



INTERNATIONAL
MALAYSIA
LAW
CONFERENCE
CREATING PRECEDENCE

Navigating the Present

IMLC 2021 IS CANCELLED

IMLC 2021

18 – 20 AUGUST | PULLMAN KUALA LUMPUR

**Navigating the Present
Exploring the Future**

Are the legal practitioners harnessing the power of the expanding domestic and global markets?

IMLC 2020 is poised to address the concerns and hurdles legal practitioners face, with the determination to equip them for a rewarding future and to provide a vision for robust growth. We want our lawyers to be

Due to the uncertainties relating to COVID-19, as well as our concern for the safety and wellbeing of delegates, speakers and our own Secretariat staff, as well as pupils in chambers who would usually volunteer during the course of the Conference, we have decided to cancel the International Malaysia Law Conference 2021 (“IMLC 2021”).

We had earlier tried to schedule a postponement of the Conference to 2021. However, as the COVID-19 situation continues to worsen worldwide without a clear end in sight, we felt that we had to come to a decision, and not keep our speakers and moderators — confirmed and otherwise — having doubts as to the viability of moving ahead with IMLC 2021. The same consideration applies to our registered delegates, and sponsors / exhibitors.

We regret this decision, as IMLC is our flagship event where we provide Members of the Malaysian Bar the golden opportunity to pick up new knowledge, enhance their legal abilities and widen their networking opportunities, or even mingle with old and new friends, and simply enjoy themselves, all in a proper conference setting.

We hope to see you at IMLC 2022!



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INTERNATIONAL MALAYSIA LAW CONFERENCE

CREATING PRECEDENCE



Navigating the Present, Exploring the Future.

Innovation. Technology. Digitalisation. Specialisation. Where are our lawyers at? Are they ideally positioned to fully leverage the opportunities created by the challenges of a demanding present and future? Are they ably equipped to tap into and harness the positive potential of the expanding domestic and global markets?

IMLC 2020

12 – 14 AUGUST | PULLMAN KUALA LUMPUR

Navigating the Present Exploring the Future

IMLC 2020 is poised to address the concerns and hurdles legal practitioners face, with the determination to equip them for a rewarding future as they envision for robust growth and development in the legal industry. The conference is inspired by the vision of the Malaysian Bar and the Bar Council of Malaysia to enhance the legal profession and its contribution to the development of the country.

POSTPONED TO 2021.
Dates to be confirmed.

	Registration Fee			Gala Dinner 13 Aug 2020 (RM)
	Early Bird by 15 Jan 2020* (RM)	16 Jan to 31 May 2020 (RM)	After 31 May 2020 (RM)	
Member of the Malaysian Bar	750	1,500	2,000	250
Member of the Malaysian Bar (fewer than 10 years in practice) and Pupil in Chambers	750	1,100	1,400	
Member of Advocates Association of Sarawak or Sabah Law Society	750	1,500	2,000	
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Non-Member	1,560	2,700	3,300	
Accompanying Person** (non-delegate)	300	600		

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For more info: bit.ly/IMLC2020

Register here: bit.ly/IMLC2020reg

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**Navigating the Present
Exploring the Future**

Litigation Funding and Its Availability in Malaysia

Breakout Session 8, Stream B

In *Gulf Azov Shipping Co Ltd v Idisi* [2004] EWCA Civ 292, Lord Phillips said that “public policy now recognises that it is desirable, in order to facilitate access to justice, that third parties should provide assistance designed to ensure that those who are involved in litigation have the benefit of legal representation”.

What is the availability of litigation funding in Malaysia? A right is illusory when it cannot be exercised or enforced. If such inability is by reason of lack of financial means, should the party be funded in return for a share in the remedy obtained? Is Malaysia ready to do away with the rather antiquated restrictions of champerty and maintenance in line with the United Kingdom, USA and South Africa? Shouldn't parties have recourse to litigation funding to ensure a level playing field besides equality of arms to enjoy their rights provided by the rule of law?

