

Kenny CHNG Wei Yao
Associate Professor of Law, Singapore Management University
Yong Pung How Fellow; Lee Kong Chian Fellow
Deputy Director, Singapore Management University Law Academy
DPhil in Law Candidate, University of Oxford
LL.M., Harvard University
LL.B. (*summa cum laude*), Singapore Management University
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Brief Biography

Kenny Chng is an Associate Professor of Law at the Singapore Management University (“SMU”) Yong Pung How School of Law. His primary research interest is in constitutional and administrative law. He maintains a secondary research interest in private international law.

Kenny has extensive publications and forthcoming articles in leading international and local academic journals in his areas of interest, including the *Law Quarterly Review*, *Legal Studies*, *Public Law*, the *International Journal of Constitutional Law*, *Judicial Review*, the *Journal of Private International Law*, the *Civil Justice Quarterly*, the *Hong Kong Law Journal*, the *Asian Journal of Comparative Law*, and the *Singapore Journal of Legal Studies*. His work has been cited with approval by the Singapore Court of Appeal.

In recognition of his excellence in research, he was awarded the SMU Lee Kong Chian Fellowship for three consecutive years from 2020 to 2022. Going forward, Kenny intends to pursue a research agenda focusing on judicial review of executive rule-making, constitutional equality in the context of executive action, and the interaction between public law and environmental law.

Kenny teaches Constitutional & Administrative Law at the postgraduate level and Legal Theory & Philosophy at the undergraduate level. He has also taught Contract Law and Business Law. In recognition of his excellence in teaching, Kenny has won university-level and school-level teaching awards at both the undergraduate and postgraduate levels.

Kenny pursued his undergraduate legal education at the SMU Yong Pung How School of Law, placing on the Dean’s List for all eligible years. In 2012, Kenny graduated from SMU with an LL.B. (*summa cum laude*). Following several years in the Republic of Singapore Navy in service of a scholarship bond, Kenny joined SMU in July 2016 as a Lecturer of Law and was awarded the MOE-START Overseas Postgraduate Scholarship. Under this scholarship, he pursued his LL.M. studies at Harvard University, graduating in 2018. At Harvard, he received the Dean’s Scholar Prize as the top student for the Public Law Workshop. Kenny is presently pursuing a DPhil in Law on a part-time basis at the University of Oxford.

Appointments

Associate Professor, SMU Yong Pung How School of Law	2024 – present
Assistant Professor, SMU Yong Pung How School of Law	2018 – 2023
Deputy Director, SMU Law Academy	2020 – present
Member, SMU Faculty Senate	2020 – present
Lecturer, SMU Yong Pung How School of Law	2016 – 2018

Legal Advisor, Combined Task Force 151	2013
Naval Officer, Republic of Singapore Navy	2012 – 2016

Education

DPhil in Law Candidate, University of Oxford	2023 – present
<ul style="list-style-type: none"> • Brasenose College, supervised by Dr. Adam Perry • Supported by SMU Yong Pung How Fellowship 	
LL.M., Harvard University	2017 – 2018
<ul style="list-style-type: none"> • Dean’s Scholar, Public Law Workshop 	
LL.B. (<i>summa cum laude</i>), Singapore Management University	2008 – 2012
Raffles Junior College	2005 – 2006
Raffles Institution (Gifted Education Programme)	2001 – 2004

Honours and Awards

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| 1. SMU Yong Pung How Fellowship | 2023 |
| 2. SMU Lee Kong Chian Fellowship | 2023, 2022, 2021,
2020 |
| 3. SMU Excellent Teacher Award | 2023 |
| 4. SMU Yong Pung How School of Law Teaching Excellence Award | 2023, 2021, 2017 |
| 5. SMU Yong Pung How School of Law Most Outstanding Teacher Award | 2022, 2020 |
| 6. SMU Yong Pung How School of Law Postgraduate Teaching Award (JD) | 2022, 2021, 2020 |
| 7. SMU Excellent Teacher Award Nominee | 2022 |
| 8. SMU Most Promising Teacher Award Nominee | 2020 |
| 9. SMU Yong Pung How School of Law Most Promising Teacher Award | 2019 |
| 10. Dean’s Scholar Prize for Public Law Workshop at Harvard Law School | 2018 |
| 11. MOE-START Overseas Postgraduate Scholarship | 2016 |
| 12. Singapore Armed Forces Certificate of Commendation | 2015 |
| 13. Singapore Armed Forces Overseas Service Medal | 2013 |
| 14. SMU Dean of Students Award | 2011 |
| 15. SMU Yong Pung How School of Law Dean's List (for all eligible years) | 2011, 2010, 2009 |

