

LOW Kee Yang

Yong Pung How School of Law
Singapore Management University (SMU)
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Summary Statement

Kee Yang believes it is critical to have independent and original thinking, and assiduously seeks to persuade his students along this path. He finds teaching law students always engaging and refreshing. Research and writing, a more lonely undertaking, fully utilises one's intellectual and writing abilities. Kee Yang finds academia a very fulfilling career and is grateful to have been involved in the startup of SMU and of the School of Law.

Education

PhD, King's College London, University of London, Great Britain, 1991
LLM, University of London, Great Britain, 1987
LLB, National University of Singapore, Singapore, 1982

Skill Set

Teaching, legal analysis and research, plus administrative experience

Academic Appointments

Associate Professor of Law, Yong Pung How School of Law, SMU, Jan 2007 - Present
Associate Professor of Law, Lee Kong Chian School of Business, SMU, Aug 1998 - Dec 2006

Academic Administrative Positions

Special Advisor to Dean, Singapore Management University, Singapore, Sep 2020 - Dec 2022
Associate Dean (UG Curriculum & Teaching), Yong Pung How School of Law, SMU, Jul 2020 - Jun 2022
Director (LLM Programme), Yong Pung How School of Law, SMU, Apr 2010 - Jul 2013
Deputy Dean, Yong Pung How School of Law, SMU, Aug 2007 - Nov 2007
Interim Dean, Yong Pung How School of Law, SMU, Sep 2006 - Jul 2007
Head (Law Department), Lee Kong Chian School of Business, SMU, Jan 2006 - Aug 2006
Head (Law Department), Lee Kong Chian School of Business, SMU, Jan 2005 - Dec 2005
Deputy Dean, Lee Kong Chian School of Business, SMU, Jan 1999 - Jun 2002

RESEARCH

Publications

Journal Articles [Refereed]

Doctor's duty of disclosure and the Singapore Court of Appeal decision in Hii Chii Kok: Montgomery transformed, by LOW, Kee Yang. (2017). *Tort Law Review*, 25 (2), 79-91. (Published)

Reynolds privilege transformed, by LOW, Kee Yang. (2014). *Law Quarterly Review*, 130 24-28. (Published)

Recognising lost chances in tort law, by LIANG, Jeremy Shi Wei; LOW, Kee Yang. (2014). *Singapore Journal of Legal Studies*, [2014] 98-122.
<https://law.nus.edu.sg/sjls/wp-content/uploads/sites/14/2024/07/2151-2014-sjls-jul-98.pdf> (Published)

UK Defamation Act 2013: Key Changes, by LOW, Kee Yang. (2014). *Singapore Academy of Law Journal*, 26 (1), 98-110. (Published)

Occupier's liability after See Toh: Change, uncertainty and complexity, by LOW, Kee Yang. (2013). *Singapore Journal of Legal Studies*, [2013] 457-471. (Published)

Product suitability, due diligence and management responsibility: The new regime of regulation 18B of the financial advisers regulations, by LOW, Kee Yang. (2012). *Singapore Academy of Law Journal*, 24 (1), 298-313. (Published)

Misrepresentation and contractual estoppel: The Raiffeisen clarifications: Raiffeisen Zentralbank Osterreich AG v Royal Bank of Scotland plc [2010] EWHC 1392 (Comm), by LOW, Kee Yang. (2011). *Singapore Academy of Law Journal*, 23 (1), 390-408. (Published)

Vulnerable sureties, a bank's responsibility and the Brien-Etridge principles: The Bank of East Asia Ltd v Mody Sonal M [2004] 4 SLR 113, by LOW, Kee Yang. (2005). *Singapore Academy of Law Journal*, 17 (1), 455-464. (Published)

Wife-sureties, non-commercial sureties and the O'Brien-Etridge principles: The Hong Kong position, by LOW, Kee Yang. (2005). *Hong Kong Law Journal*, 35 (1), 45-68. (Published)

Financial assistance by Malaysian companies: A Gordian Knot, by LOW, Kee Yang. (2004). *Australian Journal of Asian Law*, 6 (1), 63-87.
<http://www.law.unimelb.edu.au/ajal/journal-contents/browse-the-journal/journal-details?Articles.ID=80> (Published)

