CA	Securities Industry
Teoh Swee Hee v Tio Hock Thye & 2 oth [1997] 1 CLJ Supp 400	Partnership Law
Arab-Malaysiab Finance Bhd v Chong Chin Shoong [1998] 1 CLJ 657 HC	Civil Procedure
Fenghua Development Sdn Bhd v ACF (M) Bhd [1999] 8 CLJ 166 HC	Civil Procedure
Ngan Tuck Seng & Another v Ngan Yin Hoi [1999] 5 MLJ 509 HC	Companies Winding Up
United Merchant Finance Bhd v Hockwood Holdings Sdn Bhd & Others [1999] 5 MLJ 85 HC	Law of Contract
OCBC Bank (M) Bhd v Astano Electric Sdn Bhd [1999] 3 MLJ 618 HC	Land Law, Civil Procedure
Beh Chun Chuan v Paloh Medical Centre Sdn Bhd & Others [1999] 3 MLJ 262 HC	Companies Winding Up
Chong Chee Yan v Golden Dragon Garden Sdn Bhd [1999] 1 MLJ 573 HC	Company Law
MGI Securities Sdn Bhd v Teong Teck Leng & Others [2000] 1 MLJ 354 HC	Civil Procedure
Ah San @ Goh Ah Soon v Majlis Bandaraya Ipoh & Others [2000] 1 MLJ 615 CA	Injunction, Land Law
Ng Chun Lin & Anor v Foo Lian Sin & Anor [2000] 6 MLJ 81 HC	Law of Contract
United Merchant Finance Berhad v Magpie Resources Sdn Bhd [2001] 5 CLJ 464 HC	Companies Winding Up
Kejuruteraan Elektrik Usahamaju Sdn. Bhd. v Zilatmas (M) Sdn. Bhd. [2001] 5 CLJ 563 HC	Building Contract

Aw Yong Wai Choo v Arief Trading Sdn Bhd [2001] 1 MLJ 166 HC	Taxation
Omega Securities Sdn Bhd v Yeo Lee Hoe [2003] 1 CLJ 276 HC	Winding-up
Pioneer Motor Service Co Sdn Bhd v Chin Cheng Hong Sdn Bhd [2003] 3 CLJ 214 CA	Company Law
Chen Yue Kiew v Angkasamas Sdn Bhd [2003]4 MLJ 365 CA	Trespass
Foo Lian Sin v Ng Chun Lin [2004] 4 CLJ 220 CA	Contract
Tee Boon Hock v Dato' Tee Kim Poo & ORS [2005] 3 MLJ 263	Election Petition
Ah San v Majlis Bandaraya Ipoh [2005] 7 CLJ 473	Administrative Law
Wong Chong Sang v Nga Kor Ming [2005] 8 CLJ 726	Election Petition
Dato' Gopal Sri Ram v Dato' V Sri Kumar & 7 ors [2006] 6 MLJ 328	Civil Procedure
Mayban Trustees Bhd v. Bayan Bay Development Sdn Bhd & Ors [2007] 4 CLJ 672	Company Law
Mutual Way Development & Construction S/B v. Saiseki (M) S/B [2008] 2 CLJ 232	Evidence
Wu Siew Ying v. Gunung Tunggul Quarry Construction S/B & ORS [2008] 2 CLJ 793	Tort
Metro Charm Sdn Bhd v. Lee Nyan Hon & Bro & Anor [2008] 7 CLJ 60	Tenancy
Ong Boon Hua & Anor v. Menteri Hal Ehwal Dalam Negeri, Malaysia & Ors [2008] 5 CLJ 42	Civil Procedure
Chong Mee Hup Kee S/B v. Mahkamah Perusahaan M'sia & Anor [2008] 6 CLJ 790	Judicial Review
Kho Whai Phiaw v. Chong Chieng Jen [2008] 1 LNS 785 HC	Election Petition
Chin Nyuk Voon v. Chee Kim Fah & 5 Ors [2008] 1 LNS 218 HC	Civil Procedure
Mutual Way Development & Construction Sdn Bhd v. Saiseki (M) Sdn Bhd [2008] 2 CLJ 232 CA	Evidence
Choong Yik Son v. Majlis Peguam Malaysia [2008] 10 CLJ 101 CA	Legal Profession
Sivakumar Varatharaju Naidu v. Ganesan Retanam [2009] 1 LNS 979 HC	Constitutional Law
Luwasa (Malaysia) Sdn Bhd v. Ong Siew Oi [2009] 1 CLJ 774 CA	Contract Law

