



## Full Name

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Nationality: Singaporean / Date of Birth: (17/05/1988)

## Educational / Professional Memberships

- Member of Enrichment Sub-Committee, International Chamber of Commerce Singapore Arbitration Group, 2023
- Reserve Panel of Arbitrators, Singapore International Arbitration Centre 2022
- Solicitor, England & Wales, 2020
- Accredited Tribunal Secretary, Hong Kong International Arbitration Centre, 2016
- Advocate & Solicitor, Supreme Court of Singapore, 2014
- Bachelor of Laws (LL.B.), *Summa Cum Laude*, Singapore Management University, 2013

## Current Position

### Counsel, Dunbar & Lim Chambers LLC

Kenneth Tan is a dispute resolution lawyer specialising in international arbitration.

In nearly a decade of practice, Kenneth has been involved in more than thirty international arbitrations. They include some of the largest arbitrations in the region.

In the large majority of cases where Kenneth acted as counsel, he led the strategic and day-to-day management of matters and often served as second-chair. Kenneth also has prior experience as lead advocate in merits and procedural hearings, including opposite silks from commonwealth jurisdictions.

In Dunbar & Lim Chambers, Kenneth joins a team described by clients as “technically excellent” and capable of “think[ing] strategically, to achieve great outcomes in an efficient and commercial manner” (Legal 500 Asia Pacific - 2024).

As Counsel, Kenneth assists the managing directors in the day-to-day management of the firm’s matters and supervises the rest of the arbitration team. The principal ongoing matters involve representing two large multinationals and an Asian conglomerate in eight international arbitrations. They span the technology, energy and construction sectors,

cover claims exceeding USD 600 million and featured four merits hearing in May, August and November 2023 and in January 2024. Recent successes include securing two favourable partial awards on preliminary legal and jurisdictional issues in these matters.

Kenneth's arbitration experience includes acting as tribunal secretary in complex, high-value disputes, including while previously serving as assistant to Dr Michael Hwang SC. Highlight appointments include serving as tribunal secretary in a Singapore-seated ICC arbitration concerning a USD 300 million gas supply dispute in Indonesia. Kenneth was among the pioneer batch of practitioners admitted to the list of HKIAC-accredited Tribunal Secretaries. He is also admitted to the SIAC's Reserve Panel of Arbitrators, and is a member of the ICC Singapore Dispute Resolution Group's Enrichment Sub-Committee.

Kenneth graduated summa cum laude from Singapore Management University and is dual-qualified in Singapore and England & Wales.

## Professional Experience

- Counsel, Dunbar & Lim Chambers LLC, Oct 2023 – Present (Note: Team move from Gateway Law Corporation)
- Counsel, Gateway Law Corporation, Jan 2023 – Oct 2023
- Associate, Norton Rose Fulbright (Singapore), 2020 – 2023
- Associate, Mayer Brown (Singapore), 2017 – 2019 (Note: Team move from DLA Piper)
- Associate, DLA Piper (Singapore), 2016
- Associate, Michael Hwang Chambers LLC, 2015
- Associate, Oon & Bazul LLP, 2014
- Practice Trainee, Morgan Lewis Stamford LLC, 2014

## Arbitration/Mediation Experience

### Representative Matters as Counsel

*\*Note: This list includes matters worked on before joining Dunbar & Lim Chambers.*

- Representing a **Japanese-Filipino Power Project Owner** in multiple, Hong Kong-seated HKIAC arbitrations against Japanese and Korean EPC contractors in disputes arising out of a suite of contracts to construct and deliver a coal-fired powerplant in the Philippines. The claims are governed by New York law and exceed USD 100 million in value.
- Represented a **Japanese energy conglomerate** as co-claimant in a Swiss-seated, PCA-administered arbitration against the Kingdom of Thailand concerning a dispute relating to the transfer and decommissioning of oil and gas assets in the Erawan gas field. The dispute was governed by international law and Thai law, and the claim amount exceeded USD 2 billion.

