

**YEO TIONG MIN (杨忠明)**

Yong Pung How Chair Professor of Law

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Capsule Biography:

YEO Tiong Min began his academic career at the Faculty of Law of the National University of Singapore (NUS) in 1990, where he was Sub-Dean from 1996 to 1998, and Chief Editor of the Singapore Journal of Legal Studies from 2004 to 2007. He was appointed the inaugural Yong Pung How Professor of Law at the Singapore Management University (SMU) when it established its law school in 2007, where he served as Associate Dean (Research) from January 2009 to December 2011 and as Dean from July 2012 to June 2017. His research interests are primarily focussed on private international law, though he also has general interest in private law, particularly equity, remedies, restitution, and contract law. His works – published in Singapore, England, Australia, Japan, and China – have been widely cited in texts and journals published in countries including Singapore, England, Australia, Canada, New Zealand, Japan, Hong Kong SAR, South Korea, and the United States. His works have been relied upon by first instance and appellate courts in Singapore, Malaysia, Australia, England, Hong Kong SAR, and the Cayman Islands. He has been invited to deliver papers at conferences and seminars in many countries. He has been engaged as a consultant by law firms in and out of Singapore, and has acted as Singapore law expert for trials abroad. He has been invited to appear as *amicus curiae* before the Singapore Court of Appeal in complex international commercial litigation. He has been actively involved in the Singapore legal community, having collaborated on many projects with various government departments and statutory bodies, including the Singapore Academy of Law, the Ministry of Law, and the Attorney-General's Chambers. He is a Professorial Fellow at the Singapore Institute of Legal Education and formerly the Academic Director of the Asian Business Law Institute in Singapore. He is the subject expert in Singapore delegation for negotiations at the Hague Conference on Private International Law. For his contributions to the theory and practice of law in Singapore, he received the Singapore Law Award in 2008, the Public Service Medal in 2011, the Academy Publishing Award in 2017, and the SAL Merit Award in 2018. He was appointed Senior Counsel (*honoris causa*), in 2012. He received the Public Administration (Silver) Medal in 2017. In 2022, he received the Partner of the Year Award from the Ministry of Law for his contributions to the work of the Ministry at the Hague Conference.

**Current Appointments:**

- Yong Pung How Chair Professor of Law, School of Law, SMU, 2016-
- Professorial Fellow, Singapore Institute of Legal Education, 2011-

**Previous Appointments:**

- Yong Pung How Professor of Law, School of Law, SMU, 2007 – 2016
- Dean, School of Law, SMU, 2012 – 2017
- Associate Dean (Research), School of Singapore, SMU, 2009 –2011

- Senior Research Fellow, University of Oxford, 1998 –2000
- Sub-Dean, Faculty of Law, NUS, 1996 to 1998
- Associate Professor (2000 –2007), Senior Lecturer (1997 –1999), Lecturer (1992 –1997), Senior Tutor (1990 –1992), Faculty of Law, NUS

#### **Education:**

- LLB (NUS) 1990
- BCL (Oxon) 1992
- DPhil (Oxon) 2002

#### **PUBLICATIONS:**

##### **Books And Monographs**

1. *Commercial Conflict of Laws in Singapore* (Singapore: Academy Publishing, 2023 forthcoming)
2. *Conflict of Laws, Halsbury's Laws of Singapore*, Vol 6(2) (Singapore: LexisNexis, 2020 Reissue), 506 pp; *Conflict of Laws, Halsbury's Laws of Singapore*, Vol 6(2) (Singapore: LexisNexis, 2009), 410 pp.
3. *Choice of Law for Equitable Doctrines*, in *Oxford Private International Law Series* (JJ Fawcett, general editor) (Oxford: Oxford University Press, 2004), 426 pp.
4. *Constitutional Law in Malaysia & Singapore* (Singapore: Malayan Law Journal, 1991) (Chapters 9, 11, 14, 18 and 20) (with Kevin Tan and Lee Kiat Seng)

##### **Books (Edited)**

1. *The Law in His Hands: A Tribute to Chief Justice Chan Sek Keong* (Singapore, Academy of Law Publishing, 2012) (with Chao Hick Tin, Andrew Phang and VK Rajah)
2. *Developments in Singapore Law 2006-2010: Trends and Perspectives* (Singapore, Academy of Law Publishing, 2011) (with H Tjio and HW Tang)
3. *The Law Relating to Specific Contracts in Singapore* (Singapore: Thomson, 2008) (with M Hwang SC)
4. PH Ang and TM Yeo, *Mass Media Laws and Regulations in Singapore* (Singapore: AMIC, 1998) (with Ang Peng Hwa).

##### **Journal Articles**

1. "Common Law, Equity and Statute: The Effect of Juridical Sources on Choice-of-Law Methodology", *Hague Recueil des Cours* (Collected Courses of the Hague Academy of International Law), forthcoming 2023, 9-88.
2. "Unjust Enrichment: Revolution and Evolution in the Asia-Pacific", *Restitution Law Review* (2017) 152-166 (Oxford: Marenex).