Publications

Books

1. *Halsbury's Laws of Singapore – Administrative Law* (with Eugene Tan and Benjamin Ong) (LexisNexis, 2021)
2. *Halsbury's Laws of Singapore – Constitutional Law* (with Eugene Tan and Benjamin Ong) (LexisNexis, 2020)

Journal Articles

1. “Loose Ends in Singapore Equal Protection Doctrine” (2024) *Singapore Journal of Legal Studies* (forthcoming)
2. “Re-examining judicial review of delegated legislation” (2023) *Legal Studies* (advance online) – <https://doi.org/10.1017/lst.2023.7>
3. “The relationship between constitutional equality and substantive review” (2023) 18(3) *Asian Journal of Comparative Law* 426-445 – <https://doi.org/10.1017/asjcl.2023.23>
4. “Constitutional Equality and Executive Action—A Comparative Perspective to the Comparator Problem” (2023) 43(1) *Legal Studies* 179-196 – <https://www.doi.org/10.1017/lst.2022.33>
5. “Falsehoods, Foreign Interference, and Compelled Speech in Singapore” (2023) 18(2) *Asian Journal of Comparative Law* 235-252 – <https://doi.org/10.1017/asjcl.2023.9>
6. “Micro-Contextual Considerations in Ouster Clause Analysis – A Comparative Study of Parallel Trends in the UK and Singapore” (2022) 20(3) *International Journal of Constitutional Law* 1257-1280 – <https://doi.org/10.1093/icon/moac078>
7. “Reconsidering the Legal Regulation of the Usage of Administrative Policies” (2022) (Jan) *Public Law* 76-94
8. “Analysing the Constitutionality of Executive Action Under Articles 14 and 15 in Singapore – Theoretical and Doctrinal Perspectives” (2022) *Singapore Journal of Legal Studies* 26-45
9. “The Relevance of Purpose in Constitutional Equal Protection Challenges to Executive Action” (2022) 30(2) *Asia Pacific Law Review* 203-220
10. “‘Good administration’ and the ‘good’ – the normative foundation for the protection of legitimate expectations” (2021) 50(4) *Common Law World Review* 157-179
11. “Conceptualising A Role For The Common Law In Environmental Protection In Singapore” (2021) 16(2) *Asian Journal of Comparative Law* 218-237
12. “An Analysis of Judicial Restraint in the Doctrine of Substantive Legitimate Expectations in the UK and Hong Kong” (2021) 51(2) *Hong Kong Law Journal* 467-490
13. “Form and Substance in Singapore Constitutional and Administrative Law” (2020) 15(2) *Asian Journal of Comparative Law* 363-384

14. “Judicial Precedent in Emerging Constitutional Jurisdictions: Formulating a Doctrine of Constitutional Stare Decisis for Singapore” (2020) 7(1) *Journal of International and Comparative Law* 127-154
15. “Adjudication in the Culture Wars: A Novel Perspective From Natural Law Theory” (2020) 97(2) *University of Detroit Mercy Law Review* 259-290
16. “The Theoretical Foundations of Judicial Review in Singapore” (2019) *Singapore Journal of Legal Studies* 294-315
17. “An Analysis of St. Thomas Aquinas’s Position on the Relationship Between Justice and Legality” (2018) 27 *Journal Jurisprudence* 196-219
18. “A Theoretical Perspective of the Public Policy Doctrine in the Conflict of Laws” (2018) 14(1) *Journal of Private International Law* 130-159
19. “The Impact of the Singapore International Commercial Court and Hague Convention on Choice of Court Agreements on Singapore’s Private International Law” (2018) 37(1) *Civil Justice Quarterly* 124-147
20. “Lord Denning’s Influence on Contract Formation in Singapore – An Overdue Demise?” (2017) 17(2) *Oxford University Commonwealth Law Journal* 211-237 (with Lee Chia Ming)
21. “Breach of Agreement versus Vexatious, Oppressive, and Unconscionable Conduct – Clarifying Their Relationship in the Law of Anti-Suit Injunctions” (2015) 27 *Singapore Academy of Law Journal* 340-368
 - Cited with approval by the Singapore Court of Appeal in *BCS Business Consulting Services Pte Ltd and others v Baker, Michael A (executor of the estate of Chantal Burnison, deceased)* [2022] SGCA(I) 7

