

REFLEX

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Global
Institutions
Symposium
2014

Moot
WARRIORS

Race for your
rights



Orientation
Day



**WALK THE CORRIDORS OF
KNOWLEDGE WITH US**

EDITOR'S NOTE

Walking through corridors,
exploring...

the darkness breaks...
and instantly retreats.

Brilliant light steps in to shadow your vision, and then your vision breaks, the borders dissolve, and light envelops everything. Including yourself, but you are not you anymore. You see yourself hovering ... inches from the road, going home, going to school, doing homework, worrying, celebrating, loving, aging, dying.

Thinking gives way to intense joy and you smile. The path streams below you, all around you. It has grown between the houses, the offices, and the school buildings, connecting little dots moving up and down. The houses have sprouted on the hillside, and the city has budded off of the lake. Every town before it congealing and then dissolving, combining, coagulating, growing.

Expanding, shrinking, expanding.

You feel and see every idea you ever had crystallizing and collecting. Each generation aggregating the one before it. Everything you saw, every word you heard, rolling through humanity, into your head, and back out again.

Thoughts, laws, rules, purpose.

Inevitability. Patterns. Patterns upon patterns upon patterns. Fractals. The light of knowledge – the universe feeling itself. Sleeping and awakening. Beginning and ending, forever. Everything quickening.

Walking through corridors...

Welcome to 2014 – let your mind roam the realm of endless perceptions and possibilities as your fingers fidget through the pages of this issue of RElex. Rotaract is back again to take you on a memorable journey through their recent activities.

If you have been curious about the ATC Moot Warriors, peer through the looking-glass and discover what a successful year they have had.

Some of the mind-stirring articles feature recent issues such as “The Supreme Court and Piercing the Corporate Veil” by our very own Ms Meera and an intriguing reflection, by Karmen Lim, on governing a country through the popular video game ‘Democracy 3’.

Let these pages enchant your journey through the corridor of knowledge...



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Global Institutions Symposium 2014

The University of London organised its Global Institutions Symposium 2014 on the 3rd and 4th of March 2014. The symposium was held in Congress House, London which is very close to the Stewart House, Russell Square where the International Programmes of the University of London is based.

The previous edition of this symposium was held in Dubai and in 2014, it returned to London like the years prior to the event in Dubai. The Symposium was well-attended by partner institutions of the University of London International Programmes from around the world providing the full range of courses offered by the University.

Advance Tertiary College (ATC) participated in this event as in previous years. ATC Kuala Lumpur was represented by Principal and Deputy CEO Dr. Danny Choong, Deputy Principal and COO Mr. Reuben de Rozario, and Head of Department – LLB, Mr. Daniel Abishegam. The Penang Campus was represented by Ms. Vaani Nadarajah the Principal. ATC's sister school in Singapore, ITC School of laws was represented by its Principal, Ms. Ananthi Durai Raj and ATC's Hong Kong operations was represented by Mr. Kevin Leong, Head of International Operations.

The two-day symposium was a beneficial one as various issues facing institutions around the world were discussed and possible solutions were debated with great interest. The breakaway session were on very timely and useful topics where the input of the institutions were recorded and discussed.

One of these breakaway sessions was Co-moderated by Dr. Danny Choong. He together with Dr. Yung of SPEED, Hong Kong Polytechnic University spoke on best practices in marketing the University of London programmes around the world.

There was a session on marking of examination scripts which proved to be very beneficial to all who attended and this information was disseminated to all the other lecturers at ATC once the ATC delegation returned from London.

The University hosted a dinner at Stewart House on the first day and this was well attended by all the delegates. Many new friends were made and networks created.

ATC's delegation also attended the University of London International Programmes graduation ceremony held at the Barbican Centre, London on the 5th of March 2014. Many graduates from ATC's campuses across three countries made the journey to London to attend the graduation ceremony. It was indeed heart warming to see the hard work of all our students being rewarded in such a grand manner.

ATC thanks the University of London for organising this event and for providing this opportunity for all the global institutions to learn from each other and to mutually benefit from the best practices employed by other institutions.



by:
Daniel Abishegam
Head of Department (LAW)



2014 ORIENTATION DAY & RECOGNITION FOR SCHOLARSHIP WINNERS

What better way to break down walls of awkwardness at being new to the college environment than being a part of its orientation. The students from the January and April intakes of 2014 for all the courses offered at Advance Tertiary College (ATC)'s KL campus had a wonderful time during the orientation day programme organised by the college. The event was held at Olympic Hotel in Kuala Lumpur just a stones throw away from the college campus.

The orientation day allows students to glide through the college experiences effortlessly and confidently at the same time introduces them to the faculty. About 140 students from the A-levels, the LLB programme and the Business School who had just joined ATC participated in the event. The lecturers from all these departments were also present to lend support and to join in the fun.

The event started at 9.30 am with the arrival of the students and registration of the attendees. Mr. Reuben de Rozario, the Deputy Principal and C.O.O. of the college started the event off on a high note with an inspiring speech about the rich history of the college and its achievements that all students should know and be proud of. He also spoke about his fond memories of ATC having been a student there himself and also as part of the teaching faculty for the past 23 years.

The students were then introduced to all the clubs and societies that exist in ATC and were encouraged to join these clubs and participate in the activities that were organised.

They were then asked to adjourn to the hotel's café where brunch was served. There was a wide array of delicious delights waiting for them and the students enjoyed their food whilst mingling with the other students and

members of the faculty who were out in full force that day.

The students returned to the auditorium where the event was held and then participated in the numerous quizzes and games organised for them. The highlight of the event was the scavenger hunt where the students were placed in groups of 10 and given a list of 20 things to find or do. The students were very enthusiastic and the amount of noise generated was a good indication of how much fun the students were having.

The winning teams were presented with their prizes that consisted of pendrives, t-shirts, and dining vouchers. The first 5 teams to return with all the items on the list completed won a prize. These prizes were presented to the winners by Ms. Betty Chin, the Registrar and General Manager of the college.

After the fun and games, the college took the opportunity to acknowledge and honour the winners of various scholarships that ATC has given out. These scholarship was given under the Tun Abdul Hamid Omar scholarship fund that has benefited thousands of students over the past 27 years of ATC's existence.

by:
Daniel Abishegam
Head of Department (LAW)



MORE snapshots...



STUDYING a degree in LAW

So, you have made the decision to read Law as a degree. You are excited with the prospect of learning new skills and emerging as a lawyer to defend the rights and liberties of the common man and make a lot of money along the way. But you don't know what it entails and you have been getting all kinds of advice, not all of which were solicited, and most of them seem to be contradictory. If this paragraph aptly describes you then this article is a must read for you.