3. "Hague Convention on Choice of Court Agreements 2005: A Singapore Perspective", *Journal of International Law and Diplomacy*, 114(1), (2015), 50-73
4. "Recognition and Enforcement of Foreign Judgments in Singapore", *Yearbook of Private International Law*, 15 (2013/2014), 451-465
5. "Common Law Innovations in Proving Foreign Law", *Yearbook of Private International Law*, 12 (2010), 493-502. Translated into Japanese: 徐瑞静, コモン・ローにおける外国法証明の展開 《国際家族法研究会報告 (第31回)》 東洋法学 第56巻第1号 (2012年7月)
6. "The Effective Reach of Choice of Law Agreements", *Singapore Academy of Law Journal*, 20 (2008): 723-745.
7. "The Contractual Basis of the Enforcement of Exclusive and Non-Exclusive Choice of Court Agreements" *Singapore Academy of Law Journal*, 17 (Special Issue on *The Frontiers of Contract Law*, MP Furmston, ed) (2005): 306-360 (Singapore: SAL).
8. "Private international law: recent developments in Singapore" *Singapore Journal of International & Comparative Law*, no 2 (1997): 560-592 (Singapore: NUS).
9. "Jurisdiction issues in international tort litigation: A Singapore view" *Singapore Academy of Law Journal*, 7, no 1 (1995): 1-22 (Singapore: SAL).
10. "Tracing and Three-Party Restitution" *Singapore Journal of Legal Studies*, 2 (1993): 452-490 (Singapore: NUS).
11. "When do Third Party Rights arise under the Contracts (Rights of Third Parties) Act 1999 (UK)?" *Singapore Academy of Law Journal*, (2001): 34-53 (Singapore: NUS).
12. "Towards a Singaporean Jurisprudence", *Singapore Law Review*, 8 (1987): 1-43 (with KK Lau, R Clement and M Lim) (Singapore: NUS) .
13. "Tribute to the Honourable Tan Sri Dato Seri Eusoffe Abdoolcader, SCJ" *Singapore Law Review*, 8 (1987): 44-66 (with R Clement) (Singapore: NUS).

### Case Notes

1. "Exit, Stage 2, for the Plaintiff in Service Out of Jurisdiction?", *Singapore Academy of Law Journal*, 33, no 2, (2021): 1237-1251
2. "Breach of Agreements on Choice of Law", *Lloyd's Maritime and Commercial Law Quarterly*, (2010): 194-201
3. "The Effect of Contract on the Law Governing Claims in Torts and Equity" *Yearbook of Private International Law*, 9 (2007): 459-469 (München: Sellier, 2008)
4. "Natural Forum and the Elusive Significance of Jurisdiction Agreements" *Singapore Journal of Legal Studies*, no 2 (2005): 448-461 (Singapore: NUS).
5. "Choice of Law for Director's Equitable Duty of Care and Concurrence" *Lloyds Maritime and Commercial Law Quarterly*, (2005): 144-152 (London: LLP).
6. "Statute and Public Policy in Private International Law: Gambling Contracts and Foreign Judgments" *Singapore Year Book of International Law*, 9 (2005): 133-146 (Singapore: NUS).
7. "Great Peace: A Distant Disturbance" *Law Quarterly Review*, 121 (2005): 393-395 (London: Sweet & Maxwell).

8. "Unilateral Mistake in Contract: Five Degrees of Fusion of Common Law and Equity" *Singapore Journal of Legal Studies*, (2004): 227-240 (Singapore: NUS).
9. "Twinsectra: New Zealand's "reasonable banker" response" *Law Quarterly Review*, 120 (2004): 208-211 (London: Sweet & Maxwell).
10. "The Quistclose Trust" *Law Quarterly Review*, 119 (2003): 8-13 (with H Tjio) (London: Sweet & Maxwell) .
11. "Knowing What is Dishonesty" *Law Quarterly Review*, 118, part Pt 4 (2002): 502-508 (with H Tjio) (London: Sweet & Maxwell).
12. "Re Rose Revisited: The Shorn Lamb's Equity" *Lloyds Maritime and Commercial Law Quarterly*, Pt 4 (2002): 296-303 (with H Tjio) (London: Sweet & Maxwell).
13. "Constructive Trustees and the Brussels Convention" *Law Quarterly Review*, 117 (2001): 560-565 (London: Sweet & Maxwell).
14. "Choice of Law for Dishonest Assistance of Breach of Fiduciary Duty" *Singapore Journal of International & Comparative Law*, 5 (2001): 773-783 (Singapore: NUS).
15. "Choice of Law for Fiduciary Duties" *Law Quarterly Review*, 115 (1999): 571-576 (London: Sweet & Maxwell).
16. "Limited liability for breach of fiduciary duty" *Law Quarterly Review*, 114 (with H Tjio) (1998): 181-186 (London: Sweet & Maxwell).
17. "Loans for Extraterritorial Gambling and the Proper Law" *Singapore Journal of Legal Studies*, (1998): 421-437 (Singapore: NUS).
18. "Are loans for international gambling against public policy?" *Singapore Journal of International & Comparative Law*, 2 (1997): 593-608 (Singapore: NUS).
19. "Foreign judgments: Fraud and abuse of process" *Singapore Journal of International & Comparative Law*, 1 (1997): 382-391 (Singapore: NUS).
20. "Tort choice of law beyond the Red Sea : Whither the lex fori?" *Singapore Journal of International & Comparative Law*, 1 (1997): 91-116 (Singapore: NUS).
21. "Foreign Law in Bills of Lading" *Singapore Journal of Legal Studies*, (1993): 245-260 (Singapore: NUS).
22. "Restitution, foreign illegality and foreign moneylenders" *Singapore Academy of Law Journal*, 8, no 1 (1996): 224-248 (Singapore: NUS). "Dishonest Assistance: A Restatement from the Privy Council" *Law Quarterly Review*, 122 (2006): 171-174 (London: Sweet & Maxwell).
23. "Trusts, trusteeships and the law of restitution" *Singapore Academy of Law Journal*, 8, no 2 (1996): 499-511 (Singapore: SAL).
24. "Restitution, change of position and compensation" *Singapore Journal of Legal Studies*, 1 (1995): 209-228 (Singapore: NUS).
25. "Restitution, tracing and change of position" *Singapore Journal of Legal Studies*, 1 (1994): 138-149 (Singapore: NUS).

