

PROFILE



Partner
Competition Law & Antitrust
Shearn Delamore & Co., Kuala Lumpur, Malaysia
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Qualifications

LL.B (Hons), University of Northumbria, Newcastle Upon Tyne
Certificate in Legal Practice
Post-Graduate Diploma in Economics for Competition Law, King's College London
MA (Merit) in Economics for Competition Law, King's College, London
Advocate & Solicitor of the High Court of Malaya
Languages

Languages

English

CYNTHIA
LIAN

ABOUT CYNTHIA

Cynthia Lian was admitted as an Advocate & Solicitor of the High Court of Malaya in 2005 after obtaining an LLB (Hons) degree in 2003 and the Certificate of Legal Practice in 2004. She has practised with the firm since 2005 and was admitted as a partner of Shearn Delamore & Co. in 2014. Cynthia left the firm in 2016 and recently rejoined in 2023. In the interim, Cynthia has obtained Master of Arts in Economics for Competition Law as she believes that it is imperative as a lawyer advising in competition law to be well-versed in economics in order to assist clients in dealing with competition matters effectively. Cynthia is a partner of Shearn Delamore & Co.'s Competition Law & Antitrust Practice Group.

EXPERIENCE

- Cynthia regularly represents and advises foreign, multinational, government linked companies and Malaysian enterprises on Competition Law in industries as diverse as financial services, telecommunications, pharmaceutical, general insurance, hospitality, insurance, fast moving consumer goods, packaging, chemical and paint manufacturing and automotive. She is actively engaged in conducting competition due diligence exercises for clients including interviewing key members of management and front-line staff, reviewing documentation, practices, compliance and risk levels in such enterprises.
- Cynthia has successfully acted for and defended enterprises in investigations by the Malaysia Competition Commission ("MyCC") which were resolved with MyCC with no findings of infringement and without litigation. The investigations covered, amongst others, the markets for logistics, shipping, cosmetics and various allegations of anti-competitive conduct.
- Cynthia has undertaken numerous Competition Law review exercises and has been involved in many compliance programmes and initiatives for groups of companies covering many diverse markets since 2011. She also advises on a wide-ranging spectrum of competition law issues including investigations by the MyCC under the Competition Act 2010 ("CA") including MyCC's investigation powers under the CA, competition advice relating to application for leniency under Section 41 of the CA, dawn raids and other competition law matters such as cartel, monopoly risks, exchanges of information etc. Her experience includes advising companies on the need for merger notification and advising on the implications of proposed mergers/joint ventures under the CA across various industries.
- She has extensive experience in dealing with MyCC in relation to investigations undertaken by MyCC against enterprises including MyCC's power to require provision of information from enterprises. She has advised and acted as Counsel for enterprises who were investigated by MyCC. She has successfully settled and concluded investigations by way of undertakings under Section 43 of the CA against enterprises for alleged abuse of dominance and alleged anti-competitive vertical agreements.
- She also assists her clients in regard to the development of compliance programs and manuals on competition law and in formulating industry specific solutions to address the needs of her clients. She also regularly conducts trainings and workshops for clients, event organisers as well as trainings specific for sales and marketing personnel on Competition Law.
- Cynthia has extensive experience in all aspects of tax and revenue advisory and appeared regularly before the Special Commissioners of Income Tax and the Superior Courts of Malaysia to litigate tax cases. Cynthia has assisted families and individuals on their estate planning and has advised on various types of trusts, family offices and other assets holdings structures. Cynthia is able to call upon this unique experience in advising clients on the interaction between tax law principles and competition law considerations.

APPOINTMENTS/MEMBERSHIPS

- Member, Malaysian Bar
- Member, International Bar Association (IBA)

PUBLICATION

- Contributed to articles in relation to the duties and responsibilities of company directors, law and practices of company meetings and the importance of good corporate governance, in conjunction with the programmes affiliated with Companies Commission of Malaysia.
- Contributed to articles in relation to real estate practices in Malaysia pursuant to seminars rendered by top tier Estate Agencies.