



Terence Tan
Director, Dispute Resolution

LL.B. (Hons), National University of Singapore (2012)
Advocate & Solicitor of the Supreme Court of Singapore (2013)
Member, Chartered Institute of Arbitrators
T: +65 6531 2378 F: +65 6535 4906 E: Terence.Tan@drewnapier.com

ABOUT TERENCE

Terence has experience handling a wide range of corporate, commercial and other complex disputes in litigation and international arbitration. His practice centers around disputes involving company directors and/or shareholders, minority oppression, breaches of fiduciary or directors' duties, civil fraud and conspiracy, 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.

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

- **Wang Fumin v Citibank Singapore Ltd [2022] SGHC 106**

Acted for the defendant bank at trial and on appeal in resisting a multi-million dollar claim involving allegations of fraudulent misrepresentation and negligence, in relation to FX and gold trading.

Successfully argued that the Court should

order the claimant to pay substantial costs to the bank on an indemnity basis

- **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 US multinational bank in resisting claims in by an Indonesian customer relating to FX and gold trades.
- 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

- 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.

Criminal Defence

- **PP v Naresh Kumar (SC-906812-2022)**

Successfully obtained an acquittal after trial for offences under the Corruption, Drug Trafficking and Other Serious Crimes (Confiscation of Benefits) 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.

- **PP v GDK (MA 9017/2021/01)**

Defended 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. Successfully obtained acquittals on the majority of charges after trial.

- **PP v Cheow Boon Peng [2022] SGDC 87**

Defended 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.
- Defended 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.
- Defended an individual accused of committing offences under the Computer Misuse Act.
- Advised and represented persons accused of drug trafficking offences.

Criminal Defence (Regulatory offences)

- Defended a Singapore construction and engineering company in criminal prosecution for charges under the Workplace Safety and Health Act.
- Defended and represented various professionals and individuals in offences under the Road Traffic Act, including for drink driving, negligent driving and reckless driving.

Conflicts of Law

- **Vibrant Group v Tong Chi Ho and others [2022] SGHC 256; [2022] SGHCR 8**

Represented Findex (Aust) Pty Ltd, a financial advisory services firm in Australia, against claims for professional negligence in context of acquisition of a company. Damages claimed were more than AUD 37 million.

Successfully argued at first instance and on appeal, to set aside service of Singapore proceedings on the grounds of natural forum.

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.
- Advised leading insurance companies on matters relating to corruption and bribery
- 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 various companies in defamation claims against former staff or customers for online defamation via social media.
- Acted for a telecommunications equipment company in a dispute with a foreign media company relating to allegations of bribery, illegal surveillance and other allegations relating to acts of a foreign government.

Employment

- Acted for a trader in a dispute with his employer, a leading trading firm and market maker, relating to trading losses and other allegations of wrongdoing.
- 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.

Equity & Trusts

- Represented a prominent property developer in civil proceedings involving his family members and related companies. The claims involved breaches of trust, constructive trusts and expressed trusts, and involved property worth roughly SGD 60 million

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.

Insolvency and Bankruptcy

- Advised on matters relating to successful recovery of debts through insolvency proceedings and schemes of arrangement under the Insolvency, Restructuring and Dissolution Act 2018
- Advised on claims related to claw back of undervalue transactions or unfair preferences.

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.

- Acted for various individuals in claims for personal injury arising from road traffic accidents.
- Acting for a senior banker in a claim for personal injury caused by negligence by a Singapore company.

ACCOLADES

The Legal 500 Asia Pacific

International Arbitration
2022 – Recommended
lawyer



Singapore Business Review

Singapore's 30 most influential lawyers under 40 in 2023 – listed lawyer

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

PUBLICATIONS

- International Comparative Legal Guide to Anti-Money Laundering – Singapore chapter, 2022
- International Comparative Legal Guide – Anti-Money Laundering 2023
- International Comparative Legal Guide – Anti-Money Laundering 2024