In this regard, Bar Council Malaysia has approved a regulated conditional fee regime based on the South African model, but is litigation funding much more than this?

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14
August

Publicity vs Advertisement — Where Are We At?

Breakout Session 8, Stream A

Ignorance of the Publicity Rules has resulted in lawyers assuming that they cannot publicise their practice. Social media updates by their fellow colleagues are considered a disgrace to the profession.

Letterheads with awards printed on them, are regarded by some as unfair and causing disadvantage to others. Having a logo of legal firms on their vehicles, including passenger vehicles, is viewed as unusual advertisement.

Without reading and understanding the current laws and rulings, many have criticised and even condemned the Bar Council for not being progressive to ideas of opening up more areas for firms to publicise their practice.

What then, should the future look like in terms of publicising a legal firm? Come join us for a straightforward discussion on this long-ambiguous matter.

14
August

AML Compliance Challenge 2021 — The Legal Industry: The Story So Far

Plenary Session 5

Technology is developing at a rapid pace. With high-speed data connectivity (5G), innovations are not likely to be curbed. New products, concepts and ideas are being introduced daily, with the sky as the limit.

Financial technology has seen the introduction of products which may seemingly pose a threat to the manner the conventional financial sector operates.

“The anonymity that online financial services provide poses risks to AMLA and KYC regulations as cybercriminals and money launderers may see FinTechs as instruments for financial crimes.”
~ *Suits The C-Suite* by Armando N Cajayon, Jr

AML/CFT is a self-compliance programme — it is the obligation of each reporting institution to comply, using its own method and policies. Materials that are being provided or made available are mere guidelines.

Are there grey areas that will give lawyers cause for concern?

The reality that the legal industry faces is that it is being burdened with foreseeing something that is not within its expertise. Is the burden justifiable? Will lawyers face additional challenges to be providers of financial intelligence? Can the compliance programme be simplified? Will it be part of the Bar's continuing professional development programme?



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**Navigating the Present
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Environmental Rehabilitation and the Law

Plenary Session 3

Urbanisation has given rise to environmental harm and related consequences, which developing nations often assert they have no choice but to accept. The imperative of attaining the socioeconomic growth achieved by the more developed nations and thus catering to their population's needs, coupled with poor access to funds and increasing debt, has compelled developing nations to compromise on environmental health.

Rehabilitation is perhaps one step that can be taken to make good of the adverse effects. Rehabilitation is not just about remediation and restoration, but ensuring sustainable development; not just about revamping the economic structure, but ensuring socioeconomic growth.

What laws can and should be introduced to proactively promote and create a rehabilitated environment before the damage becomes irreversible? What obstacles stand in the way?

Early Bird Rate EXTENDED!
Register now, pay later!
(by 31 Jan 2020)

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12
August

Waqf — The Legal and Regulatory Framework Needed for Implementation

Breakout Session 2, Stream C

There is a saying that when we die, all good deeds come to an end, except three: (a) ongoing charity; (b) knowledge that benefits others; and (c) a righteous child who prays for his/her parents.

Charitable giving in Malaysia is not new. Malaysians are consistently ever willing to rally together to donate for a good cause, be it to assist war-torn countries to feed their hungry peoples, rebuild schools and orphanages, or even watch live World Cup football matches! Malaysians are very receptive to the mobilisation of resources for worthwhile causes, which is akin to *waqf*. If this can be properly regulated through an organised, transparent and accountable framework, *waqf* could be a unique financial tool for sustainable development, particularly for ailing economies to meet their society's multifaceted needs.

Can *waqf* be developed in this direction, given the legal and regulatory framework governing *waqf* in Malaysia today?