Case Notes and Shorter Articles

1. “An Unexpected Development of Legitimate Expectations in Singapore” (2023) (Jan) *Public Law* 21-29
2. “Falsehoods, Foreign Interference and Free Speech in Singapore” (2022) 52(3) *Hong Kong Law Journal* 799-810 (with Jeremy Chai)
3. “Revisiting Remedies and the Legality-Merits Distinction in Singapore Administrative Law – *CBB v Law Society of Singapore* [2021] 1 SLR 977” (2022) 22(1) *Oxford University Commonwealth Law Journal* 108-115 (with Soon Wen Qi Andrea)
4. “The Singapore Green Plan 2030: Analysing Its Implications on Law and the Legal Industry in Singapore” (2021) 23(4) *Environmental Law Review* 336-343 (with Ong Ken Wei)
5. “The Connection Between Policies And Decisions Made Pursuant To Policies” (2021) 26(1) *Judicial Review* 1-6

6. “A Reconsideration of Equal Protection And Executive Action In Singapore” (2021) 21(2) *Oxford University Commonwealth Law Journal* 295-305
7. “Reconsidering Ouster Clauses in Singapore Administrative Law” (2020) 136 *Law Quarterly Review* 40-45
8. “A Novel Development of Tort Law: *Robinson v Chief Constable of West Yorkshire Police* [2018] UKSC 4” (2019) 25 *Torts Law Journal* 184-194 (with Gary Chan and Goh Yihan)
9. “An Uncertain Future for Substantive Legitimate Expectations in Singapore: *SGB Starkstrom Pte Ltd v Commissioner of Labour* [2016] 3 SLR 598” (2018) Apr (2) *Public Law* 192-201
10. “The Common Law Principle of Universality Extended in the Wake of Hanjin Shipping’s Insolvency” (2018) 26 *Insolvency Law Journal* 158-162 (with Casey Watters)
11. “Exploring a New Frontier in Singapore’s Private International Law - *IM Skaugen SE and another v MAN Diesel & Turbo SE and another* [2016] SGHCR 6” (2016) 28 *Singapore Academy of Law Journal* 649-666
12. “A Renewed Consideration of Consideration: *MWB Business Exchange Centres Ltd v Rock Advertising Ltd* [2016] EWCA Civ 553” (2016) 16(2) *Oxford University Commonwealth Law Journal* 323-332 (with Goh Yihan)

Book Chapters

1. “Locating Singapore’s Specialist System of Administrative Tribunals Within the Separation of Powers” in Stephen Thomson, Matthew Groves, Greg Weeks (eds.), *Administrative Tribunals in the Common Law World* (Hart Publishing, forthcoming) (with Swati Jhaveri)
2. “Mistake” in Loo Wee Ling (ed.), *Principles of Singapore Business Law* (3rd edn., Cengage Learning, 2019)
3. “Recognition and Enforcement of Foreign Judgments in Civil and Commercial Matters – Singapore” in Anselmo Reyes (ed.), *Recognition and Enforcement of Foreign Judgments in Civil and Commercial Matters* (Hart Publishing, 2019) 141-162

Other Publications (book reviews, blog posts, and others)

1. “An innovative invocation of substantive legitimate expectations in Singapore”, *Administrative Law Blog* (18 October 2022) (<https://adminlawblog.org/2022/10/18/kenny-chng-an-innovative-invocation-of-substantive-legitimate-expectations-in-singapore/>)
2. Book Review, *Judicial Review of Administrative Action Across the Common Law World* by Swati Jhaveri and Michael Ramsden, eds. (2021) *Singapore Journal of Legal Studies* 409-419
3. Book Review, Kevin Y L Tan and Thio Li-ann, *Constitutional and Administrative Law in Singapore: Cases, Materials and Commentary* (2021) 33 *Singapore Academy of Law Journal* 1252-1255

