



SMU

SINGAPORE MANAGEMENT
UNIVERSITY

RESEARCH REPORT 2021

Yong Pung How
School of
Law

DEAN'S MESSAGE

Dear Colleagues and Friends,

The Singapore Management University (SMU) Yong Pung How School of Law has been producing excellent research since its establishment in 2007. Our faculty members achieve substantial impact, influencing the development and trajectory of laws, and bridge theory and practice by demonstrating acute sensitivity to real-world issues and debates.

In 2021, our faculty and researchers authored more than 140 publications, including 21 books and collections, 46 journal articles, 15 case notes and 63 book chapters. Among these were monographs and edited collections such as Pasha L. Hsieh, *New Asian Regionalism in International Economic Law* (Cambridge University Press), and Gary Chan and Yip Man (eds), *AI, Data and Private Law: Translating Theory into Practice* (Hart Publishing).

During the year under review, our colleagues' articles and notes appeared in many leading journals, such as the *Cambridge Law Journal*, the *European Business Organization Law Review*, the *Journal of Private International Law*, the *Leiden Journal of International Law*, the *Melbourne University Law Review*, and the *Modern Law Review*. Recent alumni and students of our school also published more than 30 academic articles and notes.

Research at SMU Law is broadly focused on three strategic areas, namely, law and technology, transnational commercial law and dispute resolution. Benefitting from government and industry support, these areas are at the forefront of the work at our research centres: the Centre for AI and Data Governance (CAIDG), the Centre for Computational Law (CCLAW), the Centre for Commercial Law in Asia (CCLA) and the Singapore International Dispute Resolution Academy (SIDRA). Our research centres have obtained external grants valued at over S\$20 million.

Through our research centres we also organised multiple international and regional research events on cutting-edge developments in artificial intelligence, FinTech, private law and insolvency law as well as dispute resolution in 2021. We are deeply grateful to our event partners, which include leading academic institutions, law firms and technology companies.

Today, we are firmly embedded into global legal research networks, including through our Global Faculty Seminars, the Global Ph.D. Fellowship, the Lee Kong Chian International Visiting Professorship, and the Global Visiting Assistant Professorships. 2021 also saw us establish our Ph.D. in Law, Commerce & Technology, an innovative and interdisciplinary postgraduate degree programme focusing on law in the context of commercial activity and technological development.

From relatively recent beginnings, the SMU Yong Pung How School of Law is now ranked in the top 100 of law schools worldwide (QS World University Rankings 2022). We are immensely encouraged by the support of our partners and stakeholders. To find out more about our research and aspirations, I warmly invite you to read this Research Report 2021, and to reach out anytime if you have ideas for collaboration.

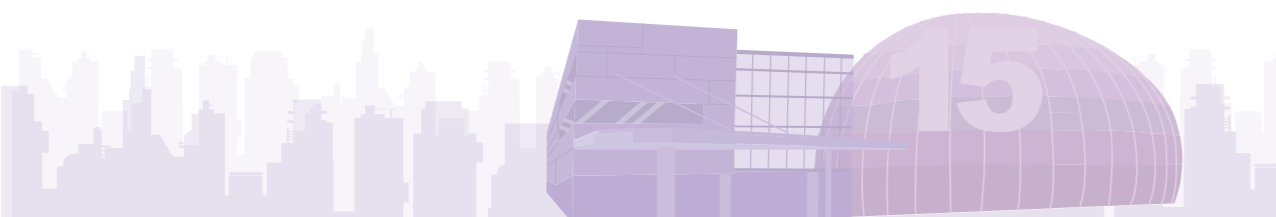
Sincerely,

Lee Pey Woan
Dean and Professor of Law
Yong Pung How School of Law, Singapore Management University
www.law.smu.edu.sg



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RESEARCH OVERVIEW

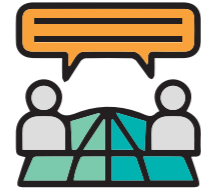
Singapore Management University



Our key research focus areas are:



Law and Technology



Transnational Commercial Law



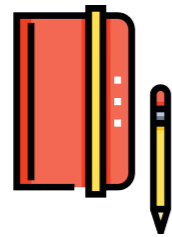
Dispute Resolution

Publications in 2021 include:



21

Books and Collections



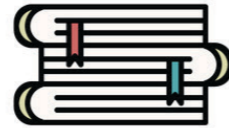
46

Journal Articles



15

Case Notes












63

Book Chapters

RESEARCH OVERVIEW

Yong Pung How School of Law

 ASIAN AND COMPARATIVE LEGAL SYSTEMS	Comparative Law Singapore Legal System Chinese Commercial Law	Law and Society Asian Legal Systems
 PUBLIC INTERNATIONAL LAW, REGIONAL AND TRADE LAW	Public International Law Transborder Trade & Investment Law	ASEAN Law Asian Intellectual Property Law EU Law
 CORPORATE, FINANCE AND SECURITY LAW	Company Law Securities Regulation Insolvency	Law of Credit & Security Banking, Finance and the Law
 PRIVATE LAW	Contract Law Equity & Trusts Unjust Enrichment & Restitution	Tort Law Property Law
 INNOVATION, TECHNOLOGY AND THE LAW	Law of Intellectual Property Information Technology Law Data Protection & Privacy Law	Internet Law E-Commerce Law
 DISPUTE RESOLUTION	Law of Evidence Civil & Criminal Procedure Arbitration	Alternative Dispute Resolution & Conflict Management Private International Law
 LEGAL THEORY, ETHICS AND LEGAL EDUCATION	Legal Theory Ethics & Social Responsibility Law & Economics	Law & Regulation Legal Education
 PUBLIC INTEREST LAW, COMMUNITY AND SOCIAL JUSTICE	Family Law Criminal Law & Justice Animal Law	
 PUBLIC LAW	Constitutional Law Administrative Law	

To find out more about research at the Yong Pung How School of Law, please visit our [website](#).

FACULTY PROFILES

Singapore Management University



LEE PEY WOAN
Dean (From Jul 2022)
Professor of Law
BCL (Oxford);
LLB (King's College London)



GOH YIHAN, SC
Dean
(Jul 2017 to Jun 2022)
Professor of Law
LLM (Harvard); LLB (NUS)



ALVIN SEE WEI LIANG
Associate Dean
(Undergraduate Curriculum
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Associate Professor of Law
(Education)
BCL (Oxford); LLB (Leeds)



PASHA L. HSIEH
Associate Dean
(Faculty Matters & Research)
Associate Professor of Law
PhD in Political Science
(Free University of Brussels);
JD, LLM (Penn); LLB (National
Chengchi University)



GARY CHAN KOK YEW
Professor of Law
LLM (University of London);
LLB (NUS)



WARREN B. CHIK
Deputy Director, Centre for
AI & Data Governance
Associate Professor of Law
LLM (UCL); LLM (Tulane);
LLB (NUS)



KENNY CHNG
Deputy Director, SMU Law
Academy
Assistant Professor of Law
LLM (Harvard); LLB (SMU)



**ADELINE CHONG
SWEE LING**
Associate Professor of Law
PhD (Nottingham);
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ZHANG WEI
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(Postgraduate Curriculum,
Teaching and International
Relations)
Associate Professor of Law
PhD in Jurisprudence and
Social Policy (Berkeley);
LLM (Harvard); MA in Civil
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**DORCAS QUEK
ANDERSON**
Associate Dean (Student &
Alumni Affairs)
(Jan 2021 to Jun 2022)
Assistant Professor of Law
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CHEN SIYUAN
Associate Dean (Student
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LOW KEE YANG
Special Advisor to the Dean
(2019 to Jun 2022)
Associate Professor of Law
PhD, LLM (King's College
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LLD (Nottingham Trent);
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Associate Professor of Law
JD (Vanderbilt); LLM (UCL);
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**AURELIO GURREA
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Assistant Professor of Law
JSM (Stanford); MSc in Law
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(CEU San Pablo University);
LLB, BBA (University of
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MALAVIKA JAYARAM
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FACULTY PROFILES

Singapore Management University



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EDWARD TI
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JD (George Mason University); MA in English Literature, BA in English and American Literature (Brown University)



