



JIMMY YIM
Senior Counsel
Chairman, Drew
& Napier LLC
Managing
Director, Dispute
Resolution

INTRODUCTION TO THE PROJECTS, ENERGY & INFRASTRUCTURE PRACTICE GROUP

Drew & Napier's Projects, Energy and Infrastructure (PE & I) Group is headed by Director Jimmy Yim and leverages on the strengths of multidisciplinary resources within the firm, such as our dispute resolution, mergers & acquisitions, banking, capital markets, and project finance teams. Our contentious and non-contentious specialists work together to offer clients a broad spectrum of skills and knowledge.

A distinguishing aspect of our PE & I group is our ability to work together with our dispute resolution team, the leading dispute resolution team in Singapore, and in particular, our construction and engineering dispute resolution team. The experience of our dispute resolution team with problems that tend to give rise to disputes in relation to the financing and implementation of projects benefits our PE & I clients both in avoiding those problems and in providing effective mechanisms for dealing with them if they do arise.

This combination of skills and experience enables Drew's PE & I group to provide thorough solutions for our clients.

The group is involved in the broad spectrum of PE & I work from power and energy, telecommunications, transportation, waste disposal, water and construction to housing projects.

Our Energy practice includes the contractual arrangements for the development and operation of energy projects (including procurement, building, purchase of fuel stock and supply of energy), project financing, mergers and acquisitions of energy-related businesses and resolution of energy-related disputes.

The group has assisted natural gas utilities with the development of transmission and liquefied natural gas projects. We have also assisted independent developers and vendors on a broad range of energy project development activities including on-site industrial steam and power facilities, and the acquisition of numerous existing energy infrastructure facilities.

On the contentious front, arbitrations and court proceedings in which we have acted include disputes related to power plants, petroleum companies, oil and gas producers and coal producers.

WHAT WE HAVE ACHIEVED

The PE&I Practice Group is recognised as one of the most well established in Singapore. Its expertise is recognised in many leading international legal directories. The following are what some of them have to say about the group:

The Asia Pacific Legal 500

Projects & Energy 2019 - Tier 2 for 8 consecutive years

Recommended Lawyer:

Projects & Energy 2019
Jimmy Yim, SC
Mahesh Rai
Julian Kwek

Projects & Energy 2018
Jimmy Yim, SC

Projects & Energy 2017
Jimmy Yim, SC
Sin Boon Ann
Grace Lai

The team is "sharp, responsive" and "dedicated".

Team "renowned" for their "speed and efficiency"

"As with all dispute practices at the firm, the technical skills are top notch."

Chambers Asia Pacific and Chambers Global

Projects & Energy 2016 - Tier 2 firm

"Sources say: 'They will be there for you right up until the very end, and their response time is tip-top.'" "Their strategic thinking and expertise are really unparalleled."

"They really listen and develop effective solutions."

"Jimmy Yim, SC has more than three decades' experience of arbitration proceedings in the roles of both counsel and arbitrator, and is noted for the wide variety of matters he handles, extending across the construction, energy and resources,



ONG SIM HO
Director, Tax &
Private Client
Services



MAHESH RAI
Director

pharmaceutical and TMT sectors. Interviewees highlight his 'very good' performance as counsel, where he 'always works with great stamina.'

"With strong dispute resolution and corporate practices at its core, this firm is well equipped to handle both projects litigation and high-value transactions."

IFLR 1000: The Guide to the World's Leading Financial Law Firms

Project Development 2019 – Tier 2 for 2 consecutive years

Energy and Infrastructure 2017 – Tier 2 for 4 consecutive years

"The firm has a strong track record in projects work especially in energy."

Asialaw Profiles

Infrastructure 2020 – Recommended for 2 consecutive years



Energy 2020 – Recommended practice

Asialaw Leading Lawyers

Energy & Natural Resources 2019
Jimmy Yim, SC – Market Leading Lawyer for 2 consecutive years

Asian-MENA Counsel 'In House Community Firm of the Year'

Projects and Project Financing Singapore Firm of the Year 2014

Practical Law Company Which Lawyer?