In the last two decades, ATC has become the largest independent and best performing Law School in this region with two campuses in Malaysia (Kuala Lumpur and Penang), one in Singapore and a joint venture partnership in Hong Kong with the Hong Kong Polytechnic University. ATC has been providing the University of London LLB with distinction for so many years that the University has recognised ATC as an Affiliate Centre. ATC provides you the option of completing a UK law degree completely here in Malaysia.

The University of London is a family of 19 world class colleges and acclaimed institutes. The University of London has an international reputation for academic distinction in teaching and research. Through its International Programmes, the world's oldest provider of degrees through distance and flexible learning, the University of London offers degree programmes to students all over the world. Established in 1858, today the International Programme has 45,000 students in every corner of the globe studying on more than 100 different programmes.

This article can do no justice to the real intricacies of legal study and research. That can only be experienced by diving head first into the degree. However there are a few things that you can do to prepare yourself for your legal studies.

Firstly, you need to become a news buff. Get interested in what is going on around you in relation to the government and politics. Be informed about the various arguments about the latest government policies and proposed changes and amendments to the law. This can be obtained by simply reading the daily newspapers.

Be comfortable with legal language. In Gulliver's Travels, Jonathan Swift wrote about lawyers who had "a peculiar Cant and Jargon of their own, that no other Mortal can understand". Today, a lot of legal language is still just as esoteric. You can do this by buying a legal dictionary or reading some legal academic jour-

nals. You may not understand the substance of the articles as yet but you will begin your journey to becoming used to the language. Many leading academic publications can be obtained at ATC's law library or the Tun Hamid Omar Law IT Resource Centre at ATC

If you feel that your command of the English Language is not the best, then take some steps to rectify it. This could be steps as simple as ensuring that you read widely in English or to take some classes to help you with your fluency. The lecturers at ATC will help you improve your English throughout the academic year. This further underlines ATC's commitment to your future.

If legal practice is what you intend to do in your future, then it would be best to familiarise yourself with how the courts work and how an Advocate & Solicitor presents his case in court and argues for his client. ATC organises regular visits to the courts and moot competitions to expose its students to the realities of legal practice and to give them a better understanding of legal practice.

Finally, be comfortable with the idea that the study of law is not a science. What this means is that there need not be one clear and definite answer that all will arrive at. There may be three or four different answers for the same problem that may all be equally correct. Once you accept this then the study of the law becomes more accessible. ATC's team of lecturers have the necessary experience and dedication to lead you in the right direction and helping you change the way you study and learn the material.

Be sure to pick a school that serves you best. ATC has the pedigree and the track record leading students to success in their legal studies. Our students' excellent world-class results on the International programmes every year are testament to this fact. With more than 8,000 graduates who are currently involved in the legal arena, the corporate sector and media industries, amongst others, the ATC graduate is highly employable in both the local and international job sectors. ATC also offers the Cambridge International A-level programme which is the stepping stone for SPM leavers to start the LLB.

by:
Daniel Abishegam
Head of Department (LAW)

45th District Rotaract Conference RY 2013/14 - Penang Heritage

Once a year, Rotaractors from all over the district and from different clubs will gather at the District Rotaract Conference for a reunion of old friends, fellowship, bonding and fun. This year, the Rotaract Club of Penang, AIMST University and Sentral College came together and organised the 45th District Rotaract Conference (DRC) all the way up north in the Pearl of Orient, Penang from the 10th of January 2014 to 12th January 2014.

Just as previous years, Rotaractors from ATC never missed out on attending the event as it is a much-anticipated event of the Rotary year, and this year it just so happened that ATC had the highest amount of participants joining DRC. This shows how important this event is to rotaractors especially to those in ATC.



Day 1

The day began late, as rotaractors began their journey from their respective places one by one. Some came by plane, some arrived by bus while some drove all the way instead.

As some of my friends and I arrived in Penang early in the morning by plane, we were welcomed by the hosts as they took us around town and dropped us off at one of the biggest shopping malls in Penang, Komtar Tower to spend the next few hours there before the registration officially began.

Towards the evening, we went to Heritage Hotel where the hosts were waiting for all the guests to arrive.

By dinner time almost all the participants arrived. It is safe to say that the first day was free and easy besides the opening ceremony and the ice-breaking games.



Day 2

Today was the day where all the activities began!

Since the theme for this year's DRC was Penang Heritage, the hosts took the time to prepare games stationed throughout the island and required the teams to travel by foot, completing tasks and garnering points.

The games really showcased the culture of not just Penang but of Malaysia as a whole and the best part was that all the games were stationed at iconic places and famous landmarks of Penang which made the adventure much more interesting and worthwhile.

The games ranged from making traditional joss sticks by hand, finding deity pictures in a temple and posing as it was, answering questions about Penang and Rotaract, finding logo names, a traditional Malay soccer game, drawing Hindu deity's accessories, taking a picture that had to be exactly like the sample pictures, and so much more.

To add to the fun, we managed to have the infamous Penang cendol whilst at one of the station games, which was a really refreshing reward.



by:
Cheong Kah Wei
(A'LEVEL) Jan 2013
Vice Secretary of RAC ATC



After a whole day of activities, we headed back to the hotel to freshen up for the grand dinner.



The ATC participants during the Grand Dinner.



One of the Performances that night.



The hosts for this year's DRC.

Day 3

It was the last day and we gathered at the hall for the closing ceremony and then went for lunch. After that it was the end of the annual event and participants started making their way back home definitely with tons of wonderful memories and new fellowships.

This year's DRC was a memorable one as the hosts this year made the whole experience really beneficial in terms of knowing our own culture and other cultures as well.

I experienced the whole island and its activities as the hosts has really took the initiative to make sure we made full use of our time there. I will definitely look forward to the next DRC and Rotaractors are most welcome to join us in this amazing experience.



“If anyone hits me, they can expect to be hit back, and harder. I never turn the other cheek because in my experience that doesn’t work.”

-Alice Bag, a punk rock singer, musician, author, educator and feminist activist

Race for Your Rights which was held on the 22nd of February 2014 at Methodist College Kuala Lumpur (MCKL) was a collaboration between the Rotaract Club of ATC and the Rotaract Club of MCKL. This Professional Development Project aimed to increase awareness about domestic violence and violence against women.

According to Police Statistics, from the year 2000 to 2012, an average of 3265 domestic violence cases were reported yearly in Malaysia. It was also reported that the highest number of cases recorded was 3769 in the year 2008 whereas the lowest number of cases recorded was 2555 in the year 2003. In 2012, the number of recorded domestic violence cases was 3488. This indeed is a worrying sum.

