



Terence Tan
Associate Director, Dispute Resolution

LL.B. (Hons), National University of Singapore (2012)
Advocate & Solicitor of the Supreme Court of Singapore (2013)
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ABOUT TERENCE

Terence has experience handling a wide range of corporate, commercial and other complex disputes in litigation and arbitration (under the rules of the SIAC or ICC). His practice centers around disputes involving company directors and/or shareholders, minority oppression, breaches of fiduciary or directors' duties, civil fraud and conspiracy, joint venture agreements, sale and purchase agreements, banking and finance, employment, and technology.

Terence also has an active criminal law practice, and has acted as lead counsel in numerous trials involving a diverse array of commercial and non-commercial criminal offences. Terence is also an active volunteer with the Criminal Legal Aid Scheme, under which he offers pro bono legal representation to the needy.

Terence graduated from the National University of Singapore (NUS), where he was on the Dean's List for multiple years, on the overall Dean's List, and was awarded the Gower Prize as the top student in Company Law. He also represented NUS in the International Maritime Law Arbitration Moot, and was a student editor for the Singapore Journal of Legal Studies.

In Part B of the Singapore Bar Examinations, Terence was ranked joint sixth, was awarded distinctions for multiple subjects, and was awarded the SILE Prize for the best student in Ethics & Professional Responsibility.

Terence was also awarded the Singapore Academy of Law Post-Qualification Overseas Attachment, and was attached with Blackstone Chambers, a leading set of barristers' chambers in the United Kingdom.

Terence is also occasionally a tutor for the Trial Advocacy module at NUS, and a trainer for the advocacy module of Part B of the Bar Examinations.

EXPERIENCE

Some of the matters that Terence has handled include the following:

Arbitration

- Acted for a company listed on the SGX in SIAC arbitration against a company listed on a foreign stock exchange, in relation to a sale and purchase agreement. The dispute involved claims and counterclaims totaling SGD 60 million, and engaged issues of multi-jurisdictional taxation under the OECD Model Tax Convention, and issues of both Singapore law and Thai law
- Acted for a Swedish company listed on the NYSE in arbitration against a Malaysian company involving alleged breaches of a share purchase agreement and distributorship agreement
- Acted for a former CEO of a company listed on the SGX in arbitration against a Singapore businessman who is currently the CEO of a company listed on the SGX.
- Advised a Malaysian company and its US subsidiary on a dispute and potential arbitration against a US company in the context of a joint venture dispute.
- Advised an Indian healthcare services provider and an Indian private equity firm on a dispute and potential arbitration against a US company for breach of a

share purchase agreement, with a value exceeding USD 200 million.

Banking and Finance

- **Telemedia Pacific Group Ltd v Credit Agricole (Suisse) SA (Yeh Mao-Yuan, third party) [2015] 1 SLR 338**

Acted for the defendant bank in resisting a claim in the High Court by a customer in relation to an alleged unauthorized transfer of 225 million shares of a company listed on the SGX.

- Acted for a Swiss multinational investment bank in resisting claims by a customer in relation to alleged forced liquidation of his assets pursuant to margin calls, arising from the 2008 financial crisis.
- Acted for a US multinational investment bank in resisting claims by an Indonesian customer relating to complex financial instruments.
- Acted for a Swiss multinational investment bank as a non-party in relation to subpoenas and other document requests in Singapore International Commercial Court proceedings.
- Advised and acted for a Japanese national in settlement negotiations with a global commodities trading business, relating to alleged unauthorized trades.
- Advised an Indian bank on potential insider trading by a member of their senior management team in Singapore.
- Advised a group of customers on a potential claim against the Singapore branch of an Australian bank.
- Advised a customer on potential claims against a banker for breach of trust and misappropriation of investments, during his employment by various US banks and a Singapore investment bank.
- Advised a Swiss multinational investment bank on Singapore law elements of US taxation issues arising from a customer's alleged US tax residence.
- Advised a Singapore bank on the Commercial Affairs Department's seizure and freezing of a customer's accounts.

Civil Fraud and Conspiracy

- Acting for two of the defendants in a multi-party claim involving alleged breaches of an employment contract, inducing breach of contract, and conspiracy by lawful and unlawful means. Successfully obtained a setting aside of an ex parte Search Order (Anton Piller Order).

Company Disputes

- Acted for the minority shareholders of a company in the shipping industry, including the founder of the group of companies, in a claim for minority oppression under Section 216 of the Companies Act.
- Advised the CEO and minority shareholder of a privately held company in the energy business in relation to potential claims for minority oppression.
- Advised a director of a company in the mining industry in relation to potential claims for breaches of fiduciary duty.

Contractual matters

- Acted for a Singapore education business in a joint venture dispute in South East Asia.
- Acted for a Singapore media company in a High Court claim for unpaid debts. Successfully obtained summary judgment.
- Acted for a Singapore company in a claim against another Singapore company for breach of contract relating to supply of defective glass panels.
- Acted for a private individual in a commercial dispute involving sale of defective goods on Carousell.
- Acted for landlords in disputes against tenants relating to unpaid rent.
- Acted for a tenant in a dispute against a landlord relating to a property in Sentosa Cove, involving trespass and harassment.
- Advised a construction company on disputes with the construction and engineering arms of South Korean conglomerates, relating to a major infrastructure project in Singapore
- Advised the Singapore office of a multinational packaging company on misappropriation by an ex-employee.