VINCENT OOI
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BA in Jurisprudence (Oxford)



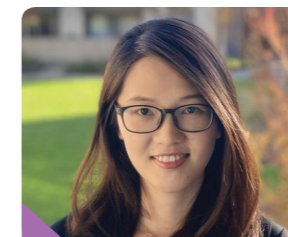
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YIP MAN
Director, Centre for Commercial Law in Asia
Associate Professor of Law
BCL (Oxford); LLB (NUS)

FACULTY PROFILES

Yong Pung How School of Law

CENTRE FOR COMPUTATIONAL LAW (CCLAW)

Led by **Assistant Professor Lim How Khang** (Director) and **Assistant Professor Jerrold Soh** (Deputy Director), CCLAW is the newest research centre at the SMU Yong Pung How School of Law. The Research Programme in Computational Law (the Programme), the Centre's flagship project, was awarded a major grant of S\$15 million by the National Research Foundation (NRF), the largest research grant received by SMU to-date. This Programme aims to make computational law a reality: from designing and implementing a domain-specific language for law (DSL), to building technologies that will bring computational

capabilities to any process that involves legal or quasi-legal elements. DSL allows for laws, rules and agreements to be expressed in code. This lays the foundation for 'smart' contracts and 'smart' statutes that can be reliably executed by computers or run as software to enable precise and accurate performance and compliance. An eventual industry-adoption of the DSL and the technologies built therefrom will facilitate the delivery of more efficient legal and regulatory services through digital systems and will broaden access to justice.

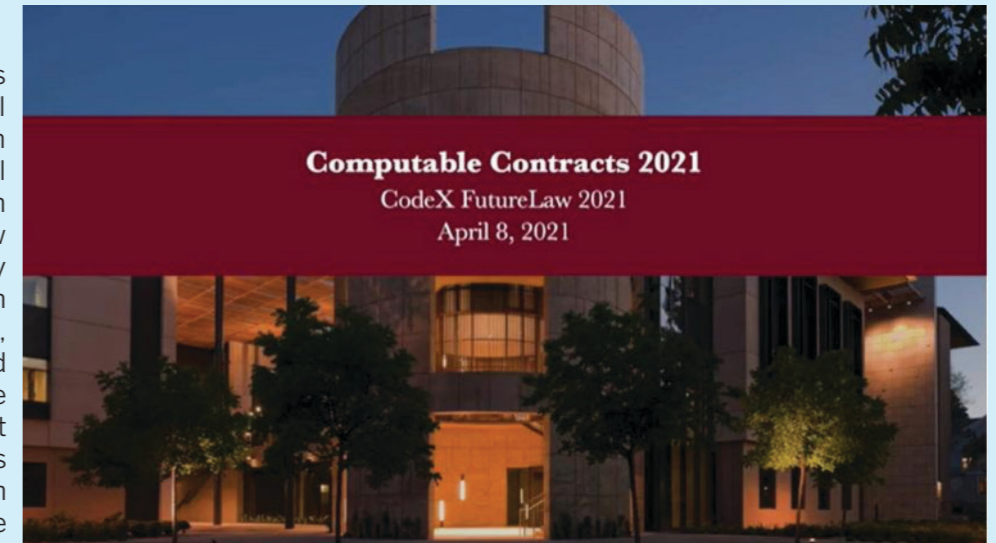


7th Grammatical Framework Summer School

The Centre organised the 7th Grammatical Framework Summer School (GFSS) in August 2021. Grammatical Framework (GF) is a grammar formalism and a programming language for multilingual computational grammars. It is based on the idea of a shared abstract syntax and mappings between the abstract syntax and concrete languages. The two-week GFSS comprised a series of lectures by international GF experts, hands-on project work, and guided and specialised tutorials specially curated for early and experienced GF users. CCLAW Senior Research Scientist and Computational Linguist, Dr Inari Listenmaa, delivered lectures on topics such as "GF in the Context of Different Grammar Formalisms, Optimising GF Grammars and Internals of GF". Principal Research Fellow **Mr Wong Meng Weng** also gave a talk on "Controlled Natural Language in Computational Law". The school ended with participants presenting and showcasing their project work based on what they learnt at GFSS.

9th Annual CodeX FutureLaw conference

Industry Director, Ms Alexis Chun, was one of the panel speakers for the session titled Computational Contracts 2021 at the 9th Annual CodeX FutureLaw conference. Chaired by Professor Harry Surden (University of Colorado), the panel addressed state-of-the-art computable contract technology: "What are computable contracts and how do they differ from typical English-language contracts? Where are computable contracts being used today? What can be done with the technology? What are its current limits? Where do we aspire to the future?". The session also focused on an exciting and rapidly emerging application: computable contracts in the insurance sector.



Academic Symposium – Law + Computation: An Algorithm for the Rule of Law and Justice?

Computation is poised to transform legal services, legal systems and the law itself. Making the most of innovation and technology, and understanding the benefits and risks, requires deep collaboration between computer scientists and legal professionals (lawyers, academics, etc). This interdisciplinary symposium brings together researchers working at the intersection of law and computation to explore the effects of computation on law. Principal Research Fellow, **Mr Wong Meng Weng**, presented a sneak peek at L4, a formal language currently being designed to express the semantics of laws and contracts. The language builds on a research tradition in symbolic AI that tends more to programming language theory and formal methods than neural-net machine learning. Unlike previous contract languages, L4 is intended for an audience of software developers first, and theoreticians, lawyers and blockchainers second. (The current syntax is inspired by the database language SQL.) If the research successfully escapes academia, it will provide a platform and protocol for a new generation of LegalTech products and services.

A Sneak Peek at L4: (YA) DSL for laws & contracts

Including a whirlwind tour of the past and present of legal specification languages presented at Northwestern's academic symposium on Law + Computation, Feb 2021

This research is supported by the National Research Foundation (NRF), Singapore, under its Industry Alignment Fund – Pre-Positioning Programme, as the Research Programme in Computational Law.

Singapore Management University
Centre for Computational Law

github.com/smuclaw/complaw/
2021-02-06

by @mengwong – mwwong@smu.edu.sg
CodeX fellow at Stanford 2017–,
Berkman-Klein fellow at Harvard 2016–2017,
co-founder Legalese.com 2015–

Any opinions, findings and conclusions or recommendations expressed in this material are those of the author(s) and do not reflect the views of National Research Foundation, Singapore.

CENTRE FOR AI AND DATA GOVERNANCE (CAIDG)

CAIDG is headed by **Professor Mark Findlay** (Director) and **Associate Professor Warren Chik** (Deputy Director). The Centre focuses on three streams of research: AI and Society; AI and Business; and AI in Specific Industries. These research streams benefit from a S\$4.5 million grant from the National Research Foundation (NRF) and the Infocomm Media Development Authority (IMDA) of Singapore and are complemented by overarching initiatives such as the SMU-Microsoft Asian Dialogue on AI Governance and the AI Ethics Hub 4 Asia. In 2021, its third full year of operations, CAIDG members published four books, 23 research articles and 34 working papers, and organised one conference and 17 seminars.



Showcase Webinar Series

In February 2021, CAIDG organised its first Showcase Webinar Series. This was an opportunity for the research team to share some highlights of their recent work and to engage in conversation with scholars, practitioners, professionals, and policy influencers on topics of pressing relevance for government, the market and civil society. It was intended as an opportunity to take the Centre's regulatory mission to a wider audience and to challenge participants to consider the role that they can play in the regulation and governance of AI and big data. The topics were chosen and curated by the session moderators with an eye on their contemporary significance, while recognising that many listeners would not have given detailed attention to many of the important issues canvassed through these discussions. It is hoped that these presentations provided a platform for wider debate and collective deliberation. Topics covered included data privacy and surveillance, responsible AI and a discussion on inequality during the pandemic.