The Legal Framework of Franchising in Singapore, by LOW, Kee Yang; Tabalujan, Benny; TOH, Thian Ser. (1996). *International Journal of Franchising and Distribution Law*, 10 (3), 84-85. (Published)

Minority Shareholder Protection: Major Changes under Singapore Law, by LOW, Kee Yang. (1994). *Asia Business Law Review*, [1994] (3), 90-94. <http://catalogue.library.smu.edu.sg/record=b1002578~S1> (Published)

Hong Leong Finance v Tay Keow Neo: Undue Influence and Director-Sureties, by LOW, Kee Yang. (1993). *Asia Business Law Review*, [1993] (1), 78-80. <http://catalogue.library.smu.edu.sg/record=b1002578~S1> (Published)

Third Party's Misconduct as a Ground of Surety's Discharge, by LOW, Kee Yang. (1992). *Malayan Law Journal*, [1992] (2), xxxviii-xlii. (Published)

Creditor's Responsibility for Principal Debtors Misconduct, by LOW, Kee Yang. (1991). *Malayan Law Journal*, [1991] (1), cvii-cix. (Published)

Surety's Right of Marshalling: Clearing Some Misconceptions, by LOW, Kee Yang. (1991). *Malayan Law Journal*, [1991] (2), lxxxiv-lxxxv. (Published)

Journal Articles [Non-Refereed]

- Scope of duty, counterfactual analysis and birth defects: The challenging case of Khan v Meadows, by LOW, Kee Yang; CHIA, Jordan Ting Xuan. (2021). *Singapore Law Gazette*, 1-12. <https://lawgazette.com.sg/feature/scope-of-duty-counterfactual-analysis-and-birth-defects/> (Published)
- Liability of maker towards subject of negligent statement: Tan Woo Thian v PricewaterhouseCoopers, by LOW, Kee Yang; HENG, Sheena Xuan Hui. (2021). *Singapore Law Gazette*, 1-8. <https://lawgazette.com.sg/feature/liability-of-maker-towards-subject-of-negligent-statement/> (Published)
- Recalibrating a doctor's duty to advise, by LOW, Kee Yang. (2020). *Singapore Law Gazette*, 1-10. [https://lawgazette.com.sg/feature/recalibrating-a-doctors-duty-to-advise/#:~:text=In%20providing%20medical%20advice%2C%20a,%3A%20section%2037\(2\).](https://lawgazette.com.sg/feature/recalibrating-a-doctors-duty-to-advise/#:~:text=In%20providing%20medical%20advice%2C%20a,%3A%20section%2037(2).) (Published)
- A pause in the expansion of vicarious liability, by LOW, Kee Yang; LAI, Siang Ping. (2020). *Singapore Law Gazette*, 1-5. <https://lawgazette.com.sg/feature/a-pause-in-the-expansion-of-vicarious-liability/> (Published)
- Vicarious liability, non-delegable duty and the Ng Huat Seng decision, by LOW, Kee Yang. (2017). *Singapore Law Gazette*, 1-11. <https://lawgazette.com.sg/feature/vicarious-liability-non-delegable-duty-ng-huat-seng-decision/> (Published)
- Non-delegable duty after Tiong Aik, by LOW, Kee Yang; MAH, Ian Hao Ran. (2017). *Singapore Law Gazette*, 23-28. (Published)
- The balanced scorecard framework for financial advisers: A Pandora's box, by LOW, Kee Yang. (2016). *Singapore Law Gazette*, (Published)
- Landlord's liability for tenant's nuisance: UKSC clarifies the law in Lawrence v Fen Tigers (No. 2), by LOW, Kee Yang. (2015). *Singapore Law Gazette*, 26-51. (Published)
- A doctor's duty of disclosure: UKSC sets new paradigm in Montgomery v Lanarkshire Health Board, by LOW, Kee Yang. (2015). *Singapore Law Gazette*, 28-34. (Published)
- Misrepresentation, fiduciary duty and negligence: Investor scores rare win in Deutsche Bank v Chang, by LOW, Kee Yang. (2013). *Singapore Law Gazette*, (Apr), (Published)
- Causation, remoteness, scope of duty and the Rubenstein decision, by LOW, Kee Yang. (2013). *Singapore Law Gazette*, 19-25. (Published)
- Vicarious liability: The close connection test and the Skandinaviska decision, by LOW, Kee Yang. (2012). *Singapore Law Gazette*, (Jan), <http://www.lawgazette.com.sg/2012-01/303.htm> (Published)
- Senior management's responsibility for new products: Financial advisers regulations, reg 18B, by LOW, Kee Yang. (2011). *Singapore Law Gazette*, (Sep), <http://www.lawgazette.com.sg/2011-09/196.htm> (Published)
- Effective use of non-reliance clauses: Satisfying Lowe v Lombank, by LOW, Kee Yang. (2009). *Singapore Law Gazette*, (Dec), 19-23. (Published)

