

Malaysia





Trowers & Hamblins is an international law firm. We are here to help businesses and governments change the way we live and work for the better. We do this by providing commercial advice geared towards tackling tomorrow's challenges in industry.

Our Kuala Lumpur office has a strong, established presence in the ASEAN region, helping local and international businesses. We provide a full-service integrated offering to clients with international expertise at its core. The team in Kuala Lumpur, works closely with our other offices in Abu Dhabi, Bahrain, Dubai, Oman, London, Birmingham, Exeter and Manchester.

We provide clients with corporate and commercial advice to companies in Malaysia involved in complex transactions and projects with Malaysia and across the ASEAN region, as well as dispute resolution and litigation advice.

As a leading international law firm, our sector knowledge is diverse - covering real estate, construction, transport and infrastructure, banking and financial services (including Islamic Finance), distribution and logistics, education and health, hotels and leisure, aviation and defence, engineering and surveying, charities, retail and energy and natural resources.

Our clients include Malaysian companies seeking to do Cross-border business in the UK, in Europe and the ASEAN region, in the Gulf Co-operation Council (GCC) countries and wider Middle East region. We act for Malaysian Government-linked institutions, to real estate investors and developers, banks, contractors and manufacturers, Islamic institutions and investors. We represent companies coming to market, companies which are already listed and financial intermediaries on a wide range of transactions across a variety of industry sectors.

We also have a long-established reputation for providing a comprehensive private client service to high-net-worth individuals, trusts and family offices

Our expertise

We can assist clients with on all aspects of corporate and commercial work:

Corporate structuring and finance - mergers and acquisitions, public markets work, restructuring and insolvency, joint ventures

and tax. This includes M&A activity, domestic and cross-border acquisitions and disposals, corporate finance, fundraising, debt finance and listings.

M&A and private equity transactions - from complex, cross border deals for corporations to sales and disposals of owner-managed businesses for private individuals. The team is experienced in all forms of leveraged buy-out and buy-in work, acting for both institutional investors (private equity houses) and management teams.

Corporate governance - such as shareholder arrangements: participation in management, profit sharing, funding and eventual exit in a shareholders or members agreement.

Commercial contracts - negotiating and drafting agreements, terms and conditions of business; website terms, payment online; consumer matters and business to business contracts, supplier terms, manufacturing agreements and product licensing, agency and distribution arrangements.

Intellectual property - advising on all aspects of intellectual property, from trade mark or passing-off disputes to licensing issues. This includes trade secrets and other confidential information, IP issues in relation to employment contracts and departing employees and copyright issues.

Privacy and information security - reviewing supply arrangements, IT contracts and preparing terms and conditions for websites and e-mail disclaimers.

Employment and global mobility - advising on employment, immigration, benefits, pensions and policies, which includes drafting and/or reviewing routine employment contracts and consultancy agreements; ad hoc queries relating to day to day employee relations such as performance and sickness; a second opinion on a proposed step/process, support on redundancies and restructures; advice on disciplinary, dismissals and routine settlement agreements.

Commercial property and real estate - advising on the terms of property leasing, acquisition and all related property matters, including large scale urban regeneration and mixed-use schemes, as well as hotel and leisure deals.



UK Inbound investment - real estate and corporate and otherwise.

Projects – advising on large government backed projects such as engineering, procurement and construction (EPC) contracts for power projects, oil and gas projects and waste-to-energy structures and contracts.

Privatisation / Public Private Partnerships – advising on PFI / PPP projects both nationally and internationally. We liaise with both private and public sector clients, including financiers, bidders and providers we pride ourselves on our ability to look at issues commercially as well as from a legal perspective, assisting clients to distinguish between real and imagined risks. Projects we have advised on cover health, housing and urban regeneration, education, defence, transport, and waste disposal.

Energy and infrastructure – expertise in project development, project finance, construction and corporate law required to deliver successful projects. Our work ranges from advising on project licenses or concessions, JV agreements, feedstock supply contracts, utility supply agreements, FEED and EPC contracts, operation and maintenance contracts, finance agreements, offtake arrangements and regulatory structures. Our expertise covers conventional, renewable and nuclear energy. Our lawyers act for sponsors, lenders, contractors and both small and large investment companies in relation to energy projects.

Dispute resolution – on the full range of contentious matters across all sectors, and commercial disputes. Our lawyers have extensive experience of dealing with high profile matters, as counsel and arbitration, under the ICC, LCIA, DIFC-LCIA and DIAC. We also have representation on the panel of arbitrators for the Asian International Arbitration Centre (AIAC).

Risk management and compliance – covering corporate fraud, whistleblowing and anti-bribery. This can also include fraudulent financial reporting; theft (or misappropriation of company assets) and corruption such as bribery and conflict of interests. We act to help prevent fraud, regularly advising on anti-bribery and fraud prevention issues, including drafting and updating policies, training to senior managers and company directors and carrying out internal investigations where allegations of fraud have been made.

About Trowers & Hamlins, Malaysia

Our lawyers in our Kuala Lumpur office work closely with our cross border teams in other offices, and where we do not have a physical presence, can draw upon the expertise and knowledge from the Interlaw network (<http://www.interlaw.org/>) with lawyers in over 125 cities worldwide, so our clients benefit from seamless service.

- We have a long established presence in the market, and were the first foreign law firm to secure a Qualified Foreign Law Firm (QFLF) licence in Malaysia in April 2015 enabling us to operate independently in Malaysia and advise on international legal issues (subject to certain restrictions)
- Our team comprises of both English and Malaysian qualified lawyers including individuals in the team who are recognised as leaders in their field
- We have been market leaders in Islamic Finance for over thirty years. This means that we have been involved in, and continue to work on, 'first in country' and ground breaking projects and transactions, and have brought our expertise to bear in various ventures involving Malaysian clients.

We actively engage and work collaboratively with the Malaysian Trade Organisation (MATRADE), the Malaysian Industrial Development Authority (MIDA), the Asian International Arbitration Centre (AIAC), the British Malaysian Chamber of Commerce, the Arab-Malaysian Chamber of Commerce, the Malaysia International Chamber of Commerce and Industry and the EU-Malaysia Chamber of Commerce. We have close links with the British High Commission and Department for International Trade team in Kuala Lumpur.

Practice in brief

- Over 150 partners with more than 900 people located across the UK, Middle East and Far East providing a full-service integrated offering to clients with local knowledge and expertise at its core.
- Nine offices located in Abu Dhabi, Bahrain, Birmingham, Dubai, Exeter, London, Malaysia, Manchester, Oman.
- Member of Interlaw, the 'Elite Global Law Firm network,' with lawyers in more than 140 cities worldwide.

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