AI in Community

In June 2021, CAIDG launched a research initiative on "AI in Community" to locate AI and Big Data within communities, as part of its efforts to make Singapore a global leader in the race for Human-Centred AI. Modelled after the Stanford Human-centred Artificial Intelligence (HAI), this new research, policy and community outreach initiative builds on CAIDG's rich experience in target topics of public interest, such as Trustworthy AI, Grassroots Ethics, Responsible COVID Surveillance Technology, Fair Platform Economies, Safe Autonomous Vehicles, Open Finance, Care Robotics, Citizen-centric Smart Cities and People-focused Personal Data. By exploring the way that AI and data can be part of the community, CAIDG aims to debunk the public's perception that risks associated with AI and mass data sharing are beyond their control.

ALSA Conference 2021

In October 2021, CAIDG jointly organised the ALSA Conference 2021: *Law, Technology and Change* with the Asian Law Schools Association (ALSA) and the National Yang Ming Chiao Tung University School of Law. Because of the pandemic, remote working and distance learning have constituted significant parts of the new normal. The adoption of AI in certain areas, such as fintech and smart medicine, has brought unprecedented regulatory challenges. Covering five sessions that included healthcare, surveillance, data governance, technology transformation and protecting professional services, the conference considered how law should regulate and enhance technological innovations so that present and future global crises may be better confronted.



CENTRE FOR COMMERCIAL LAW IN ASIA (CCLA)

Led by **Associate Professor Yip Man** (Director) and **Assistant Professor Lau Kwan Ho** (Deputy Director), CCLA aims to advance commercial growth in Asia marked by sustainability, inclusion and innovation, through excellent research.

Research Publication Highlights

- Pasha L. Hsieh, *New Asian Regionalism in International Economic Law* (Cambridge University Press, 2021)
- Mahdev Mohan and Chester Brown (eds), *The Asian Turn in Foreign Investment* (Cambridge University Press, 2021)



Yong Pung How Professorship of Law Lecture

With significant advances in the global landscape for the recognition and enforcement of foreign judgments in recent years, the 2021 Yong Pung How Professorship of Law Lecture on *The Changing Global Landscape for Foreign Judgments*, delivered virtually in May by **Professor Yeo Tiong Min SC (Hon)**, reviewed two recent, significant international developments: the coming into force in 2015 of the 2005 Hague Convention on Choice of Court Agreements, and the completion of the Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil and Commercial Matters in 2019. Singapore has responded to the global environment, in bringing the former Convention into force under Singapore law in 2016, and in making extensive amendments to the Reciprocal Enforcement of Foreign Judgments Act in 2019. The informative and enjoyable lecture saw over 700 attendees joining from across the world.



Singapore Mediation Lecture

The 2021 edition of the Singapore Mediation Lecture was held in September as a hybrid event at the Conrad Centennial Singapore. Titled *Freeze, Talk and Trade: 3 Principles of Dispute Resolution in Inter-State Disputes*, the lecture was delivered by Distinguished Fellow Dr Kishore Mahbubani (NUS) and formed part of Singapore Convention Week 2021. In a wide-ranging lecture, Dr Mahbubani discussed positive and negative case studies, demonstrating how three principles of dispute resolution – Freeze, Talk and Trade – should be adopted to ameliorate and even resolve long-standing inter-state disputes. Around 100 people attended the lecture in person, in addition to more than 300 tuning in through the live-stream.



Dentons Rodyk Dialogue

In October 2021, the Dentons Rodyk Dialogue on the theme of *Sustainability and Innovation for a More Resilient Future* was held in hybrid format at the SMU Hall with over 700 people attending in person and virtually. Following welcome remarks from SMU Provost, **Professor Timothy Clark**, and Mr Gerald Singham (Dentons Rodyk & Davidson), Minister Grace Fu (Ministry of Sustainability and the Environment) delivered her keynote address on Singapore's journey in sustainability. She stressed that Singapore was vulnerable to sea levels rising and that sustainability had to be at the core of everything we do and how we had to embed sustainability into our DNA to thrive in the future. The event concluded with a panel discussion and Q&A session.



Jones Day Professorship of Commercial Law Lecture 2021



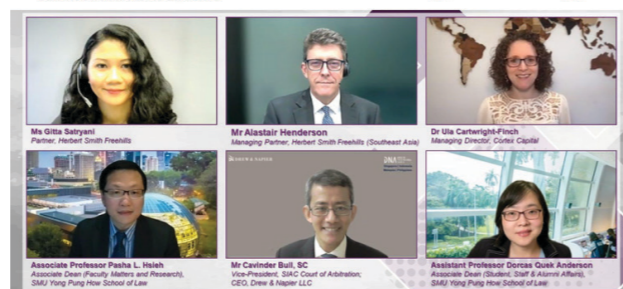
Jones Day Professorship of Commercial Law Lecture

Professor Daniel Martin Katz (Illinois Institute of Technology), the 2021 Jones Day Professor of Commercial Law, delivered his virtual lecture titled *The Legal Innovation Agenda: Pre, During and Post COVID* in November. In his lecture, Professor Katz discussed four themes in legal innovation, namely, leveraging data and AI techniques to create legal tech software, using process improvement and project management methods to streamline legal work flows, sourcing legal talent and solutions from a wider set of providers, and solving legal industry access to capital challenges. An interactive panel discussion then took place among Justice Aedit Abdullah (Supreme Court of Singapore), Professor Katz, Mr Mauricio F. Paez (Jones Day) and **Associate Professor Pasha L. Hsieh**.

Herbert Smith Freehills-SMU Asian Arbitration Lecture

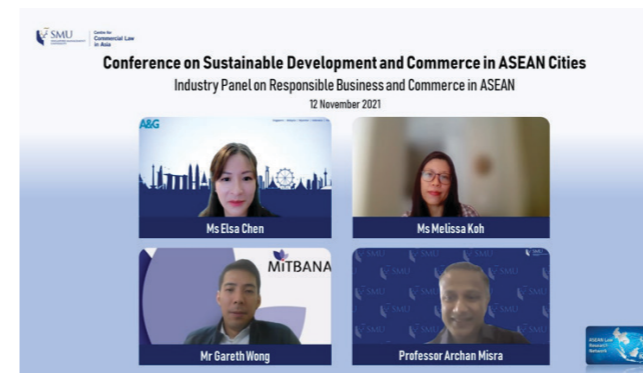
The 2021 Herbert Smith Freehills-SMU Asian Arbitration Lecture on *Witnesses and Webcams: The Psychology of Witness Evidence in a Virtual World* was delivered virtually in November by Dr Ula Cartwright-Finch (Cortex Capital), one of the world's leading authorities on psychological factors in virtual hearings. Dr Cartwright-Finch dissected how the virtual environment impacted the way we perceive other people (especially witnesses and their credibility) and how the different factors in the virtual environment may change baseline behaviours and give rise to unethical conduct on the virtual stand. An insightful panel discussion took place after the lecture between Dr Cartwright-Finch, Mr Cavinder Bull SC (Drew & Napier) and **Assistant Professor Dorcas Quek Anderson**, which was expertly moderated by Mr Alastair Henderson (Herbert Smith Freehills).

Herbert Smith Freehills-SMU Asian Arbitration Lecture



Conference on Sustainable Development and Commerce in ASEAN Cities

This was the inaugural conference held under the Centre's research initiative, the ASEAN Law Research Network, in November 2021. The first event (industry panel) involved Ms Elsa Chen (Allen & Gledhill), Ms Melissa Koh (Accenture), Mr Gareth Wong (Mitbana) and the moderator, SMU Vice Provost (Research) **Professor Archan Misra**, who discussed current issues in sustainability development and management in Southeast Asia, as well as the adoption of technology in the pursuit of sustainability and legal regulation. The three academic panels then saw legal



researchers presenting their findings on sustainability and commercial law in different Southeast Asian countries. The conference was brought to a resounding conclusion with a keynote speech by Professor Rafael Leal-Arcas (QMUL) titled *How Can Trade Agreements Contribute to Sustainability?*. Selected papers were published in the SMU ASEAN Perspectives series.