13
August

Laws for an Ageing Nation — Improved Laws & New Laws

Breakout Session 4, Stream C

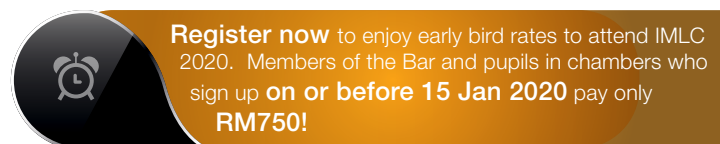
Human population aged 65 years and over is a significant demographic all over the world and Malaysia is no exception. Laws need to be put in place to provide regulated guidance and protection for the elderly as awareness and concern about ageing alone are insufficient.

This session will explore the current laws and how they can be improved as well as such new laws required to enable the writing of enforceable living wills coupled with lasting powers of attorney to deal with *inter alia*:

- ♦ the personal welfare of the elderly including healthcare and medical decisions;
- ♦ the property and affairs of the elderly including decisions on where one resides and matters relating to finance;
- ♦ the prevention of elder abuse and neglect; and
- ♦ generally, upholding the rights of senior citizens including the right to dignity, respect and to be heard and counted.

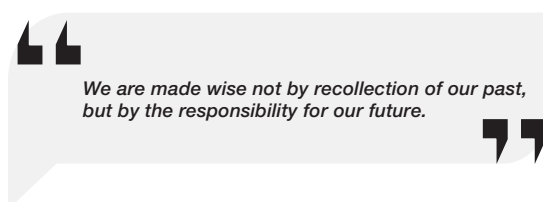


12–14 August 2020
Pullman Kuala Lumpur Bangsar



To Members of the Malaysian Bar and pupils in chambers

IMLC 2020 Welcome Note | Equipping Our Lawyers with a Vision for Growth



George Bernard Shaw
Irish playwright and winner of the Nobel Prize in Literature (1925)

- ◆ Where do you think our lawyers stand, in terms of adapting to changes such as digitalisation, specialisation, artificial intelligence (“AI”), use of technology, and even innovation?
- ◆ Would our lawyers survive if thrown into the deep end of unknown frontiers?
- ◆ Would our lawyers survive in the face of stiff competition from within and, most of all, abroad?
- ◆ Are small firms ably equipped to face a new, demanding and rapidly paced future?
- ◆ Are our lawyers and law firms tapping into new mushrooming markets out there? Or are we still cocooned and afraid to peer out into what we perceive as the “unknown”?

The Malaysian Bar is once again organising its signature biennial conference — the International Malaysia Law Conference (“IMLC”) 2020. This fifth edition carries the theme **“Navigating the Present, Exploring the Future”**.

You may say this echoes IMLC 2018’s “Raising the Bar: Innovate. Integrate. Emulate”, but know that the Malaysian Bar takes very seriously the issues of innovation, AI and technology, digitalisation, specialisation, and networking with whole new markets out there. Unless our lawyers and law firms take the bull by its horns and seize opportunities readily available, we will lag behind even further. The legal industry, like any other, faces challenges. But take heart — challenges that we overcome set the path for better opportunities.

According to an article by Thomson Reuters Legal Executive Institute and UK research firm Acritas entitled “State of the Legal Market in China 2019 Report: What Can the West Learn?” dated 7 Mar 2019,¹ the Chinese market is evolving much more rapidly than Western markets. Gone is the erroneous perception that the Chinese business model for success is dependent on copying innovations and methods from Western countries. The Chinese legal market’s relative youth is largely attributable to this meteoric rise, as the market is less hindered by the traditional legal industry intransigence that has slowed large-scale change in the legal markets in the West. And Chinese law firms have been shown to be more likely to try different methods and strategies, and to adapt the legal technologies needed to make alternative approaches possible. Our colleagues who have gone on legal market visits to China will surely attest to this.

ASEAN too, is not far behind in terms of adopting new technologies. An article on *The ASEAN Post* entitled “AI and big data in the legal profession”² dated 14 Mar 2019 expounds on the use of AI to complement human labour, eg performing monotonous legal work such as proofreading, research, preliminary document review or due diligence, and even contract preparation and management. Some firms in Singapore, Thailand and Indonesia have begun adopting AI in managing some of these tasks.

