

Wong Kian Kheong - Partner

1. Education

1977 - 1983	Victoria Institution
1984 - 1988	Bachelor of Law (LLB) from University of Malaya - First Class Honours
1988 - 1989	Masters of Law (LLM) from University of Cambridge

2. Scholastic Achievements

A. University of Malaya

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| 1984 | 1. Recipient of University Senior Scholarship
for entering Law Faculty with best STPM result |
| 1985 | 1. Best student in First Year Law Examinations
2. Recipient of Malaysian Bar Council's Book Prize
3. Recipient of University Senior Scholarship |
| 1986 | 1. Best student in Second Year Law Examinations
2. Recipient of Chief Justice of Borneo's Book Prize
3. Recipient of University Senior Scholarship |
| 1987 | 1. Second best student in Third Year Law Examinations
2. Recipient of University Senior Scholarship
3. Recipient of "Ng Ek Teong" Book Prize for being
best student in Company Law |

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2. Scholastic Achievements

A. University of Malaya (continues)

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| 1988 | 1. | Bachelor of Law (First Class Honours) |
| | 2. | Best student in Final Year Law Examinations |
| | 3. | Recipient of Lord President's Book Prize |
| | 4. | Recipient of "Dato' Rajasooria" Book Prize for being all round student |
| | 5. | Recipient of "Ng Ek Teong" Book Prize for being best student in Commercial Law |
| | 6. | Recipient of Book Prizes for being best student in subjects of Criminal Procedure and Labour Law |
| | 7. | Recipient of the University Book Prize |
| | 8. | Recipient of the University Senior Scholarship |

B. University of Cambridge

Recipient of a "full" scholarship from "*Cambridge Commonwealth Trust*" and the Shell Group of Companies to study for a Masters of Law degree (LLM) in the University of Cambridge.

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3. Work Experience

A. Pupillage

May - August 1988	Chambers of Mr. Lee Min Choon in Messrs. Lee, Perara & Tan
October 1989 - February 1990	Chambers of Dato' D.P. Naban in Messrs. Skrine & Co.

B. Attorney General's Chambers

March 1990 - September 1992	Deputy Public Prosecutor in Wilayah Persekutuan Kuala Lumpur Prosecution Unit
September 1992 - December 1993	Deputy Public Prosecutor in Commercial Crime Unit, Prosecution Division
December 1993 - December 1996	Deputy Public Prosecutor in Task Force and Research Unit, Headquarters of Prosecution Division
December 1996 - December 1997	Federal Counsel in Advisory and Internal Law Division

C. Legal Practice

December 1997 - December 2004	Messrs. Lee Hishammuddin
January 2005 - 8 March 2007	Messrs. Lee Hishammuddin Allen & Gledhill

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4. Notable Experience in the Attorney General's Chambers

Unless cases are reported in law reports and laws passed in Parliament, Kian Kheong is bound by the Official Secrets Act 1972 not to disclose matters which are classified.

- 1991
1. Conducted appeal *Ong Lai Kim v PP* [1991] 3 MLJ 111, [1991] 2 CLJ 1568 where Kuala Lumpur High Court upheld validity of police identification procedure for a crime victim to identify an accused person through a “one-way” mirror.
 2. Conducted appeal in *PP v LCY Holdings* [1991] 3 CLJ 812 in respect of offences under Employees Provident Fund Act.
 3. Member of Prosecution Division's Committee on enforcement of Dangerous Drugs (Forfeiture of Property) Act 1989.
- 1992
1. Prosecuted the case of *PP v Mary Anne & Kanaperan* [1995] 1 MLJ 612, [1995] 1 CLJ 33 in Kuala Lumpur Magistrate's Court in respect of charges of criminal defamation and making false police reports.
- 1993
1. Assisted in the appeal in *PP v Pung Chen Choon* [1994] 1 MLJ 566 where Supreme Court upheld the constitutional validity of s 8A of Printing Presses and Publications Act 1984.

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4. Notable Experience in the Attorney General's Chambers (continues)

Unless cases are reported in law reports and laws passed in Parliament, Kian Kheong is bound by the Official Secrets Act 1972 not to disclose matters which are classified.