Nevertheless, both Rotaract Clubs attempted to raise awareness against these issues by educating the participants about the other options to seek in order to curb Domestic Violence and Violence against Women apart from getting help from the police such as the Women’s Aid Organisation (WAO), All Women’s Action Society (Awam) and Sisters In Islam (SIS) which provide a helpline for victims and those want to report domestic violence. Plus, the participants were also informed about the main legislation for dealing with domestic violence, which is the Domestic Violence Act 1994 and the Penal Code. However, all this was done in a station games format in which they had to play a few games to attain clues in order to solve the case studies related to topics such as Interim Protection Order (IPO), Migrant Domestic Workers, Child Abuse, Rape and Foreign Spouse.

The event kickstarted with the registration from 8 am till 8.45 am where all the 16 teams of 4 people had to register their teams. Upon registration, they received a t-shirt, the case studies, a file to store all the clues and food. At 8.45, the participants were ushered up to the hall for a talk which was given by Miss Betty, the guest speaker from AWAM. Next, the opening ceremony took place with a speech from the Organising Chairperson, Sueanne Tan from ATC. A token of appreciation was also given to the speaker. The format of the games were explained in order to make sure that the participants get a clearer picture of what’s in store for the day.

At 10am, the games began and the participants scrambled from one station to another to tackle the games and to get their hands on the clues in order to solve their case studies. Some of the games that were organised for the participants were riddles, Transfer the Beans, games involving water balloons, Sudoku, the Water Game and a game involving Keys and Ice. It was indeed intriguing to see the participants having to complete all the tasks given as some

of the tasks were not as easy as they expected them to be. Each team had around 30 minutes at each station after which they had 10 minutes to solve their case studies and discuss with their teammates before having to find the next station and so on.

The participants also received a can of Redbull as they were in the midst of playing the games at different stations. At around 12.30 pm, the participants had completed all their tasks and had to complete all of their case studies in order to hand it all in to be marked by the Organising Chairpersons and the Presidents of both Rotaract Clubs.

The closing ceremony officially took place at around 2.00pm whereby the certificates of participation were presented to all the teams that participated in the event as well as the announcement of the winners for the event. It was indeed a proud moment for all the participants from ATC as the first, second and third place were all bagged by participants from ATC. In first place was Team Yam Seng (Felicia Lai, Joshua Wu, Lee See Yan and Sureene Han). In second place was Team Kangkung (Chee Siang Ling, Kelvin Koay, Koo Jia Hung and Ryan Teh). There was a tie between Team Invictus (Amelia Jong, Ivor Adrian Ng, Lee Cing Cing and Ong Churn Hong) and a team from Segi College and University. The winners received RM 300 (first place), RM 200 (second place) and RM 100 (third place). The Organising Chairperson, Chloe Soh from MCKL gave a closing speech and wrapped up the event.

All in all, it was a good day for all the participants as well as the Organising Committee as months of preparation finally came to an end. Plus, it was indeed an excellent way to end the RAC ATC term for the year 201/2014.

**RACE
4 YOUR
RIGHTS**



The participants solving the case studies



The participants of the winning team (Team Yam Seng – left to right – Joshua Wu, Lee See Yan, Felicia Lai and Sureene Han) and a member of the Organising Committee (Manpreet Kaur Sandhu)



The Supreme Court Refuses to Pierce the Corporate Veil : A commentary on two recent Supreme Court Cases - *Prest v Petrodel (2014)*¹ and *VTB Capital v Nutritek (2013)*²

Corporate veil lifting issues rarely go up to the highest court, so to see two cases in less than a year going up to the Supreme Court recently has been most extraordinary. As the topic of Corporate Personality is a highly examinable area in the University of London (International Programmes) Company Law examination, LLB students would naturally be interested in the outcome of the above two cases. So what really happened in the journey to and in the Supreme Court in these cases? Do any of the decisions change the law on lifting the corporate veil?

1. *Prest v Petrodel (2014)*

History of the Appeal

This appeal arose out of proceedings for financial remedies filed by the wife of Michael Prest after their divorce. The appeal concerned the position of a number of companies belonging to the group which were wholly owned and controlled by Michael Prest, the husband. One of the companies was the legal owner of five residential properties in the UK and another was the legal owner of two more. The issue for the Supreme Court was simply this : whether the court had power to order the transfer of these 7 properties to the wife given the fact that the properties legally belonged to the companies and not the husband. Applying the general rule of corporate personality enshrined by the *Salomon v Salomon*³ (1897), a company was a separate person from its shareholders; and that necessarily meant that a company's property belongs to it alone, and not to its shareholders.

In the High Court, Molan J reached the conclusion that there was no general principle that entitled him to pierce the corporate veil and reach the companies' assets. However, he concluded that there was a wider jurisdiction to pierce the corporate veil under *s.24 (1) (a) of the Matrimonial Causes Act 1973*; whereby the court may order that a party to the marriage shall transfer to the other party such property as may be specified, "being property to which the first mentioned party is entitled, either in possession or reversion".

In the Court of Appeal, however, three of the companies challenged the decision on the ground that there was no jurisdiction to order their property to be conveyed to the wife. The majority of the Court of Appeal agreed and criticized the practice of the Family Division (which this writer feels they perceived to be inappropriate), namely, treating assets of companies substantially owed by one party to a marriage as available for distribution under section 24 MCA 1973.

The Supreme Court in *Prest* : A way out through Resulting Trust

The Supreme Court refused to pierce the corporate veil. It however unanimously allowed the appeal by the wife and said that the 7 disputed properties vested in the companies were held on trust for the husband on the ground that, in the particular circumstances of the case, the properties were held by the husband's companies on a resulting trust for the husband, and were therefore "property to which the husband was entitled, either in possession or reversion." Lord Sumption gave the leading judgment with concurring judgments by the others : Lord Neuberger, Lady Hale, Lord Clarke and Lord Walker. His Lordship gave three reasons for his judgment.

¹ 2014 UKSC 34

² 2013 UKSC 5

³ 1897 AC 22

Reasons for the judgment

Lord Sumption said that there were three possible legal bases on which the assets of the companies might be available to satisfy the lump sum against the husband :

- (i) that this is a case where, exceptionally, the Court may disregard the corporate veil in order to give effective relief;
- (ii) that section 24 of the MCA 1973 Act confers a distinct power to disregard the corporate veil in matrimonial cases; or
- (iii) that the companies hold the properties on trust for the husband, not by virtue of his status as sole shareholder and controller of the company, but in the particular circumstances of the case.

On the first reason, his Lordship held that *“there is a principle of English law which enables a court in very limited circumstances to pierce the corporate veil. It applies when a person is under an existing legal obligation or liability or subject to an existing legal restriction which he deliberately evades or whose enforcement he deliberately frustrates by interposing a company under his control.”*

However he went on to say that the principle had no application here because the husband’s actions did not evade or frustrate any legal obligation to his wife, nor was he concealing or evading the law in relation to the distribution of assets of the marriage upon its dissolution.