Project Finance 2012 – Recommended

OUR EXPERIENCE

Award Winning Deals

The PE&I Practice Group has been involved in many complex, innovative and award winning deals, some of which are listed below:

- PetroChina acquisition of Singapore Petroleum Company (US\$2.2 billion): Asian Legal Business: SE Asia Legal Awards Singapore M&A Deal Of The Year 2010/ Asian-Counsel: Deal Of The Year 2009
- Financing of acquisition of Tuas Power by China Huaneng Group (US\$3.12 billion): Asian-Counsel: Deal of the Year 2008 "Honourable Mention"

Other recent significant transactions include

Non-contentious

- Acting for Temasek Holdings, in its offer to take SMRT private. Temasek's wholly-owned Belford Investments proposed to acquire the 46 per cent of SMRT not owned by Temasek at S\$1.68 per share for 702 million shares under a scheme of arrangement. The offer values SMRT at S\$2.57 billion.
- Acted as lender's lead counsel, in connection with Project Jewel, a joint venture between Changi Airport Group (CAG) and CapitaMalls Asia Limited (CMA), to develop an iconic mixed-use development at Changi Airport.
- Acting for Manhattan Resources, in its proposed acquisition for S\$1.0 billion of the entire issued and paid-up share capital of Singxin Resources Pte. Ltd., which is to be part of a group owning mining assets in the PRC.
- Acting as legal adviser to China Mining International Limited in relation to the proposed acquisition of China Minerals Energy, which will in turn own, directly or indirectly, 6 mines located in Nigeria, Tajikistan, Australia, China and Botswana, by way of a reverse take-over exercise.
- Assisted in the investment of US\$175.5 million by IFC, IFC Emerging Asia Fund (an investment fund managed by IFC Asset Management Company) and EMA Power (a joint venture between Daelim Energy and Islamic Development Bank Infrastructure Fund II). The purpose of the investment is to finance the acquisition of the share capital of Summit Corporation Limited (a member of the Summit Group, one of the largest infrastructure groups in Bangladesh with investments in the energy sector). The proceeds of the acquisition were re-invested in the capital of Summit Corporation Limited, providing support for the Summit Group's future power projects in Bangladesh.
- Acted as Singapore counsel for Japan Bank for International Cooperation as lender in connection with a common terms agreement made between Khanom Electricity Generating Company Limited as borrower to enable the Borrower to develop, construct, own, operate and maintain the Khanom 4 Plant and associated auxiliary facilities.

- Acted for Hyflux Ltd and its subsidiaries in relation to the construction and estimated \$890 million project financing of Singapore's second desalination plant, as well as the documentation and advice in relation to the design, engineering, construction, erection, completion, testing and commissioning of a combined cycle gas turbine power plant. This transaction involved Singapore's second and largest-to-date desalination plant, which will be constructed together with a combined cycle gas turbine power plant which will supply electricity to the desalination plant and sell excess power to Singapore's electricity grid. The desalination plant was constructed under the Design, Build, Own and Operate model under a Public Private Partnership arrangement with the Public Utilities Board (Singapore's statutory body in charge of water resources) This project is part of Singapore's water management strategy which is the largest of its kind in South East Asia and the first combined desalination and power project developed in the region.
 - Advising the developer on all construction project documentation (including EPC and O&M contracts) for the design, construction and commissioning of its gas-fired thermal power project in Taipei, Republic of Taiwan.
 - Advising the master developer on its US\$10 billion island project off the north-eastern coast of Abu Dhabi in relation to its contracts for:
 - design and construction of roads and bridges
 - concession of and engineering, procurement, construction, operation and maintenance of a power distribution network (concession, DBO and off-take)
 - concession of and engineering, procurement, construction, operation and maintenance of its water and waste-water distribution network (concession, DBO and off-take)
 - concession, design and build and off-take agreements for the district cooling reticulation network and plant
- Contentious*
- Claims in two London arbitrations involving a cross-border gas pipeline dispute.
 - Representing PT Bayan Resources Tbk and Bayan International Pte Ltd. The claim (about US\$750 million) and counterclaim (approximately US\$46 million) between the parties arise mainly from alleged breaches of a joint venture agreement for the application of a patented technology to produce and sell upgraded coal from East Kalimantan in Indonesian Borneo.
 - Acting for an employer against a turnkey EPC contractor in an international arbitration over the design and construction of a hydropower plant project.
 - Acted for a public-listed company in a multi-million dollar ICC arbitration over the design, construction and commissioning of an industrial boiler.
 - Acted for a company involved in an oil rigging dispute off the coast of Terengganu, Malaysia. This is a multiple-party arbitration case governed by Malaysian law.
 - Acted for a Japanese corporation in a joint-venture dispute with a Hong Kong public-listed corporation over solid waste disposal systems and incineration plants where the claims exceeds US\$10 million and the contract is governed by Japanese law.
 - Advised on a US\$60 million dispute over the construction of a power plant in Thailand arbitrated under ICC Rules involving allegations of force majeure as a result of the 1997 Asian Financial Crisis, fraud in the tender process and time bar.

MAIN CONTACTS

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