

Centre for Cross-Border Commercial Law in Asia



Emeritus Prof Michael Furmston, Lord Neuberger of Abbotsbury, Justice George Wei, Justice Lai Siu Chiu, Judicial Commissioner Kannan Ramesh, Prof Yeo Tiong Min, SC, Mr Stephen Revell of Freshfields (from left to right)

SOL Meeting Report 28 April 2017

Collaborations with Research Partners

- A joint research symposium with Hong Kong University and NUS in Hong Kong on 22-23 February 2016.
- Joint research forum at SMU with the Centre for Commercial Law Studies, Queen Mary University of London on 8 July 2017.
- A conference with Bond University on “Protecting Business and Economic Interests: Contemporary Issues in Tort Law”, in Singapore on 18-19 August.
 - Keynote speakers: Lord Hoffmann and Lord Neuberger
 - Publication output will be a special edition in *Torts Law Journal*
 - Prof. Gary Chan became an editor of the *Torts Law Journal*
- A conference with the University of Melbourne on the theme “Finance in Asia: Integration & Regional Coordination” at SMU on 7 December 2016.
- A conference with City University of Hong Kong on the theme “Towards an Asian Legal Order: Conversations on Convergence” on 8-9 December 2016.
 - Anticipated book publication resulting from the conference



Future Collaborations with Research Partners

- Second international Trust Law and Wealth Management Conference with Singapore Academy of Law and University of York.
 - Keynote speaker confirmed for 2017: Lord Justice Snowden
 - Secured a book contract with Cambridge University Press for 2015 Conference (Richard Nolan, Kelvin Low and Tang Hang Wu, editors)
 - Assoc. Prof. Kelvin Low became an editor for *Trust Law International*
- Joint research forum in London with the Centre for Commercial Law Studies, Queen Mary University of London in June 2017.
- SMU-NUS-Berkeley Comparative Corporate Governance Conferences at the University of California, Berkeley in February 2017 and SMU in January 2018.
- Expanding Resolution Methodologies Conference.
- ASEAN Economic Community & Global Trade Governance: Legal and Business Implications Conference.
 - The conference will lead to a book published by CUP entitled “The Roadmap to Consolidating the ASEAN Economic Community – Understanding ASEAN Law in the New Regional Economic Order” (Pasha Hsieh & Bryan Mercurio eds)
- A conference on the theme “Future of the Law: The Internet of Things” on 26 & 27 October.
 - Select papers will be published in a special issue of the Journal *Law, Innovation & Technology*
 - Asst Prof. Eliza Mik has been Invited to become editor of *Law, Innovation & Technology*



Previous Events



Prof Yeo Tiong Min, SC, Mr Yong Pung How and Prof Arnoud De Meyer (from left to right)

1. SMU – Queen Mary Research Forum
Coordinator: Associate Professor Pasha Hsieh
Date: 8 July 2016

2. QMUL/SMU/SIAC Arbitration Colloquium on ‘Managing the International Arbitration Process’
Coordinators: Prof. Julian Lew, Dr Miriam Goldby, Assistant Prof. Mahdev Mohan, Ms Delphine Ho
Date: 7 July 2016

Previous Events

3. Conference:

Title: Regulation & Investment Disputes: Asian Perspectives

Coordinator: Assistant Professor Mahdev Mohan

Date: 4 August 2016

4. Economic Tort Conference:

Speakers: Lord Hoffmann and Lord Neuberger

Coordinator: Associate Professor Lee Pey Woan

Date: 18-19 August 2016



Prof Chester Brown, Prof Lee Jaemin, Asst Prof Mahdev Mohan, Ms Daphne Hong, Dr Sam Luttrell, Prof Julien Chaisse (from left to right)

Previous Events

5. Seminar

Title: Constructive Trusts and Proprietary Estoppel: Conceptual and Practical Distinctions

Speaker: Dr Ying Liew (UCL)

Date: 5 September 2016

6. Lecture:

Title: Singapore Mediation Lecture

Speaker: Colin Rule

Sponsor: Harry Elias and the Singapore Mediation Centre

Date: 12 October 2016

7. Lecture:

Title: Jones Day Professorship of Commercial Law Lecture

Speakers: Professor Chris Reed (QMUL)

Co-organizer: Jones Day, Singapore

Date: 10 November 2016



Previous Events

8. Lecture:

Title: Herbert-Smith Freehills-SMU Arbitration Lecture

Co-organizer: Herbert-Smith Freehills, Dorcas Quek

Speakers: CJ Menon & Alistair Henderson

Date: 24 November 2016

9. Conference:

Title: Financial Regulation in Asia

Organizers: WY Wan

Partner: Univ. of Melbourne

Date: 7 December 2016

10. Conference:

Title: Towards an Asian Legal Order: Conversations on Convergence

Organizers: Maartje de Visser & Gary Low

Partner: City Univ. of HK

Date: 8-9 December 2016



Alistair Henderson and Sundaresh Menon CJ



Upcoming Events

1. Mentorship Programme by Journal Editors

Faculty Seminar by Associate Prof Andrew Higgins (Oxford)

Coordinator: Assistant Prof Dorcas Quek

Date: 7 April 2017

2. Lecture: Dentons Rodyk Dialogue

Speaker: Maximilian Bittner

Title: The Future of E-Commerce

Partner: : Dentons Rodyk

Date: 11 April 2017

3. Lecture:

Speaker: Prof Yeo Tiong Min, SC

Yong Pung How Professor of Law Lecture

Date: 18-19 May

Prof Yeo Tiong Min, SC



Upcoming Events

4. Conference: Trust Law

Partners: Singapore Academy of Law and University of York

Coordinators: Kelvin Low, Tang Hang Wu, Richard Nolan and Yip Man.