- Represented a **Korean state-owned project owner** in its disputes with a Pacific Islands state's power development board and Korean contractors concerning a project to construct and operate a hydropower plant in a Pacific Islands state. The disputes were governed by English law and subject to ICC arbitration in Singapore. More than USD 100 million was in dispute.
- Represented a **Chinese equipment manufacturer** against a Romanian agribusiness in an ICC arbitration seated in Paris, in connection with a construction contract governed by French law. More than EUR 20 million was in dispute. Our client secured the dismissal of all claims against it and the award of its costs.
- Represented a **Singapore energy company** in its disputes with its European customer under a Terminal Services Agreement and its Chinese contractor under an EPC contract. The disputes concerned a USD 80 million project for the construction and operation of a LPG terminal in Malaysia. The governing law of the disputes was English law, and the disputes with the contractor and customer were subject to ICC arbitration in Singapore and SIAC arbitration in Singapore respectively.
- Represented a leading **UK tobacco company** in a dispute with a Myanmar tobacco company concerning the enforcement of a share purchase option governed by Singapore law. The dispute was subject to court litigation in Singapore.
- Represented an **Asian energy company** in an ICSID arbitration against the Bangladesh Power Development Board concerning a dispute arising under a power purchase agreement. The dispute involved claims approximating USD 20 million, and was governed by Bangladesh law. Our client secured 100% of the relief claimed and the award of its costs.
- Represented a **Singapore oil and gas company** in an LCIA arbitration seated in London governed by English law against a UAE marine services company. Our client pursued a claim exceeding USD 25 million in connection with the provision of seismic acquisition services in Iran. Our client secured 100% of the relief claimed and the award of its costs.
- Represented a leading **UK-headquartered commodities trading corporation** in its disputes with a Singapore-headquartered commodities business. The disputes arose out of the supply of contaminated marine fuel and were the subject of multiple Singapore-seated SIAC and ad hoc arbitrations. The disputes were governed by Singapore law and the claim amount exceeded USD 100 million.
- Represented an **Asian state-owned energy** company as respondent against a Singapore-headquartered commodities trader in a Singapore-seated SIAC arbitration. The dispute arose out of a long-term agreement for the sale and purchase of diesel cargos. The dispute was governed by English law, and the claim amount was partially quantified at approximately USD 12 million. The claimant eventually withdrew its claims against our client in the arbitration.

- Represented an **Asian state-owned energy company** as claimant against a US energy trading company in a Singapore-seated SIAC arbitration. The dispute concerned an English law-governed agreement for the spot purchase of LNG cargoes. The amount in dispute was approximately USD 10 million. Our client secured 100% of the relief claimed and the award of its costs.
- Represented a **satellite operator** in a claim against a Pacific Islands state in a Singapore-seated SIAC arbitration. The dispute concerned a Singapore law governed framework services agreement for the provision of satellite broadband services.
- Representing two affiliates of a **US multinational** in an UNCITRAL arbitration in Singapore against an Asian power company, concerning misappropriation of our clients' technology under a licensing agreement. More than US\$500 million is in dispute.
- Representing a **Taiwanese conglomerate** in an ongoing ICC and SIAC arbitrations against an Indian listed company in relation to a joint venture dispute in China. The arbitrations are seated in Singapore. Singapore law governs.
- Represented a leading **Korean entertainment and media conglomerate** in a Singapore-seated SIAC arbitration concerning a dispute over a joint venture business in Vietnam. The dispute was governed by Vietnam law, and the claim amount exceeded USD 40 million.
- Represented a **UK private equity fund** in a USD 300 million joint venture dispute with Filipino magnate Roberto Ongpin. The joint venture agreement was governed by English law while satellite litigation in the Philippine courts involved issues of Philippine corporate law.
- Represented a **leading US-headquartered confectionary producer** in a Singapore-seated SIAC arbitration against its exclusive distributor in the Philippines. The dispute concerned the termination of an exclusive distributorship agreement and involved claims approximating USD 10 million. The agreement was governed by Philippine law.
- Represented a **Canadian fashion retail conglomerate** against a Korean conglomerate in an ICC arbitration seated in Singapore. Over USD 100 million was in dispute in connection with alleged breaches of a fashion retail distributorship agreement governed by New York law, fraudulent misrepresentation claims and claims arising out of the New York Franchise Sales Act. Our client secured dismissal of all claims against it.
- Represented a **high net-worth Thai business family** in an SIAC arbitration against claims by a private equity firm relating to alleged breaches of a participation agreement and the enforcement of related securities. The agreements in dispute were governed by English law and Singapore law while related restructuring proceedings in Thailand implicated Thai law. The claim amount exceeded USD 120 million.