Jamaluddin Mohd Radzi & Ors v. Sivakumar Varatharaju Naidu [2009] 3 CLJ 785 [2008] 1 LNS 200 HC	Civil Procedure
YAB Dato' Dr Zambry Abd Kadir & Ors v. YB Sivakumar Varatharaju Naidu; Attorney-General Malaysia (Intervener) [2009] 4 CLJ 253 [2009] 1 LNS 393 FC	Constitutional Law
Dato' Dr Zambry Abd Kadir v Dato' Seri Ir Hj Mohammad Nizar Jamaluddin; Attorney General of Malaysia (Intervener) [2009] 5 CLJ 265 CA	Constitutional Law
Jamaluddin Mohd Radzi & Ors v. Sivakumar Varatharaju Naidu; Suruhanjaya Pilihan Raya (Intervener) [2009] 4 CLJ 347 [2009] 1 LNS 482 FC	Constitutional Law
Lim Sze On & Ors v. Syarikat Gunung Sejahtera Sdn Bhd [2009] 4 CLJ 468 [2009] 1 LNS 487 FC	Land Law
Ong Boon Hua @ Chin Peng & Anor v. Kerajaan Malaysia [2010] 3 CLJ 125 [2009] 1 LNS 1393 HC	Civil Procedure
Seng Seng Construction Sdn Bhd v Southern Bank Berhad [2010] 1 LNS 369 HC	Contract Law
Jova Resort & Development Sdn Bhd & Yang Lain lwn. Danaharta Managers Sdn Bhd & Yang Lain [2010] 1 LNS 55 HC	Civil Procedure
Sivakumar Varatharaju Naidu v. Ganesan Retanam [2010] 9 CLJ 825 CA	Civil Procedure
Choo Bee Hardware Sdn Bhd v KS Hiap Lee Engineering Sdn Bhd & Anor [2010] 1 LNS 1524 HC	Civil Procedure
Wu Siew Ying v Gunung Tunggul Quarry & Construction Sdn Bhd & Anor FC [2011] 1 CLJ 409	Tort
Tan Sri Datuk Ibrahim Mohamed v. Leong Tuck Onn & Anor HC [2012] 6 CLJ 662	Legal Profession
<i>(Note : HC - High Court, SC - Supreme Court, CA - Court of Appeal, FC – Federal Court)</i>	

Conferences, Seminars & Papers

22-23 August 1987

Presented paper entitled "**The Legal Profession and the Courts After Independence**" in the Conference on "The Malaysian Constitution After 30 Years" organised by Faculty of Law, University of Malaya at Kuala Lumpur.

21 March 1991

Presented paper entitled "**Guide to Shareholders Rights**" in Commercial Law Lectures organised by the Rotary Club of Ipoh.

17 October 1992

Panel Speaker in seminar entitled "**Recent Amendments to Companies Act**" organised by the Malaysian Institute of Accountants.

4 December 1992

Seminar Chairman on topic of "**Illegality & Banking/Commercial Transactions - Recent Developments**" organised by Malaysian Association of Certified Public Accountants.

23 September 1996

Panel speaker on the topic "**Rights of Minority Shareholders**" organised by Strategic Forum Expertise.

23 April 1997

Panel speaker on the topic "**Directors' Fiduciary Duties**" organised by Strategic Forum Expertise.

14 May 1997

Panel Speaker on the topic "**The Legal and Judicial Enforcement of Listing Rules of the Kuala Lumpur Stock Exchange**" organised by Strategic Forum Expertise.