On the second reason, his Lordship rejected the argument that a broader principle applies in matrimonial proceedings by virtue of s.24 MCA 1973. That section invokes concepts of the law of property with an established legal meaning. Both company and insolvency law recognize the protection to companies accorded by the legal principle of separate corporate personality.

On the third reason, His Lordship said that *“it follows that the only basis on which the companies could be ordered to convey properties to the wife is if they belonged beneficially to the husband, by virtue of the particular circumstances in which the properties came to be vested in them”*. After examining the acquisition of the seven disputed properties, the Court found that *each of the properties was held on resulting trust by the companies for the husband*. Hence they could be made available for distribution in the financial proceedings following the divorce. Thus the result (although the corporate veil was not pierced) was favourable to the wife.

2. VTB Capital v Nutritek (2013)⁴

In VTB Capital there was an interlocutory appeal on a refusal to permit the claimant to amend its pleaded case to include a claim of piercing the corporate veil. The claim was that VTB had been induced by fraudulent misrepresentation (made by Nutritek) to enter into various agreements with a Russian company (RAP) under which VTB advanced large sums of money to RAP to enable RAP to buy several dairy companies from Nutritek. VTB wanted to amend its claim to argue that RAP’s corporate veil ought to be pierced and that the real controllers of RAP (for example the fourth defendant, a Russian businessman, who was said to be the ultimate owner and controller, together with two other related companies) should all be treated as jointly and severally liable with it for breaches of the loan agreements. The controllers were said to be the puppeteers and that the company had merely been formed to take the loans for their purposes.

⁵ 2013 UKSC 5

In essence, therefore, what was being sought was to treat a controller of the company to be held liable as if he had been a contracting party.

The Supreme Court refused to pierce the corporate veil in this type of situation as in its opinion it would have “reflected an extension of the circumstances in which the corporate veil can be pierced that was contrary to authority and contrary to principle”. Justice could be served by other remedies which were available in a fraudulent misrepresentation claim.

The Supreme Court in VTB : “moral indignation should not triumph over legal principle⁵.”

Because the VTB case was an interlocutory appeal, it did not review the law on piercing the corporate veil as much as the above *Prest* case did. Lord Neuberger however did say in VTB that “moral indignation should not triumph over legal principle.” He reiterated the *Salomon* decision and said that it would be wrong to treat a person who controls the company where at the time the agreement was entered into none of the actual parties intended to contract with him or he with them and where he had never led any party to the agreement on the basis that he was liable under it.

Conclusion

The Supreme Court did not lift the corporate veil in *Prest v Petrodel* (2014). Indeed, Lord Sumption reiterated the *Salomon* principle and said that **“the fiction of separate corporate personality and the company is the whole foundation of English company and insolvency law”**.

Justice, however, was still done in this writer’s opinion as the wife won, albeit through the mechanism of a resulting trust (in the law of trusts) as opposed to piercing the corporate veil (in company law) which allowed the contested properties to be transferred to her in proceedings for financial remedies following the divorce. The final decision came down to simply this : the intervention of equity and the question of who owned what beneficially.

Neither did the Supreme Court lift the corporate veil in *VTB Capital v Nutritek* (2013). Here too their Lordships emphasised the *Salomon* principle as the foundation of company law, and the refusal to pierce the corporate veil is extremely clear, particularly where there may be other more appropriate remedies that could be made available to the claimant.

One cannot help but be reminded of the powerful obiter statement of Lord Keith in *Woolfson v Strathclyde Regional Council*⁶ (1978) who firmly stated that “it is appropriate to pierce the corporate veil only where special circumstances exist indicating that it is a mere façade concealing true facts”. Later, in the authoritative “mammoth judgment” of *Adams v Cape*⁷ (1990), Slade LJ applied Lord Keith’s view, and stated that : “the court is not free to disregard the principle of *Salomon v Salomon* merely because it considers justice so requires”.

That may be so, but this writer is firmly of the view that the Supreme Court in the above two cases was indeed doing justice, albeit not through the piercing of the corporate veil⁸.

by:

Meera Badmanaban

Principal Lecturer for Company Law, (LLB).

⁵ Lord Neuberger in VTB warned that words such as “façade” and other expressions found in the cases such as “sham”, “mask”, “cloak”, “device”, or “puppet” may be useful metaphors, but that “such pejorative expressions are often dangerous, as they risk assisting moral indignation to triumph over legal principle...”

⁶ 1978 SLT 159

⁷ 1990 Ch 433

⁸ See “Lifting the Veil becomes a remedy of last resort after *Petrodel v Prest* in the Supreme Court by Peter Bailey (2013) Co.L.N. 2013, 336, 1-5

Remembering Owen: A Poetry Reading Session

Poetry readings have been occurring for decades around the world in universities, bookstores, cafes, corner pubs, and coffeehouses. Recently, the January 2014 Literature group of the A'Level department at ATC organised a session of poetic expression, held on the 18th of April 2014. "Poetry Reading: Remembering Owen and the War" witnessed numerous students taking centre stage as they articulated out a series of poems written by the well-known war poet Wilfred Owen.

A man who tragically meets his end at the age of 25 in the battlefield, Owen epitomises the horrors of the First World War for most people in modern Britain. Students studying the Cambridge International A'Level Programme, upon selecting Literature in English as a subject will be embarking on a poignant journey of 30 poems depicting the harshness of war as part of their syllabus.

Others have shown the disenchantment of war, have unlegended the roselight and romance of it, but none with such compassion as Owen has for the disenchanting or such sternly just and justly stern judgment on the idolisers. To Owen the sight and sound of a man gassed was too dehumanising and he could never accept society in this perspective.

These young, pulsating minds of the January 2014 group each did their own creative rendition of their assigned poem, brilliantly capturing the main themes of his poetry, the tone as well as an anchoring to the knowledge and understanding of poetic devices.

While some used interactive media devices, posters and charts to expose the inner workings of their poetry, some made grand entrances and confident speeches and monologues that stole the hearts of the audience. Not only was the session insightful for the students, it demystified poetry to many of those who have no idea how a poem functions.

Overall, it was a memorable time as fresh, current and former students of the A'Levels and LLB intakes as well as the staff of ATC gathered around to listen to touching recitations.

The collections of Wilfred Owen's poetry are the fruit of not quite two years' active service, less than half of it in the field. But they are enough to rank him among the very few war poets whose work has more than a passing value.

by:
Ms.Felicia Ann
English Literature Lecturer, (A'LEVEL)



ATC Moot Warriors

The 2013/2014 season has been a great one for the ATC Moot Warriors. As usual, we were considerably successful in the national mooting arena and enjoyed new breakthroughs in the international mooting arena.