- Represented **individual investors** in pursuing claims arising out of an investment exit agreement in relation to a leading cryptocurrency business in a Singapore-seated SIAC arbitration. The dispute was governed by Singapore law, and involved claims exceeding USD 20 million in connection with allegations of financial fraud and unlawful restrictions on cryptocurrency asset withdrawals.
- Represented a **US-headquartered aerial drone manufacturing business** in a Singapore-seated, SIAC arbitration against a Hong Kong-based private equity fund concerning a USD 30 million dispute arising out of a suite of investment agreements. The agreements were governed by Singapore law and the dispute involved ancillary court litigation as well as restructuring proceedings in Singapore and in the US.

### **Representative Matters as Tribunal Secretary**

*\*Note: This list includes matters worked on before joining Dunbar & Lim Chambers.*

- Tribunal secretary in a Singapore-seated ICC arbitration concerning a dispute between a UK investor and a South Asian resort developer and operator. The dispute concerned a suit of agreements concerning the construction, lease and rental of a resort villa in the Maldives. The relevant agreements were respectively governed by Singapore law and Maldives law.
- Tribunal secretary in a Singapore-seated ICC arbitration concerning a dispute arising out of a gas supply agreement between a Canadian energy company and an Indonesian gas distributor. The dispute was governed by Indonesian law and involved claims exceeding USD 300 million.
- Tribunal secretary in an LCIA arbitration concerning a USD 110 million dispute between a global offshore drilling contractor and a Philippines-based petroleum supplier arising out of breaches of an offshore drilling contract governed by English law.
- Tribunal secretary in an ad hoc UNCITRAL arbitration concerning a USD 25 million joint venture dispute governed by Malaysian law between a leading US energy company and a state-owned oil and gas company.
- Tribunal secretary in two consolidated HKIAC arbitrations concerning disputes between a leading US chemicals conglomerate and a PRC automotive products manufacturer. Over USD 60 million was in dispute in connection with breaches of a joint venture agreement governed by PRC law and a supply agreement governed by Hong Kong law.
- Tribunal secretary in an LCIA arbitration concerning a USD 30 million dispute between a private equity fund and an Indian mining company arising out of breaches of a share purchase agreement governed by English law.

- Tribunal assistant in an ICC arbitration concerning a dispute between a Taiwanese pharmaceutical materials supplier and a leading German pharmaceutical manufacturer arising out of breaches of a supply agreement governed by Taiwan law.

## Publications

1. Kenneth Tan, “Interim Enforcement of an Adjudication Decision: PT Perusahaan Gas Negara (Persero) TBK v CRW Joint Operation [2015] 4 SLR 364” Singapore Academy of Law Journal (2016) 28 SAclJ 354 (15 March 2016)
2. Michael Hwang S.C. & Kenneth Tan, “Case Note: *Cassa di Risparmio di Parma e Piacenza SpA v. Rals International Pte Ltd.* [2015] SGHC 264” ITA Arbitration Report, Volume XIV Issue 8
3. Michael Hwang S.C. & Kenneth Tan, “Case Note: *PT Perusahaan Negara (Persero) TBK v CRW Joint Operation* [2015] SGCA 30” ITA Arbitration Report, Volume XIII Issue 7
4. Kenneth Tan & Shaun Pereira, “Incorporation of Arbitration Clauses by Reference: *International Research Corp PLC v Lufthansa Systems Asia Pacific Pte Ltd and another*” Asian International Arbitration Journal, AIAJ Vol. 10, No. 1 (2014), 1–15
5. Chen Siyuan & Kenneth Tan, “Further Clarification from the High Court on the Limits to the Constitutional Right to Counsel” (January 2014) Singapore Academy of Law Singapore Law Watch Commentaries (6 pages, archived on LawNet)

## Languages

- English
- Mandarin
- Japanese (Intermediate)