

**Darius CHAN (陈晓晖)***Associate Professor of Law (Practice)*

School of Law, Singapore Management University

LL.M. (New York University), LL.B. (National University of Singapore)

dariuschan@smu.edu.sg

**Capsule Biography**

Darius is ranked as a “Global Elite Thought Leader” and a “Most Highly Regarded Individual” in Asia-Pacific by *Who’s Who Legal Arbitration*. Darius’ teaching and research focuses on international arbitration, public and private international law. Darius has been teaching since 2008, first at National University of Singapore Faculty of Law as a Teaching Fellow, and subsequently with Singapore Management University School of Law as an adjunct instructor. After more than a decade in private practice, he joined full-time academia in December 2019, with concurrent appointments as the Deputy Director of the Singapore International Dispute Resolution Academy (SIDRA), the Director of the Singapore Management University Law Academy (SMULA), and a Fellow of SMU Academy. Darius recently co-published the leading textbook on arbitration law in Singapore.

Darius is qualified in Singapore, England & Wales and New York. International legal rankings further describe him as follows:

- *“Attention to detail, great social skills yet an uncanny ability to see the big picture.” (Legal 500, 2023)*
- *The “very intelligent and diligent” Darius Chan ... is well regarded for his “outstanding counsel and arbitration work”. (Who’s Who Legal 2023)*
- *Darius Chan is highly esteemed as “a sagacious and knowledgeable lawyer” who “responds quickly to enquiries while remaining direct and to the point”. He possesses “in-depth knowledge of arbitration” and is considered “first-rate as counsel”. (Who’s Who Legal 2022)*
- *Darius Chan “is a bright legal mind who regularly navigates his clients through complex legal issues” with his “incredibly thorough understanding of international arbitration”. (Who’s Who Legal 2021)*

- *Darius Chan is extremely diligent and a very experienced for his age. He is not only good at communication and people skills, he reverts promptly and is a caring human being (Legal 500 2020)*
- *Darius Chan is regarded as a “standout practitioner” with a “great analytical mind”. He is “very attentive to client needs”, while sources also comment that he is “extremely smart and stays calm under pressure” (Who's Who Legal 2020)*
- *Darius Chan has ‘a great future ahead of him’, is ‘excellent with clients’, ‘hard working’, ‘bright’ and ‘very articulate’ (Legal 500 2019)*
- *Darius Chan stands out as ‘a very bright, hardworking and articulate lawyer’ who ‘always knows how to fight and keep calm when facing complex cases’... he ‘is meticulous about every detail and demonstrates dedication throughout’ (Who's Who Legal 2019)*
- *Darius Chan impresses peers with ‘his sharp legal insight, client-friendly manner and consistently high work ethic’ (Who’s Who Legal 2018)*
- *“a very, very smart guy and a great all-round lawyer who is building a strong reputation in the market” (Who’s Who Legal 2017)*
- *“very clever” with “collaborative, clear communication on sensitive arbitration mandates” (Chambers Legal Global and Asia-Pacific 2017)*

## Employment

Dec 2019 – Present	Associate Professor of Law (Practice), Singapore Management University
Jul 2020 – Present	Director, Singapore Management University Law Academy
Dec 2019 – Present	Deputy Director, Singapore International Dispute Resolution Academy
2014 – 2019	Counsel, Norton Rose Fulbright Ascendant, Singapore
2012 – 2014	Associate, Freshfields Bruckhaus Deringer, Hong Kong & Singapore
2011 – 2012	Associate, Wilmer Cutler Pickering Hale & Dorr, London
2009 – 2010	Associate, Chambers of Michael Hwang SC, Singapore
2007 – 2009	Justices’ Law Clerk & Assistant Registrar, Supreme Court of Singapore