### Book Chapters

1. "Developing the *Lex Mercatoria*", in Sundaresh Menon and Anselmo Reyes (eds), *Transnational Commercial Disputes in an Age of Anti-Globalism and Pandemic*, Oxford: Hart Publishing, 2023, 14 pp.

2. "Landmarks and Signposts: Justice Phang and Conflict of Laws", in Goh Yihan (ed), *Pursuing Justice and Justice Alone – The Heart and Humanity of Andrew Phang's Jurisprudence* (Singapore, Academy Publishing, 2022), 24 pp.
3. "Conflict of Laws" in Simon Chesterman, Goh Yihan and Andrew Phang Boon Leong, *Law and Technology in Singapore* (Singapore: Academy Publishing, 2021), 18 pp.
4. "Foreign Judgments and Contracts: The Anti-Enforcement Injunction", in Andrew Dickinson and E Peel (eds), *A Conflict of Laws Companion: Essays in Honour of Adrian Briggs* (Oxford: OUP, 2021), 21 pp.
5. "Singapore", in Girsberger, Graziano, Neels (eds), *Choice of Law in Commercial Contracts* (Oxford: OUP, 2021), 17 pp.
6. "The Rise of Party Autonomy in Commercial Conflict of Laws", in Vivienne Bath, Andrew Dickinson, Michael Douglas and Mary Keyes (Ed.), *Commercial Issues in Private International Law: A Common Law Perspective* (Oxford: Hart Publishing, 2019), 20 pp.
7. "Certainty and Uncertainty of Cross-Border Copyright Infringement Litigation in Singapore" in KC Liu (ed), *Annotated Leading Copyright Cases in Major Asian Jurisdictions* (CityU HK Press, 2019), 15 pp.
8. "Cosmos from Chaos: Justice Chao's Contributions to the Conflict of Laws" in A Phang and Y Goh (eds), *A Judge for the Ages* (Singapore: Academy Publishing, 2017), 35 pp.
9. "Singapore", entry in *Encyclopedia of Private International Law* (Elgar Publishing, 2017), 25 pp.
10. "Contract Law", in HW Tang and M Hor (eds), *Reading Law in Singapore* (Singapore: LexisNexis, 2009), 10 pp., revised and updated in "Contract Law" in HW Tang, M Hor and N Poon (eds), *Reading Law in Singapore* (Singapore: LexisNexis, 2<sup>nd</sup> ed, 2014)
11. "An Extraordinary Life", in Chao Hick Tin, Andrew Phang, VK Rajah and Yeo Tiong Min (eds), *The Law in His Hands: A Tribute to Chief Justice Chan Sek Keong* (Singapore, Academy of Law Publishing, 2012) (with Michael Hor).
12. "Authority and Autochthony in the Law of Obligations", in Chao Hick Tin, Andrew Phang, VK Rajah and Yeo Tiong Min (eds), *The Law in His Hands: A Tribute to Chief Justice Chan Sek Keong* (Singapore, Academy of Law Publishing, 2012) (with Cavinder Bull SC).
13. "The Conflict of Laws: Themes, Fundamentals and Obstacles", in TM Yeo, H Tjio and HW Tang (eds), *Developments in Singapore Law 2006-2010: Trends and Perspectives* (Singapore, Academy of Law Publishing, 2011) (with Tan Yock Lin), 95 pp.
14. "The Conflict of Laws Relating to Letters of Credit" in EP Ellinger and DSS Neo, *The Law and Practice of Documentary Letters of Credit* (Oxford: Hart Publishing, 2010), 47 pp.
15. "Civil Remedies" in KS Teo (ed), *Developments in Singapore Law from 2001-2005* (Singapore: SAL, 2006), (with K Tan SC) 44 pp.
16. "Party Autonomy in International Civil Litigation: Singapore View" in A Saito (ed), *Evolution of Party Autonomy in International Civil Disputes* (Singapore: LexisNexis, 2005), 40 pp. Translated into Japanese: "国際民事紛争における当事者自治—シンガポール法の視点から" in A Saito (ed), *国際取引紛争における当事者自治の進展 (The Progress of Party Autonomy in International Civil Litigation)* (Kyoto: Hobun, 2005), 40 pp.
17. "Choice of Law for Equity", in S Degeling and J Edelman (eds), *Equity in Commercial Law* (Sydney: Lawbook Co, 2005), 26 pp.

18. "The Impact of Cyberspace on Contract Law" in D Seng (ed), *The Impact of the Regulatory Framework on E-Commerce in Singapore* (Singapore: SAL, 2002) (with A Phang), 20 pp.
19. "Jurisdiction of the Singapore Courts" in K Tan (ed), *Singapore Legal System*, 2<sup>nd</sup> ed (Singapore: SUP, 1999), 48 pp.
20. "The Role of Public Policy, Overt and Camouflaged, in International Litigation and Arbitration", in KS Teo (ed), *Current Legal Issues in International Commercial Litigation, Singapore Conferences on International Business Law*, Vol 8 (Singapore: NUS, 1997), 39 pp.