- Advised an aviation company on contractual terms.

Criminal Prosecution and Defence

- Acted for the Government of Brunei in conducting criminal prosecutions against ex-employees of Brunei Shell Petroleum for offences under the Brunei Prevention of Corruption Act.
- Acted for the Personal Data Protection Commission in a prosecution for breach of the Personal Data Protection Act.
- **PP v Lim Bee Teck Frederick [2018] SGDC 28**

Defended an interior designer in a criminal prosecution for charges of cheating and forgery under Sections 420 and 465 of the Penal Code.

- Defending a businessman in the construction industry in a criminal prosecution for charges of alleged cheating under Sections 417 and 420 of the Penal Code, where the alleged victims are public authorities.
- Defended an air stewardess of a major international airline in a criminal prosecution on charges of shoplifting under Section 380 of the Penal Code. Successfully urged the Prosecution to reduce charges, and successfully urged the Court to impose a non-custodial sentence.
- Defended a prominent businessman in criminal prosecution for charges of recklessly causing grievous hurt as a result of a motor vehicle accident. Successfully urged the Prosecution to reduce charges, and successfully urged the Court to impose a non-custodial sentence.
- Defended a domestic worker in criminal prosecution for charges of voluntarily causing grievous hurt to another domestic worker.
- Defending a private individual in a criminal prosecution for charges of corruption under the Prevention of Corruption Act and falsification of accounts under Section 477A of the Penal Code.
- Defending a former senior civil servant in the education industry in criminal

prosecution for charges of outrage of modesty under Section 354(1) of the Penal Code.

- Defended a Singapore construction and engineering company in criminal prosecution for charges under the Workplace Safety and Health Act.
- Defended an individual accused of committing offences under the Computer Misuse Act.
- Represented numerous persons accused of criminal offences, and successfully obtained reduction or withdrawal of charges against them. This includes offences of criminal breach of trust, cheating, rioting and/or causing hurt or grievous hurt under the Penal Code.

Criminal Advisory

- Advised a US based multinational company on dawn raids and the scope of CPIB powers of investigation, search and evidence gathering under the Criminal Procedure Code and the Prevention of Corruption Act.
- Advised foreign companies on suspicious transaction reporting of foreign disputes with Singapore connections, under the Corruption, Drug Trafficking and Other Serious Crimes (Confiscation of Benefits) Act.
- Advising a senior officer of a construction company on allegations of corruption in relation to services provided to a prominent non-profit organization in Singapore.
- Advising an insurance company on matters relating to a fraudulent scheme of false insurance claims masterminded from Indonesia.
- Advised and assisted private individuals on filing Magistrate's Complaints and commencing private prosecution.

Defamation

- Acted for a Singapore subsidiary of a company listed on the Catalist Board of the SGX in a claim for online defamation by a customer via Facebook and Instagram.

- Acted for a Singapore company in a claim for defamation by a customer in a newspaper interview.

Employment

- Acted for and advised employees in defending against claims brought by their ex-employers for alleged breach of confidentiality and breach of non-compete obligations. Also acted for and advised the new employers in defending against claims for allegedly inducing breach of contract and/or for conspiracy.
- Advised employers on personal injury claims by workers.
- Advised an employer on potential remedies against an ex-employee for breach of confidence and other theft of confidential information.

Harassment

- Advised a businessman in the investment industry on harassment and relief under the Protection from Harassment Act.
- Advised businesses on remedies against debt collectors under the Protection from Harassment Act.

Probate and Administration

- Acting for beneficiaries of an estate in substantial disputes surrounding assets exceeding USD 20 million against other beneficiaries of the estate, involving manner of distribution in intestate succession under Taiwanese law, and appointment of joint administrators.
- Acted for various parties in applying for grant of letters of administration or grant of probate.
- Drafted wills for numerous private individuals.

Other Torts and Personal Injury

- Acted for a prominent local businessman in the commodities trading industry in a High Court claim for personal injury caused by a banker.
- Acting for a senior banker in a claim for personal injury caused by negligence by a Singapore company.

ACCOLADES

Asialaw Leading Lawyers

"Terence was a fantastic support in this case. He had a clear vision of the way ahead to bring the case to a resolution and supported me both legally and personally. His thinking and strategies were flawless, always one step ahead of the opposing party. He was able to produce strong documents, patiently taking feedback and advancing our positions while keeping a cool head and helping me make the difference between the personal and the legal. I feel I wouldn't have been able to handle the situation without his support and couldn't recommend him more."

MEMBERSHIPS

- Member, Law Society of Singapore
- Member, Singapore Academy of Law
- Member, Chartered Institute of Arbitrators
- Committee Member, Civil Practice Committee of the Law Society of Singapore