7th Asian International Economic Law Network (AIELN) Conference

The 7th AIELN conference held in December 2021 was on the theme of *Building a Sustainable Future: New Asian Regionalism in International Economic Law* and saw over 30 presenters spread across six panels addressing various aspects of international economic law and its sustainable development in the light of greater Asian convergence and regionalism. Following two full days of enriching discussions with over 90 people in attendance, the conference concluded with the launch of **Associate Professor Pasha L. Hsieh's** new book, *New Asian Regionalism in International Economic Law* (Cambridge University Press, 2021). Selected papers from the conference were published in a special issue of the Asian Journal of WTO & International Health Law and Policy.



3rd SMU-Cambridge Roundtable on Corporate Insolvency Law

Held in November 2021, the third edition of this Roundtable saw experts joining from across the world, including SMU and the University of Cambridge. Focusing on the implementation of simplified insolvency frameworks for micro and small enterprises, the presenters and discussants considered principles and policy recommendations that various studies and international organisations had suggested for the implementation of such

frameworks, including reforms taking place in many jurisdictions around the globe, such as Australia, Colombia, Myanmar, Singapore and the United States.

SINGAPORE INTERNATIONAL DISPUTE RESOLUTION ACADEMY (SIDRA)

Led by **Professor Nadja Alexander** (Director) and **Associate Professor Darius Chan** (Deputy Director), SIDRA is a platform for thought leadership in international dispute resolution theory, practice, and policy. As a research centre at the SMU Yong Pung How School of Law, SIDRA leads the way through projects, publications and events that promote dynamic and inclusive conversations on how to constructively engage with and resolve differences and disputes at global, regional and national levels. In particular, SIDRA differentiates itself through its focus on applied research that has practical impact on industry. Specifically, SIDRA is mandated with three research programmes:

- *The International Dispute Resolution Survey research programme*
- *The Singapore Convention on Mediation research programme*
- *The Belt & Road Initiative Dispute Resolution research programme*

In 2021, SIDRA co-organised a number of key events, such as workshops for the Singapore Convention Week and United Nations Commission on International Trade Law (UNCITRAL) Academy 2021, as well as many webinars on the Preliminary Findings of the SIDRA Survey 2021 and topics related to the Belt and Road Initiative (BRI).

INTERNATIONAL DISPUTE RESOLUTION SURVEY

Webinar at Singapore Convention Week on Preliminary Findings of the SIDRA Survey 2021

The SIDRA Survey is the first of its kind focusing on the experiences of users in selecting dispute resolution mechanisms such as international commercial arbitration, international commercial litigation, international commercial mediation, hybrid mechanisms and investor-state dispute settlement. Now in its second iteration, SIDRA launched the Preliminary Findings of the SIDRA Survey 2021 via webinar on the sidelines of the Singapore Convention Week in September 2021. The webinar touched on key trends of the preliminary findings and attracted an international audience of about 100 participants. The panellists included SIDRA's **Professor Nadja Alexander** and **Ms Rachel Tan**, Mr Chou Sean Yu (WongPartnership), Mr Nicholas Lingard (Freshfields Bruckhaus Deringer), Mr Krishnan Nadarajan (ExxonMobil) and Mr Michael Peer (PwC South East Asia Consulting).



Webinar on SIDRA Survey 2021 Preliminary Findings and Third Party Funding

In October 2021, SIDRA presented the preliminary findings of the SIDRA Survey 2021 and Third Party Funding, with Mr Michael Peer and Professor Nadja Alexander moderating and Ms Ingrid Coinquet (Augmenta) and Mr Tom Glasgow (Omni Bridgeway) as speakers.

SINGAPORE CONVENTION ON MEDIATION

Launch of Singapore Convention on Mediation Handbook

As a supporting partner of the Singapore Convention Week and UNCITRAL Academy 2021, SIDRA produced a [Handbook](#) on the Singapore Convention on Mediation (SCM) for the UNCITRAL Academy, which serves as a guide on the SCM.



UNCITRAL Academy 2021 Workshops and Exchange Session

As part of the Singapore Convention Week and UNCITRAL Academy, SIDRA co-organised, together with the Ministry of Law and partners such as the Singapore International Mediation Centre, International Centre for the Settlement of Investment Disputes (ICSID) and UNCITRAL, two closed-door workshops for government officials. The workshops were on the Singapore Convention on Mediation and investor-state dispute settlement. SIDRA's **Professor Nadja Alexander**, **Associate Professor Darius Chan**, **Visiting Assistant Professor Mark McLaughlin**, **Mr Vakho Giorgadze** and **Ms Rachel Tan** represented SIDRA at the workshops.



BELT & ROAD INITIATIVE

SIDRA-UNSW Law & Justice's Herbert Smith Freehills China International Business and Economic Law Centre Webinar on the Regional Comprehensive Economic Partnership

On 4 February 2021, SIDRA jointly held a webinar with the UNSW Law & Justice's Herbert Smith Freehills China International Business and Economic Law Centre on the Regional Comprehensive Economic Partnership. The speakers included SIDRA's **Visiting Assistant Professor Mark McLaughlin**, Professor Wang Heng, Professor Kun Fan and Mr Guillermo Garcia-Perrote, with SIDRA's **Ms Allison Goh** as moderator.



Webinar on China International Commercial Court

In March 2021, SIDRA held a webinar on the China International Commercial Court, with Associate Professor Huiqin Jiang (Zhejiang Sci-Tech University) and Mr Dinesh Dhillon (Allen & Gledhill) as panellists and SIDRA's **Ms Ryce Lee** moderating. Associate Professor Jiang presented an update on the latest developments and jurisprudence in relation to the Chinese International Commercial Court and Mr Dhillon provided a comparative angle to the discussion by sharing his recent experience at the Singapore International Commercial Court.



BRI Webinar on Practical Tips for Younger Practitioners on China-Related Disputes

In March 2021, SIDRA held a webinar on practical tips for younger practitioners on China-related disputes, with Ms Sophia Feng (Allen & Gledhill), Mr Nelson Goh (Debevoise & Plimpton) and Ms Crystal Wong (Lee Hishammuddin Allen & Gledhill) speaking and SIDRA's Ms Rachel Tan as moderator. The speakers shared tips and insights on Chinese-related disputes from tips on pitching to clients, pre-trial and arbitration phases, the dispute resolution phase and enforcement. Over 80 participants attended the webinar.

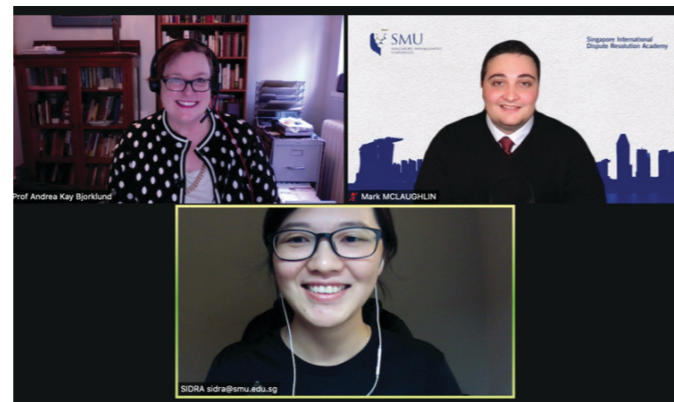
Webinar on China's Investment Treaty Policy and Practice

In June 2021, SIDRA presented a webinar on China's Investment Treaty Policy and Practice. The speakers included Dr Matteo Vaccaro-Incisa (Carnelutti Law Firm) and Mr Jonathan Lim (WilmerHale), with SIDRA's Ms Allison Goh moderating. The webinar touched on arbitration clauses limited to compensation due to expropriation in China's investment treaties including court decisions from Singapore, Stockholm and London and perspectives from a practitioner of investment treaty disputes. The webinar attracted around 70 participants from various jurisdictions.

SIDRA-TNLF Webinars

In July and August 2021, SIDRA and Transnational Law Frontiers (TNLF) presented two investment law-related webinars. Both were moderated by SMU Visiting Assistant Professor Yueming Yan. The first webinar was on the EU-China Comprehensive Agreement on Investment, in which Dr Chunlei Zhao (Tsinghua) spoke on state-to-state and investor-state dispute settlement mechanisms. The second webinar was on investment treaty arbitrations involving Chinese parties, where Mr Li Zongyao (Shearman & Sterling) spoke on the features of Chinese investment treaties and applicable principles and implications for China's BRI. He also presented on five existing investment cases in which China was a respondent and seven investment arbitration cases initiated by Chinese investors.