### Law Reform Reports

1. *Report of the Law Reform Committee on Total Return Investment and Classification and Apportionment for Capital and Income Trustees* (Singapore, Singapore Academy of Law Publishing, 2020) (with Tan Yock Lin, Charles Lim Aeng Cheng and Tang Hang Wu), 42 pp.
2. *Report on Introducing a Statutory Variation of Trusts Jurisdiction*, Singapore Academy of Law, Law Reform Committee, (Singapore, Singapore Academy of Law Publishing, 2019) (with Tan Yock Lin, Charles Lim, and Tang Hang Wu), 46pp.
3. *Report of the Law Reform Committee on the 1996 Hague Convention on the Protection of Children* (Singapore, Singapore Academy of Law Publishing, 2017) (with Valerie Thean, Debbie Ong, Audrey Lim, Thian Yee Sze, Yvonne Tan, Chan Wing Cheong, Jen Koh, Yap Teong Liang Penny Yapp, Nicholas Poon, Goh Zhuo Neng, Jonathan Lee and Shaun Pereira), 55 pp.
4. *Report of the Law Reform Committee on the Hague Convention on Choice of Court Agreements 2005*, Law Reform Committee of the Singapore Academy of Law (Singapore, Singapore Academy of Law Publishing, 2013), 22 pp.
5. *Report of the Law Reform Committee on the Reciprocal Enforcement of Maintenance Orders* (Singapore, Singapore Academy of Law, 2012) (with Tan Yock Lin, Debbie Ong and Aqbal Singh)
6. *Report of the Law Reform Committee on Limitation Periods in Private International Law* (Singapore: Singapore Academy of Law, 2011) (41 pp).
7. *Report of the Law Reform Committee on Ancillary Orders after Foreign Divorce or Annulment* (Singapore: Singapore Academy of Law, 2009) (with Tan Yock Lin, Debbie Ong and Aqbal Singh). 44 pp.
8. *Report of Law Reform Committee on the Reform of the Choice of Law Rule Relating to Torts*: (Singapore: Singapore Academy of Law, October 2002) (with Tan Yock Lin, Joel Lee and Jimmy Yim SC, Suresh Divyanathan, and Liew Woon Yin) (37 pp).
9. *Private International Law: Law Reform in Miscellaneous Matters*, submitted to the Law Reform Division, Attorney-General's Chambers, Singapore, March 2003 (92 pp) (unpublished).
10. *Report of the Law Reform Committee on Pre- and Post-Judgment Interest* (Singapore, Singapore Academy of Law, August 2005) (100 pp) (with WY Wan, J Chao, J Huan, V Leow and S Chakravarthi) (Singapore: SAL). Also published online at:

[http://www.agc.gov.sg/publications/docs/LRC\\_Report\\_on\\_Interest-August\\_2005.pdf](http://www.agc.gov.sg/publications/docs/LRC_Report_on_Interest-August_2005.pdf)

### Case Reviews

1. "Regional Digest: Asia Pacific" [2013] *Restitution Law Review* (Oxford: Marenex, 2013), 10 pp.

2. "Restitution" in KS Teo (ed), *Singapore Academy of Law Annual Review of Cases 2013*, Vol 14, (Singapore: SAL, 2013), 25 pp. (with M Yip)
3. "Regional Digest: Asia Pacific" [2012] *Restitution Law Review* (Oxford: Marenex, 2012), 6 pp.
4. "Restitution" in KS Teo (ed), *Singapore Academy of Law Annual Review of Cases 2012*, Vol 13, (Singapore: SAL, 2013), 13 pp.
5. "Regional Digest: Asia Pacific" [2011] *Restitution Law Review* (Oxford: Marenex, 2011), 7 pp.
6. "Restitution" in KS Teo (ed), *Singapore Academy of Law Annual Review of Cases 2011*, Vol 12, (Singapore: SAL, 2012), 13 pp.
7. "Regional Digest: Asia Pacific" [2010] *Restitution Law Review* (Oxford: Marenex, 2010), 9 pp.
8. "Restitution" in KS Teo (ed), *Singapore Academy of Law Annual Review of Cases 2010*, Vol 11, (Singapore: SAL, 2011), 17 pp.
9. "Regional Digest: Asia Pacific" [2009] *Restitution Law Review* (Oxford: Marenex, 2009), 9 pp.
10. "Restitution" in KS Teo (ed), *Singapore Academy of Law Annual Review of Cases 2009*, Vol 10, (Singapore: SAL, 2010), 22 pp.
11. "Restitution" in KS Teo (ed), *Singapore Academy of Law Annual Review of Cases 2008*, Vol 9, (Singapore: SAL, 2009), 21 pp.
12. "Regional Digest: Asia Pacific" [2008] *Restitution Law Review* (Oxford: Marenex, 2008), 8 pp.
13. "Restitution" in KS Teo (ed), *Singapore Academy of Law Annual Review of Cases 2007*, Vol 8, (Singapore: SAL, 2008), 26 pp.
14. "Regional Digest: Asia Pacific" [2007] *Restitution Law Review* (Oxford: Marenex, 2007), 9 pp.
15. "Restitution" in KS Teo (ed), *Singapore Academy of Law Annual Review of Cases 2006*, Vol 7, (Singapore: SAL, 2007), 6 pp.
16. "Regional Digest: Asia Pacific" [2006] *Restitution Law Review* (Oxford: Marenex, 2006), 10 pp.
17. "Restitution" in KS Teo (ed), *Singapore Academy of Law Annual Review of Cases 2005*, Vol 6, (Singapore: SAL, 2006), 24 pp.
18. "Regional Digest: Asia Pacific" [2005] *Restitution Law Review* (Oxford: Marenex, 2005), 9 pp.
19. "Restitution" in KS Teo (ed), *Singapore Academy of Law Annual Review of Cases 2004*, Vol 5, (Singapore: SAL, 2005), 9 pp.
20. "Regional Digest: Asia Pacific" [2004] *Restitution Law Review* (Oxford: Marenex, 2004), 6 pp.
21. "Restitution" in KS Teo (ed), *Singapore Academy of Law Annual Review of Cases 2003*, Vol 4, (Singapore: SAL, 2004), 8 pp.

