



CPD 2/22
Dated 19 July 2022
Bar Council CPD Accreditation Code: T5/30092022/PGB/PGB221070/2
2 CPD Points

The Continued Professional Development Subcommittee presents a Webinar on
Vindication of the Basic Structure Doctrine

[Register online here](#)

Date: 30 Sept 2022 (Fri)
Time: 2:30 p.m. to 4:30 p.m.
Webinar via Zoom

Registration Fees:
Members of the Bar - RM 20-00
Non-Members - RM 50-00
Pupils-in-Chambers - FREE



Upon successful registration and receipt of payment, the link to the webinar will be e-mailed to registered participants after the close of registration and it shall serve as confirmation and acceptance of registration.

Registration will close at **5:00 p.m., 29 Sept 2022 (Thurs)**. No further registration will be accepted once the deadline has passed, or if the webinar is full.

The Organiser may not permit registration for future events if you fail to attend an online webinar after registering, unless acceptable and valid reason(s) are provided.

Synopsis:

In 1972 the Indian Supreme Court set out, in *Kesavananda v. The State of Kerala*, an epoch-making decision, its idea that constitutional amendments are subject to an implied limitation under the Indian Constitution – the limitation that no amendment can destroy the constitution’s basic structure, even if the procedure prescribed by the constitution for effecting an amendment is complied with. This set off a process of consideration of the applicability of the basic structure doctrine in the constitutions of the region, including Malaysia’s. This webinar discusses the Malaysian cases on the basic structure doctrine and its application in Malaysia in interpreting the Federal Constitution.

The Speakers:



Sudharsanan Thillainathan is a Senior Partner at Steven Thiru & Sudhar Partnership. He holds double degrees in Law and Accounting & Finance from Monash University, Australia and a Masters of Law from the London School of Economics & Political Science. He was called to the Malaysian Bar in 1997 and has more than 25 years of active litigation and arbitration practice. He acts as counsel and arbitrator in a broad range of fields. His areas of practice include Arbitration and Adjudication, Civil and General Litigation, Civil Fraud and Asset Tracing, Competition and Anti-Trust Law, Constitutional and Administrative Law (specifically in the field of Revenue Law), Construction and Infrastructure Disputes, Contract and Commercial Disputes, Corporate and Shareholder Disputes and Revenue Law. He is a former President of the

Malaysian Institute of Arbitrators, the national body for arbitration in Malaysia, having earlier served as President from 2017–2019 and Deputy President from 2015–2017.

Nadeem Rafiq is a senior associate at Steven Thiru & Sudhar Partnership (STSP). His practice is focused on servicing both domestic and international clients in contentious and multimillion-dollar disputes. The cases handled by him cover a wide range of disputes over varying industries and bodies, including oil and gas, utilities, industrial manufacturers, institutes of education, construction and development, insurance and reinsurance, regulatory bodies and recreational clubs. He regularly appears as counsel and co-counsel in all tiers of Malaysian courts and in arbitrations. He offers clients the benefit of years of experience from when he commenced his career at one of the largest law firms in the country and during his time in STSP. His broad commercial litigation background enables him to offer clients robust and knowledgeable representation across broad range of matters, utilising his trial skills and commercial sense. Dedicated to achieving the best possible outcome for his clients, his track record has made him the go-to litigator for his clients.



If you have any enquiries, please e-mail us at secretariat@penangbar.org.

Issued by:

Devkumar Kumaraendran

Chairman

Continued Professional Development Subcommittee



A Step-By-Step Guide to Join a Webinar via Zoom

Webinar via Zoom is an initiative by the Bar Council during the Movement Control Order.

Continue learning even while at home. We're here to inspire you, connect with you and learn with you. This guide will show you how to join a webinar smoothly.

01

For seamless streaming, download the Zoom app.

You will be given a webinar ID and a password to join the webinar once your registration has been confirmed.



02

Log in to Zoom, and provide your username.

For Members of the Bar or pupils in chambers, use the format below for identification purposes when prompted: **Full name (as per NRIC) | Bar Council membership number or petition number.**

For non-Members, provide your full name only.

03

Set up your space.

Find a spot which is comfortable and free from background noises. You may use an earpiece with microphone for clarity. Having a strong internet connection is equally important.



04

Please raise your questions only during the Question-and-Answer session.

Please take note that no speaking is allowed when the webinar is taking place.

If you wish to raise a question, please type in the Q&A box and the speaker will respond accordingly.

05

Please do not do these

Sharing screen recording and webinar ID and password links, and reproducing the content of the webinar on any platform.

Any unregistered person may be removed without prior notice and no CPD point will be awarded. Failure to adhere to this may result in disciplinary action by the Bar Council.