## Education

2010 – 2011	LL.M., New York University, New York <ul style="list-style-type: none"> <li>• IBRLA Award for Distinction in the International Business Regulation, Litigation &amp; Arbitration Specialisation</li> <li>• Lee Kuan Yew Scholarship awarded by Public Service Commission of Singapore</li> <li>• Arthur T. Vanderbilt Scholarship awarded by NYU</li> </ul>
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- Highest Ranking Team, Best Respondent Memorial, 2nd Place Oral Finals, Foreign Direct Investment International Arbitration Moot Competition 2010
- Graduate Editor of Journal of Law and Business
- Co-Chair of Private Practice, International Law Society (ILS) Board

2003 – 2007

LL.B. (First Class Honours), National University of Singapore, Singapore

- Chief Justice's Prize awarded to best graduating student throughout course of study (2007)
- Overseas-Chinese Banking Corporation Undergraduate Scholar (2003 - 2007)
- Consecutive Dean's Lists & Final Dean's List (2003 to 2007) awarded to top 10% of cohort
- M. Karthigesu Memorial Gold Medal & Prize for Shipping Law (2007)
- Law Society of Singapore Book Prize for First in Level (2006)
- Rajah & Tann Insolvency Law Prize for Corporate Insolvency (2006)
- First Runner-up for Respondent Memorandum & Honourable Mention for Claimant Memorandum, Williem C. Vis International Commercial Arbitration Moot (Vienna) (2006)
- Winner, NUS-University of Malaya Moot Competition (2005)
- LexisNexis Best Memorial Prize for B.A. Mallal Moot Competition (2004)
- NUS Student Achievement Award (Language) (2006)
- President, Singapore Chapter of International Law Students Association (I.L.S.A.)
- Ranked 3rd in the nationwide qualifying exams for admission to the Singapore bar and won the Lai Kew Chai Prize for the best candidate in the Commercial Practice paper

## Publications

### Journal Articles [Refereed]

1. A requirement, a factor, or a figure of speech? Role of prejudice when challenging awards under the Model Law, by CHAN, Darius; KOH, Zhi Jia (2022). *Journal of International Arbitration*, 39 (2), 185-212. (Published)
2. The road goes ever on: Diplomatic service in relation to award enforcement proceedings against foreign states, by CHAN, Darius; LAU, Louis. (2022). *Civil Justice Quarterly*, 41 (3), 219-231. (Published)
3. Re-formulating the test for ascertaining the proper law of an arbitration agreement: A comparative common law analysis, by CHAN, Darius; TEO, Jim Yang. (2022). *Journal of Private International Law*, 17 (3), 439-472. <https://doi.org/10.1080/17441048.2021.1967621> (Published)
4. To Stay or Not to Stay? A Clash of Arbitration and Insolvency Regimes, by CHAN, Darius and RAJAGOPAL, Siddharth. (2021). *Journal of International Arbitration*, 38 (4), 457-482 (Published)

5. Proper Characterisation of the Parol Evidence Rule and Its Applicability In International Arbitration, by CHAN, Darius and LAU, Louis. (2021). *Arbitration International* 37 (4), (Published)
6. Ascertaining the Proper Law of an Arbitration Agreement : The Artificiality of Inferring Intention When There Is None, by CHAN, Darius and TEO, Jim Yang. (2020). *Journal of International Arbitration*, 37 (5), 635-648. (Published)
7. To Boycott Proceedings or Not? Recourse Against Arbitral Awards on Jurisdictional Grounds by Different Categories of Respondents under the Model Law, by CHAN, Darius and NEOH, Claire. (2020). *Arbitration International* 36 (4), 529-556. (Published)
8. Stay of proceedings on dishonoured cheques, by CHAN, Darius. (2013). *International Arbitration Law Review*, 16 (6), 46-49. (Published)
9. Setting aside an international arbitration award based on deficient pleadings revisited, by CHAN, Darius. (2012). *International Arbitration Law Review*, 15 (5), 33-36. (Published)
10. Waiver of review of arbitration awards, by CHAN, Darius. (2012). *Mealey's International Arbitration Report*, 27 (8), (Published)
11. The high water mark of an umbrella clause, by CHAN, Darius. (2012). *International Arbitration Law Review*, 15 (3), 21-25. (Published)
12. Role of natural justice in the making of an additional award, by CHAN, Darius. (2012). *Mealey's International Arbitration Report*, 27 (5), (Published)