22. "Regional Digest: Asia Pacific" [2003] *Restitution Law Review* (Oxford: Marenex, 2003), 6 pp.
23. "Restitution" in KS Teo (ed), *Singapore Academy of Law Annual Review of Cases 2002*, Vol 3, (Singapore: SAL, 2003), 35 pp.
24. "Regional Digest: Asia Pacific" [2002] *Restitution Law Review* (Oxford: Marenex, 2002), 10 pp.
25. "Regional Digest: Asia Pacific" [2001] *Restitution Law Review* (Oxford: Marenex, 2001), 10 pp.
26. "Regional Digest: Asia Pacific" [2000] *Restitution Law Review* (London: LLP, 2000), 7 pp.
27. "Regional Digest: Asia Pacific" [1999] *Restitution Law Review* (Oxford: Mansfield, 1999), 6 pp.
28. "Regional Digest: Asia Pacific" [1998] *Restitution Law Review* (Oxford: Mansfield, 1998), 8 pp.
29. "Regional Digest: Asia Pacific" [1997] *Restitution Law Review* (Oxford: Mansfield, 1997), 5pp.
30. "Regional Digest: Asia Pacific" [1996] *Restitution Law Review* (Oxford: Mansfield, 1996), 6 pp.
31. "Regional Digest: Asia Pacific" [1995] *Restitution Law Review* (Oxford: Mansfield, 1995), 11 pp.

#### Book Reviews

1. ZT Tang, Y Xiao and Z Huo, *Conflict of Laws in the People's Republic of China*, Cambridge University Press, 2018 (2018) *Cambridge Law Journal* 212-215
2. P Birks and A Pretto (eds), *Breach of Trust*, Hart Publishing, 2002, (2003) 119 *Law Quarterly Review* 692-694
3. Andrew Phang (General Editor), *Basic Principles of Singapore Business Law*, Thomson Asia, 2003, [2003] *Singapore Journal of Legal Studies* 638-642
4. Peter Birks (ed), *English Private Law*, OUP 2002, [2003] *Singapore Journal of Legal Studies* 631-634
5. JJ Fawcett (ed), *Reform and Development of Private International Law* (2002) [2004] *Singapore Journal of Legal Studies* 258-260
6. PBH Birks and FD Rose (eds), *Restitution and Equity Volume One: Resulting Trusts and Equitable Compensation*, Mansfield Press (2000), [2001] *Restitution Law Review* 240-242
7. Phang, ABL, *Cheshire, Fifoot and Furmston's Law of Contract (2nd Malaysian and Singapore Edition)* (1999) 15 *Journal of Contract Law* 94-96
8. *Clarkson & Hill: Jaffey on the Conflict of Laws*, Butterworths, 1997 (1998) 114 *Law Quarterly Review* 329-331
9. Rose (ed), *Restitution and the Conflict of Laws* (1997) 113 *Law Quarterly Review* 167-170
10. *Collier: Conflict of Laws* (2nd ed, 1994) (1995) 111 *Law Quarterly Review* 172-175



### Professional Publications

1. "The Hague Principles on Choice of Law in International Commercial Contracts: An Exercise in Convergence", *Rajah & Tann VA Client Newsletter* (Q4 2015)
2. "Contractual Defences to the Enforcement of Foreign Judgments", *Rajah & Tann VA Client Newsletter* (Q4 2014)
3. "Proprietary Claims for Bribes", *Rajah & Tann VA Client Newsletter* (Q4 2012)
4. "Proprietary Remedies after Breach of Contract", *Rajah & Tann VA Client Newsletter* (Q2 2012)
5. "Effect of Non-Contractual Non-Refundable Deposits", *Rajah & Tann VA Client Newsletter* (Q1 2012)

### Public Lectures, Conferences, & Seminars

1. "Related Proceedings", in *Journal of Private International Law-Singapore Management University Conference on Conflicts of Jurisdiction*, SMU (virtual), 24 June 2022
2. "The Effect of Choice of Court Agreements on Third Parties", *Yong Pung How Professorship of Law Lecture*, SMU, Singapore, 25 May 2022 (Webinar)
3. "The *Lex Mercatoria*: Convergence in Commercial Law", *3rd Judicial Roundtable on Commercial Law*, University of Hong Kong and Shanghai University of Politics and Law, 1 Oct 2021
4. "Hong Kong, Beijing and Asian Competition for Dispute Resolution Services: Singapore", in *Deals & Disputes: China, Hong Kong and Commercial Law*, University of Pittsburgh, 19 May 2021
5. "The Changing Global Landscape for Foreign Judgments", *Yong Pung How Professorship of Law Lecture*, SMU, Singapore, 6 May 2021 (Webinar)
6. "The Choice of Court Agreement: Perils of the Midnight Clause", *Yong Pung How Professorship of Law Lecture*, SMU, Singapore, 22 May 2019.
7. "Conflict Resolution Clauses in Contracts", *Contracts Masterclass*, Law Society of Singapore, 1 November 2018.
8. "Scope and Limits of Party Autonomy under the Hague Convention on Choice of Court Agreements", *Yong Pung How Professorship of Law Lecture*, SMU, Singapore, 16 May 2018
9. "The Rise of Party Autonomy in Commercial Conflict of Laws", *Commercial Issues In Private International Law Conference*, University of Sydney, Australia, 16 February 2018
10. "Party Autonomy in Choice of Law for Torts in Asia", *Global Forum on Private International Law*, Wuhan, China, 22 September 2017.
11. "Standard Contract Terms: Uniform Law and Private International Law", *One Step Closer: Promoting ASEAN Integration Through the Harmonization of Commercial Law*, Bangkok, Thailand, 4 September 2017
12. "Party Autonomy in the Proposed New Hague Judgments Convention", *HCCH Asia Pacific Week 2017*, Seoul, South Korea, 6<sup>th</sup> July 2017.
13. "Choice of Law for Contracts: The Hague Principles from a Singaporean and Asian Perspective", *Yong Pung How Professorship of Law Lecture*, SMU, Singapore, 18 May 2017