In October 2021, SIDRA and TNLF presented a third webinar, this time on investor-state dispute settlement reform. Professor Andrea Bjorklund (McGill) spoke on the use of mediation in investment disputes, an appeals mechanism in the investment court system and third party funding, with SIDRA represented by Visiting Assistant Professors Mark McLaughlin and Yueming Yan. The programme attracted over 60 participants from various jurisdictions.



Masterclass on Chinese Legal System and Culture

SIDRA and the SMU Law Academy presented a masterclass conducted by Associate Professor Zhang Wei in October 2021. The masterclass provided legal practitioners with a practical understanding of the Chinese legal tradition and modern legal system and covered important areas in Chinese corporate and commercial law relevant for legal practice, including a discussion on the latest legal developments and cases.

GLOBAL FACULTY SEMINARS

In 2021, the SMU Yong Pung How School of Law continued to expand its international outreach through close collaborations with other research-intensive universities. These included hosting a number of Global Faculty Seminars where leading international academics presented and discussed their cutting-edge research. The seminars were held online due to the ongoing pandemic but that did not diminish the interaction and exchange of views between the participants.

In February, Professor Cathy Hwang, Barron F. Black Research Professor of Law at the University of Virginia presented a seminar titled "Collaborative Intent". The session was chaired by Associate Professor Yip Man, Director of the Centre for Commercial Law in Asia.

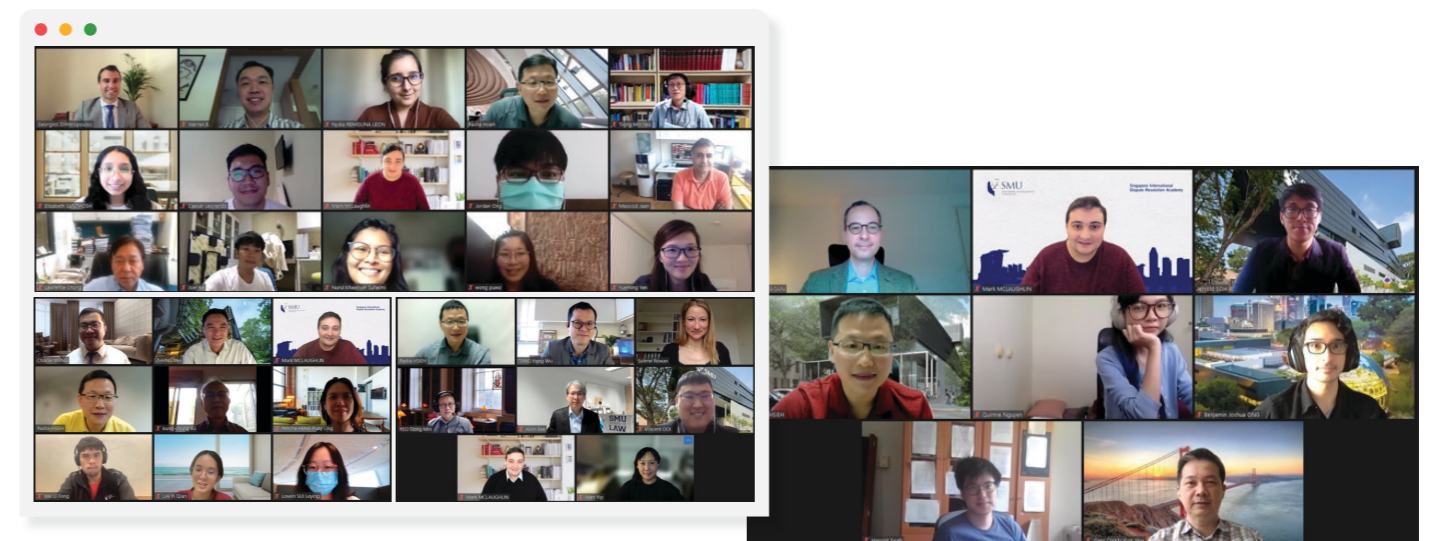
The next seminar on "The Law of Blockchain" was delivered in March by Associate Professor Georgios Dimitropoulos (Hamad Bin Khalifa University). Associate Professor Warren Chik, Deputy Director of the Centre for AI and Data Governance, chaired the session.

In May, Professor Rosemary Langford (Melbourne Law School) presented on "Purpose-Based Governance and Revitalisation of Company Law". The seminar was chaired by Assistant Professor Lau Kwan Ho, Deputy Director of the Centre for Commercial Law in Asia.

The fourth seminar of 2021 was delivered in September by Professor Solène Rowan (University of Oxford) on the topic of "Abuse of Rights in English Contract Law: Hidden in Plain Sight?". The session was chaired by Professor Tang Hang Wu.

In October, Professor Frank Fagan (EDHEC Business School) presented a seminar titled "American Law in the Age of Artificial Intelligence", which was chaired by Assistant Professor Jerrold Soh, Deputy Director of the Centre for Computational Law.

The last Global Faculty Seminar of 2021 was delivered by Associate Professor Charlie Weng (UNSW Sydney) and titled "A Promising Path or Dead End? A Director's Duty of Care in China". Associate Professor Zhang Wei chaired this session which took place in November.



Faculty Outreach Activities

Professor Nadja Alexander was the programme director of the SMU-Temasek Foundation Cluster Workshop, jointly organised by SMU and SIDRA in partnership with Temasek Foundation in December 2021. This Workshop dealt with themes on the Singapore Convention on Mediation and related topics in mediation over two days and drew participants from jurisdictions in ASEAN, China and India. The programme also invited speakers from the Singapore International Arbitration Centre, Singapore International Mediation Centre, Singapore International Mediation Institute, Singapore International Commercial Court, and overseas speakers.

Professor Yeo Tiong Min SC (Hon) and **Associate Professor Adeline Chong** were panellists in the session *International Commercial Courts – The Next Frontier in International Dispute Resolution or the Latest Trend at the Singapore International Commercial Court Symposium 2021* which was held online in March. At the same Symposium, **Professor Locknie Hsu** moderated the session on *Trends & Developments in International Commercial Litigation*.

Associate Professor Adeline Chong was also a speaker at an online session on *Asia-Pacific Commercial Dispute Resolution in the Aftermath of the Pandemic* in March 2021 organised by the Centre for Asia and Pacific Law at the University of Sydney.

Assistant Professor Nydia Remolina León spoke at the *Fintech and COVID-19* conference organised by the Asian Development Bank and the Centre for Alternative Finance at the University of Cambridge's Judge Business School in March 2021. She also participated as a speaker at the webinar *Swiss Open Forum on Digital Self-Determination* which was part of the Internet Governance Forum 2021 organised by the United Nations in December 2021.

Amici Curiae And Other Appointments

Professor Chan Wing Cheong was reappointed as a member of the Adult Protection Team by the Ministry of Social and Family Development (MSF) for a two-year term from May 2021 to April 2023. Professor Chan was also reappointed as Chairperson of the Review Board under the Vulnerable Adults Act 2018 by MSF for a two-year term from January 2021 to December 2022.

Associate Professor Yip Man was appointed Co-General Rapporteur by the International Academy of Comparative Law for the project on *New Specialized Commercial Courts and Their Role in Cross-Border*

Litigation ahead of the 2022 General Congress in Asunción.

Assistant Professor Lau Kwan Ho was appointed a Special National Rapporteur by the International Academy for Comparative Law for the project *New Specialised Commercial Courts and Their Role in Cross-Border Litigation*.

In early 2021, the High Court appointed **Assistant Professor Benjamin Joshua Ong** as amicus curiae in the case of *Parti Liyani v Public Prosecutor* [2021] 5 SLR 860 to make submissions on the law on compensation under section 359(3) of the Criminal Procedure Code 2010 in respect of "frivolous or vexatious" prosecutions.

Associate Professor Maartje de Visser and **Assistant Professor Kenny Chng** were also appointed as Co-Special National Rapporteurs by the International Academy of Comparative Law for the project *The crisis of liberal democracy, diagnostics and therapies*.

