



## ***Raphael Tay Choon Tien***

*Partner*

Tel: +603 2055 3929

Fax: +03 2055 3880

Email: [raphaeltay@chooi.com.my](mailto:raphaeltay@chooi.com.my)

### **Practice Areas:**

Capital Markets; Competition; Corporate & Commercial; Information Technology, Intellectual Property & Telecommunication; Mergers & Acquisitions; Personal Data Protection & Privacy.

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### **Partner Profile**

**Raphael Tay**, having been in practice for more than 27 years, has extensive legal experience in various areas notably corporate and commercial, mergers and acquisitions and information technology law.

Raphael's keen interest and vast knowledge of the economics and politics of South East Asia results in many invitations to present seminars and conduct conferences organised by both private and government sectors.

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### **Other Experience**

- Chairman of the LAWASIA Moot Standing Committee
- Co-Chairperson of the Professional Standards and Development Committee (2013 - 2015)
- Co-Chairperson of the Publications Committee of the Bar Council of Malaysia (2013 - 2015)
- Chairperson of the Organising Committee of the 15<sup>th</sup> Malaysian Law Conference (2012)
- Member of the Bar Council Malaysian Mediation Centre
- Panel member of the Disciplinary Committee of the Advocates & Solicitors' Disciplinary Board

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### **Qualifications**

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| 1983 | <b>Dorsett Institute of Higher Education</b><br>B.A. (Hons), Law and Politics        |
| 1984 | <b>University of Kent, Canterbury</b><br>Post Graduate Diploma in South East Studies |

- 1985            **Legal Qualifying Board of Malaysia / University of Malaya**  
Certificate of Legal Practice
- 1986            **Advocate & Solicitor of the High Court of Malaya**  
Admitted on 23 August 1986
- 1998            **Registered Trade Mark Agent**
- 2007 -         **Notary Public**

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**Publication and Presentations**

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- Asia Business            11-12 October 2004  
Forum                      Mergers & Acquisitions  
Practical Advice on How to Successfully Negotiate and Manage Merger &  
Acquisition Deals.
- 28 September 2004  
Public- Private Partnership  
Examining The Challenges and Opportunities for Public-Private Partnership.
- 10-11 May 2004  
Corporate Legal Counsel  
Critical Success Factors in Structuring and Managing a Legal Agreement  
for International and Cross-Border Investments/Joint Ventures
- 9-10 June 2003  
Corporate Legal Counsel  
Legal Strategy for an Effective Cross- Border Joint Venture
- 30-31 October 2002  
Privatization of Government and State Owned Enterprises in Malaysia  
Moderator on Panel Discussion for End of Day Two
- 23-24 October 2002  
Company Secretaries  
Chairman on Day Two
- 29-30 July 2002  
Legal and Tax Updates for Successful Business Venture in China  
Chairman on Day One
- 6-7 May 2002  
Corporate Legal Counsel  
Legal Strategy for an Effective Cross-Border Joint Venture and as Chairman  
on Day Two

4-5 February 2002

Directors' Duties and Corporate Governance

Chairman on Day Two

3-4 December 2001

Mergers and Acquisitions

Chairman on Day One

3-4 September 2001

Legal and Tax Aspects of Joint Ventures and Alliances

Legal Strategy for an Effective Joint Venture

18-20 July 2001

Service Level Agreements

Effective Processes to Negotiating Outsourcing Agreements and SLAs in Malaysia

8-9 March 2001

Strategic E Commerce

Legal and Regulatory Issues Pertaining to M-Commerce

14-15 December 2000

Company Secretaries

Chairman on Day One

27-28 November 2000

Internet Banking

Regulatory and Considerations for Internet Banking

15-16 November 2000

IT/Cyber Security

Legal Implications on Breaching IT Securities

16-17 October 2000

Venture Capital

Legal Aspects on Venture Capital Financing

21-22 August 2000

Strategic E Commerce

Chairman on Day One

31 July 2000 to 1 August 2000

Company and Securities Law

Role and Accountability of Company Directors-New Directions

20-21 June 2000

Public Listing

Chairman on Day One

29-30 May.2000  
Corporate Legal Counsel  
The Legal Perspective on Joint Ventures and Technology Transfer

20-21 January 2000  
Public Listing  
Chairman on Day One

16-18 August 1999  
Strategic E Commerce  
Contractual Issues in E-Commerce

26-27 July 1999  
Y2K Contingency Planning for Business Continuity  
Chairman on Day Two

19-20 October 1998  
Outsourcing Information Technology and Telecoms  
Legal Issues in Outsourcing Contract Negotiations

6-7 October 1998  
Smart Card  
Legal Issues Surrounding Smart Cards and Digital Signatures

