Centre for Cross-Border Commercial Law in Asia

The 2015 Annual Report

January 2016
Research Grants

Research Projects/Grants:

WY Wan, MoE Tier 2 Academic Research Funding, 2015 in respect of the project “Legal Transplantation of Corporate and Securities Laws in Singapore and Hong Kong” for 2016-2018.

M Mohan, “Regulation & Investor State Dispute Settlement in Asia” (MoE Tier 1–Category B) for 2015-2017.
Research Grants

Research Projects/Grants:

External:

M Mohan, “National Action Plans – Securing Compliance with Business & Human Rights Law in Asia and Africa (United Nations)” [Co Principal Investigators: M Mohan (Singapore), M Addo (United Kingdom) and B Meyersfeld (South Africa)], completed 2015.

Internal:

M Mohan, “New Regulatory Space: Investment Arbitration in Asia” (MoE Tier 1 Research Grant), completed 2015.

M Mohan, “Domestic Solutions for Cross-border Harm: Transboundary Haze Pollution Law” (MoE Tier 1 Research Grant), completed 2015.
Collaborations with Research Partners

• Co-convened an international Trust Law and Wealth Management Conference with Singapore Academy of Law and University of York.

• Co-convened a conference on Comparative Takeover Regulation: International & Asian Perspective with NUS.

• Held a joint research forum in London with Centre for Commercial Law Studies, Queen Mary University of London (details below on page 21).

• Joint research forum with Australian National University and Reading University (details below).
Future Collaborations with Research Partners

• A joint research symposium with Hong Kong University and NUS to take place in Hong Kong in 2016.

• A conference with City University of Hong Kong on the theme “Commercial Law in Asia” in 2016.
  – Publication output will be in a journal or a book.

• A conference with Bond University on “Protecting Business and Economic Interests: Contemporary Issues in Tort Law”, in Singapore in 2006.
  – Keynote speakers: Lord Hoffmann and Lord Neuberger
  – Publication output will be a special edition in Torts Law Journal

• A research project on the enforcement of judgment in ASEAN, India, China and Australia to be funded by the Asian Business Law Institute, Singapore Academy of Law.
  – Publication output will be model laws, a handbook on best practices or a draft convention (to be determined).
Future Collaborations with Research Partners

• Scoping Conference & Evening Seminar on ‘Regulation & ISDS in Asia’ (first of two annual conferences)
  – Keynote Speaker: Professor Chester Brown, Sydney University (academic collaborator)
  – Conference participants: local and international domain experts, e.g. from ILA Singapore Branch
  – First year publication commitment will be a co-edited volume by PI and collaborator based on conference
  – Second year publication output will be a monograph by PI with Brill (book proposal solicited & submitted)
  – Further funding discussions with Clifford Chance Asia in progress
Research

Journal Articles:


Research

Journal Articles:


Research

Journal Articles:


Research

Journal Articles:


Research

Journal Articles:


Research

Conference Papers:


HW Tang, “Equity in the Age of Statutes” (Equity in the Age of Statutes Symposium, Melbourne University Law School, Australia, 27 February 2015).

Research

Conference Papers:


Research

Books/Book Chapters:

HW Tang (with Michael Hor and Nicholas Poon), Reading Law in Singapore (LexisNexis, 2014).


Research

CEBCLA’s Working Papers:


Events

1. Lunchtime Seminar:
   Title: Myanmar’s Foreign Investment Law
   Speaker: Mr Chester Toh (Rajah & Tann Asia)
   Chairperson: Professor Locknie HSU (SMU)
   Date: 28 January 2015

2. Research Seminar:
   Title: Regulatory Structure & Governance in the Post-Crisis Era
   Speaker: Professor Jennifer Hill (University of Sydney)
   Chairperson: Associate Professor Wan Wai Yee (SMU)
   Date: 11 February 2015
Events

3. The Scoping Workshop:
Title: The Future of Banking and Financial Services Regulation and Implications for Asia and ASEAN
Date: 27 February 2015

4. Jones Day Professorship of Commercial Law Lecture:
Title: Confidentiality in International Arbitration: Virtue or Vice?
Speaker: Professor Sir Bernard Rix (Queen Mary University of London)
Commentator: Mr Matthew Skinner (Jones Day)
Date: 12 March 2015
Events

5. Seminar:
Title: Private Law Harmonisation in Europe
Speaker: Professor Geraint Howells (City University of Hong Kong)
Chairperson: Professor Yeo Tiong Min, S. C. (Hon) (SMU)
Date: 18 March 2015

6. Seminar:
Title: Consumer Law, Effective or a Mere Paper Tiger?
Speakers: Professor Geraint Howells (City University of Hong Kong) and Assistant Professor Gary Low (SMU)
Chairperson: Mr Chester Toh (Rajah & Tann Asia)
Date: 19 March 2015
Events

7. Seminar:
Title: UNCITRAL - Singapore Seminar on 35 Years of the CISG: Achievements and Perspectives
Keynote Speakers: Mr V K Rajah S.C. (Attorney-General of the Republic of Singapore) and Professor Yeo Tiong Min, S. C. (Hon) (SMU)
Closing Speech by The Honourable the Chief Justice Sundaresh Menon.
Dates: 23 and 24 April 2015

8. Research Seminar (Internal):
Title: Corporate Reorganisation of China’s Listed Companies, Winners and Losers
Speaker: Zinian Zhang (SMU)
Date: 5 May 2015
9. L-Leap Series:
Title: What I Wish I Knew as a Young Associate
Moderators: Mr Adrian Tan (Stamford Law Corporation) and Mr Darius Tay (TSMP Law Corporation)
Panellists: Mr Chen Guan Feng (White & Case), Ms Koh Swee Yen (Wong Partnership), Mr Tan Choon Leng (RHTLaw Taylor Wessing) and Mr R. Thrumurgan (Trident Law Corporation)
Date: 7 May 2015