Case Notes/Digests

- Standard of Care and Indeterminacy in Medical Negligence, by LOW, Kee Yang; LIM, Aaron Chor Yin. (2019). *Singapore Law Gazette*, (October), <https://lawgazette.com.sg/feature/standard-of-care-and-indeterminacy-in-medical-negligence/> (Published)
- Vicarious liability, non-delegable duty and the Ng Huat Seng decision, by LOW, Kee Yang. (2017). *Singapore Law Gazette*, (December 2017), 21-28. (Published)
- Deutsche Bank v Chang: A dramatic reversal by the Court of Appeal, by LOW, Kee Yang. (2014). *Singapore Law Gazette*, (Feb), 32-41. (Published)

Books (Refereed)

A clear view of the law: Making sense of legal complexity [Chinese] by LOW, Kee Yang. (2022). Beijing: China Legal Publishing House. (Published)

洞悉法门：理清法律的头绪, Chinese translation of *A clear view of the law: Making sense of legal complexity* by LOW, Kee Yang; Translated by WEI, Zhang; WONG, Shaun; JIABAO, Ling. (2021). Shanghai: China Legal Publishing House. (Published)

The law of guarantees in Singapore & Malaysia (2), by LOW, Kee Yang. (2003). Singapore: LexisNexis Butterworths. (Published)

The executive's guide to business & the law (1), by LOW, Kee Yang; TABALUJAN, Benny. (1996). Singapore: Pitman Pub. (Published)

The law of guarantees in Singapore & Malaysia by LOW, Kee Yang. (1992). Butterworths Asia. (Published)

Books (Non-Refereed)

Tort law: A critical overview by LOW, Kee Yang. (2024). Singapore: Candid Creation Publishing. (Published)

A clear view of the law: Making sense of legal complexity by LOW, Kee Yang. (2021). Singapore: Candid Creation Publishing. (Published)

Read the Fine Print: Avoiding Major Legal Pitfalls by LOW, Kee Yang. (2009). Singapore: Pearson. <http://www.worldcat.org/oclc/298099520> (Published)

The executive's guide to business & the law (2), by LOW, Kee Yang; TABALUJAN, Benny. (2002). Prentice Hall. (Published)

Book Chapters

A titan of legal education, by LOW, Kee Yang. (2024). In Andrew Phang (Ed.), *Pioneer, polymath and mentor: The life and legacy of Yong Pung How* Singapore: Academy Publishing. (Published)

Tort liability in a pandemic environment: Exploratory thoughts, by LOW, Kee Yang. (2020). In GURREA-MARTINEZ, Aurelio; GOH, Yihan; FINDLAY, Mark (Ed.), *Law and Covid-19* (pp. 202-213) Singapore: Singapore Management University, School of Law. <https://doi.org/10.2139/ssrn.3686357> (Published)

Business crimes, by LOW, Kee Yang; CHEW, Melina. (2020). In Loo Wee Ling (Ed.), *Principles of Singapore business law* Singapore: Cengage Learning. <https://worldcat.org/isbn/9789814875844> (Published)