15-16 July 1998  
Company Secretaries  
The Legal and Regulatory Aspects of Mergers and Acquisitions

15-16 June 1998  
Mergers and Acquisitions  
The Legal and Regulatory Aspects of Mergers and Acquisition

2 April 1998  
Corporate Restructuring  
Legal Perspective – Debt Restructuring

25 November 1997  
Successfully Increasing Capitalization though Mesdaq  
The Legal and Regulatory Framework of Listing of the Mesdaq

1-2 October 1997  
Company Secretaries  
Chairman on Day One

23-24 July 1997  
Evaluation and Capitalization of High Technology Companies for Mesdaq  
Technology Transfer in Joint Venture

25-21 June 1997  
Corporate Expansion – Legal and Tax Updates  
Workshop on Key Issues Drafting a Joint Venture Legal Agreement

29-30 May 1997  
Public Listing  
Tackling the Legal Issues and Requirements in An Initial Public Offering (IPO)

14-15 April 1997  
Technology Transfer in Malaysian Joint Venture  
Legal Aspect of Joint Venture and Technology Transfer in Malaysia

14-16 January 1997  
The Company Secretaries  
Ensuring Professionalism

22-23 July 1996  
Corporate Governance 1996  
Implication of the Directors' Code of Ethics

Strategic Forum  
Expertise

21-22 July 1998  
In House Training on Mergers and Acquisitions in Insurance Industry

27-28 October 1997  
International Joint Ventures and Strategic Alliances  
Technology Transfer in Joint Venture

27-28 May 1997  
Private Debt Securities  
The Legal and Regulatory Aspect of Mergers and Acquisitions

Mentor Centre for  
Business Research  
Sdn Bhd

26 November 1997  
Drafting and Managing Employment Contracts  
Confidentiality & Restraint of Competition: Are You as An Employer Protected?

Fokus Jujur Sdn  
Bhd

14-15 August 2001  
E Practices for Legal Counsel  
Ensuring Total Data Privacy in An Electronic Environment

4-6 August 2001  
Asia FiTech 2001 Summit

5-6 December.2000  
E Legal  
Enforceability of Electronic Contracts

	19-20 September 2000 Legal Forum Enforceability of Electronic Contracts
	18-19 May 1999 Business Risk and Continuity Planning Legal Implications Arising from the Y2K Problem
	6 September 1997 and 24 October 1997 CEM Owners/Directors Responsibilities Legal Responsibilities Marcus Evans Sdn Bhd (formerly known as International Conference for Management)
	3-4 July 1997 Breaking New Frontiers in Public Listings Tackling the Legal Issues and Requirements in an Initial Public Offering (IPO)
Imak	26 May 1998 Corporate Governance Legal Implications of Joint Ventures
	30 April 1998 New Emerging Role and Function of Corporate Legal Counsel in Organization Termination and Dismissal: How Far is Your Capacity in Making Decisions and Complying the Nature of Domestic Inquiry
	9 March 1998 Retrenchment, Termination and Dismissal Key Methods of Selection and Providing Notice of Retrenchment
The Knowledge Group of Companies	21 April 2003 Contact Center 2003 Permission and Data Privacy
Professional Knowledge Centre	27-28 July 1999 Mergers and Acquisitions
IBC Asia Limited	10-11 March 1997 Company Secretaries Stock Exchange and Listing Rules-Corporate Disclosure, Due Diligence and Transparencies

Economic Society of Singapore National University of Singapore	26 September 1997 Fund Management Issues in Malaysia and Singapore Regulatory Framework for Fund Management in Malaysia
Acturial Society Malaysia	28 May 1999 Y2K & Legal/Insurance Implications
Iqpc Worldwide Pte Ltd	29-30 September 1999 Preparing for 01-01-00 Zero Day and Beyond The Legal Issues and Implications of the Y2K Problem
Horwath Mok & Poon	25-26 April 2000 Public Listing 2000 Corporate Governance and The Role and Obligations of Company Directors
Latri	16-17 April 1997 Analysis of Disposal and Acquisitions of Companies The Legal and Regulatory Aspect of Mergers and Acquisitions
Intellectual Link Sdn Bhd	21-22 October 1997 The New Stock Exchange for High Technology and High Growth Companies –MESDAQ Technology Transfer for High Tech Companies
M2 Asia Sdn Bhd	25 January 2010 Understanding Key Boilerplate Clauses in Commercial Contracts  23 September 2008 Successful Strategies for Drafting and Structuring of IT Contracts  18 June 2008 Key Consideration before Entering into a Contract Agreement
Malaysia Institute of Management	22 November 2008 Essential Elements of Contracts What you need to know before entering into one
Fuji Xerox Asia Pacific Pte Ltd	3 November 2009 The Malaysian Legal Market Overview