For starters, ATC did extremely well in the 8th LAWASIA International Moot Competition (Malaysian Qualifying Round) where we emerged as both the Champion and the Runner-up. The champion team consisted of Saran Gunasekaran, Joyce Pang Tui Yi & Abigail Florentia Peter and the runner-up team comprised Aizurra Mirsya, Joan Marie Jacob & Ng Yet Ting. ATC was also represented by our fellow mooters from the Penang campus, namely, Chang Wei Chew, Gan Hooi Ping & Eve Ong Tze Huey. Considering the fact that all these mooters have never mooted in any external competition, this is truly a remarkable achievement for us.

As the champion of the Malaysian Qualifying Round, ATC represented Malaysia in the 8th LAWASIA International Moot Competition (International Round) in Singapore. Despite our team finishing as a quarter-finalist in this edition of the competition, our mooters have gained a lot of invaluable lessons and experience. Rest assured that we are looking forward to bounce back stronger than ever in the subsequent editions.

In addition to that, ATC became the first ever private law school from Malaysia to qualify for the International Law Moot Court Competition which is held annually in Tokyo, Japan. An impressive point to note is that we managed to achieve this feat on our very first attempt, by being one of the top ten teams in Asia. The team that represented ATC and Malaysia in the 15th edition of this prestigious competition consisted of Aravind Kumarr Muniandy, Hillary Ang Yee Tung, Lu Yiing Suey & Lekhashinii Nadarajan. Overall, we managed to clinch 7th place in Tokyo with three of our mooters featuring in the List of Top Ten Mooters. This was definitely a fantastic debut by ATC to say the least.

On the domestic front, ATC had also participated in the 10th ICRC International Humanitarian Law Moot Competition (Malaysian Qualifying Round). Our team from the Penang campus consisted

of Thanga Nachiar & Yeoh Ann Jill. They have performed admirably by reaching the semi-finals of this competition despite not even having sat for their Intermediate exams. Meanwhile, Kenny Lau Thai Yik & Caely Yo Yi Yun from the KL campus had also put up a bold fight in the preliminary rounds of this competition.

Further, in 2014, ATC once again competed in the Philip C. Jessup International Law Moot Court Competition (Malaysian Qualifying Round) after a brief two-year hiatus. This is the most renowned and distinguished moot competition in the world. The team that represented ATC in the 55th edition of this competition comprised Aravind Kumarr Muniandy, Aizurra Mirsya, Kee Kay Khuang & Ng Yet Ting. Our team finished on par with the traditional powerhouses such as USIM and UITM in terms of the number of wins in the preliminary rounds. However, we had to settle for 5th place based on our total raw scores. Despite narrowly missing out on qualifying for the knockout rounds of this competition, we remain very optimistic about our chances in the future.

On top of taking part in all these external competitions, we are also committed to aid our fellow students in ATC in developing their advocacy skills and critical-thinking ability as part of a holistic education programme. For instance, we organised a Moot Exhibition & Workshop which was conducted by Ms. Kwong Chiew Ee and Ms. Irene Kam. This exhibition and workshop provided our students with an exposure to what mooting is all about.



Season In A Flash

We had also organised the 23rd Tun Hamid Omar Moot Competition where we had a total of eleven teams participating. This competition has traditionally been a solid platform for our students to establish themselves as potential future Moot Warriors by displaying their advocacy skills. In this edition of the competition, Jocelyn Loh Shing Yee & Andrea Chew Mei Yng emerged as the champions while the runners-up were Fong Long Choy & Tan Chuan Yi. At the same time, we would sincerely like to commend all the participants for having the courage to step out of their comfort zones and take up the challenge of mooting.

It must be noted that none of these achievements would have been remotely possible without our coach, Ms. Kwong Chiew Ee. She had dedicated almost all her non-working hours to guide and coach the Moot Warriors to bring out the best in all of us. She was occasionally assisted by our trusted alumni, namely, Chai Ping Zhou, Mah Sue Ann & Daniel Bong. We also have Dr. Danny Choong and Mr. Daniel Abishegam, who have always been our biggest supporters. We would like to extend our heartfelt gratitude to all these great people for helping us get to where we are today.

For more insights into the mooting scene in ATC, feel free to 'Like' the ATC Moot Warriors' Facebook page at <https://www.facebook.com/atcmootcourt>.

by:

Aravind Kumarr M & Lu Yiing Suey, Part 2 (LLB), 2014



AN EDUCATION AFFAIR

With technology constantly changing the landscape of information and higher education, people no longer feel the need to visit arrays after arrays of endless booths to enquire about how or where they should go on the education pathway. One click of their media devices and tons of information is instantly downloadable. A conceivable theory indeed, yet not always a feasible concept. Because no matter how swiftly we Google for information, nothing is like being a part of the vibes of Education Fairs in determining the future of your education.

Over the recent years, Advanced Tertiary College (ATC) has participated in various educational fairs, dynamically exhibiting what its educational background consists of. In 2013, ATC was a part of the FACON, STAR, Education for Further Studies (EFS) and MAPEI fairs and dominated the local and international arena. 2014 was no different.

If you are fresh out of the school-system oven and can't wait to explore what the world has to offer you, then the best place to be is at the next education fairs. Here are more reasons why you should;

1 Education fairs are a one-stop area to gather the necessary information on the courses and schools which one is interested in. Now no doubt a lot of the information should be available online but there's nothing like the process of discovering information on a face-to face basis. At ATC's booth, the adept marketing staffs guide visitors who would like to know more about what ATC has to provide to comfortable seats as they update visitors with the latest of information.

2 Furthermore, students who have questions about specific details – on the field of study or subject matter- which are not available online can quench their curiosity by speaking directly to those present. Vibrant and helpful lecturers of ATC stand ready at the booths to answer queries on the subject of Law, Business, Literature, Accounting and many more exciting subjects. Potential students find it more helpful to speak

to the lecturers as they will be able to provide a wider and deeper scope on the subjects and field they are going to swamp through for the next few years.

3 Education Fairs are an alternative to campus visits. If you really want to have an idea of how the campus will be like, instead of just gasping over pictures on the internet or if you are fearful of stepping into the physical campus, then visiting ATC's booths will be a more favourable option. Then there are individuals who are keen to know more about that particular college and its courses but live too far away. In 2013 and 2014, ATC ventured outside the peninsular and had helpful booths in Kota Kinabalu, Tawau, Sandakan, Kuching, Miri, and Sibiu. The college also expanded its visits to Sri Lanka and Maldives as there were numerous students intrigued with the field of Business and Law.