Navigating the Present, Exploring the Future

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Undoubtedly, Malaysian law firms — be they big or small, partnerships or sole proprietorships — sorely need to improvise and adapt to cater to the tremendous changes that are happening. If those changes are unavoidable, then they will inevitably need to be adopted. Lawyers must act urgently so that the legal industry can go forward and be competitive.

While it is absurd to replace human labour with technology just on the grounds of affordability, lawyers should welcome the use of technology and leverage it to the maximum, to increase productivity and enhance time-efficiency in operating their law firms. According to the article “AI and big data in the legal profession” in February 2018, AI contract review platform LawGeex beat 20 US-trained top corporate lawyers at identifying risks in Non-Disclosure Agreements (“NDAs”), one of the most common legal agreements used in business, taking only 26 seconds to complete, compared to an average of 92 minutes for the lawyers.³

Next, breaking down the fields of practice will become a trend. The legal industry will be compelled to recognise lawyers focusing on very specific areas of practice, compared to the common and accepted way of practising law. For example, clients will, in time, require a lawyer dedicated to particular innovative project developments rather than just a “conveyancing lawyer”. As the business world changes, so will the demand towards legal specialisation.

In the legal industry in Malaysia, numerous opportunities have been left unexplored because some areas of law are not fully practised.

Conclusion

A competitive legal environment has created an increasingly borderless situation. Limits have been torn down or are being stretched, and digitalisation, including e-filing, is now the norm. Communication is instantaneous and seamless, and diverse business sectors are now moving from being local-centric to global-centric.

The Malaysian Bar — and its individual Members — cannot afford to remain stagnant; instead, we are called upon to be competitive and to compete on the international platform. Where others have seized opportunities, we must do even better.

In addition, our Malaysian lawyers must also spearhead the entry into new fields of law, confidently. That is what IMLC 2020 seeks to do — spark interest and initiatives for cross-border legal work.

With all this in mind and much more, IMLC 2020 is poised to address the concerns and hurdles legal practitioners face, with the determination to equip them for a rewarding future and to provide a vision for robust growth. We want our lawyers to be inspired and empowered, steadfast yet versatile, resolute and unafraid, and at the ready to embrace the transformations in the evolving legal landscape. It is you who stands to gain!

Thank you.



Mohamad Ezri b Abdul Wahab and Desmond Ho Chee Cheong
Co-Chairpersons
IMLC 2020 Organising Committee



Programme

Keep watching our space for constant updates on topics and speakers.

¹ “State of the Legal Market in China 2019 Report: What Can the West Learn?”, Legal Executive Institute, 7 Mar 2019, available here: <http://www.legalexecutiveinstitute.com/state-of-the-legal-market-china-2019/>.

² “AI and big data in the legal profession”, Jason Thomas, *The ASEAN Post*, available here: <https://theaseanpost.com/article/ai-and-big-data-legal-profession>.

³ *Ibid*.

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**Sponsorship • Exhibition • Advertising
Opportunities**

12 – 14 AUGUST | PULLMAN KUALA LUMPUR BANGSAR

Navigating the Present Exploring the Future

Gain valuable exposure for your brand as a sponsor, exhibitor or advertiser for IMLC 2020 on 12 to 14 August!

Have any questions or seeking other options? Please contact:

- ♦ Norazila Ismail (Kimmy)
(+603-2050 2091; norazila@malaysianbar.org.my)
- ♦ Erin Samuel
(+603-2050 2037; erin@malaysianbar.org.my)



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Each form is valid for **one delegate only**. Use only capital letters.
Submit completed forms by fax to +603-2050 2133 or by email to imlc2020@malaysianbar.org.my.
For assistance, contact:

Sandy Thoong See Yeap

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imlc2020@malaysianbar.org.my

Tessa Najiha bt Ahmad Zaki

+603-2050 2127
imlc2020@malaysianbar.org.my

Title (Mr / Ms / Dr / Other) Full Name (as in Passport / Identity Card)

Preferred Name for Name Tag

Age Group ☐ < 25 ☐ 25-34 ☐ 35-44 ☐ 45-54 ☐ 55-64 ☐ > 64

Institution / Company

Please tick the appropriate box:

☐ Practising Lawyer ☐ Judiciary ☐ Non-Governmental Organisation ☐ Professional Association ☐ Civil Service
☐ Diplomat ☐ Entrepreneur ☐ In-House Counsel ☐ AG's Chambers ☐ Other

Address

Postcode State Country

Telephone Mobile Phone Fax

Email

How did you hear about IMLC 2020?

