

HBS

LAW

FIRM GUIDE

HBS LAW
www.hbslaw.asia

“ Local expertise with international experience makes us the advisor of choice. ”

ABOUT US

HBS is a leading law firm registered with the Bar Association of Cambodia, that has been providing legal services of the highest quality to many of the world's leading companies, governments, financial institutions and other organizations since 2005. As a registered law firm and a firm with its own associated notary, HBS Notary Public, we can offer a truly one-stop-shop experience for our clients.

We understand that our clients are not simply looking for correct advice but also for excellent service delivery. In this regard, we pride ourselves on being the only registered law firm in Cambodia built on a genuine partnership with and working relationship between our Cambodian and foreign lawyers. This enables us to offer a level of service commensurate with the level of service that our clients expect from lawyers in their own jurisdictions.

Cambodia has taken great strides in enacting laws to facilitate and encourage foreign investment since its accession to the WTO in 2004 and this is reflected in the huge growth of foreign investment into Cambodia and the development of the country, particularly in the last 10 years. Nevertheless, the country's legal system remains a work-in-progress and gaps in the law are often supplemented by practice. HBS Law has, through years of capacity building and assistance with legal and business development programs, fostered a strong relationship with governmental institutions that enables our advisers to not only be informed as to those practices but also to shape them.

Our clients are required to become more and more agile and nimble-footed, and so do we. Our Innovations Committee (the only one of its kind at a Cambodian law firm) is continually formulating and implementing innovations in the way we deliver our services whether they be of a technological nature or otherwise.

HBS Law can assist clients with the full range of legal and tax matters and has established dedicated practice groups comprised of seasoned lawyers with substantial experience in each relevant area. Notwithstanding our dedicated practice groups, we appreciate that for our advisers to give full and complete advice, they need to have a working knowledge of issues covered by other practice groups. Our training includes cross-practice group training sessions to achieve this result.



PRACTICE GROUPS

Our Practice Groups cover the following sectors / areas of law:

- AML/CFT
- Aviation
- Banking & Finance
- Capital Markets
- Criminal Law
- Corporate & Commercial
- Dispute Resolution
- Energy, Infrastructure & Mining
- Environmental Law
- Family Law
- Gaming
- Healthcare & Life Sciences
- Hospitality & Retail
- Immigration
- Insolvency & Corporate Restructuring
- Insurance
- Intellectual Property
- Labor
- Media & Entertainment
- Real Estate & Construction
- Securities
- Tax & Customs
- Telecommunications & Technology
- Tourism
- Transportation & Logistics
- Trusts
- Wills & Probate



COUNTRY DESKS

We understand that the needs of a particular client will depend on the business culture that exists in its home country. In this regard, HBS Law has established a China Desk and a Japan Desk. Many law firms purport to tailor services to the needs of the particular client. However, what makes HBS law unique in this regard is the implementation of our country desks. For our advisers, each country desk provides training to our advisers with regards to doing business in the relevant country and enables our advisers to:

- understand the nuances of doing business in the relevant country and the way in which clients from that country prefer to receive legal and tax services;
- receive updates on legal and market developments in the relevant country so that they can appreciate differences between the laws of that country and Cambodia;
- access a central source of information regarding legal and market developments in Cambodia that are relevant to our Chinese and Japanese clients; and
- provide assistance to Chinese and Japanese clients who wish to be introduced to the entities we have connections with the relevant jurisdiction.

COMMITTEES

While our Practice Groups and country desks are aimed at consolidating expertise that is relevant to clients, HBS Law's committees serve the additional purpose of ensuring that we stay on top of (or even ahead of) market developments in the legal sector and the way in which we treat our staff. The two most important committees are:

Innovations Committee – We are constantly seeking more efficient and robust ways of delivering legal services through innovation and innovative ways of working. Our Innovations Committee is open to all members of the firm (not just advisers) so that we can take a holistic approach to innovation with a focus on the client experience.

Diversity & Inclusion Committee - In countries outside Cambodia, diversity policies have become the norm as part of a wider push towards the moral imperative of inclusion in the workplace. While some businesses in Cambodia have been slow to implement diversity policies, HBS Law realizes that diversity in the workplace leads to a diversity of ideas and an ability to understand the needs of our diverse client-base.

A majority of our clients are foreigners, and our foreign-qualified lawyers are invaluable in helping us understand the way in which our clients like to do business in their home jurisdictions. Of course, diversity is important not only in the context of nationality but also in the context of gender, sexuality, religion, marital status and background. HBS Law has always had a policy of non-discrimination but our diversity initiatives now include:

- the preparation and implementation of a diversity policy;
- diversity training for all staff;
- consideration of our diversity goals at Innovation Committee meetings; and
- the appointment of a Diversity Officer to assist staff with any issues they encounter in the workplace.

HBS Law remains committed to actively pursuing its diversity goals not because we feel we need to but because we want to. It is not only the morally correct thing to do but also beneficial to our business.