4 Education fairs are "free", at least for the attendees who are looking to find out more about the schools and programs they are interested in. You pay absolutely nothing as you enjoy your day cruising up and down the lanes of booths. Step into the booths of ATC and you are instantly welcomed by bright and alluring backdrops displaying the latest achievements and the latest pictures of its Graduating Class. The proud smiles of accomplishments by the Graduates can only ignite the flame of success in the eyes of budding students. Besides that, at the ATC booths, current students of the college assist in distributing loads of freebies and goody bags equipped with educational brochures and other items as well.

5 One also needs to remember that not all kids have internet access at home or in schools and hence the ability to do the necessary online research to find out more about these course, especially kids from rural areas and from less fortunate backgrounds. These education fairs are a great opportunity for them to find out more about different schools and programs. During these fairs, ATC will conduct presentations on subjects and on the courses as well as talks on careers leading on from their selected programmes.



At the education fairs, potential students get to interact with former alumni and current students of some of these schools. ATC is no difference as the students hype up the booths. After all, who better to give first-hand information to potential students than former and current students?

Along with meeting potential colleges, universities and courses, education fairs are a chance for you to carry out valuable research on what you need to do next. ATC College provides all the valuable information and necessary requirements for you at these fairs. Fairs give a clear understanding of the needs and wants you have in the education field.

If you are looking to build confidence in your future and improve knowledge, consider attending an education fair. Education fairs are indeed an invaluable investment in the future. And if you are interested in the field of Law and Business, you know where to go!



ATC at the Education Fair held in Mauritius



YB Kamalanathan, Education Minister II visit ATC's booth during the Education Fair held in KL



ATC at the Education Fair held in Maldives



From left; Mr. Inderjeet Singh [Deputy Head(LAW)], Mr. Hussain Shameem (Deputy Prosecutor General of the Republic of Maldives), Mr.Shanker Nair (ATC Marketing Director)



ATC at the Education Fair held in Sri Lanka

Ru(i)n a Country

reflections of the video game Democracy 3, created and designed by Cliff Harris and his team at Positech Games
Recommended for students studying Economics, Public Law and Common Law Reasoning & Institutions.

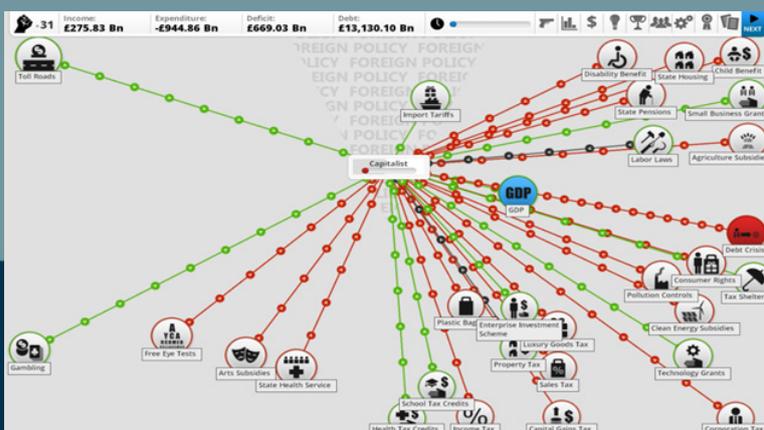
By Karmen Lim Joy May
Inter (LLB), Sept 2013

All political careers end in failure. - Enoch Powell

I really did want to make Britain a better, happier place for everyone. Trouble is, I couldn't please everyone. "Why bother then", said I, and so it began. My enemies were capitalists, the wealthy and religious extremists. In the beginning, all was well and good. I helped the poor get a leg up on greedy corporations and the unsympathetic wealthy. I made education free for all and ignored the private schools getting their nark on. I raised the 'luxury goods' tax. Imposed taxes for inheritance and for owning large corporations. Obviously, the people it affected had the money to burn. Outright banned the teaching of creationism in schools. Legalized prostitution and felt the wrath of conservatives screaming about family values and tradition. Midway through, I created a nation of intelligent, hardworking and fairly well off citizens only to have them bite the hand that fed them when the policies they so vehemently supported when they were down on their luck suddenly "stole" from them what they had worked so hard for to give to the "lazy" peasants. Corporate exodus threatened to plunge the GDP (my budget) so deep into the red that I swear I was drowning in my own blood.

Eventually, I was left with no choice. I compromised my own values and I punished downtrodden people who I had sworn to protect, I scrimped and I saved and I took desperate actions. I tried to think long-term, but I constantly fought seemingly endless short-term fires. The country went from a utopian socialist paradise to one favoring the social Darwinist. The poor and the middle-class hated me, the rich continued to abuse every tax loophole they could find, the poor took to alcohol abuse and crime. The capitalist monsters I created cheered me on, sure, but that didn't matter one bit as the nation's reserves hemorrhaged its last, and the public finally, understandably, voted for the opposition. All I can say at the end of this all is "Enjoy fools, because I can't figure out what you see in it." Good luck appeasing everyone all at once considering everyone is selfish and entitled, not willing to give even the slightest leeway to anyone with a different opinion (unless they happen to also be a part of other groups-yes, there is that much complexity in this game). I'm just glad I escaped with my life. (If you upset a particular voting group enough in this game, extremists WILL band together to assassinate you.) Sigh. Politics just isn't for me. I'm not a people person and I never will be.

I don't need to be a mind-reading genius to figure out that 99.9% of people, be they law students, lecturers, judges, practicing lawyers, the men on the Clapham Omnibus or nice little old ladies, have, at least once, thought that the government of the day have made some obviously wrong mistakes that they themselves would have avoided. They would NEVER make policies such as tax shelters for the rich who have more than enough money to go around (and around and around...). Should we raise the tobacco tax? Yes, that's such a no brainer! We've been trying to get people the world over to stop ever since Winston Churchill and Audrey Hepburn wrapped their lips around those cancer sticks. The remaining 0.1% is people who are already politicians themselves. If you fall into the former group, then it's time to put your money where your mouth is and show us just how much of a utopia your country is when things are done, your way (your way, or the highway).



Capitalists: "Stop helping people!" On one hand they seem to be greedy sniveling villains who want to stay rich and on top whilst keeping people on the bottom, right where they are. On the other hand, a truly free market ensures no slackers decide that being unemployed and receiving handouts from the government is a viable option. Capitalists are also the biggest contributors to your GDP. Argh. Decision, decisions...

DEMOC



The United Kingdom of Great Britain and Northern Ireland, commonly known as the UK or Britain, is one of five permanent members of the UN Security Council, and a founding member of NATO and the Commonwealth. The UK is also an active member of the EU, although it chose to retain its sovereign currency rather than join the Euro. The UK is a constitutional Monarchy, where the Monarch's power is effectively ceremonial. A parliamentary system is used to elect the House of Commons under a constituency-based 'first-pass-the-post' system.



