

Joycelyn Teoh Hooi Cheng

PARTNER



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PROFILE

Joycelyn Teoh is a partner in the firm's litigation department whose practice centres on helping clients navigate complex disputes with clarity and confidence. She works closely with boards, management teams and individuals to understand their commercial and personal priorities, then designs litigation and settlement strategies around those objectives rather than treating cases as purely legal problems.

Her work spans civil and commercial litigation, corporate and shareholders' disputes, insolvency and restructuring, employment and industrial relations, and contentious probate and estate planning. She is known for breaking down complex facts into clear options, giving frank risk assessments, and mapping out step-by-step action plans so clients always know what will happen next and why.

Joycelyn has also acted in a range of high-value and high-profile matters, including disputes involving alleged breaches of directors' duties, fraud and conspiracy to defraud, derivative actions and oppression suits, committal proceedings, and applications involving inspection of company records and banking documents. Clients appreciate her practical, solutions-driven approach, her responsiveness and her ability to balance legal strength with reputational, regulatory and operational considerations so that strategy aligns with the client's broader goals.

WORK HIGHLIGHTS

ADVISORY

- › Advised on the establishment and incorporation of a new company in Malaysia including related employment law considerations.
- › Advised a public listed company in Hong Kong on the feasibility and risks of establishing a subsidiary in Malaysia, including assessment of legal, regulatory and operational risks and challenges of doing business in Malaysia.
- › Advised a company on, and prepared documentation for, business license applications and renewals.
- › Advised a client on a proposed land acquisition, including negotiating key terms and preparing non-disclosure agreement, non-binding offer letter and related documentations.

CIVIL & COMMERCIAL LITIGATION

- › Acted for a public listed company and obtained judgment against its former directors for breaches of fiduciary and statutory duties under Sections 131 and 132 of the Companies Act 1965, as well as deception, fraud and conspiracy to defraud, in connection with a USD27 million scheme involving PT Anglo Slavic Utama and PT Anglo Slavic Indonesia (see: *Protasco Bhd v PT Anglo Slavic Utama & Ors* [2023] MLJU 2435).

QUALIFICATIONS

Chartered Secretary & Chartered Governance Professional

Malaysian Institute of Chartered Secretaries and Administrators (MAICSA)

2023

Advocate and Solicitor

High Court in Malaya

2010

Certificate in Legal Practice

2009

LLB (Hons)

University of Northumbria in Newcastle Upon Tyne, United Kingdom

2008

PRACTICE AREAS

- Civil & Commercial Litigation
- Corporate Litigation & Shareholders' Disputes
- Employment Law & Industrial Relations
- Restructuring, Insolvency & Bankruptcy
- Wills, Probate & Estate Planning

WORK HIGHLIGHTS

- › Acted for a public listed company in resisting an application to strike out its claim for breaches of statutory and fiduciary duties, fraud and conspiracy to defraud in relation to the recovery of USD27 million (see: *Protasco Bhd v Pt Anglo Slavic Utama & Ors* [2020] MLJU 1413).
- › Acted for a public listed company in a landmark Federal Court case which established that Section 7 of the Bankers' Books (Evidence) Act 1949 ("BBEA") allows direct inspection of banking records without the procedural constraints of Order 24 of the Rules of Court 2012. The decision further clarified the statutory definition of "banker's books" under the BBEA (see: *Protasco Bhd v Tey Por Yee & Anor and other appeals* [2021] 6 MLJ 1).
- › Acted for the Defendant in a High Court appeal concerning the assessment of damages and advertising-revenue losses under a highway concession and related signage agreements (see: *Fawziah Holdings Sdn Bhd v Metramac Corporation Sdn Bhd* [2017] MLJU 449).
- › Acted for a public listed company in a High Court derivative action concerning minority-shareholder allegations of breach of fiduciary duties and recovery of RM10 million said to have been wrongfully diverted from the company (see: *Kingdom Seekers Ventures Sdn Bhd v Dato' Sri Chong Ket Pen & Ors* [2015] MLJU 390).
- › Acted for the Disciplinary Board in a Federal Court appeal concerning solicitors' fiduciary duties and misconduct arising from the improper release of stakeholder monies in a conveyancing transaction (see: *Datuk M Kayveas & Anor v Bar Council* [2013] 5 MLJ 640).
- › Acted for a shareholder and director seeking the winding up of a company on just and equitable grounds.
- › Acted in proceedings for stay of legal proceedings pending arbitration, stay pending appeal and stay of execution of judgment.
- › Acted for a company in a claim for breach of advertising agreement and trespass respectively and the subsequent assessment of damages proceedings.
- › Acted as instructing solicitor in a claim for breach of a Franchise Agreement and the subsequent assessment of damages proceedings.
- › Advised individuals in challenging the freezing of their bank accounts by the Government of Malaysia under the Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act 2011 ("AMLA").
- › Acted for an Italian company to register Italian High Court and Court of Appeal judgments as judgments of the High Court of Malaya at common law, and enforced them via winding up proceedings, resulting in a negotiated instalment settlement of the judgment sum.
- › Acted for the landlord in relation to a lease dispute and successfully evicted the tenant.
- › Advised the tenant in relation to a tenancy dispute in the context of the Covid-19 law and regulations and amicably resolved the dispute with the landlord.