Date: 20-21 July 2017

5. Conference:

Title: SMU-NUS-Berkeley Comparative Corporate Governance Conferences

Location: University of California, Berkeley in February 2017 and SMU in January 2018

Organizer: Wan Wai Yee

Partner: University of California, Berkeley

6. Lecture:

Title: Jones Day Professorship of Commercial Law Lecture

Speaker: Gerry McCormack

Co-organizer: Jones Day, Singapore

Date: 30 August 2017



*Dr Tang Hang Wu, Assistant Prof
Eliza Mik, Prof James Penner
(from left to right)*

Upcoming Events

7. Lecture:

Title: Singapore Mediation Lecture

Partner: Harry Elias

Date: Sept/Oct 2017

8. Lecture: Conference

Title: Future of the Law: The Internet of Things

Organizer: Eliza Mik

Date: 26-27 October 2017

9. Lecture:

Title: Herbert-Smith Freehills-SMU Arbitration Lecture

Co-organizer: HSF

Date: November 2017



Upcoming Events

10. ASEAN Economic Community & Global Trade Governance: Legal and Business Implications

Organizer: Pasha Hsieh

Date: 7 & 8 Dec 2017

11. Mentorship Programme by Journal Editors

Faculty Seminar by Prof. Martin Dixon (Cambridge)

Date: TBD 2017

12. Conference:

Title: Expanding Resolution Methodologies

Date: TBD 2017



Research

CEBCLA's Working Papers:

TM Yeo, “Common Law Developments Relating to Foreign Judgments” (Working Paper of Yong Pung How Professorship of Law Lecture, 18 May 2016, available at https://law.smu.edu.sg/sites/law.smu.edu.sg/files/law/Paper2016_YPH.pdf).



Research

Journal Articles:

WY Wan, “Cross-Border Public Offering of Securities in Fostering an Integrated ASEAN Securities Market: The Experiences of Singapore, Malaysia and Thailand”, (2017, forthcoming) *Capital Markets Law Journal*.

WY Wan “The Illegality Defence in Corporate Law Claims Against Directors and Officers”, (2016) 46 *Hong Kong Law Journal* 225.

M Mohan, “Asian Perspectives on Investments and Arbitration: An Evolving Marcottage”, (2015-2016) *Yearbook of International Investment Law & Policy* 234-251 (Oxford).

M Mohan “A Vanishing Silhouette’: Acts of State Doctrine(s) & Interim Relief in Singapore”, *Journal of East Asia & International Law*, 9(1):234-251, 2016.



Research

Journal Articles:

C Watters, “Singapore M&A Code Amended to Clarify Provisions and Establish an Auction System,” 37 *Company Lawyer* 327 (2016).

C Watters & C Weng, “Does the Housing Market and Absence of Consumer Bankruptcy Protection Make Interpretation (III) of the Chinese Marriage Law Beneficial to Women, Not Men?” 3 *Prop. L.J.* 101 (2016).

Shen W & C Watters, “Do All Roads Lead to China? Chinese Commercial Law Scholarship in the Past Decade (Part 1)” 16(2) *The China Review* 165 (June 2016).

Shen W & C Watters “Do All Roads Lead to China? Chinese Commercial Law Scholarship in the Past Decade (Part 2)” *The China Review* (October 2016).



Research

Articles:

P Hsieh ‘Reassessing the Trade-Development Nexus in International Economic Law: The Paradigm Shift in Asia-Pacific Regionalism,’ 37 *Northwestern Journal of International Law and Business* (forthcoming 2017).

Book Reviews:

M Mohan, “*Opposing the Rule of Law: How Myanmar’s Courts Make Law and Order* by Nick Cheesman”, *Asian Journal of Comparative Law*, 2016.

M Mohan, “*Law, Society and Transition in Myanmar* edited by Melissa Crouch & Tim Lindsey”: Hart Publishing, *Asian Journal of Comparative Law*, 2016.



Research

Conference Papers:

C Watters, “Bankruptcy Penalty Provisions: Alleviating Risk or Harming Debtors?” Personal Insolvency Conference (Queensland University of Technology, Brisbane Australia 7-9 September 2016).

C Watters, “Cross-Border Insolvency in SE Asia: Procedural Exclusion as a Barrier to Coordination” Corporate Law Teachers’ Association Conference, (Gold Coast Australia, 5-7 February 2017).



Research

Books/Book Chapters:

Regulation & Investment Disputes: Asian Perspectives, (Mahdev Mohan & Chester Brown eds), (Cambridge, 2017, forthcoming).

HW Tang, “Equity in the Marketplace: Reviewing the Use of Unconscionability to Restrain Calls on Performance Bonds” in *Equity, Trusts and Commerce*, (P. Davies and J. Penner, eds), (Hart, 2017 forthcoming).

HW Tang, “Derivative Actions on Behalf of the Trust: *Beddoe Orders for Beneficiaries*” in *Trusts and Wealth Management in the Twenty First Century*, (R. Nolan, K. Low and H.W. Tang, eds), (Cambridge, 2017).

Trusts and Wealth Management in the Twenty First Century, (R. Nolan, K. Low and H.W. Tang, eds), (Cambridge, 2017).



Research Grants & Awards

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, MoE Tier 1 Academic Research Funding– Category B, “Investment Arbitration & Sustainable Development in Asia: Reflection, Review & the Regulatory Turn”, for 2015-2017.