DEAL HIGHLIGHTS

Our advisers have worked on a number of first-to-market transactions for clients who trust us to find solutions for their complex and important legal and commercial issues. We set out below the following recent projects in which we have been involved:

- Advised numerous offshore lenders such as FMO, Bank of China, China Development Bank, ADB, Proparco, etc., on the provision of loans to banks, financial institutions and other large corporates in Cambodia.
- Advised ORIX Corporation on its acquisition of an equity stake in ACLEDA Bank including the conduct of a due diligence exercise and negotiation of an SPA with complex price adjustment mechanisms.
- Advised Sinosure on the legal aspects of two hydro-power plants in Cambodia.
- Advised TCX on the provision by it of currency hedging to a local MFI and preparing the transaction documentation.
- Advised the financiers on the acquisition of the largest mobile operating company in Cambodia, including comprehensive legal due diligence.
- Advised Phnom Penh Water Supply Authority on its IPO on the Cambodian Stock Exchange.
- Advised Phnom Penh Autonomous Port on its IPO on the Cambodian Stock Exchange.
- Acted for the sellers in the sale of a 90% stake in a Cambodian commercial bank to a major Japanese bank.
- Advised an overseas bank on a USD60 million credit facility made by it to an agro-industrial business (rice production and processing), including the performance of limited legal due diligence.
- Advised the largest Vietnamese retailer of electronics in relation to its expansion plans in Cambodia.
- Acted for five international banks on a syndicated loan of USD60.5 million granted to the largest micro finance institution in Cambodia, including the performance of limited legal due diligence.
- Advised OPIC on facilities provided by it to several borrowers incorporating a dual loan/note structure.
- Corporate restructuring of a Korean-Cambodian joint venture airline.
- Companies approved as Qualified Investment Projects in relation to different agricultural and industrial projects (sugar cane, pepper, salt, rubber, cement, etc).

JOIN US

Are you ready to embark on a career with a law firm that thinks differently, works differently and behaves differently? Then a career at HBS Law is for you! We are the premier law firm in Cambodia for one simple reason; we not only recruit the best people, but also do our best to retain them!

HOW WE THINK

We want our advisers to be the best that they can be and to become recognized experts in their fields. When you join HBS Law, you will be supported, encouraged and empowered to develop your knowledge and skills to the fullest extent.

We understand that our advisers want to receive training in more than just business English or timekeeping. We encourage all advisers to provide internal training on the sectors in which they operate too so that a broader appreciation of the laws and practical issues facing our clients can be obtained.

HOW WE WORK

Every adviser at HBS Law is part of a team and no matter the level of seniority, we work together as a team to achieve the best results for our clients in an efficient manner. We understand that a junior adviser does not possess the same level of knowledge and skill as a senior adviser but even a junior adviser has a valuable role to play.

HOW WE BEHAVE

Our advisers need to be happy to work with us and for that to happen, we need to create an atmosphere in which staff show respect for each other, encourage each other, support each other, and be considerate towards each other. We are an equal opportunity employer focused on diversity and inclusion and we do not tolerate any form of discrimination based on race, gender, sexuality, religion or any other matter.



OUR PARTNERS



SEAKLY HAK

EMAIL : seakly@hbslaw.asia
POSITION : Chairman
LOCATION : Phnom Penh, Cambodia
NATIONALITY : Cambodian
LANGUAGES : Khmer and English

Seakly has been a practicing attorney since 1997. He obtained a Master's Degree in Law from the Royal University of Law and Economics in 2006, after obtaining a Bachelor's Degree in Law from the same university in 2000.



TAYSENG LY

EMAIL : tayseng@hbslaw.asia
POSITION : Managing Partner
LOCATION : Phnom Penh, Cambodia
NATIONALITY : Cambodian
LANGUAGES : Khmer, English, and French

Tayseng is an experienced business lawyer with demonstrated focus and expertise in the areas of Corporate, Banking, Securities, Mergers and Acquisition, Mining and Energy, Real Estate, Arbitration and Commercial Litigation.



PATRICK SMITH

EMAIL : patrick@hbslaw.asia
POSITION : Senior Partner
LOCATION : Phnom Penh, Cambodia
NATIONALITY : English
LANGUAGES : English and Japanese

Patrick has worked extensively across a broad array of practice areas with a specialization in the banking and finance sector as both in-house counsel and in private practice throughout Southeast Asia, Japan and the UK.



MUSTAFA KOCADAG

EMAIL : mustafa.kocadag@hbslaw.asia
POSITION : Senior Partner
LOCATION : Phnom Penh, Cambodia
NATIONALITY : Dutch
LANGUAGES : Dutch, Turkish, German, Bahasa Indonesia and English

Prior to joining HBS Law, KOCADAG served as an associate and partner for various firms in the Netherlands, Lao PDR and Indonesia.



LYHOUT YIN

EMAIL : lyhout@hbslaw.asia
POSITION : Partner
LOCATION : Phnom Penh, Cambodia
NATIONALITY : Cambodian
LANGUAGES : Khmer, Mandarin Chinese, and English

Lyhout handles a broad range of corporate matters including incorporation of companies, change of company's shareholder and director, increase of capital of the company, change of the company's address and so on with the Council for the Development of the Cambodia, Ministry of Commerce and General Department of Taxation.



POUVCHANNITA SOPHORN

EMAIL : channita@hbslaw.asia
POSITION : Partner
LOCATION : Phnom Penh, Cambodia
NATIONALITY : Cambodian
LANGUAGES : Khmer and English

Pouvchannita is an Attorney-at-Law and Head of Intellectual Property Rights Practice Group. Her practice covers drafting and advising on IP related contracts such as Licensing and Franchising. She also assists in IP filing, due diligence, raid action and enforcement.



Independence Monument



Samdech Chuon
Nath Statue



ស្ពាននាគភ្លោះ

THE
PEAK



HBS LAW
GIA Tower (37th Floor)



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