Frustration, by LOW, Kee Yang. (2020). In Loo Wee Ling (Ed.), *Principles of Singapore business law* Singapore: Cengage Learning. <https://worldcat.org/isbn/9789814875844> (Published)

Misrepresentation, by LOW, Kee Yang. (2020). In Loo Wee Ling (Ed.), *Principles of Singapore business law* Singapore: Cengage Learning. <https://worldcat.org/isbn/9789814875844> (Published)

COB regulation of financial advisers, by LOW, Kee Yang. (2019). In Dora Neo, Hans Tjio, & Lan Lu Lu (Ed.), *Financial services law and regulation* Singapore: Academy Publishing. <https://worldcat.org/isbn/9789811404429> (Published)

Ch 17, Frustration, by LOW, Kee Yang. (2013). *Principles of Singapore Business Law* (pp. 511-529) Singapore: Cengage Learning. <http://catalogue.smu.edu.sg/record=b1193198~S1> (Published)

Ch 13, Misrepresentation, by LOW, Kee Yang. (2013). *Principles of Singapore Business Law* (pp. 399-420) Singapore: Cengage Learning. <http://catalogue.smu.edu.sg/record=b1193198~S1> (Published)

Limited Liability Partnership: Nature and Formation, by LOW, Kee Yang. (2010). *Halsbury's Laws of Singapore* (pp. 469-479) Singapore: LexisNexis. (Published)

Limited Liability Partnership: Charges, Receivership, Miscellaneous, by LOW, Kee Yang. (2010). *Halsbury's Laws of Singapore* (pp. 493-502) Singapore: LexisNexis. (Published)

Limited Liability Partnership: Winding Up, by LOW, Kee Yang. (2010). *Halsbury's Laws of Singapore* (pp. 502-518) Singapore: LexisNexis. (Published)

Management and membership, by LOW, Kee Yang. (2010). *Halsbury's Laws of Singapore (Pt II – Limited Liability Partnerships), Company Law* LexisNexis. (Published)

Chapter 8 Misrepresentation, by LOW, Kee Yang. (2009). *Halsbury's Laws of Singapore* (pp. 215-232) Singapore: LexisNexis. (Published)

Ch 17, Frustration, by LOW, Kee Yang. (2009). *Principles of Singapore Business Law* (pp. 449-467) Singapore: Cengage Learning. <http://catalogue.smu.edu.sg/record=b1043750~S1> (Published)

Limited Liability Partnership: Nature and Formation, by LOW, Kee Yang. (2006). *Halsbury's Laws of Singapore* (pp. 459-469) Singapore: LexisNexis. (Published)

Unconscionable calls on performance bonds: A bold new exception, by LOW, Kee Yang; OOI, Eugene; WONG, Elizabeth. (2006). In TEO, Keang Sood (Ed.), *Developments in Singapore law between 2001 and 2005* (pp. 831-904) Singapore Academy of Law. (Published)

Misrepresentation, by LOW, Kee Yang. (2004). In PHANG, Andrew Boon Leong (Ed.), *Basic principles of Singapore business law* Singapore: Thomson Learning. (Published)

Discharge by frustration, by LOW, Kee Yang. (2004). In PHANG, Andrew Boon Leong (Ed.), *Basic Principles of Singapore Business Law* Singapore: Thomson Learning. (Published)

Mistake, by KOH, Pearlie M. C.; LOW, Kee Yang. (2000). *Halsbury's Laws of Singapore: Contract, Volume 7* (pp. 152-172) Singapore: Butterworths Asia. <http://worldcat.org/isbn/9789814770156> (Published)

Misrepresentation, by KOH, Pearlie M. C.; LOW, Kee Yang. (2000). *Halsbury's Laws of Singapore: Contract, Volume 7* Singapore: Butterworths Asia. (Published)

Discharge by frustration, by KOH, Pearlie M. C.; LOW, Kee Yang. (2000). *Halsbury's Laws of Singapore. Volume 7, Contract.* (pp. 456-483) Singapore: LexisNexis. <https://worldcat.org/isbn/9789814770156> (Published)