External Research Grants

Associate Professor Pasha L. Hsieh was awarded a research grant from Japan's Sumitomo Foundation for his project on *New Asian Regionalism in International Economic Law: The Evolving Strategies of ASEAN and Japan*.

Associate Professor Warren Chik was awarded an AI Singapore grant for his project titled *Towards Trustable Model-Centric Sharing for Collaborative Machine Learning*.

Assistant Professor Aurelio Gurrea-Martínez was awarded a grant by INSOL International and the University of South Australia. The grant seeks to contribute to the understanding of the use of litigation funding in insolvency proceedings.

Assistant Professor Lim How Khang was awarded a grant by the Singapore Judicial College for his Pilot Survey of Legal Needs and Access to Justice.

Assistant Professor Daniel Seah was awarded a grant by the National Council of Social Service and Ngee Ann Kongsi to conduct a Household Panel Study (2021-2026). He also received a grant from the National Parks Board for the Cats Management Social Research Study (2021-2023).

Lecturer Vincent Ooi was awarded a grant by the Tax Academy of Singapore for his project on *Taxation of Digital Tokens in Singapore*.

At SMU, a number of awards at University and School level are made to faculty members to recognise their research excellence and industry standing.

1 Jones Day Professorship of Commercial Law
Professor Daniel Martin Katz (Illinois Institute of Technology).

2 Lee Kong Chian Professorship
The Lee Kong Chian Professorships and Fellowships were established by the Lee Kong Chian Fund for Research Excellence founded by the Lee Foundation. The chair in 2021 was held by **Professor Liu Kung Chung**.

3 Yong Pung How Professorship of Law
Established by the Yong Shook Lin Trust, the Yong Pung How Professorship of Law is conferred on an eminent individual who has distinguished himself or herself in the legal profession. The chair is presently held by **Professor Yeo Tiong Min SC (Hon)**.

4 V3 Group Fellowship in Family Entrepreneurship
The Fellowship was conferred on **Associate Professor Yip Man** in 2021.



Lee Kong Chian Fellowship

The holders of the Lee Kong Chian Fellowships in 2021 were:

- Associate Professor Henry Gao
- Associate Professor Pasha L. Hsieh
- Associate Professor Zhang Wei
- Assistant Professor Aurelio Gurrea-Martínez
- Assistant Professor Edward Ti
- Assistant Professor Kenny Chng
- Assistant Professor Lau Kwan Ho

Notable Awards or International Recognition for Research and Standing

Professor Nadja Alexander, an internationally acclaimed expert in the field of mediation, was recognised as a Global Thought Leader in Mediation for 2021 by Who's Who Legal. This is the fourth year running that she has been named to the prestigious list of honorees.

Professor Locknie Hsu was appointed to the Advisory Committee of the Future of Financial Services Symposium, IEEE World Congress International Conference on Service Computing. She was also nominated to be one of five Regional Ambassadors for Education worldwide at the Global Business Blockchain Council.

Associate Professor Pasha L. Hsieh was re-elected to the Executive Council of the Society of International Economic Law in 2021. He was also appointed to the Advisory Board of the Caribbean Law Review and to the International Advisory Committee of Issues & Studies.

Associate Professor Yip Man's co-authored article *Extraterritoriality of Chinese Law: Myths, Realities and the Future*, published in the Chinese Journal of Comparative Law, placed among the 10 most impactful articles in the Comparative Law category in 2021, across the entire law journals portfolio of Oxford University Press.

Assistant Professor Aurelio Gurrea-Martínez was nominated to the American Bankruptcy Institute's 40 Under 40 List of Emerging Leaders in Insolvency Practice in 2021. The award honours those who demonstrate remarkable ability and leadership and are committed to the highest standards of achievement in the bankruptcy and insolvency community.

Assistant Professor Nydia Remolina León was appointed to the Board of Advisors of the Centre for Artificial Intelligence, Law & Society at GLA University, India in 2021.



CITATIONS BY COURTS AND OTHER BODIES

Singapore Management University

CITATIONS BY COURTS AND OTHER BODIES

The research work of many of our faculty members was cited in 2021 by courts and other governmental and regulatory bodies. The following table includes books or articles published between 2018-2020 and cited in 2021.

Faculty	Research Cited	Cited In
Nadja Alexander	SIDRA International Dispute Resolution Survey 2020 Final Report	Speech by Chief Justice Sundaresh Menon at the India-Singapore Mediation Summit (17 July 2021)
Chan Wing Cheong	Stanley Yeo, Neil Morgan and Chan Wing Cheong, <i>Criminal Law in Malaysia and Singapore</i> (3rd ed, LexisNexis, 2018)	<ul style="list-style-type: none"> <i>Public Prosecutor v Chong Chee Boon Kenneth</i> [2021] 5 SLR 1434 <i>Leck Kim Koon v Public Prosecutor</i> [2021] SGHC 236 <i>Public Prosecutor v Abdul Rahman Bin A Karim</i> [2021] SGDC 72 <i>Harpajan Kaur a/p Delib Singh v Public Prosecutor</i> [2021] 7 MLJ 678
Chan Wing Cheong	Chan Wing Cheong, "Corporal Punishment of Children by Parents: Is it Discipline or Violence and Abuse?" (2018) 30 <i>Singapore Academy of Law Journal</i> 545	<i>VYB v VYA</i> [2021] SGFC 121
Chen Siyuan	Chen Siyuan and Lionel Leo, <i>The Law of Evidence in Singapore</i> (2nd ed, Sweet & Maxwell, 2018)	<i>Law Society of Singapore v Shanmugam Manohar</i> [2021] SGHC 201
Adeline Chong	Adeline Chong (ed), <i>Asian Principles for the Recognition and Enforcement of Foreign Judgments</i> (Asian Business Law Institute, 2020)	<i>Merck Sharp & Dohme Corp v Merck KGaA</i> [2021] 1 SLR 1102
Pasha L. Hsieh	Pasha L. Hsieh, "Against Populist Isolationism: New Asian Regionalism and Global South Powers in International Economic Law" (2018) 51 <i>Cornell International Law Journal</i> 683	Vitor Henrique Pinto Ido, "TRIPS Flexibilities and TRIPS-plus Provisions in the RCEP Chapter on Intellectual Property: How Much Policy Space is Retained?" (2021) South Centre Research Paper 131

CITATIONS BY COURTS AND OTHER BODIES

Yong Pung How School of Law

Faculty	Research Cited	Cited In
Dorcas Quek Anderson	Dorcas Quek Anderson, Eunice Chua and Ning Yilin, "To Negotiate, Mediate or Litigate? Examining the Durability of Divorce Outcomes in the Singapore Family Courts" (Family Court Review, 2022)	<ul style="list-style-type: none"> Chief Justice Sundaresh Menon, "The Legal Profession Amidst the Pandemic: Change and Continuity" (Mass Call Address, 23 August 2021)
Vincent Ooi	Vincent Ooi and Soh Kian Peng, "Rethinking Mistake in the Age of Algorithms" (2020) 31 <i>King's Law Journal</i> 367	<ul style="list-style-type: none"> UNCITRAL, <i>Revised Draft Legal Taxonomy - Revised Section on Artificial Intelligence and Automation Section</i> (A/CN.9/1064/Add.1) (2021) UNCITRAL, <i>Legal Issues Related to the Digital Economy - Proposal for Legislative Work on Electronic Transactions and the Use of Artificial Intelligence and Automation</i> (A/CN.9/1065) (2021)
Tang Hang Wu	Tang Hang Wu, "Unjust Enrichment and Contract" in <i>Research Handbook on Unjust Enrichment and Restitution</i> (Elise Bant, Kit Barker and Simone Degeling, eds) (Edward Elgar, 2020)	<i>Xanthopoulos, Elias v Rotating Offshore Solutions Pte Ltd</i> [2021] SGHC 197
Tang Hang Wu	Tang Hang Wu, <i>Principles of the Law of Restitution in Singapore</i> (Academy Publishing, 2019)	<i>Kiran Global Alkali Sdn Bhd v Param Deep Singh</i> [2021] SGDC 113

FACULTY RESEARCH WORKSHOPS

In 2021, the SMU Yong Pung How School of Law organised five faculty research workshops for colleagues to present their works-in-progress.