14. "The *Parens Patriae* Jurisdiction in Singapore", in *International Family Law Conference 2016*, Supreme Court, Singapore, 29-30 September 2016
15. "Unjust Enrichment: Revolution and Evolution in the Asia Pacific", *The Global Futures of Unjust Enrichment Conference 2017*, University College London, United Kingdom, 21 April 2017 .
16. "Foreign Copyright Infringement: Jurisdiction and Choice of Law in Singapore", *Journal of Private International Law Asia Pacific Colloquium 2016*, 26 September 2016, Hong Kong University, Hong Kong SAR
17. "Principles of Asian Private International Law: Choice of Law for Torts", Symposium on *Asian Principles of Private International Law*, Doshisha University, Kyoto, Japan, December 2016
18. "Common Law Developments Relating to Foreign Judgments", *Yong Pung How Professorship of Law Lecture*, SMU, Singapore, 18 May 2016
19. "Torts Choice of Law Rules", Symposium on *Asian Principles of Private International Law*, Doshisha University, Kyoto, Japan, December 2015
20. "Recent Work in Singapore Law Reform", Conference on *Recovery of Child Support and Family Maintenance in Asia-Pacific and Worldwide: National and Regional Systems and the Hague 2007 Convention and Protocol*, Hong Kong University, Hong Kong SAR, November 2015 (Hague Conference on Private International Law)
21. "Staying Relevant: Exercise of Jurisdiction in the Age of the Singapore International Commercial Court", *Yong Pung How Professorship of Law Lecture*, May 2015, Singapore Management University, Singapore
22. "CISG and International Contract Laws", *CISG 35<sup>th</sup> Anniversary Conference*, SMU, Singapore, 24 April 2015 (AGC-MinLaw-SMU)
23. "Jurisdiction of the Singapore International Commercial Court", *Litigation Conference*, Supreme Court Auditorium, 16 March 2015 (Law Society of Singapore)
24. "Financial Equitable Remedies: Singapore and Conflicts Perspectives", *Equitable Remedies in Commercial Litigation*, Conference of the Singapore Academy of Law and the Chancery Bar Association of England and Wales, Supreme Court Auditorium, 5 March 2015
25. "The Law Governing Choice of Court Agreements", *Journal of Private International Law Colloquium*, SMU, Singapore, 28 November 2014
26. "Territorial Scope of Statute Law", *Regional Insolvency Conference*, Supreme Court Auditorium, Singapore, 25 August 2014 (Law Society of Singapore)
27. "The Future of Private International Law in Singapore", *Yong Pung How Professorship of Law Lecture*, May 2014, Singapore Management University, Singapore
28. "Law of Restitution", *Annual Review Seminar Series 2014*, Singapore Academy of Law, Supreme Court Auditorium, 7 August 2014 (with Yip Man).
29. "Deposits: At the Intersection of Contract, Restitution, Equity and Statute", *Yong Pung How Professorship of Law Lecture*, (May 2013, Singapore)
30. "Prospects of the Hague Convention on Choice of Agreements: A Singapore Perspective", *Doshisha International Symposium*, October 2013, Doshisha University, Kyoto, Japan
31. "International Litigation in Asia: Will the Hague Choice of Court Convention Make Any Difference?", *Conference of the Japan International Law Society*, October 2013, Shizuoka, Japan

32. "Cross-Border Proprietary Remedies", *Finance, Property and Litigation in a Changing World*, Conference of the Singapore Academy of Law and the Chancery Bar Association of England and Wales, Supreme Court Auditorium, April 2013, Singapore
33. "Contract Law: Key Singapore Developments in a Nutshell", *Law Society CPD Week 2013*, November 2013
34. "The Future of Promissory Estoppel in Singapore Law", *Yong Pung How Professorship of Law Lecture*, (May 2012, Singapore)
35. "Cross-Border Trusts", paper presented at the *Conference of the Singapore Trustees Association*, Nov 2012, Singapore.
36. "Foreign Limitation Periods Act", *Continuing Legal Education*, Singapore Academy of Law (12 July 2012, Singapore)
37. "Choice of Court Agreements", *Continuing Legal Education Seminar* (10 July 2012, SMU, Singapore)
38. "The Right and Wrong of Knowing Receipt in the Law of Restitution", *Yong Pung How Professorship of Law Lecture*, May 2011, Singapore.
39. "Private International Law from the Equitable Jurisdiction: Imperialism, Universalism and Pluralism", *Yong Pung How Professorship of Law Lecture*, May 2010, Singapore.
40. "Recent Developments in Restitution and Equity", paper presented at *Singapore Academy of Law Continuing Legal Education Seminar*, April 2009, Singapore.
41. "The Effective Reach of *In Personam* Reasoning in Private International Law", *Yong Pung How Professorship of Law Lecture*, May 2009, Singapore.
42. "Judgment Laundering", paper presented at the *HKU-NUS-SMU Symposium: The Common Law Tradition in Asia*, 2 December 2008, Singapore.
43. "The Effective Reach of Choice of Law Agreements", *Yong Pung How Professorship of Law Lecture*, April 2008, Singapore.
44. "Party Autonomy in International Civil Litigation: The effect of agreements about litigation". Paper presented at the SMU Law School Research Summer Camp (14 August 2007, Changi Village Hotel, Singapore).
45. "The Enforcement of Choice of Court Agreements: Hong Kong and Singapore Approaches Compared: Under- and Over- Interpretation of Non-Exclusive Choice of Court Agreements" . *Common Law in the Asian Century* (11 December 2006, HKU-NUS Symposium, Faculty of Law, The University of Hong Kong).
46. "Common Law Damages for Breach of Choice of Court Agreements: Making International Civil Litigation More Complex?". *72nd International Seminar* (7 Jul 2006, Doshisha University, Kyoto, Japan).
47. "The Transfer of Contractual Rights and Liabilities in Bills of Lading: The Common Law Approach to the Choice of Law Problems (with reference to the Rome Convention)". *70th International Seminar* (3 Jul 2006, Doshisha University, Kyoto, Japan).
48. "The Scope and Implications of Damages for Breach of Jurisdiction Agreements in the Common Law". *Aspects of International Jurisdiction Agreements* (17 Jun 2006, Kobe University, Kobe, Japan).

