



AMY HIEW KAR YI

Partner

Amy Hiew graduated from Oxford Brookes University in 2012 with an LL.B (Bachelor of Laws) and was called to the Bar of England and Wales by the Honourable Society of Middle Temple in 2013. She was admitted as an Advocate & Solicitor of the High Court in 2014. Prior to joining Messrs Harold & Lam Partnership in August 2017, she was practicing in one of the largest law firms in Malaysia.

Amy's main areas of practice are corporate and commercial dispute resolution. Her portfolio of dispute resolution work includes shareholder disputes, construction disputes, contractual disputes, insolvency and arbitration.

AMY HIEW Partner, Dispute Resolution Division	
Qualifications	Advocate & Solicitor, High Court of Malaya Barrister-at-Law, Middle Temple, London LLB (Hons), Oxford Brookes University
Areas of Practice	Arbitration, Companies Winding Up, Corporate & Commercial Dispute, Construction Dispute, Projects Advisory and Contract Drafting
Selected Experience	<p>Arbitration / Adjudication / Dispute Adjudication Board</p> <ul style="list-style-type: none"> • Acting as part of the legal team on behalf of one of the largest medical (healthcare) company in a KLRCA arbitration involving construction disputes. • Acting as part of the legal team in arbitration and adjudication proceedings relating to the construction project of the tallest building in Malaysia. • Acted as part of the legal team in a matter involving construction disputes in the first KLRCA-administered Expert Determination proceeding. • Acted as part of the legal team on behalf of one of the leading infrastructure companies in Malaysia in a Dispute Adjudication Board proceeding administered by the SIAC. • Acted as part of the legal team on behalf of a foreign client in an SIAC arbitration involving crude oil quality dispute against one of the largest integrated energy and commodity trading companies in the world. • Acted as part of the legal team on behalf of a subsidiary of one of the largest oil and gas company in Malaysia in a KLRCA arbitration involving contractual disputes in the sum of approximately RM 1 billion against a subsidiary of one of the largest oil and gas companies in the world. • Successfully acted on behalf of a subsidiary of one of the largest oil and gas company in Malaysia in the largest Adjudication claim in Malaysia pursuant to the Construction Industry Payment and Adjudication Act 2012, whereby the Adjudicator had awarded the sum of approximately RM 1.13 billion. • Acted as co-counsel in successfully enforcing in Malaysia a Grain and Feed Trade Association (GAFTA) tribunal award

with the seat in England [*Archer Daniels Midland Co v TTH Global (M) Sdn Bhd* [2017] 7 MLJ 325].

- Acted as co-counsel in successfully enforcing in Malaysia multiple International Centre for Dispute Resolution (ICDR) arbitral awards with the seat in Singapore.
- Assisted in opposing an application for stay of a winding-up petition pending reference to arbitration where none of the parties are signatories to the arbitration agreement.
- Acted as part of the legal team in a Dispute Adjudication Board (DAB) case held at the SIAC involving construction of power plant dispute in the sum in excess of RM100 million.

Litigation

- Acted as part of the legal team on behalf of an Indian national in a commercial dispute where the parties are embroiled in various litigation proceedings involving issues of breach of trust and secrecy provision under the Labuan Companies Act 1990.
- Successfully resisted an application made to the Labuan High Court, and subsequently an appeal to the Court of Appeal, by trustees of a Labuan company for leave to disclose information pertaining to the Labuan company for the purpose of disclosure in foreign proceedings. This case is the first decision relating to the secrecy provision in the Labuan Companies Act 1990 [*Portcullis Trustnet (Singapore) Pte Ltd & Ors v Cardiff Ltd & Anor* [2015] 4 MLJ 595].
- Successfully struck out a minority oppression petition involving allegations of transfers of funds from a subsidiary company to its parent company.
- Successfully appealed against a decision of the High Court which found the vendor/developer of a shopping cum office complex in breach of contract and misrepresentation.
- Advised a subsidiary of a local based energy provider on the removal of a shareholder and managing director.
- Successfully set aside the service of cause papers out of jurisdiction on behalf of a foreign client based in Florida, United States of America.
- Successfully resisted judicial review applications (and the subsequent appeals) filed against the Securities Industry Dispute Resolution Center (SIDREC) by a local stockbroking firm.

	<ul style="list-style-type: none"> • Acted for various construction companies in the recovery of debt. • Acting for a construction company on execution of an Adjudication Decision that has been enforced in the High Court, as well as resisting a <i>Fortuna</i> injunction. [ASM Development (KL) Sdn Bhd v Econpile (M) Sdn Bhd [2020] MLJU 282] <p>Project Advisory and Contract Drafting</p> <ul style="list-style-type: none"> • Provided advisory services in relation to infrastructure projects, including the Mass Transit Railway and Light Railway Transit. • Advised one of the listed construction companies in Malaysia on a joint venture with a company incorporated in Hong Kong to form an unincorporated consortium to bid for the development of a large scale solar photovoltaic plant with total capacity of 500MW in Peninsular Malaysia. • Advised on a joint venture to undertake the design, construct and complete the extension building to Hospital Miri. • Drafted joint venture agreements, shareholders' agreements, share sale agreements and subscription agreements for clients in various industries, including information technology (IT) and food & beverages (F&B).
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