Chapter 10 "Venturing Overseas: the Legal Aspects", by LOW, Kee Yang. (1996). In Shenoy, George T. L.; Toh, S. K. (Ed.), *Legal Aspects of Doing Business in Singapore* Addison-Wesley. (Published)

Edited Books

Halsbury's Laws of Singapore: Vol. 6: Company Law: 2006 Reissue, edited by LOW, Kee Yang. (2006). Singapore: LexisNexis. (Published)

Insurance law, edited by GOH, Erin; LOW, Valerie; LOW, Kee Yang. (2001). Singapore: Butterworths Asia. <http://worldcat.org/isbn/9789812361547> (Published)

Finance law, edited by GAN, Pauline; LOO, Wee Ling; LOW, Kee Yang. (2000). Singapore: Butterworths Asia. <http://worldcat.org/isbn/9789812360298> (Published)

Company law, edited by KOH, Pearlie M C; YEO, Victor C S; LOW, Kee Yang. (1999). Singapore: Butterworths Asia. <http://worldcat.org/isbn/9789812360052> (Published)

Contract law, edited by LUM, Kit-Wye; YEO, Victor C S; LOW, Kee Yang. (1998). Singapore: Butterworths Asia. <http://worldcat.org/isbn/9780409999044> (Published)

Book Reviews

Structuring International Contracts, by Dennis Campbell [Book review], by LOW, Kee Yang. (1998). *Asia Business Law Review*, [1998] (21), 75- <http://catalogue.library.smu.edu.sg/record=b1002578~S1> (Published)

Negotiating in China: 36 Strategies [Book review], by LOW, Kee Yang. (1997). *Asia Business Law Review*, [1997] (18), 93-93 <http://catalogue.library.smu.edu.sg/record=b1002578~S1> (Published)

Protecting Minority Shareholders, by Campbell and Buckley [Book review], by LOW, Kee Yang. (1997). *Asia Business Law Review*, [1997] (17), 80-81 <http://catalogue.library.smu.edu.sg/record=b1002578~S1> (Published)

International Asset Securitisation [Book review], by LOW, Kee Yang. (1996). *Asia Business Law Review*,

[1996] (12), 75- <http://catalogue.library.smu.edu.sg/record=b1002578~S1> (Published)

Asia Rising [Book review], by LOW, Kee Yang. (1996). *Asia Business Law Review*, [1996] (14), 89-
<http://catalogue.library.smu.edu.sg/record=b1002578~S1> (Published)

Vietnamese Business Law Guide, by Baker and McKenzie [Book review], by LOW, Kee Yang. (1995). *Asia Business Law Review*, [1995] (10), 83- <http://catalogue.library.smu.edu.sg/record=b1002578~S1> (Published)

Law of Guarantees, by Andrews and Millett [Book review], by LOW, Kee Yang. (1994). *Asia Business Law Review*, [1994] (4), 81- <http://catalogue.library.smu.edu.sg/record=b1002578~S1> (Published)

Enforcement of Foreign Judgments Worldwide [Book review], by LOW, Kee Yang. (1994). *Asia Business Law Review*, [1994] (6), 63- <http://catalogue.library.smu.edu.sg/record=b1002578~S1> (Published)

International Corporate Procedures [Book review], by LOW, Kee Yang. (1994). *Asia Business Law Review*, [1994] (5), 73- <http://catalogue.library.smu.edu.sg/record=b1002578~S1> (Published)

The Modern Contract of Guarantee [Book review], by LOW, Kee Yang. (1993). *Malayan Law Journal*, [1993] (2), (Published)

The Law and Regulation of International Finance [Book review], by LOW, Kee Yang. (1993). *Asia Business Law Review*, [1993] (1), 92- <http://catalogue.library.smu.edu.sg/record=b1002578~S1> (Published)

Magazine Articles

Non-delegable duty of care: Woodland v Swimming Teachers Association and beyond, by LOW, Kee Yang. (2015, March). *Singapore Law Gazette*, (March), (Published)

Newspaper Articles

Contracts involve more than promises, promises, by LOW, Kee Yang; ONG, Patricia. (1995, August 17). *Business Times (Singapore)* (Published)