Beneficial Ownership in Tax Law

Speaker: **Lecturer Vincent Ooi**

Commentators: **Professor Tang Hang Wu** (SMU) & Professor Irma Mosquera (Leiden)

Date: 26 February 2021

Implications of the New Section 37 of the Civil Law Act for the Law of Medical Negligence in Singapore

Speaker: **Lecturer Nicholas Liu**

Commentators: **Professor Gary Chan** (SMU) & Ms Kuah Boon Theng SC (Legal Clinic LLC)

Date: 18 March 2021

Disclosure in Criminal Proceedings in Singapore

Speaker: **Associate Professor Chen Siyuan**

Commentators: **Professor Chan Wing Cheong** (SMU) & Dr Hannah Quirk (King's College London)

Date: 24 September 2021

The Making of the Torrens System in Singapore

Speaker: **Associate Professor Alvin See**

Commentator: Professor Martin George (City Law School)

Date: 29 October 2021

Radbruch's Formula: Theory and Practice

Speaker: **Associate Professor Tan Seow Hon**

Commentator: Professor Julian Rivers (Bristol)

Date: 19 November 2021

Publications of Faculty and Research Associates

As members of a premier research institution, the SMU law faculty and research associates publish many significant books, articles, notes, and chapters every year. The following works were published in 2021.

Books and Edited Collections

1. Sarah R. Cole, Craig A. McEwen, Nancy H. Rogers, James R. Coben, Peter N. Thompson and Nadja M. **Alexander**, *Mediation: Law, Policy & Practice* (Thomson Reuters, 2021-2022)
2. Nadja **Alexander** and Ong Kye Jing, "Mediation Act 2017", *Annotated Laws of Singapore* (LexisNexis, 2021)
3. Nadja **Alexander** and Shouyu Chong, "Singapore Convention on Mediation Act 2020", *Annotated Laws of Singapore* (LexisNexis, 2021)
4. Gary **Chan** Kok Yew, *Health Law and Medical Ethics in Singapore* (Routledge, 2021)
5. Gary **Chan** Kok Yew and Man Yip (eds), *AI, Data and Private Law: Translating Theory into Practice* (Hart Publishing, 2021)
6. **Chen** Siyuan and Dennis Saw, *Halsbury's Laws of Singapore: Evidence* (LexisNexis, 2021)
7. **Chen** Siyuan and Eunice Chua, *International Encyclopaedia of Laws: Civil Procedure in Singapore* (4th ed, Wolters Kluwer, 2021)
8. Ernst Hirsch Ballin, Gerhard van der Schyff, Maarten Stremmer and Maartje **De Visser** (eds), *European Yearbook of Constitutional Law 2020: The City in Constitutional Law* (Springer, 2021)
9. Mark **Findlay**, *Globalisation, Populism, Pandemics and the Law: The Anarchy and the Ecstasy* (Edward Elgar, 2021)
10. Andrew B.L. Phang and **Goh** Yihan, *International Encyclopaedia of Laws: Contract Law in Singapore* (2nd ed, Wolters Kluwer, 2021)
11. Simon Chesterman, **Goh** Yihan and Andrew Phang Boon Leong (eds), *Law and Technology in Singapore* (Academy Publishing, 2021)
12. Pasha L. **Hsieh**, *New Asian Regionalism in International Economic Law* (Cambridge University Press, 2021)
13. Pearlie **Koh**, *A Casebook on Company Law: Materials and Commentary* (LexisNexis, 2021)
14. Andrew Godwin, Rosemary Langford and **Lee** Pey Woan (eds), *Technology and Corporate Law: How Innovation Shapes Corporate Activity* (Edward Elgar, 2021)
15. **Liu** Kung Chung and Reto Hilty (eds), *Trade Secret Protection: Asia at a Crossroads* (Wolters Kluwer, 2021)
16. Jyh-An Lee, Reto Hilty and **Liu** Kung Chung (eds), *Artificial Intelligence & Intellectual Property* (Oxford University Press, 2021)
17. James Mellor, David **Llewelyn**, Tom Moody-Stuart, David Keeling, Iona Berkeley, Ashton Chantrelle and Maxwell Keay, *Kerly's Law of Trade Marks and Trade Names: First Supplement* (16th ed, Sweet and Maxwell, 2021)
18. **Low** Kee Yang, *A Clear View of the Law: Making Sense of Legal Complexity* (Candid Creation, 2021)
19. Christopher Hare and Vincent **Ooi**, *Singapore Trusts Law* (LexisNexis, 2021)
20. Benny S. Tabalujan, Valerie Du Toit-Low, Julie L.Y. Huan, Lam Chen Meng and Alvin **See** Wei Liang, *Singapore Business Law* (9th ed, CommAsia Resources, 2021)
21. Eugene K.B. **Tan**, Kenny **Chng** and Benjamin Joshua **Ong**, *Halsbury's Laws of Singapore: Administrative Law* (LexisNexis, 2021)

PUBLICATIONS OF FACULTY AND RESEARCH ASSOCIATES

Singapore Management University

Journal Articles

1. Nadja **Alexander**, "The Emergence of Mediation Law in Asia: A Tale of Two Cities" (2021) 3 *Transnational Dispute Management*
2. Nadja **Alexander** and Shouyu Chong, "Leading the Way for the Recognition and Enforcement of International Mediated Settlement Agreements: The Singapore Convention on Mediation Act 2020" (2021) *Singapore Academy of Law Journal* (advance online)
3. Darius **Chan** and Lau Yi Hang Louis, "Proper Characterisation of the Parol Evidence Rule and its Applicability in International Arbitration" (2021) 37 *Arbitration International* 805
4. Darius **Chan** and Sidharth Rajagopal, "To Stay or Not to Stay? A Clash of Arbitration and Insolvency Regimes" (2021) 38 *Journal of International Arbitration* 457
5. Darius **Chan** and Teo Jim Yang, "Reformulating the Test for Ascertaining the Proper Law of an Arbitration Agreement: A Comparative Common Law Analysis" (2021) 17 *Journal of Private International Law* 439
6. Gary **Chan** Kok Yew, "Towards a Calibrated Trust-Based Approach to the Use of Facial Recognition Technology" (2021) 29 *International Journal of Law and Information Technology* 305
7. Gary **Chan** Kok Yew, "Trust in and Ethical Design of Carebots: The Case for Ethics of Care" (2021) 13 *International Journal of Social Robotics* 629
8. **Chen** Siyuan, "Disclosure in Criminal Proceedings: Developments and Issues Ahead" (2021) *Singapore Academy of Law Journal* (advance online)
9. **Chen** Siyuan, Chai Wen Min and Lau Yi Hang Louis, "The Use of Hearsay Evidence in Criminal Proceedings: An Updated Framework" (2021) *Singapore Academy of Law Practitioner (Crime)* 8
10. **Chen** Siyuan and Joel Fun, "Achieving Therapeutic Justice in Divorce Proceedings" (2021) *Singapore Academy of Law Practitioner (Family and Personal Law)* 31
11. **Chen** Siyuan, Koh Zhi Jia and Joel Soon, "The Use of Expert Opinion Evidence in Criminal Proceedings: An Updated Framework" (2021) *Singapore Academy of Law Practitioner (Crime)* 27
12. Kenny **Chng**, "An Analysis of Judicial Restraint in the Doctrine of Substantive Legitimate Expectations in the UK and Hong Kong" (2021) 51 *Hong Kong Law Journal* 467
13. Kenny **Chng**, "Conceptualising a Role for the Common Law in Environmental Protection in Singapore" (2021) 16 *Asian Journal of Comparative Law* 218
14. Kenny **Chng**, "Good Administration and the 'Good' – The Normative Foundation for the Protection of Legitimate Expectations" (2021) 50 *Common Law World Review* 157
15. Henry **Gao**, "Finding a Rule-Based Solution to the Appellate Body Crisis: Looking Beyond the Multiparty Interim Appeal Arbitration Arrangement" (2021) 24 *Journal of International Economic Law* 534
16. Henry **Gao**, "WTO Reform: A China Round?" (2021) 114 *Proceedings of the ASIL Annual Meeting* 23
17. Henry **Gao**, "WTO Reform and China: Defining or Defiling the Multilateral Trading System?" (2021) 62(SI) *Harvard International Law Journal* 1
18. Henry **Gao**, Dhiraj Chainani and Chew Siu Farn, "Trading Through a Pandemic: The Singaporean Experience" (2021) 16 *Global Trade and Customs Journal* 11
19. Henry **Gao** and Gregory Shaffer, "The Role of Law in Chinese Value Chains" (2021) 19 *Journal of Chinese Economic and Business Studies* 197
20. Aurelio **Gurrea-Martínez**, "Implementing an Insolvency Framework for Micro and Small Firms" (2021) 30 *International Insolvency Review* 46
21. Aurelio **Gurrea-Martínez**, "Theory, Evidence, and Policy on Dual-Class Shares: A Country-Specific Response to a Global Debate" (2021) 22 *European Business Organization Law Review* 475
22. Aurelio **Gurrea-Martínez**, "Towards an Optimal Model of Directors' Duties in the Zone of