20 October 1997

Panel speaker on the topic "**The Legal Relationship Between the KLSE And Listed Companies**" organised by Strategic Forum Expertise.

11 June 1999

Panel speaker on the topics "**Rescue Culture**" and "**Insolvency : Some Neglected Issues**" organised by the Hong Leong Group.

10 June 1999

Panel speaker on the topic "**Minority Shareholders**" in a seminar organised by the Sarawak Advocates' Association.

15-21 June 1999

Panel speaker on the topics "**Minority Shareholders**" and "**Rescue Culture**" at various seminars organised by the Malaysian Institute of Accountants (MIA) in Kuala Lumpur and Johor Baru.

- 17 June 1999
Panel speaker on the topics "**Disclaimer of Onerous Property**" and "**Retention of Title**" organised by the Penang Bar Committee.
- 19 June 1999
Panel speaker on the topic "**Minority Shareholders**" in a seminar organised by the Perak Bar Committee.
- 21 June 1999
Panel speaker at the "**Minority Shareholders**" seminar organised by the Johor Bar Committee.
- 08 November 2000
Panel speaker on the topic "**Corporate Governance & Best Practices**" seminar organized by Federation of Malaysian Manufacturers (Perak Branch).
- 16-17 October 2001
Presented papers at the "**Mandatory Accreditation Programme (MAP) for PLC's Directors**" training course organised by Research Institute of Investment Analysts Malaysia (RIIAM).
- 26-27 June 2001
Panel speaker at the "**National Seminar on Minority Shareholders Value**" jointly organized by The Malaysian Institute of Corporate Governance (MICG) and The Asian Strategy & Leadership Institute (ASLI).
- 9-10 August 2002
Presented papers on "**Issue Pertaining to The Hire Purchase Act**" at the training course organised by Hong Leong Finance Berhad, Perak.
- February 2003
Comparative study on the amendments of the **Housing Development Act 2002**
- 12 May 2003
Presented talk on "**An Overview on Enforcement of Charges**" to AIA Co Ltd Head Office Mortgage Loan Division.
- 20 July 2005
Presented talk on "**The Long Road to Recovering Your Hard Earned Money-A Little Map**" to Genting Sanyen Paper & Mill Credit Control Division
- August 2005
Presented talk on "**Issues pertaining to the Hire Purchase Act**" to Collection Dept officers of Alliance Bank, Ipoh
- 16 February 2006
Presented talk on "**An Overview on Loan Documentation Process & Some Common Issues**" at RHB Sales Manager Conference

August 2006

Presented talk on "**The Practical Aspects Recovery & Repossession under the Hire Purchase Act**" to Collection and Marketing Dept officers of Alliance Bank, Ipoh

11 December 2006

Presented talk on "**An Introduction on Home-Loan Financing Process**" to a group of AIA Co Ltd representative agencies.

2 March 2007

Presented talk on "**Issues in IT Contracts**", incorporating a discussion on the unique characteristics of system development / system integration contracts and some common issues to the legal and IT officers of Perbadanan Insurans Deposit Malaysia.

24 April 2008

Presented talk on "**Courting the Law**", a broad view of the study & practice of the legal profession at a Careers Fair for school leavers of Kolej Tuanku Ja'afar.

Presented paper on "**Issuance of Freehold Titles**", to a select committee of the Perak State Executive Councilors.

March 2012

Organized talk with Gavin Gore-Andrews, Barrister on "**Malaysian Competition Act**", to relevant industries and members of the Bar in Ipoh & Kuala Lumpur

September 2012

Panel speaker on the topic "**Malaysian Competition Law**" organised by the Penang & Perak Bar

January 2013

Panel speaker on the topic "**Malaysian Competition Law**" organised by the Malaysian International Chamber of Commerce and Industry

October 2013

Panel speaker on the topic "**Malaysian Competition Law**" organised by the Sabah Bar

November 2013

Panel speaker on the topic "**Malaysian Competition Law**" organised by the Rotary Club of Ipoh