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| 1993 | <ol style="list-style-type: none">2. Assisted in the drafting of the Evidence (Amendment) Act 1993 which introduced, among others, provisions for admissibility of documents produced by computer.3. Assisted in the drafting of the Penal Code (Amendment) Act 1993 which introduced significant changes in certain commercial crimes.4. Member of the Prosecution Division's Committee which drafted laws on "Confiscation of Proceeds from Serious Crimes" and "Mutual Legal Assistance in Criminal Matters".5. Representative of Attorney General's Chambers to "Money Laundering" Conference held in Singapore. |
| 1994 | <ol style="list-style-type: none">1. Assisted in the constitutional case of <u><i>Datuk Amir Kahar bin Tun Datuk Mustapha v Tun Mohd. Said</i></u> [1994] 3 MLJ 737, [1995] 1 MLJ 169 in Kota Kinabalu High Court. |

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4. Notable Experience in the Attorney General's Chambers (continues)

Unless cases are reported in law reports and laws passed in Parliament, Kian Kheong is bound by the Official Secrets Act 1972 not to disclose matters which are classified.

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| 1994 | 2. Representative of Attorney General's Chambers to Commercial Crime Symposium held at Cambridge University. |
| 1995 | <ol style="list-style-type: none">1. Conducted appeal of <i>PP v Audrey Keong Mei Cheng</i> [1996] 2 CLJ 430 regarding Court of Appeal's power to hear reference of question of law of public interest, namely Magistrate's power to remand a suspect up to 14 days pending completion of police investigation under section 117(1) of Criminal Procedure Code.2. Assisted in the drafting of the Securities Commission (Amendment) Act 1995.3. Member of the Prosecution Division's Committee to implement United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances 1988.4. Represented Malaysia to the United Nations "Ad Hoc Committee" in New York to draft an international treaty to establish an International Criminal Court.5. Member of the Malaysian delegation which negotiated with the United States of America, Australia and Republic of Korea in respect of bilateral extradition and mutual criminal assistance matters. |

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4. Notable Experience in the Attorney General's Chambers (continues)

Unless cases are reported in law reports and laws passed in Parliament, Kian Kheong is bound by the Official Secrets Act 1972 not to disclose matters which are classified.

- 1996
1. Assisted in the prosecution of *PP v Lim Guan Eng* [1998] 2 CLJ 623 in Malacca High Court in respect of charges under the Sedition Act 1948 and the Printing Presses and Publications Act 1984.
 2. Assisted in the case of *Datuk Seri Samy Vellu v Nadarajah* [2000] 8 CLJ 117, [2000] 4 MLJ 696 where constitutionality of the private summons procedure was challenged.
 3. Represented Malaysia in the United Nations "Preparatory Committee" in New York to draft an international treaty to establish an International Criminal Court. Kian Kheong was the only delegate from Asia who was chosen as a Chairman for one of the six Working Groups to draft provisions on the Organisation and Administration of the proposed International Criminal Court.
 4. Assisted in the drafting of the Securities Industry (Amendment) Act 1996.

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4. Notable Experience in the Attorney General's Chambers (continues)

Unless cases are reported in law reports and laws passed in Parliament, Kian Kheong is bound by the Official Secrets Act 1972 not to disclose matters which are classified.

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| 1997 | <ol style="list-style-type: none">1. Involved in the prosecution of various "short selling" offences under the Securities Industry Act 1983.2. Assisted in the drafting of the Anti-Corruption Act 1997, Criminal Procedure Code (Amendment) 1997, Evidence (Amendment) Act 1997 and the Computer Crimes Act 1997. |
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5. Awards by the Attorney General's Chambers

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| 1994 | Excellent Service Award when Kian Kheong was a Deputy Public Prosecutor in Commercial Crime Unit. |
| 1995 | Excellent Service Award when Kian Kheong was a Deputy Public Prosecutor in the Task Force and Research Unit, Headquarters of Prosecution Division. |

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6. Experience in private practice

Since Kian Kheong left the Attorney General's Chambers, Kian Kheong does mainly trial and appellate litigation in all Courts through out West Malaysia. Kian Kheong has also given many advisory opinions in respect of investigation by police, Bank Negara Malaysia, Securities Commission, Malaysian Anti-Corruption Commission, Companies Commission of Malaysia, Inland Revenue Board, Royal Customs Department and Ministry of Domestic Trade & Consumer Affairs. As there are no criminal charges instituted in most of these cases, Kian Kheong is bound by legal professional privilege and legal ethics not to disclose or discuss these cases.