#### Journal Articles [Non-Refereed]

1. Three “pitfalls” for the unwary: Third-party funding in Asia, by CHAN, Darius. (2018). *Singapore Law Gazette*, Nov <https://lawgazette.com.sg/feature/three-pitfalls-for-the-unwary-third-party-funding-in-asia/#> (Published)
2. Is Article 16(3) of the Model Law a ‘one-shot remedy’ for non-participating respondents in international arbitrations?, by CHAN, Darius. (2018). *Singapore Law Gazette*, Oct <https://lawgazette.com.sg/feature/one-shot-remedy/> (Published)

3. Interpreting contracts under Singapore law in international arbitration — The sequel, by CHAN, Darius. (2018). *Singapore Law Gazette*, July <https://lawgazette.com.sg/feature/interpreting-contracts-international-arbitration-sequel/> (Published)
4. How should bare arbitration clauses be enforced by the courts?, by CHAN, Darius. (2017). *Singapore Law Gazette*, Apr, <https://v1.lawgazette.com.sg/2017-04/1825.htm> (Published)
5. The scope of ‘de novo’ review of an arbitral tribunal’s jurisdiction, by CHAN, Darius. (2015). *Singapore Law Gazette*, Nov <https://v1.lawgazette.com.sg/2015-11/1428.htm> (Published)
6. Probing the law on probation: Suggestions for reform, by CHAN, Darius. (2015). *Singapore Law Gazette*, Feb <https://v1.lawgazette.com.sg/2015-02/1242.htm> (Published)
7. The Singapore Court of Appeal’s decision in Astro: Providing Clarity or Causing Uncertainty?, by MANGAN, Mark; CHAN, Darius. *Asian Dispute Review*, 16 (2), 89-93. <https://www.kluwerlawonline.com/abstract.php?area=Journals&id=ADR2014020> (Published)

#### Case Notes/Digests

1. Non-satisfaction of pre-arbitration requirements: Moving away from conditions precedent towards the admissibility of a claim – NWA v NVF, by CHAN, Darius; SOON, Joel. (2022). *Singapore Journal of Legal Studies*, 1-14. (Published)
2. Have the Singapore Courts faltered in the enforcement of arbitration agreements?, by CHAN, Darius. (2017). *Singapore Law Watch Commentary*, Mar (1), (Published)
3. New in-roads to enhance Singapore’s competitiveness as the preferred arbitration seat in Asia, by LYE, KC; CHUNG, Katie; CHAN, Darius. (2016). *Norton Rose Fulbright*, <https://www.nortonrosefulbright.com/en/knowledge/publications/c7454ee2/new-in-roads-to-enhance-singapores-competitiveness-as-the-preferred-arbitration-seat-in-asia> (Published)
4. *Myanmar enacts modern arbitration regime*, by CHAN, Darius. (2016, February 10). <https://www.nortonrosefulbright.com/en/knowledge/publications/1177c98c/myanmar-enacts-modern-arbitration-regime> (Published)