49. "Singapore Law: Past, Present and Future". *71st International Seminar* (6 Jul 2006, Doshisha University, Kyoto, Japan).
50. "Civil Remedies". *Developments in Singapore Law from 2001-2005* (12 - 14 Jan 2006, Supreme Court Auditorium, Singapore).
51. "Choice of Law for Equity". *Fusion: The Interaction of Common Law and Equity in Commercial Law* (16 - 18 Dec 2004, Art Gallery, Sydney, Australia).
52. "Party Autonomy in International Civil Litigation: Singapore Law". *The Progress of Party Autonomy in International Civil Litigation* (25 Jun 2004, Kobe University, Kobe, Japan).
53. "Equitable Doctrines". *Current Issues in International Commercial Litigation* (21 Jul 2004, City Hall Chamber, Singapore) .
54. "Contracts and Restitution". *Current Issues in International Commercial Litigation* (20 Jul 2004, City Hall Chamber, Singapore) .
55. "Torts and Equitable Wrongs". *Current Issues in International Commercial Litigation* (19 Jul 2004, City Hall Chamber, Singapore) .
56. "Foreign Judgments". *Current Issues in International Commercial Litigation* (14 Jul 2004, City Hall Chamber, Singapore) .
57. "Injunctions". *Current Issues in International Commercial Litigation* (13 Jul 2004, City Hall Chamber, Singapore) .
58. "Agreements". *Current Issues in International Commercial Litigation* (12 Jul 2004, City Hall Chamber, Singapore) .
59. "The Impact of Cyberspace on Contract Law". *The Impact of the Regulatory Framework on E-Commerce in Singapore* (5 Apr 2002, City Hall Chamber, Singapore Academy of Law, Singapore) (with A Phang) .
60. "Direct Action by Third Parties". *Recovery of Third Party Loss in Contract* (NUS-SAL Seminar) 3 Feb 2001, City Hall Chamber, Singapore Academy of Law, Singapore).
61. "When do Rights Arise under the Act?". *The Contracts (Rights of Third Parties) Act 2001* (SAL Seminar) (27 Nov 2001, Hilton Hotel, Singapore).
62. "The European Economic and Monetary Union : Some Conflicts Issues". *The Impact of the Economic and Monetary Union on Contracts and Financial Services* (19 Sep 1998, Singapore Academy of Law, Singapore) .
63. "Recent Developments in the Law of Restitution: Remedies and Defences". *Recent Developments in the Law of Restitution* (7 Mar 1998, City Hall Chamber, Singapore Academy of Law, Singapore) .
64. "Defamation in New Frontiers: The Internet - Issues in Jurisdiction and Choice of Law". *Workshop on Media Law* (26 Apr 1997, Conference Room 202, Level 2, Orchard Hotel, Singapore) (2 pp).
65. "Using the Internet for Legal Research". *Using the Internet for Legal Research* (12 Sep 1998, Faculty of Law, NUS, Singapore).
66. "Legal Problems", at *Towards a Legal and Policy Framework to Encourage the Growth of an Asian Presence on the Internet*, seminar at the RELC, Singapore on (22 January 1996).
67. "Public Policy in International Litigation and Arbitration". *Current Legal Issues in International Commercial Litigation* (30 Oct - 1 Nov 1996, Shangri-la Hotel, Singapore).

68. "Responsibility in Cyberspace". *Network Asia 96* (5 - 6 Jun 1996, Singapore Suntec Centre, Singapore).
69. "New Laws for Cyberspace". *Securing the Superhighway and Electronic Commerce Conference* (7 Mar 1996, Institute of System Science, Singapore).
70. "Recent Developments in Tort Conflicts: The New Order 11 Rule 1(f) of the Rules of the Supreme Court and the Exception to Double Actionability". *Conflict of Laws in Commercial Practice* (31 Mar 1995, Orchard Hotel, Singapore) .
71. "Protective and Remedial Measures in Cross-Border Litigation: (a) Negative Declarations; (b) Extraterritorial *Mareva* Injunctions and (c) Extraterritorial *Anton Piller* Orders". *Conflict of Laws in Commercial Practice* (31 Mar 1995, Orchard Hotel, Singapore) .
72. "Choice of Law for Restitutionary Claims". *Continuing Legal Education Seminar* (3 Feb 1993, Faculty of Law, NUS, Singapore).
73. "Restitutionary Actions at Common Law". *Equity and Restitution in Commercial Practice* (19 Nov 1993, Marina Mandarin, Singapore).

