

## FOREWORD

It is my pleasure to bring you this Special Issue of the *Singapore Academy of Law Journal*. This year's Special Issue on Malaysian law is an extraordinary one, as it is a product of a collaboration between the Singapore and Malaysian judiciaries. The two benches are keen to increase interaction and exchange of legal expertise between their two countries. One way of doing this is for the judges of both countries to produce and publish writings on each other's laws. The first such compendium comprised writings on Singapore law by Singapore judges. It was published in the *Journal of the Malaysian Judiciary* in January 2020. In turn, Malaysian judges and other legal luminaries have written on their laws and SAL has the privilege of publishing the same in this Special Issue. The articles provide invaluable insight into current legal issues in different areas of Malaysian law.

We are most fortunate to have the Honourable Justice Datuk Nallini Pathmanathan as the Guest Editor for this Special Issue. Justice Pathmanathan left a successful commercial practice to join the Malaysian High Court bench in March 2007. Subsequently promoted to the Court of Appeal, in 2018 she was elevated again to become the first Malaysian Indian woman to sit in the Federal Court, Malaysia's highest court. She is well respected for her intellect, integrity and diligence. Her patience and hard work in curating and reviewing the articles have undoubtedly contributed to the success of this publication.

The contributors of the articles, who have been carefully selected by the Guest Editor, are distinguished professionals in their respective fields. We are fortunate to have such wide-ranging expertise represented in this volume.

From the Malaysian judiciary, we have the Honourable Justice Dato' Seri Mohd Zawawi bin Salleh, a Federal Court Judge since 2018 who has been on the Malaysian Bench from 2007, and Dato' Seri Mohd Hishamudin Yunus who retired from the Court of Appeal in 2015 and now holds several high profile public posts including as Chairman of the Competition Commission of Malaysia. Datuk Dr Shad Saleem Faruqi is a Malaysian legal scholar and professor of law at the University of Malaya, currently holding the Tunku Abdul Rahman Chair as Professor of Constitutional Law. He also holds the Tun Hussein Onn Chair in International Studies at the Institute of Strategic and International Studies Malaysia. Dr Mohd Johan Lee straddles two worlds being both a practitioner and an academic. Managing partner of his own law firm, he is a recognised expert on Islamic Finance having not only written texts

and articles on the subject but also been recipient of several awards in this field.

Other distinguished practitioners have contributed to this edition. Dato' Ambiga Sreenevasan, who has been assisted here by researcher Ms Ding Jo-Ann, is well known in both domestic and international legal circles for, among various stellar activities, her roles as human rights advocate and president of the Malaysian Bar Council for many years. Dato' Loh Siew Cheang has appeared as leading counsel in the Malaysian courts in many complex and high-profile corporate disputes and is the author of *Corporate Powers: Accountability* published by LexisNexis and now in its third edition. Mr Rabindra S Nathan is recognised as one of Malaysia's leading insolvency lawyers and, having founded the Insolvency Association of Malaysia, he is now a Council Member of the same. Assoc Prof Chee Keong Low, a Malaysian currently teaching corporate law at The Chinese University of Hong Kong, is a member of the Process Review Panel of the Financial Reporting Council and the Standing Committee on Company Law Reform, both in Hong Kong. He has been assisted by Mr Tak Yip Low. Dr David Fung Yin Kee is a litigator and writer in the fields of contract, unjust enrichment, torts and remedies amongst others.

I am grateful to all our distinguished contributors for expending their time and effort to contribute thought-provoking articles to this publication.

Lastly, but by no means least, I thank the staff of the Singapore Academy of Law for their editorial support throughout the publication process.

JUDGE OF APPEAL JUDITH PRAKASH  
Chair, Publications Committee  
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