PUBLICATIONS OF FACULTY AND RESEARCH ASSOCIATES

Yong Pung How School of Law

23. Pasha L. **Hsieh**, "Shaping New Interregionalism: The EU-Singapore Free Trade Agreement and Beyond" (2021) *Leiden Journal of International Law* (advance online)
24. **Lau** Kwan Ho, "Negligence and the Unfair Contract Terms Act: Experiences in Hong Kong and Singapore Compared" (2021) *Journal of Business Law* 596
25. **Lau** Kwan Ho, "Revisiting the Precedential Status of Crown Court Decisions" (2021) 85 *Journal of Criminal Law* 17
26. Mark **McLaughlin**, "Investor-State Mediation and the Belt and Road Initiative: Examining the Conditions for Settlement" (2021) 24 *Journal of International Economic Law* 609
27. Benjamin Joshua **Ong**, "The Unmeritorious 'Legality'/'Merits' Distinction in Singapore Administrative Law" (2021) 16 *Asian Journal of Comparative Law* 1
28. Vincent **Ooi**, "A Framework for Understanding the Taxation of Digital Tokens" (2021) 50 *Australian Tax Review* 260
29. Vincent **Ooi**, "A New Structuring Option for Funds: The Singapore Variable Capital Company" (2021) 42 *Company Lawyer* 177
30. Vincent **Ooi**, "Adapting Taxation for the Digital Economy in Singapore" (2021) 27 *Asia-Pacific Tax Bulletin*
31. Vincent **Ooi**, "Licence to Lock: The Overextension of Technological Protection Measures" (2021) 35 *International Review of Law, Computers & Technology* 270
32. Vincent **Ooi**, "The Taxation of Cryptocurrency Gains" (2021) 75 *Bulletin for International Taxation* 323
33. Dorcas **Quek Anderson**, "The Importance of Ethics in the Practice of Mediation" (2021) *Asian Journal on Mediation* 27
34. **Saw** Cheng Lim and Samuel Chan, "Understanding Post-Employment Obligations of Confidence and Confidentiality in Compilations of Data" (2021) 33 *Singapore Academy of Law Journal* 557
35. Alvin **See** Wei Liang, "Fixtures, Mortgages and Retention of Title Clauses" (2021) *The Conveyancer and Property Lawyer* 167
36. Alvin **See** Wei Liang, "Reconciling Joint Tenancies with Writs of Seizure and Sale" (2021) *The Conveyancer and Property Lawyer* 45
37. Jerrold **Soh**, "Causal Inference with Legal Texts" (2021) *MIT Computational Law Report*
38. Jerrold **Soh**, "Simulating Subject Communities in Case Law Citation Networks" (2021) 9 *Frontiers in Physics* 399
39. Jerrold **Soh**, "Towards a Control-Centric Account of Tort Liability for Automated Vehicles" (2021) 16 *Torts Law Journal* 221
40. **Tan** Seow Hon, "Radbruch's Formula Revisited: The Lex Injusta Non Est Lex Maxim in Constitutional Democracies" (2021) 34 *Canadian Journal of Law & Jurisprudence* 461
41. **Tang** Hang Wu, "The Role of the Law of Unjust Enrichment in Singapore" (2021) 9 *Chinese Journal of Comparative Law* 1
42. Edward S.W. **Ti**, "Of Landlords and Tenants: Property in the Midst of a Pandemic" (2021) *Statute Law Review* (advance online)
43. **Yip** Man, "Comparing Family Property Disputes in English and Singapore Law: 'Context' is Everything" (2021) 41 *Legal Studies* 474
44. **Yip** Man and Kelvin F.K. Low, "Reconceptualising Fiduciary Regulation in Actual Conflicts" (2021) 45 *Melbourne University Law Review* 323
45. Huo Zhengxin and **Yip** Man, "Extraterritoriality of Chinese Law: Myths, Realities and the Future" (2021) 9 *Chinese Journal of Comparative Law* 328
46. **Zhang** Wei, Lin Weiran, Zeng Bin and Zhang Wenxiu, "Mandatory Bids in China: You Can Lead a Horse to Water, But You Can't Make It Drink" (2021) 22 *European Business Organization Law Review* 351

PUBLICATIONS OF FACULTY AND RESEARCH ASSOCIATES

Singapore Management University

Case Notes and Shorter Notes

1. Gary **Chan** Kok Yew, "Accrual of Cause of Action in Negligence: *IPP Financial Advisers Pte Ltd v Saimee bin Jumaat*" (2021) *Singapore Law Journal* 1
2. Adeline **Chong**, "Choice of Law for Formation of Contracts: *Solomon Lew v Kaikhushru Shiavax Nargolwala*" (2021) *Singapore Journal of Legal Studies* 383
3. Kenny **Chng**, "A Reconsideration of Equal Protection and Executive Action in Singapore" (2021) 21 *Oxford University Commonwealth Law Journal* 295
4. Kenny **Chng**, "The Connection Between Policies and Decisions Made Pursuant to Policies" (2021) 26 *Judicial Review* 1
5. Kenny **Chng** and Ong Ken Wei, "The Singapore Green Plan 2030: Analysing its Implications on Law and the Legal Industry in Singapore" (2021) 23 *Environmental Law Review* 336
6. **Lau** Kwan Ho, "High Court Masters and the Upper Tribunal" (2021) 40 *Civil Justice Quarterly* 249
7. **Lau** Kwan Ho, "No Oral Modification Clauses: Autonomy, Certainty or Presumption?" (2021) *Cambridge Law Journal* 443
8. **Lee** Pey Woan, "Varying Contracts – Consideration, Form and Reality" (2021) *Modern Law Review* (advance online)
9. Vincent **Ooi**, "Tax Avoidance by Professionals: Where Are We with Wee Teng Yau?" (2021) *Singapore Journal of Legal Studies* 220
10. Vincent **Ooi** and Aurelio Gurrea-Martínez, "Singapore's Special Insolvency Scheme for Small Companies" (2021) 102 *Tax Notes International* 1053
11. Dorcas **Quek Anderson**, "Blowing Hot and Cold in Litigation: Abuse of Process Election or Approbation and Reprobation?" (2021) 21 *Oxford University Commonwealth Law Journal* 134
12. **Saw** Cheng Lim, "The Curious Case of Horseracing Data Caught in a Tangled Web of Relationships – *The Racing Partnership Ltd v. Sports Information Services Ltd*" (2021) 52 *International Review of Intellectual Property and Competition Law* 752

13. Daniel **Seah**, "Making Sense of Proprietary Algorithms and User Behaviour on Social Media: *Arlene Foster v Christian Jessen*" (2021) 26 *Communications Law* 208
14. **Yeo** Tiong Min, "Exit, Stage 2, for the Plaintiff in Service Out of Jurisdiction?" (2021) 33 *Singapore Academy of Law Journal* 1237
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