4. “Reflections on Amanda Sapienza, *Judicial Review of Non-Statutory Executive Action* (The Federation Press, 2020)” *Administrative Law Blog* (3 June 2021) (<https://adminlawblog.org/2021/06/03/kenny-chng-reflections-on-amanda-sapienzas-judicial-review-of-non-statutory-executive-action/>)
5. Book Review, *Constitutional Change in Singapore: Reforming the Elected Presidency* by Jaclyn L. Neo and Swati S. Jhaveri, eds. (2020) *Singapore Journal of Legal Studies* 774-779
6. “Legal Constraint in Emergencies: Reflections on Carl Schmitt, the Covid-19 Pandemic, and Singapore”, *Singapore Public Law Blog* (1 July 2020) (<https://singaporepubliclaw.com/2020/07/01/legal-constraint-in-emergencies-reflections-on-carl-schmitt-the-covid-19-pandemic-and-singapore-symposium-on-covid-19-public-law-by-kenny-chng/>)
7. “Reflections on thinking about the POFMA”, *Singapore Public Law Blog* (13 November 2019) (<https://singaporepubliclaw.com/2019/11/13/symposium-on-pofma-reflections-on-thinking-about-the-pofma/>)
8. “Justice As Friendship: Book Review”, *Singapore Law Blog* (21 September 2015) (<http://www.singaporelawblog.sg/blog/article/137>)

Academic Conferences

1. Selected for presentation at Public Law Conference 2024, University of Ottawa, Canada (3 – 5 July 2024) – “Exploring the Legal Effect of Executive Rules”
2. Presented at Oxford Programme in Asian Laws seminar, University of Oxford (by invitation, 27 October 2023) – “Defining Marriage in the Constitution: A View from Singapore”
3. Chair, SMU-Sydney-HKU Law & Sustainability Conference (13 – 14 July 2023) – Panel on “Compliance and Courts”
4. Presented at ICON-S Conference 2023, Victoria University of Wellington, New Zealand (3 – 5 July 2023) – “Re-examining Judicial Review of Delegated Legislation”
5. Selected for presentation at ICON-S Conference 2022, University of Wroclaw, Poland (4 – 6 July 2022) – “Falsehoods, Foreign Interference, and Compelled Speech in Singapore”
6. Presented at Public Law Conference 2022, University College Dublin, Dublin, Ireland (6 – 8 July 2022) – “Falsehoods, Foreign Interference, and Compelled Speech in Singapore”
7. Presented at 9th Asian Constitutional Law Forum 2022, Academia Sinica, Taipei, Taiwan (13 – 14 May 2022) – “The Relevance of Purpose in Constitutional Equal Protection Challenges to Executive Action – Lessons from Hong Kong and Singapore”
8. Presented at Society of Legal Scholars Conference 2021, Durham University (31 August – 3 September 2021) – “Constitutional Equality and Executive Action – A Comparative Perspective”

9. Chair, ICON-S Conference 2021 Mundo (6 – 9 July 2021) – Panel on “Religious Freedom, Majorities and Minorities in Diverse Societies”
10. Presented at ICON-S Conference 2021 Mundo (6 – 9 July 2021) – “Constitutional Equality and Executive Action – A Comparative Perspective”
11. Presented at IACL-AIDC (International Association of Constitutional Law- L’Association Internationale de Droit Constitutionnel) Junior Scholars Forum 2021 (30 June 2021) – “Constitutional Equality and Executive Action – A Comparative Perspective”
12. Co-organiser, Global Public-Private Law Approaches to Covid-19, SMU (10 September 2020) (with Lau Kwan Ho)
13. Selected for presentation at IACL-AIDC (International Association of Constitutional Law- L’Association Internationale de Droit Constitutionnel) Junior Scholars Forum 2020 (2 – 3 July 20) – “Newman’s Development of Christian Doctrine as a Framework for Stare Decisis Doctrine in Constitutional Law”
14. Selected for presentation at Public Law Conference, University of Ottawa, Canada (17 – 19 June 20) – “‘Good administration’ and the ‘good’ – the normative foundation of the substantive legitimate expectations doctrine”
15. Presented at ICON-S Conference 2019 (Singapore Chapter) “Interrogating Constitutionalism”, NUS, Singapore (invitation-only, 19 September 19) – “Reconsidering Ouster Clauses in Singapore Administrative Law”
16. Presented at Roundtable on Constitution-Making Processes in Asia: Comparative Reflections, NUS, Singapore (invitation-only, 11 September 19) – “Challenges to Liberal Constitutionalism and the Consequences for Constitution-Making Processes”
17. Presented at Society of Legal Scholars Conference 2019, University of Central Lancashire, Preston, UK (3 – 6 September 19) – “A Doctrine of Precedent in Singapore Constitutional Law – Lessons from American Jurisprudence”
18. Presented at ICON-S Conference 2019 “Public Law in Times of Change”, Pontifical Universidad Catolica de Chile, Santiago, Chile (1 – 3 July 19) – “A Doctrine of Precedent in Singapore Constitutional Law – Lessons from American Jurisprudence”
19. Presented at “Contemporary Issues of Public Law Litigation”, NUS, Singapore (7 January 19) – “The Theoretical Foundations of Judicial Review in Singapore”
20. Presented at 7th Journal of Private International Law Conference, Pontifical Catholic University of Rio de Janeiro, Brazil (3 – 5 August 17) – “A Theoretical Perspective of the Public Policy Doctrine in the Conflict of Laws”