10. Seminar:
Title: Illegality and Consent Awards in International Arbitration
Speaker: Dr Yaraslav Kryvoi (University of West London)
Chairperson: Assistant Professor Mahdev Mohan (SMU)
Date: 11 May 2015
Events

11. Yong Pung How Professorship of Law Lecture:
Title: Staying Relevant: Exercise of Jurisdiction in the Age of the SICC
Speaker: Professor Yeo Tiong Min, S. C. (Hon) (SMU)
Date: 13 May 2015

12. Myanmar Project (Min Law/NUS/SMU):
Visit from the delegation of Myanmar Universities
Coordinators: Assistant Professor Mahdev Mohan (SMU) and Professor Andrew Harding (NUS)
Dates: 9 to 12 June 2015
Events

13. Lunchtime Seminar:
Title: POHA 2014 in the Workplace: Why Harassment is Your Business
Speaker: Mr Choo Zheng Xi (Peter Low LLC) and Mr Fong Wei Li (Fortis Law)
Chairperson: Associate Professor Goh Yihan
Date: 19 May 2015

14. Seminar:
Title: Latest Development in the Hong Kong & Singapore Mediation Landscape: Innovations to Overcome Challenges & Sustain the Growth of Mediation
Speakers: Professor Robyn Carroll (University of Western Australia) and Ms Eunice Chua (Singapore International Mediation Centre)
Date: 3 June 2015
Events

15. Seminar:
Title: Using Empirical Studies in Legal Scholarship: The Example of Health Insurance on Near-Elderly Health and Mortality
Speaker: Professor Bernard Black (Northwestern University)
Date: 5 June 2015

16. Research Forum:
Title: Queen Mary University of London and Singapore Management University (QM-SMU) Research Forum
Coordinator: Assistant Professor Pasha L. Hsieh (SMU)
Dates: 24 and 25 June 2015
Events

17. Conference:
Title: Comparative Takeover Regulation: International & Asian Perspective
Coordinators: Associate Professor WAN Wai Yee (SMU) and Assistant Professor Umakanth VAROTTIL (NUS)
Dates: 23 and 24 July 2015

18. Research Seminar:
Title: The Role of Attorney Experience in Torts Litigation: An Empirical Study
Speaker: Associate Professor Yun-Chien Chang (Institutum Iurispredentiae, Academia Sinica, Taiwan)
Chairperson: Associate Professor Gary Chan (SMU)
Date: 29 July 2015
Events

19. Conference:
Title: Modern Studies in the Law of Trusts and Wealth Management: Theory and Practice
Coordinator: Tang Hang Wu (SMU), Kelvin Low (SMU) and Richard Nolan (York)
Dates: 30 and 31 July 2015

20. Jones Day Professorship of Commercial Law Lecture:
Title: Company Law and Contractual Freedom
Speaker: Professor Eilís Ferran (Cambridge University)
Commentator: Elizabeth Cole (Jones Day)
Date: 24 August 2015
Events

21. Research Forum:
Title: ANU-SMU-Reading Research Forum
Coordinators: Assistant Professor Maartje de Visser (SMU), Associate Professor Pauline Ridge (ANU) and Professor Nicholas Hopkins (Reading)
Dates: 10 and 11 September 2015

22. External Visit:
Visit by Institute of Legal Science, Ministry of Justice, Vietnam
Coordinator: Assistant Professor Mahdev Mohan (SMU)
Date: 28 September 2015
Events

23. Seminar:
Title: Dispute Resolution in Inter-State & Investor-State Case: Lessons from the Asian Experience
Speakers: Professor Hi-Taek Shin (Seoul National University), Dr. Romesh Weeramantry (Clifford Chance, Hong Kong), Mr. Minn Naing Oo (Allen & Gledhill, Myanmar) and Professor Chester Brown (University of Sydney)
Moderators: Assistant Professor Mahdev Mohan (SMU) and Ms. Gitta Satryani (Herbert Smith Freehills, Singapore)
Date: 29 September 2015
Events

24. The 3rd Singapore – WTO Policy Dialogue:
   Title: The WTO: 20 Years and Beyond
   Coordinator: Associate Professor Henry Gao (SMU)
   Dates: 19 and 20 October 2015

25. Public Lecture:
   Title: Singapore Mediation Lecture
   Speaker: Dr Hans Peter Frick (Former Chief Legal Officer and Senior Vice President at Nestlé SA)
   Date: 29 October 2015
Events

26. Seminar:
Title: If It’s so Good to Talk, Why Is It so Hard?
Speaker: Ian Marsh
Date: 5 November 2015

27. ASEAN Responsible Business Forum:
Title: Implementing the UNGPs on Business and Human Rights
Organisers: Assistant Professor Mahdev Mohan (SMU), Thomas Thomas (ASEAN CSR Network) and Professor Robert McCorquodale (British Institute of International and Comparative Law)
Date: 29 October 2015
Venue: Kuala Lumpur, Malaysia
Events

28. Conference:
Title: Finance in Asia, Regulating Regional Markets.
Co-organisers: SMU, HKU, Shanghai Jiao Tong University and Melbourne University.
Date: 6 November 2015.

29. Herbert Smith Freehills – SMU Asian Arbitration Lecture:
Title: To Be Confirmed
Speaker: Professor Gabrielle Kaufmann-Kohler (University of Geneva)
Date: 24 November 2015