7. Notable Experience in Private Practice

Some of the more interesting cases which Kian Kheong had appeared in court or handled are as follows:

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| 1998 | <ol style="list-style-type: none">1. Assisted in the removal of a private caveat in Court of Appeal ("CA") in <u><i>K.Sivapragasam a/l Krishnar v Renominium Development Sdn. Bhd.</i></u> [1998] 4 MLJ 535, [1998] 4 CLJ 481.
2. Applied successfully to Johore Bahru HC to remove a provisional liquidator in <u><i>Kong Long Huat Chemicals Sdn. Bhd.v Raylee Industries Sdn. Bhd.</i></u> [1998] 6 MLJ 330. |
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7. Notable Experience in Private Practice (continues)

- 1999
1. Cases reported in the law reports which Kian Kheong handled are -
Sime Bank Bhd. v Lal Bhoiraj [1999] 5 MLJ 465;
Kepong Industrial Park Sdn. Bhd. v Teoh Seng Aun [1999] 3 AMR 2814; and
Kepong Industrial Park Sdn. Bhd. v Teoh Seng Aun (No. 2) [1999] 6 MLJ 342.
- 2000
1. Assisted in the drafting of Pengurusan Danaharta Nasional Berhad (Amendment) Act 2000.
 2. In *Tropiland Sdn. Bhd. v RHB Bank Bhd.* [2000] 2 MLJ 65, [2000] 1 AMR 766, Kian Kheong represented a bank which opposed successfully in the CA the borrower company's application for a stay of execution of the bank's appointment of receivers and managers, Messrs Price Waterhouse, over that company.
 3. Represented Malayan Banking Bhd. to oppose successfully an application by Red Box (M) Bhd. for an injunction to restrain winding-up proceedings in Johore Bahru HC in *Red Box (M) Bhd. v Malayan Banking Bhd.* [2000] 6 CLJ 614.
 4. Cases reported in the law reports which Kian Kheong handled are -
Dr. Chandra Muzaffar v University of Malaya [2000] 1 MLJ 173, [2000] 1 AMR 201, [2000] 1 CLJ 795; and
Kepong Industrial Park Sdn. Bhd. v Teoh Seng Aun (No. 3) [2000] 4 MLJ 614.

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7. Notable Experience in Private Practice (continues)

- 2001
1. Represented a housing developer, Golden Approach Sdn. Bhd. (“GASB”) in challenging successfully in Ipoh HC the decision of Perak State Director of Lands and Mines (“**Perak State Land Director**”) requiring GASB to furnish a new power of attorney from the registered proprietor of the land being developed by GASB upon Perak State Authority’s approval of surrender and re-alienation of land in question: *Golden Approach Sdn. Bhd. v Pengarah Tanah & Galian, Perak* [2001] 1 MLJ 411, [2001] 1 AMR 711, [2001] CLJ 755.
 2. Defended a former Executive Committee member of Parti Keadilan Negara, in a charge of unlawful assembly under section 27(5) of Police Act 1967. Upon Kian Kheong’s application, Kuala Lumpur HC held that PP’s consent and charge were defective and accused was given a discharge not amounting to an acquittal: *Goh Keat Peng v Public Prosecutor* [2001] 3 MLJ 172, [2001] 1 CLJ 107. Following this decision, PP has discharged not amounting to an acquittal all unlawful assembly cases through out the country so as to rectify defects in the PP’s consent and charge. Accused was subsequently re-charged in Kuala Lumpur Magistrate’s Court and upon his plea of guilt, he was only fined RM4,000 after our mitigation.
 3. Represented Television New Zealand Ltd. (“TVNZ”) in Shah Alam HC to resist successfully Natseven TV Sdn. Bhd.’s (“NTV 7”) application for an interlocutory injunction to restrain TVNZ from proceeding to wind up NTV 7: *Natseven TV Sdn. Bhd. v Television New Zealand Ltd.* [2001] 4 AMR 4648, [2001] 4 CLJ 722. Following this judgment, the dispute was resolved out of Court on confidential terms and TVNZ’s winding up petition against NTV 7 was subsequently withdrawn.