Population:	63,047,162 (July 2012)
Size:	243,610 sq km
Life expectancy:	80.17 years
Gini(inequality):	41
GDP per capita:	\$36,700
Poverty:	14% (2006)
Ethnicity:	92.1% white
Religion:	Christian(71.6%)
Tea Consumption:	2.3kgs/person
Obesity Rate:	23%
Big Mac Index:	\$3.32

Play

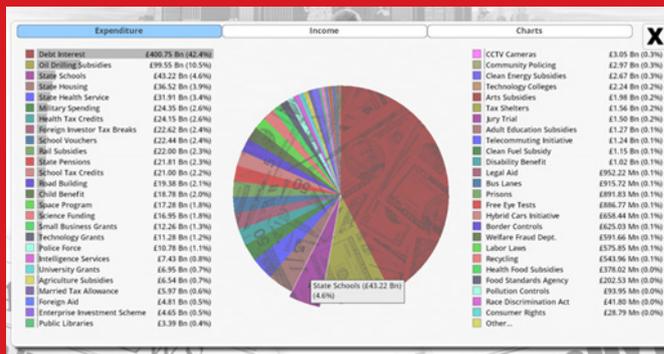
Tea Consumption : the UK's got its priorities right.

You start the game and a nondescript yet uplifting national anthem for an unnamed nation plays, (hopefully) filling you with patriotic pride for the country you will soon be leading. Hit new game and let's get started!

You start by selecting a country you are supposed to lead to the Promised Land from a starting group of six (There's an additional country, Greece in its financial crisis that you can turn on under 'Mods'). Depending on the state of the country in mid-2013 (when the game was released) the country you choose makes the game either more or less difficult. Seeing as we here study English law, the idea of being the Prime Minister of the United Kingdom was too good to pass up.

Once you do you'll be greeted with grand news of your victory in the recent election (that you suspiciously know nothing about). Immediately you are set on the real meat of the game. That is, to balance and juggle your personal ideologies, policies, budget, popularity (both with your voters and your own cabinet), economy and much more. The many icons on the game's UI at first, look to be a micromanager's wet dream, and your worst nightmare. Fear not, it's not as cluttered as it looks. Simply mouse over any given voting group (shown in the middle of the screen) to be given a flowchart of how certain policies and issues may be positively or negatively impacting your popularity with that group (Ms. Santhi put it best -'A government's only goal at the end of the day, is to survive to make it to next term and nothing else.'). Unfortunately, when you give a citizen a heart stopping burger, you have to take away some of their heartburn medicine. No exceptions. You raise that tobacco tax and the air quality goes up whilst equality goes down (now only the rich can smoke).

Clicking on icons brings you to charts and graphs regarding their respective topics and subsequent sliders and big shiny buttons for policies, taxes and campaigns you may choose to alter in whatever way you so please. While there appears to be an insane amount of things to look over and consider, the UI is actually rather neat and boiled down, simplified but not dumbed down in any way that would appear to be condescending to players of any level. In short, it presents a wealth of interesting information in an easy to digest manner.



Know exactly where your money is going so you can keep that debt low and your income high. Take a piece of that delicious pie.

Policy Ideas

- University Grants
- Youth Club Subsidies
- Arts Subsidies
- Healthcare Vouchers
- Healthy Eating Campaign
- Keep The Country Tidy Campaign
- Youth Politics Council
- Free Parenting Classes
- Social Justice Foundation
- Stamp Out Racism Week
- Compulsory Food Labelling

Compulsory Food Labelling

There is plenty of food out there that is not healthy, but companies have found clever ways to obscure that by making it look extra tasty or put the ingredients list in smallest print. This is now over with. Compulsory Food Labelling: All foods must now display all the ingredients and additives in it, making it easier for people to choose the food they want to eat while remaining healthy.

Implementation time: 2 Quarters
 Introduction cost (Political capital): 12 / 24
 Potential Costs: \$753.00 Mn - \$3.01 Bn
 Potential Income: none
 (Estimated) Popularity with voters: 12%

Implement

Policies and campaigns are explained in plain and simple English. None of that "quid quid latine dictum sit oltm videtur" tripe.

Quarterly Report

Here is a summary of the current state of your nation, as reported by the various ministries and departments.

Hackers breaching critical systems

A group of expert hackers has hacked critical systems in our computer networks, including power plants and banking. The group went public and admitted to the hack, pointing out some dangerous flaws in our defenses and offering ways to fix the problems. Companies and security experts are now on high alert and demand action.

Arrest these criminals
 Hacking these systems could have caused a catastrophe. The flaws in the system need to be fixed as quickly as possible and the hackers arrested, otherwise other hackers will attempt this again, causing immense stress on our networks in the hopes of becoming famous.

Hire them
 These hackers seem to be the best in their field, so they should be perfect to select this option and implement it. Companies and state-employees won't like it, but security comes first here.

"When you've spent half your political life dealing with humdrum issues like the environment... it's exciting to have a real crisis on your hands" - Margaret Thatcher

Continue

Make big decisions. Each choice briefly mention the risks and benefits to each choice so you aren't fooled into thinking that they are binary moral choices. Like choosing between being Mother Theresa and baby eating.

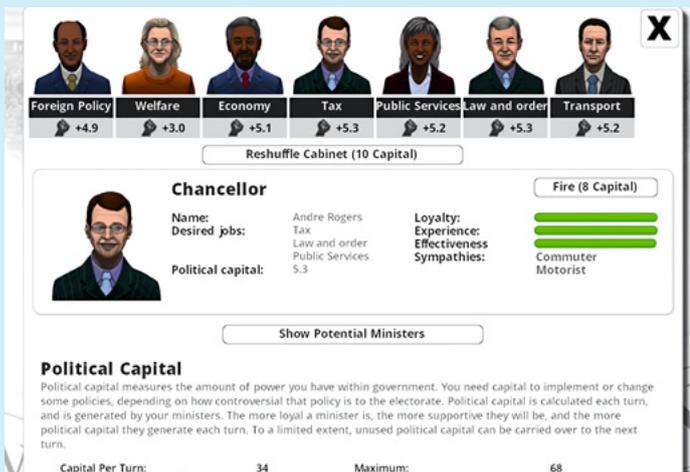
Ultimately, the game is no substitute for the reality and intricacies behind running a country. Nor does it perfectly simulate every single voter group (it does try, in the form of individuals belonging to more than one group) and the myriad of factors that will affect their decision to vote for you. Nonetheless, it is a very entertaining and easy to grasp cause-and-effect toy that lists arguments for each choice to boot. (that you can use in your exams winkwink nudgenudge.)