5. The Singapore International Commercial Court: A challenge to arbitration?, by LYE, KC; CHAN, Darius;. (2015). *Norton Rose Fulbright Banking and Finance Disputes Review*, (7),  
<https://www.nortonrosefulbright.com/en/knowledge/publications/f65079aa/the-singapore-international-commercial-court-a-challenge-to-arbitration> (Published)
6. Singapore tackles the corruption beast, by ANG, Wilson; CHAN, Darius. (2015). *Global Arbitration Review*, <https://globalarbitrationreview.com/article/1034025/singapore-tackles-the-corruption-beast> (Published)
7. SIAC releases new arbitration rules, by REED, Lucy; MANGAN, Mark; CHAN, Darius. (2013). *Freshfields Bruckhaus Deringer*, (Published)
8. Interim relief in aid of arbitration against a sovereign, by CHAN, Darius. (2013). *Singapore Law Watch Commentary*, (Published)
9. The creation of a hybrid arbitration from a pathological arbitration clause, by CHAN, Darius. (2013). *Singapore Law Watch Commentary*, (Published)
10. Enforceability of multi-tiered dispute resolution mechanisms: The Singapore judiciary's promotion of consensus as a cultural value, by CHAN, Darius. (2012). *Singapore Law Watch Commentary*, (Published)
11. Sundaresh Menon's first judgment, by TAN, Paul; CHAN, Darius. (2012). *Global Arbitration Review*,  
<http://www.globalarbitrationreview.com/journal/article/30922/singapore-sundaresh-menons-first-judgment/> (Published)
12. How are the chips stacked in interim relief applications?, by CHAN, Darius. (2012). *Global Arbitration Review*,  
<https://globalarbitrationreview.com/article/1031698/singapore-how-are-the-chips-stacked-in-interim-relief-applications> (Published)
13. Setting aside an award over the mis-application of a choice of law clause: Quarella SpA v Scelta Marble Australia Pty Ltd [2012] SGHC 166, by CHAN, Darius. (2012). *Singapore Law Watch Commentary*, 1-3. (Published)
14. Contractual and procedural effects of non-exclusive jurisdiction agreements, by CHAN, Darius. (2012). *Singapore Law Watch Commentary*, 1-6. (Published)

15. A trilogy of "difficult and complex" arbitration issues in 2012, by CHAN, Darius. (2012). *Singapore Law Watch Commentary*, 1-4. (Published)
16. Singapore: A Dallah for South-East Asia?, by CHAN, Darius. (2012). *Global Arbitration Review*, <https://globalarbitrationreview.com/article/1030878/singapore-a-dallah-for-south-east-asia> (Published)
17. Reflecting on appeals on questions of law arising out of domestic arbitration awards, by CHAN, Darius; TAN, Paul. (2011). *Singapore Law Watch Commentary*, 1-3. (Published)
18. *Singapore Court of Appeal re-affirms commitment to minimal intervention of arbitral awards at the intersection of illegality and public policy*, by CHAN, Darius. (2011, September 12). <https://www.siac.org.sg/2013-09-18-01-57-20/2013-09-22-00-27-02/articles/202-singapore-court-of-appeal-re-affirms-commitment-to-minimal-intervention-of-arbitral-awards-at-the-intersection-of-illegality-and-public-policy> (Published)

### Book

*The law and theory of international commercial arbitration in Singapore* by CHAN, Darius; TAN, Paul; POON, Nicholas. (2022). Singapore: Academy Publishing. (Published)

### Book Chapters

1. Hearing, by CHAN, Darius; GOH, Gerome. (2022). In FERRARI, Franco; ROSENFELD, Friedrich (Ed.), *Handbook of Evidence in International Commercial Arbitration: Key Issues and Concepts* (pp. 247-284) Wolters Kluwer. (Published)
2. Singapore, by CHAN, Darius. (2019). *Litigation and Alternative Dispute Resolution Annual Review 2019* Financier Worldwide. <https://www.financierworldwide.com/annual-review-litigation-alternative-dispute-resolution-2019#.XftP1C2p1p8> (Published)
3. Enforcement of arbitral awards in Singapore: Overview, by SPOONER, Guy; CHAN, Darius; LEONG, Samuel. (2015). *Enforcement of Judgments & Arbitral Awards in Commercial Matters Global Guide (2nd Ed)* Thomson Reuters. (Published)
4. International arbitration: Internationalist outlook leading the development of local jurisprudence, by CHAN, Darius; TAN, Paul. (2015). In Yihan Goh; Paul Tan (Ed.),