Professional Appointments

1. Member, Singapore Institute of Legal Education Accreditation Committee (May 2023 – present)

2. Editor (incoming), *Administrative Law Blog* – <https://adminlawblogorg.wordpress.com> (from May 2023)
3. Member, Audit and Risk Management Committee, Counselling and Care Centre (March 2023 – present)
4. Member, Singapore Academy of Law Commissioning Advisory Panel (August 2022 – present)
5. Subject Coordinator (Singapore Legal System), Singapore Institute of Legal Education Part A Bar Course (July 2022 – present)
6. National Rapporteur (Singapore), International Academy of Comparative Law General Congress 2022 (23-28 October 2022) – “The crisis of liberal democracy: diagnostics and therapies” (with Maartje De Visser)
7. Subject Instructor (Singapore Legal System), SMULA Part A Examination Preparation Programme (September 2020 – September 2021)
8. Subject Instructor (Singapore Legal System), Singapore Institute of Legal Education Part A Bar Course (January 2020 – present)
9. Executive Committee Member, ICON-S (International Society of Public Law) Singapore Chapter (September 2019 – present)

Media and Public Engagement

1. Media feature, “Constitutional equality and executive action” SMU ORTT / ResearchPod (28 April 2023) – <https://research.smu.edu.sg/news/2023/constitutional-equality-and-executive-action>
2. Webinar for SMU Law Academy, “Recent Highlights in Constitutional & Administrative Law” (28 April 2023)
3. Quoted in newspaper article, “Explainer: How will marriage definition be protected without 'hard-coding' it in Constitution, yet withstand challenges?” TODAY (23 August 2022) – <https://www.todayonline.com/singapore/explainer-constitution-protect-definition-marriage-how-challenge-1975821>
4. Quoted in newspaper article, “CNA Explains: Protecting marriage in the Constitution – what it could look like and what it means” Channel NewsAsia (6 August 2022) – <https://www.channelnewsasia.com/singapore/377a-marriage-constitution-legal-definition-cna-explains-2861451>
5. Media feature, “Developments in the legal approach towards ouster clauses”, SMU ORTT Research Bulletin (10 November 2021) – <https://research.smu.edu.sg/news/2021/nov/10/developments-legal-approach-towards-ouster-clauses>

6. Guest lecture for Danish Business Association of Singapore, “A Primer on Singapore’s Political/Legal System and Recent Political Developments” (12 August 2021)
7. Webinar for Singapore Academy of Law, “Constitutional and Administrative Law in Singapore” (21 April 2021)
8. Media feature, “Balancing foreign judgments against domestic policies”, Science X (12 July 2018) – <https://sciencex.com/wire-news/292834116/balancing-foreign-judgments-against-domestic-policies.html>
9. Media feature, “A Theoretical Perspective of the Public Policy Doctrine in the Conflict of Laws”, Office of Research & Tech Transfer Research Bulletin, Issue 56 (6 July 2018)

Subjects Taught

1. Constitutional and Administrative Law (postgraduate)
2. Legal Theory and Philosophy (undergraduate)
3. Contract Law (undergraduate)
4. Business Law (undergraduate)