Push and pull all sliders to turn your land of the free into a police state? Why not? Legalize abortions to the point where doctors are allowed to perform them on demand? Let's see what happens. Raise those import tariffs to phenomenal levels? Oooh! What does this button do? All the fun of going mad with the controls with none of the real consequences of creating real life martyrs who are all too happy to send you to meet your maker. All the way learning new things by accident when you see A affect B in a way you didn't think possible.

The secret to shaping and molding the country in your own image, as it turns out, is to enact policies alongside the ones you want, that reduce the population of your detractors to a point of insignificance so as to never blip your political radar again. How? The mind is a pliable thing so long as said minds are not aware that it is being sculpted to fit a different mold. Democracy 3? More like Tyranny 3!



Flat Income Tax: A policy that appears to not veer too aggressively in favour of any one income group. So long as there is no inequality in the population of the poor, middle-class and the rich in the country.



This cabinet is unrealistically diverse for one supposedly belonging to the UK...

Joking aside, the creator of the game himself is an LSE economics graduate who eschewed the world of sharp suits, scandalous call girls and polished office floors to be an independent game developer. One of the aims of his game is to stimulate the recent rising trend in political and economic curiosity amongst young adults.

He wanted to create a political-economic simulator as close to the real thing as possible, to put banter at the pub (or mamak stall) over what the government should or shouldn't have done, to the test. With the game going out of its way to avoid telling you what's right and what's wrong. Who knows? Maybe your government will be the one to finally bring about world peace and harmony. Alternatively, you run the country into the ground, banishing human rights entirely and rule a country of mindless drones who have grown complacent with your oppressing policies because you are a special breed of person who isn't looking for anything logical like money, you can't be bought, bullied, reasoned or negotiated with. You, like some men, just want to watch the world burn. It is, after all, sometimes a game is just a game.

You may not play the game to completion, (the quote at the very top sadly applies, a game over happens when you are voted out of government or are assassinated when people grow weary of your choices) but it is at least worth a look, even if you despise politics and care not for the state of the economy. There's a lot to learn here that's written in a way that's easy to understand and is thoroughly engaging since you aren't just reading things from a textbook for the sake of an exam. You're reading it all in a context that makes what was seemingly useless information, practical and applicable in a simulation where you can implement it right away and walk the walk so you can go back to talking slick talk you guile politician you, or trip over your own shoes trying.

Moonshine

by: Vishal Gopinathan

Part 1, (LLB) 2013

Our bodies were locked in a dance of long forgotten dreams and unfulfilled desires, moving like single being cutting through the sea of faceless men that would never feel the way we did. For eternal minutes as we gazed into eyes others eyes, we shared a lifetime under that midsummer moonshine, as our feet seemed to guide us through the road not taken.

And then suddenly, we were at our wedding, saying our heartfelt vows in the courtyard where we'd played as children, with our nearest and dearest beaming at us from all sides. And when she said yes, the moonshine turned her tears into diamonds priceless beyond measure.

Then, the scene changed and I was at the hospital gently squeezing her hand as the doctor presented us with our perfect baby girl. Luna we would call her, after her silver blond moon-kissed hair.

I saw our whole lives flip book by, all the kids and grand kids, the indescribable highs and the gut wrenching lows and it was everything I ever hoped my life would be. It would be perfect. We would be perfect. All we had to do was will it, and it would be ours, the moonshine seemed to say. If I kissed her lips, we would both turn into royalty and ride off into our fairytale ending, the moon seemed to promise. As I leaned in to accept this celestial offer, a dark storm cloud drifted in, and blocked out our heavenly benefactor. Near instantaneously the rain began to pour, and we were forced to make a frantic dash towards the promenade.

Under the harsh tube lights, the spell was broken. No longer were we young star crossed lovers, but dour grim middle aged adults with commitments and responsibilities. Under the fluorescent lights, alongside the spark of love I also saw pain and hate in her eyes. It was conscious descisions that led us away from that untaken road, not mere happenstance. We were about twenty years too old to tread the path of "everlasting love". Awkwardly, we extricated our hands from their intimate embrace while all the while making believe they had never met in first place.

With a last lingering glance, we made our ways towards our respective spouses, hoping against hope that our brief fling of lunacy had gone unnoticed. My wife barely seemed to have noticed my absence, consumed by her twin desires of appearing socially presentable and stuffing her face with every food particle in her vicinity. At times, it seemed to me that my life was a fairytale in reverse, that I had married a princess who turned into a toad.

I made my way to the bar and after a hushed conversation with the barkeep, he handed me a small glass bottle over the counter. With a swig of its contents, the world seemed to immediately brighten, and magic seemed to be once more in the air. I made my way to my wife, and as I sat down beside her, she flashed me a heartfelt smile that soothed the hurt the old flame had rekindled. And as I pecked her cheek, I told her that she had never looked as pretty as she did that night under the moonshine.

The Feast

The sun hits the with the brightest of glares,
And they gather around,
with their bodies bare, and thinning hair,
A population on the brink of starvation,
and to him they turn,
with stomachs that yearn,
Eyes full of fervid desperation,
He moves his old joints,
and casually points,
To the man he likes the least,
Oh! God has spoken!
Oh! What a token,
Tonight my friends, we feast

He moves first,
The man marked for death,
He runs and he runs,
'till he falls out of breath,
and they gather around,
No remorse in the least,
Hideous beasts, prepared for a feast,
They start with his eyes,
Oh, what a treat,
then they move to his hands,
and on to his feet,

And as they continue to gorge,
He continues to scream,
Beautiful music,
For a feast of dreams

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FIRST CLASS HONOURS ACHIEVERS

2013	Daniel Chua Wei Chuen
2013	Ho Wai Kwan, Celia
2013	Chen Kam Lung, Alan
2012	Lam Chin Kiu, Crystal
2012	Lee King Hay, Ryan
2010	Rebecca Yuvonne
2008	Chong Jing En
2007	Tan You Leong
2004	Julia Shah Fiorovantiova
2004	Sanjeetha Sidhu
2003	Teo Sue Anne
2002	Teh Guat Hong
2001	Lee Kong Han
1999	Kok Sue Ann

THE MALAYSIAN LAW SCHOLARSHIP WINNERS

2013	Vivian Oh
2012	Navini Rajikumara
2010	Joey Teh Shyang Shiuan
2007	Rani Preatarshini Subassandran
2005	Ann Khong Hui Li
2004	Rhubini Nataraja
2003	Victoria Loi Tien Fen
2002	Ding Li Nah
2001	Nurul Munnah binti Ahmad Kamarulzaman
2000	Tiffany Heah Li Yew
1999	Sri Sarguna Raj
1998	Melvinder Singh s/o Jagindar Singh
1997	Amirtha Rajesh Ganesan
1995	Jaya Geetha Nagendran

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