*Singapore Law: 50 Years in the Making* Singapore: Singapore Academy of Law. <https://www.sal-e.org.sg/singapore-law-50-years-in-the-making> (Published)

5. Determining the parties' true choice of the seat of arbitration and *lex arbitri*, by HWANG, Michael; CHAN, Darius. (2010). In Kaj Hobér; Annette Magnusson; Marie Öhrström (Ed.), *Between East and West: Essays in Honour of Ulf Franke* Sweden: Juris Publishing. <https://arbitrationlaw.com/library/determining-parties-true-choice-seat-arbitration-and-lex-arbitri-chapter-18-between-east-and> (Published)

### Book Reviews

1. The UNCITRAL Model Law and Asian Arbitration Laws: Implementation and Comparison, by CHAN, Darius. *Asian Dispute Review* (2020, July), 132-133. (Published)

### Magazine Articles

1. Recourse against an international arbitration award made in Singapore, by CHAN, Darius. (2012, November). *New Zealand Dispute Resolution Centre Newsletter*, (5 and 6), (Published)
2. Follow the leader - The rise of Singapore as a world-class arbitration centre, by REED, Lucy; MANGAN, Mark; CHAN, Darius. (2012, November). *Legal Week*, <https://www.law.com/legal-week/2012/11/01/follow-the-leader-the-rise-of-singapore-as-a-world-class-arbitration-centre/> (Published)

### Blog Posts

1. *Interpreting contracts under Singapore law in international arbitration* [Blog post], by CHAN, Darius. (2016, May 25). <http://arbitrationblog.kluwerarbitration.com/2016/05/25/interpreting-contracts-under-singapore-law-in-international-arbitration-hsbc-trustee-v-lucky-realty-co/> (Published)
2. *Stay of proceedings in favour of arbitration under the court's inherent jurisdiction* [Blog post], by CHAN, Darius. (2012, August 15). <http://arbitrationblog.kluwerarbitration.com/2012/08/15/stay-of-proceedings-in-favour-of-arbitration-under-the-courts-inherent-jurisdiction/> (Published)



3. *Sealing of court documents relating to an arbitration* [Blog post], by CHAN, Darius. (2012, June 27). <http://kluwerarbitrationblog.com/blog/2012/06/27/sealing-of-court-documents-relating-to-an-arbitration/> (Published)
4. *Enforcement of a judgment debt in the face of an arbitration agreement* [Blog post], by CHAN, Darius. (2012, May 23). <http://arbitrationblog.kluwerarbitration.com/blog/2012/05/23/enforcement-of-a-judgment-debt-in-the-face-of-an-arbitration-agreement/> (Published)
5. *Singapore's International Arbitration Act 2012 vs Hong Kong's Arbitration Ordinance 2011* [Blog post], by CHAN, Darius. (2012, April 05). <http://arbitrationblog.kluwerarbitration.com/2012/04/05/singapores-international-arbitration-act-2012-vs-hong-kongs-arbitration-ordinance-2011/> (Published)
6. *Setting aside an international arbitration award based on deficient pleadings* [Blog post], by CHAN, Darius. (2011, November 09). <http://arbitrationblog.kluwerarbitration.com/2011/11/09/setting-aside-an-international-arbitration-award-based-on-deficient-pleadings/> (Published)
7. *Sovereign immunity in the enforcement of awards against States* [Blog post], by CHAN, Darius. (2011, September 20). <https://blogs.law.nyu.edu/transnational/2011/09/sovereign-immunity-in-the-enforcement-of-awards-against-states/> (Published)
8. *Options available to an unsuccessful party in an arbitration* [Blog post], by CHAN, Darius. (2011, August 12). <http://kluwerarbitrationblog.com/blog/2011/08/12/options-available-to-an-unsuccessful-party-in-an-arbitration/> (Published)
9. *Singapore Apex Court lays down clear framework for arbitrability of insolvency-related claims* [Blog post], by CHAN, Darius. (2011, May 23). <http://arbitrationblog.kluwerarbitration.com/2011/05/23/singapore-apex-court-lays-down-clear-framework-for-non-arbitrability-of-insolvency-related-claims/> (Published)
10. *Reaching a settlement before the arbitration hearing* [Blog post], by CHAN, Darius. (2011, March 04). <http://arbitrationblog.kluwerarbitration.com/2011/03/03/reaching-a-settlement-before-the-arbitration-hearing/> (Published)