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7. Notable Experience in Private Practice (continues)

- 2001
4. Represented Metrobus Nationwide Sdn. Bhd. (“Metrobus”) in obtaining leave of Kuala Lumpur HC to apply for judicial review of decisions of the Commercial Vehicle Licensing Board and Minister of Entrepreneur Development in revoking certain bus licenses of Metrobus: *Metrobus Nationwide Sdn. Bhd. v Lembaga Pelesenan Kenderaan Semenanjung Malaysia* [2001] 3 AMR 3742. This case was finally settled out of court on confidential terms.
 5. Assisted in the defence of a plaintiff in Kuala Lumpur HC against a charge of contempt of court in *Teoh Seng Kian v Ong Kook Liong* [2001] 2 MLJ 118, [2001] 1 AMR 757, [2001] 1 CLJ 107. The contempt of court proceedings were subsequently withdrawn.
 6. Represented successfully a property developer and property management company in a Kuala Lumpur HC suit by a purchaser of an apartment (“Purchaser”) to challenge the right to cut water supply upon failure to pay service charges: *Premier Model Sdn. Bhd. v Phileo Promenade* [2001] 2 AMR 2085.

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7. Notable Experience in Private Practice (continues)

- 2002
1. Defended University of Malaya (“UM”) in *Dr. Chandra Muzaffar v Universiti Malaya* [2002] 5 MLJ 369, [2002] 2 AMR 1408, [2002] 2 CLJ 448 in respect of UM’s non-renewal of Dr. Chandra’s contract of service. The Kuala Lumpur HC has decided in Dr. Chandra’s favour.
 2. Invited by Kuala Lumpur HC as an *amicus curiae* (Friend of the Court) in *Mohan v PP* [2002] 1 MLJ 438, [2002] 2 AMR 1372, [2002] 2 CLJ 483 to assist in respect of whether the court may require sureties to furnish security for bail bonds in criminal trials.
 3. Represented RHB Bank Bhd. (“Bank”) in *Macronet Sdn. Bhd. v RHB Bank Bhd.* [2002] 3 MLJ 11, [2002] 4 CLJ 729 to resist successfully in Kuala Lumpur HC an interlocutory injunction application to restrain Bank from disposing of shares in Sin Heng Chan (M) Bhd. (“Shares”) after Bank had terminated a sale and purchase agreement of the Shares worth more than RM103 million. This case was finally settled out of court.

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7. Notable Experience in Private Practice (continues)

- 2002 4. Cases reported in the law reports which Kian Kheong handled or assisted are -
RHB Bank Bhd. v R. Gunasingam [2002] 2 AMR 2232, [2002] 5 CLJ 544;
PP v Kenneth Lee Fook Mun (No. 1) [2002] 2 MLJ 563, [2002] 2 AMR 2433, [2001] 8 CLJ 544;
Lee Chan Leong v Jurutera Konsultan (SEA) Sdn. Bhd. [2002] 3 MLJ 718, [2002] 3 AMR 3607, [2002] 4 CLJ 1 (Court of Appeal);
Akberdin v Majlis Peguam Malaysia [2001] 4 MLJ 381, [2001] 4 AMR 4425, [2001] 4 CLJ 347; and
MBSB v Univein Sdn. Bhd. [2002] 7 MLJ 501; [2002] 1 AMR 931, [2002] 2 CLJ 81.
- 2003 1. Represented Malaysia Building Society Bhd. (“MBSB”) in CA to resist successfully an application by chargor/land owner to stay auction of charged land in *MBSB v Univein Sdn. Bhd.* [2003] 4 MLJ 618, [2003] 3 AMR 181, [2003] 2 CLJ 514.
2. Represented MBSB in a Kuala Lumpur HC trial to recover sum due to MBSB under a guarantee (“**Guarantee**”) and to rebut allegation that Guarantee had been forged in *MBSB v Sentiasa Harum Sdn. Bhd.* [2003] 5 MLJ 394.
3. Cases reported in the law reports which Kian Kheong handled or assisted are -
PP v Kenneth Lee Fook Mun (No. 2) [2003] 3 MLJ 581, [2003] 5 AMR 265; and
MBSB v Univein Sdn. Bhd. [2003] 5 MLJ 394; [2003] 3 AMR 27.