A case of signed but not necessarily sealed: Hong Leong Finance, by LOW, Kee Yang. (1994, February 06). *Business Times (Singapore)* (Published)

Venturing Beyond Singapore, by LOW, Kee Yang. (1993, January 05). *Business Times (Singapore)* (Published)

Working Papers

Lawrence v Fen Tigers: Controversies and clarifications in the law of nuisance, by LOW, Kee Yang. (2015). Singapore: Singapore Management University School of Law Research Paper No. 56/2015. <http://doi.org/10.2139/ssrn.2695304> (Published)

Other Outputs and Contributions

Reports

The Law of Guarantees by LOW, Kee Yang. (2005). <http://www.singaporelaw.sg/sglaw/laws-of-singapore/commercial-law/chapter-23> (Published)

Representation to the Select Committee on the Companies (Amendment) Bill (Report of the Select Committee) by LOW, Kee Yang. (1993). (Published)

Research Grants

Singapore Management University

The Law of Guarantees in Singapore & Malaysia, SMU Internal Grant, Ministry of Education (MOE) Tier 1 ,
PI (Project Level): LOW Kee Yang, 2001, S\$67,054.2

TEACHING

Teaching Areas

Law of Torts, Business Law, Financial Advisers Law, Legal Knowledge & Strategy

Courses Taught

Singapore Management University

Undergraduate Programmes :

Business Law

Directed Research

Law of Torts

Postgraduate Professional Programmes :

Legal Environment of Business

Postgraduate Research Programmes :

Legal Knowledge & Strategy for Senior Management

Non-SMU Programmes :

Financial Advisers Law, Masters, Singapore Management University

OTHER ACADEMIC AND PROFESSIONAL ACTIVITIES

Consultancy

Legal Clinic LLC, Jun 2022

Just Law LLC, May 2019

Comlaw LLC, Singapore, May 2017

UNIVERSITY SERVICE

Singapore Management University

Mentor to students, Faculty Advisory Scheme, Jul 2018 - Dec 2018
Committee Member, SOL Admissions Committee, Oct 2017 - Present
Committee Member, SOL Scholarship Committee, Aug 2017 - Present
Committee Member, SOL 10th Anniversary Table Book Committee, Mar 2016 - Feb 2017
Committee Member, University Campus Development Advisory Committee, Jan 2011 - Present
Committee Member, Lien Centre for Social Innovation, Dec 2010 - Dec 2012
Committee Chair, University Curriculum Review Committee, Mar 2010 - Jun 2011
Committee Member, President Search Committee, May 2009 - Jan 2010
Committee Chair, Faculty Advisory Committee on Teaching & Learning, Jan 2009 - Jan 2011
Committee Member, SOL Faculty Review Committee, Jan 2009 - Present
Committee Member, Tenure Criteria Review Committee, Jan 2007
Committee Member, University Governance Task Force, Jan 2007 - Jan 2008
Committee Member, Provost's Advisory Committee, Jan 2006 - Jan 2007
Committee Member, University Research Committee, Jan 2006 - Jan 2007
Committee Member, Law School Task Force, Sep 2005 - Dec 2006
Committee Member, Academic Advisory Committee, Jan 2005 - Jan 2007
Committee Member, Disciplinary Appellate Officer, Jan 2003 - Present
Committee Member, Business School Dean Search Committee, Jan 2002 - Jan 2003
Committee Chair, Organising Committee, Lee Kuan Yew Global Business Plan Competition, Jan 2001 - Jan 2004
Committee Member, Faculty Senate Task Force, Jan 2001 - Jan 2003

Other Institutions

Committee Member, Singapore Management University, Jan 1998 - Jan 2000

EXTERNAL SERVICE – PROFESSIONAL

I was also emcee at the event, NUS Law Class of 82 Reunion Organising Committee, National University of Singapore, 2017

Committee Member, SAL Staff Committee, Singapore Academy of Law, 2007 - Present

Committee Member, SAL, 2007 - 2020

EXTERNAL SERVICE – PUBLIC SECTOR AND COMMUNITY SERVICE

Proposer of initiatives, (Sent in a recommendation for universities), Ministry of Education, 2015