#### Professional Seminars/Workshops

1. "Common Law, Equity and Statute: The Effect of Juridical Sources on Choice-of-Law Methodology", Special Course, *Hague Academy of International Law* (The Hague, The Netherlands), 8-12 August 2022.
2. "Internet Jurisdictional Issues and Dispute Resolution in e-Commerce", Law Academy seminar, 26 Feb 2021.
3. "Conflict of Laws Principles in Legislative Drafting", Attorney-General's Chambers, 22 and 24 Feb 2021.
4. "Internet Jurisdictional Issues and Dispute Resolution in e-Commerce", in Understanding the Legal Implications of AI and Other Emerging Technologies, Law Academy/Singapore Judicial College, 27 November 2020
5. "Principles, Policy and a Practical Approach to *Forum Non Conveniens*", Lecture at the Singapore Judicial College, 21 July 2016
6. "Beluga Chartering GmbH v Beluga Projects", Rajah & Tann LLP Seminar, 10 April 2014
7. "Mistakes in the Law of Restitution" Rajah & Tann LLP Seminar, 10 July 2013
8. "Limitation Periods for Restitutionary Claims: certainty, uncertainty", Rajah & Tann LLP Seminar, 21 March 2013.
9. "Some Issues in Choice of Law and Proof of Foreign Law", Lecture at the Supreme Court, Singapore (February 2013)
10. "International Jurisdiction for the Recognition and Enforcement of Foreign Judgments: A Restatement from UKSC", Rajah & Tann LLP Seminar, Singapore, 21 November 2012.
11. "Foreign Limitation Periods Act", Rajah & Tann LLP Seminar, 16 August 2012.
12. "Non-Exclusive Choice of Court Agreements", Rajah & Tann LLP Client Seminar, Singapore, 24 May 2012.

13. "Drafting Choice of Law Clauses", a lecture for corporate clients of Rajah & Tann LLP, May 2011.
14. "Certainty in Choice of Law", Rajah & Tann LLP Seminar, 25 April 2011
15. "The Law of Restitution in Contractual Contexts", Rajah & Tann LLP Client Seminar, March 2012.
16. "Return of the Remedial Constructive Trust", Rajah & Tann LLP Seminar, 16 February 2012.
17. "Judgments on Judgments", Rajah & Tann LLP Seminar, Singapore, 6 October 2011.
18. "Justiciability of Foreign Intellectual Property Claims", Rajah & Tann LLP Seminar, Singapore, 26 August 2011.
19. "Non-Refundable Deposits", Rajah & Tann LLP Seminar, 8 December 2011.
20. "Restitution and Illegal Contracts", Rajah & Tann LLP Seminar, March 2011
21. "Conditions and Frustration in Contract Law", Rajah & Tann LLP Seminar, 10 November 2011.
22. "Deposits and Penalties in Contracts", Rajah & Tann LLP Seminar, 15 September 2011.
23. "Exclusion of Liability for Fraud", Rajah & Tann LLP Seminar, 28 July 2011.
24. "Fraud and Vicarious Liability", Rajah & Tann LLP Seminar, 23 June 2011.
25. "Effectiveness of Dispute Resolution Agreements in International Contracts" presented to faculty and students from Padjadjaran University, Bandung, Indonesia (NUS, 24 April 2004, and September 2004).
26. "Enforceability of foreign orders and security devices in Singapore" at Baker and MacKenzie Singapore, 14 August 2003.
27. "Developments in the Law of Restitution", seminar organised by Rajah & Tann at Westin Stamford, Singapore (19 August 1996).

## **BLOGS**

1. "Singapore Court of Appeal Affirms Party Autonomy in Choice of Court Agreements", 14 June 2019 (<https://conflictoflaws.net/2019/singapore-court-of-appeal-affirms-party-autonomy-in-choice-of-court-agreements/>)
2. "Foreign Judgments: The Limits of Transnational Issue Estoppel, Reciprocity, and Transnational Comity", 27 May 2021 (<https://conflictoflaws.net/2021/foreign-judgments-the-limits-of-transnational-issue-estoppel-reciprocity-and-transnational-comity/>)

## **AMICUS CURIAE OPINIONS**

1. Opinion of *Amicus Curiae* in *Republic of the Philippines v Maler Foundation* (24 April 2013), 42 pp.
2. Opinion of *Amicus Curiae* in *Beluga Chartering GmbH v Beluga Projects (Singapore) Pte Ltd* (31 October 2013), 32 pp.
3. Opinion of *Amicus Curiae* in *Vinmar Overseas (Singapore) Pte Ltd v PTT International Trading Pte Ltd* (18 June 2018), 35 pp.
4. Opinion of *Amicus Curiae* in *Merck Sharp & Dohme Corp v Merck KGaA* (30 August 2020) 36 pp.

**SUBJECTS TAUGHT**

1. Law of Contract (LLB/JD, SMU; LLB, NUS; BA Jurisprudence/MJur, University of Oxford)
2. Commercial Conflict of Laws (LLB/JD/LLM, SMU)
3. International Commercial Litigation (LLB/Dip Sing Law/LLM, NUS)
4. Principles of Conflict of Laws (LLB/Dip Sing Law/LLM, NUS)
5. Conflicts in Family and Property (LLB, Dip Sing Law, NUS)
6. Conflicts of Laws in Family Issues (LLB/Dip Sing Law, NUS)
7. Conflict of Laws (LLB/Dip Sing Law/LLM/Dip Bus Law, NUS)
8. Principles of the Law of Restitution (LLB/LLM, NUS)
9. Personal Property Law (LLB/Dip Sing Law/LLM, NUS)
10. Law of Torts (LLB, NUS)
11. Legal Method and System (LLB, NUS)
12. Law of Property II (LLB, NUS)