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7. Notable Experience in Private Practice (continues)

- 2004 1. Represented RHB Bank Bhd. (“Bank”) successfully in CA in *RHB Bank Bhd. v Chew Him Fah* [2004] 4 AMR 633, [2004] 3 CLJ 22 where an assignment of land in Bank’s favour (“Bank’s Assignment”) was given priority over subsequent purchaser of that land and allegation of forgery of Bank’s Assignment was successfully rebutted by Bank.
- 2005 1. Defended successfully RHB Bank Bhd. (“Bank”) in a suit filed in Shah Alam HC to declare invalid Bank’s sale of charged land by private treaty in *Lim Eng Chuan Sdn. Bhd. v UMBC* [2005] 4 MLJ 172, [2005] 1 CLJ 271.
2. Cases reported in the law reports which Kian Kheong handled are –
Woodsville Sdn. Bhd. v Tien Ik Enterprises Sdn. Bhd. [2005] 4 MLJ 218, [2005] 4 AMR 98, [2005] 2 CLJ 853 (Court of Appeal);
and
Cekal Berjasa Sdn. Bhd. v MBSB [2005] 3 MLJ 646, [2005] 5 CLJ 149.
- 2006 1. Applied successfully to the Kuala Lumpur HC for Bank Negara Malaysia (“BNM”) to strike out a suit filed against BNM by A & A Equity Sdn. Bhd. in *A & A Equity Sdn. Bhd. v Transnational Insurance Brokers (M) Sdn. Bhd.* [2006] 7 MLJ 268. This case concerned the validity of BNM’s directive to certain insurance companies.

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7. Notable Experience in Private Practice (continues)

- 2006
2. Defended successfully an advocate and solicitor, Mr. Ng Chew Hor (“NCH”), in a contempt of court proceeding in the case of *Yong Nyuk Fang v Toh Boon Pin* [2006] 7 CLJ 296. NCH acted as counsel for the first respondent in this case and was cited for contempt of court by the petitioners.
 3. Appealed successfully to the Kuala Lumpur HC for University of Malaya (“UM”) to reverse order of Collector of Stamp Duties (“Collector”) in respect of stamp duty imposed on UM - *Universiti Malaya v Pemungut Duti Setem* [2009] 4 MLJ 883
 4. Cases reported in the law reports which Kian Kheong handled are –
Cheow Chee Khoon v Foo Loke Ying [2006] 2 AMR 420; and
Tengku Mohd. Saad v Tay Choo Foo [2006] 1 AMR246.

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7. Notable Experience in Private Practice (continues)

- 2007
1. Appealed successfully to CA on behalf of Indah Water Consortium Sdn. Bhd. (“IWK”) in a public interest suit concerning IWK’s right to impose sewerage service charges in *Indah Water Konsortium Sdn. Bhd. v Yong Kon Fatt* [2007] 5 MLJ 250; [2007] 5 AMR 1; [2007] 4 CLJ 613. In this case, CA reinstated IWK’s sewerage service charges suit after it was struck out by Ipoh High Court
 2. Defended successfully in the Kuala Lumpur HC Great Eastern Life Assurance Company (“GELA”) from a suit by GELA’s former insurance agent in *Anthony Samy v Great Eastern Life Assurance Co.* [2007] 1 LNS 638.
 3. Defended successfully in the Kuala Lumpur HC in *Lim Teong Sit v Datuk Bandar Kuala Lumpur* [2007] 1 CLJ 214 a renowned kindergarten, Children House (“CH”), in a judicial review application by a senior lawyer against planning permission granted to CH by Datuk Bandar Kuala Lumpur.
 4. Kian Kheong acted for the respondent in *Heng Gek Kiau v Goh Koon Swan* [2007] 6 AMR 177 CA.