### **Professional Presentations**

1. Trainer, Singapore Convention on Mediation-UNCITRAL Academy: Investor State Dispute Settlement Capacity-Building Workshop (Sep 2021)

2. Speaker, ICC Annual Arbitration & ADR Conference: Connecting the World Connecting the World of International Arbitration & ADR: “Singapore as the preferred seat: A blip or an unstoppable force, and how should young arbitration practitioners interpret the data?” (June 2021)
3. Speaker, YSIAC-CI Arb YMG Webinar: “Popular or Polar Opposites? Perceptions about Arbitration Practice from the US and Singapore” (May 2021)
4. Speaker, SMU School of Law-Fudan University - New Developments in Advanced Legal Education II: Dispute Resolution (Oct 2020)
5. Moderator, SMU Law Academy Webinar: “Recent Updates in English Commercial Law” (Oct 2020)
6. Moderator, SIDRA Webinar: "Singapore Convention on Mediation and Investor-State Disputes - Prospects, Application and Enforcement" (Sep 2020)
7. Faculty, SIAC North-East Academy (Sep 2020)
8. Panelist, SIDRA Webinar on “Conflict of Laws in BRI Disputes: A Comparative Approach” (July 2020)
9. Panelist, Asian International Arbitration Centre Webinar Series on “Diversity in Arbitration Week – Globalising Arbitration – Enhancing Racial and Ethnic Diversity” (July 2020)
10. Tribunal Member, Young SIAC Mock Virtual Hearing: Cross-Examination (May 2020)
11. Speaker, Mistake and Rectification in Modern Transactions, Hogan Lovells-Fountain Court Seminar (Jan 2020)
12. Facilitator & Presenter, SIAC Academy "The Making of an Advocate and an Arbitrator" (Nov 2019)
13. Speaker, SIAC-Centre for International Law Academic-Practitioner Colloquium on "Attribution of the conduct of State-owned Entities to the State" (Sep 2019)
14. Speaker, Dispute Resolution on Regional Projects, Singapore Regional Business Forum (Aug 2019)
15. Trainer, Thailand Arbitration Centre Arbitration Training Program (Jun 2019 – present)
16. Moderator, Singapore Management University Law Academy Panel Event "To Challenge or Not, and When: Complications and Issues in Dealing with Objections to an Arbitral Tribunal's Jurisdiction" (May 2019)

17. Moderator, Delos Dispute Resolution Inaugural Event, Singapore (Mar 2019)
18. Speaker, International Association of Young Lawyers (AIJA) 10th Annual Arbitration Conference Singapore (Oct 2018)
19. Speaker, DSNLU CARDS Tour de Arbitration Program in Singapore (Dec 2017)
20. Moderator, Young SIAC Club Event: Investment Arbitration in Asia (Jun 2016)
21. Speaker, National University of Singapore Law School Practice of Law Event (Jul 2015)
22. Speaker, Law Society of Singapore - Young ICCA workshop on Managing Cross Cultural Issues in International Arbitration (Jun 2015)
23. Moderator, Young SIAC Conference: The Dynamics and Challenges of International Arbitration - The Road Ahead (Jun 2015)
24. Speaker, CIArb Singapore Centenary Conference (Sep 2015)
25. Speaker, ICC YAF-YAAP Conference, Vienna (2013)

### **Consultancy Activities**

Panel of Assessors, Singapore COVID-19 (Temporary Measures) Act (2020)  
Door Tenant, Fountain Court Chambers

### **Subjects Taught**

- International Arbitration