CORPORATE LITIGATION & SHAREHOLDERS' DISPUTES

- › Acted for a public listed company in a minority oppression proceeding where the High Court granted a winding-up order against the defendant (see: *V S Industry Bhd v Lim Chang Huat & Ors* [2025] MLJU 449).
- › Acted for a public listed company and its director in obtaining a committal order against the other directors and account manager of the company for breaching an inspection order granted pursuant to Section 245 of the Companies Act, 2016 (see: *Datuk Beh Kim Ling & Anor v NEP Holdings (Malaysia) Bhd* [2023] MLJU 2502).
- › Acted for a public listed company and its director in resisting an application to cross-examine the deponents of the affidavits filed in support of committal proceedings (see: *Datuk Beh Kim Ling & Anor v NEP Holdings (Malaysia) Bhd* [2023] MLJU 2011).
- › Acted for the director of a holding company who commenced a High Court action against the company for the inspection of its records. The High Court affirmed a director's statutory right to inspect and copy the company records and established that this right extends to the records of its subsidiary companies. This decision was upheld by the Court of Appeal (see: *Datuk Beh Kim Ling & Anor v NEP Holdings (M) Bhd* [2022] MLJU 1679 (HC)).
- › Acted for a director of a company and a shareholder of the company to defend a suit brought by the other directors for alleged breach of fiduciary duty and alleged breach of a shareholders' agreement.

WORK HIGHLIGHTS

EMPLOYMENT LAW & INDUSTRIAL RELATIONS

- › Acted for a full-service industrial gases company (a wholly owned subsidiary of a U.S.-based multinational corporation) in defending an unfair dismissal claim before the Industrial Court, where the employee was dismissed for repeated misconduct involving breaches of the company's safety rules and policies.
- › Acted for a supply chain management and logistics solutions company to defend an unfair dismissal claim before the Industrial Court, where the employee's managerial position became redundant and he was retrenched pursuant to a genuine regional restructuring exercise.
- › Acted for an employer in defending an unfair dismissal claim before the Industrial Court, where the employee's post-retirement fixed-term employment contract, which had been extended several times, came to an end by effluxion of time.
- › Acted for an employer to defend a constructive dismissal claim before the Industrial Court, where the employee holding a senior management position was redesignated to focus on critical operations of the company.
- › Advised and prepared a mutual separation agreement for a construction company to facilitate the mutual separation of an employee.
- › Acted for an employer to defend a claim brought by a former employee for an insurance payout before the Magistrates' Court.
- › Acted for employers in defending employees' claims for alleged wrongful salary deductions, unpaid overtime and non-compliance with minimum wage requirements before the Labour Court.
- › Advised employers on disciplinary actions and proceedings against employees including step-by-step procedure to ensure compliance with the Employment Act, 1955.
- › Advised employers on, and prepared, its internal policy and employee handbook, as well as employment contracts for various categories of staff, including full-time, part-time, outsourced and fixed-term employees.
- › Advised an employer on employee transfer and secondment arrangements within the group, including documentation, consent requirements and stamping implications.

RESTRUCTURING, INSOLVENCY & BANKRUPTCY

- › Acted for an individual to oppose an injunction to restrain the filing of a winding-up petition (Fortuna Injunction) against a company.
- › Acted for various companies to wind up the judgment debtor companies.
- › Acted for a company to oppose a winding-up petition.
- › Acted for judgment creditors to oppose an application by a bankrupt to discharge a bankruptcy order.
- › Acted for a public listed company to obtain bankruptcy orders against several individuals.
- › Rendered a legal opinion on issues relating to a deceased bankrupt and his shareholdings in the company.

WILLS, PROBATE & ADMINISTRATION OF ESTATE

- › Acted for an executor in a contentious probate action.
- › Acted for individuals to obtain a Grant of Letters of Administration and Grant of Probate.
- › Acted for individuals in estate planning, including the preparation of their last wills and testaments together with ancillary documents such as powers of attorney and deeds of trust, where required.
- › Acted for and advised the administrator/executors in the administration of the deceased's estate including the establishment of a trust account, dealing with the financial institutions and preparing a step-by-step procedure for withdrawal of the deceased's EPF monies.