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7. Notable Experience in Private Practice (continues)

- 2008
1. Represented Qualifying Board of the Legal Profession (“QB”) in *Indrani v Qualifying Board* [2007] 1 MLJ 177, [2006] 6 AMR 293, [2006] 7 CLJ 169, a suit by 5 candidates (“Plaintiffs”) who sat for the 2001 Certificate in Legal Practice Examinations (“2001 CLP Examinations”). This suit applied for, among others, a declaration that QB should recognise the Plaintiffs’ results in the 2001 CLP Examinations. QB resisted this suit on the ground that the Plaintiffs were involved in buying question papers for the 2001 CLP Examinations. The Kuala Lumpur HC allowed the claim by 3 Plaintiffs (“First Decision”) and dismissed the suit by the other 2 Plaintiffs (“Second Decision”). QB has appealed to the CA against the First Decision while Mr. Kuldip Singh (“KS”), one of the 2 other Plaintiffs, has appealed to the CA against the Second Decision. On 29.1.2008 the CA unanimously allowed QB’s appeal against the First Decision with costs and dismissed KS’s appeal with costs.
 2. Defended Ms. Mary Tan (“MT”), financial controller of OCBC Securities (Melaka) Sdn. Bhd., in a charge by Securities Commission (“SC”) under section 32B(1)(a)(aa) of Securities Commission Act 1993 (“SCA”). MT has been charged with causing to submit to SC information which was false in respect of the listing of TCL Premier Holdings Bhd. The Kuala Lumpur Sessions Court acquitted and discharged MT at the end of prosecution case without calling for her defence. This is the first case under section 32B SCA which has been fully tried. In previous cases, accused persons have either pleaded guilty or have charges under section 32B SCA compounded. PP’s appeal to the Kuala Lumpur HC against MT’s acquittal has been dismissed on 6 March 2008 (*Pendakwa Raya Iwn Tan Siew Hui* [2008] 8 CLJ 142; [2008] 2 AMR 548; [2008] 1 LNS 48) and PP appealed to CA against such a decision. PP’s appeal to CA has been dismissed.

Wong Kian Kheong - Partner

8. Part-time Law Teacher and Examiner

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| 1990 - 1991 | 1. | Lecturer, Tutor and Examiner in Land Law for LLB course in University of Malaya (“UM”). |
| | 2. | Tutor in subject of “Professional Practice” (which consisted of Land Law, Bankruptcy, Probate and Administration of Estates and Legal Professional Ethics) for Certificate in Legal Practice (“CLP”) conducted in UM. |
| 1993 - 1997 | | Tutor for subject of Criminal Procedure for CLP in UM. |
| 1995 - 1997 | | Lecturer in Land Law for CLP conducted in Brickfields College (“BC”). |
| 1996 - 1998 | | Lecturer in subject of Criminal Procedure for CLP course in UM and BC. |
| 1990 - 1993 | | Examiner for subject of “Professional Practice” in CLP examinations for Qualifying Board (“QB”). |
| 1993 - 1995 | | Examiner for subject of Criminal Procedure in CLP examinations for QB. |
| 2002 - 2005 | | Review course outline, prepare examination questions and answers as well as examiner for subject of Evidence in CLP examinations for QB. |
| 2009 | | CLP External examiner for QB. |

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9. Miscellaneous

- 1991 - 1994 Editor for a legal monthly periodical, "Mallal's Monthly Digest".
- 1995 - 1997 Contributor to "Annotated Statutes of Malaysia".
- 1991 - 1997 "Head-noter" for Malayan Law Journal.
- 1990 - 1997 Prepare examination questions and answers as well as examiner for various law examinations for enforcement officers of Anti-Corruption Agency, Public Services Department and Ministry of Information.
- 1996 - 1997 Representative of Attorney General to the Permanent Committee established by QB to prepare a new curriculum for proposed Diploma in Legal Practice which was intended to replace CLP.
- 1995 - 1996 Committee member of the Attorney General Chambers' Legal Bulletin "PEKA".
- 2005 until
now Member of Universiti Teknologi Malaysia's Legal Curriculum Review Committee to set up a new law faculty.
- 2006 until
now Chairs Disciplinary Committee to inquire into complaints against advocates and solicitors.

Wong Kian Kheong

Tel: +603 2095 0220

Fax: +603 2095 0281

Email: wkk@wkk.com.my