☐ Website: Malaysian Bar ☐ Email ☐ Social Media ☐ Web Advertisement ☐ Events / Other Conferences
☐ Referral / Word of Mouth ☐ SMS / WhatsApp ☐ Newspaper / Online news ☐ Other

Please tick the appropriate box(es):

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<input type="checkbox"/> Member of Advocates Association of Sarawak or Sabah Law Society	<input type="checkbox"/> 1,500	<input type="checkbox"/> 2,000		
<input type="checkbox"/> Student <i>(registered with a Malaysian college / university)</i>	<input type="checkbox"/> 600			
<input type="checkbox"/> Non-Member	<input type="checkbox"/> 2,700	<input type="checkbox"/> 3,300		
<input type="checkbox"/> Accompanying Person** <i>(non-delegate)</i>	<input type="checkbox"/> 600			
<i>*Group discounts are available when multiple individuals from the same law firm or organisation register simultaneously:</i>			Total (RM)	

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10% (3 to 5 persons); 15% (6 to 10 persons); and 20% (more than 10 persons).

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Accompanying Persons

Persons who accompany delegates are entitled to attend **only** the Opening and Closing Ceremonies, Raja Aziz Addruse Memorial Lecture, and Social Events (except the Gala Dinner).

(1) Name _____ Age _____ Country of Residence _____

(2) Name _____ Age _____ Country of Residence _____

Meal Preference

Vegetarian meals are available upon request. Advance notice is required.

Delegate ☐ Yes ☐ No

Accompanying Person ☐ Yes ☐ No

Method of Payment

Payment must be made in advance of the conference. Payment can be made by cheque, bank draft, direct deposit or Internet banking, or credit card. Cheques and bank drafts should be made payable to "Malaysian Bar Law Conference".

I would like to pay by:

☐ Cheque ☐ Bank Draft ☐ Direct Deposit ☐ Internet Banking ☐ Credit Card

Bank Details for Payment by Direct Deposit / Internet Banking

Bank Name: Hong Leong Bank Berhad

Account No: 002-00-76070-0

Account Name: Malaysian Bar Law Conference

SWIFT Code: HLBBMYKL

Bank ID / Business Registration No: MB00700

Please fax or email a copy of the transaction slip to us for verification. Please note that all bank charges are to be borne by the delegate.

Credit Card Payment

☐ MasterCard ☐ Visa

16-digit Credit Card No

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Expiry Date

Name as Shown on Card

Signature

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Signature

Date

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Terms and Conditions

- (1) Cancellation is not allowed, and no refund will be given for registration fees. However, your registration fee can be transferred to a substitute delegate.
- (2) Only one transfer / substitution is allowed per registration.
- (3) If you have made a booking for accommodation, you are responsible for cancelling the booking. Bar Council Malaysia takes no responsibility for any financial penalties you may incur.
- (4) The IMLC 2020 Organising Committee reserves the right to modify the programme without prior notice, and shall accept no liability for any loss or inconvenience as a result of any amendment.
- (5) You hereby expressly consent that the personal information that you provide to the IMLC 2020 Organising Committee, whether now or in the future, may be used, recorded, stored, disclosed or otherwise processed by or on behalf of the IMLC 2020 Organising Committee for the purposes of facilitation and organisation of this conference, research and audit, maintenance of a delegate database for the promotion of this conference, and such ancillary services as may be relevant.