



See Chern Yang
Director, Dispute Resolution

LL.B. (Hons), National University of Singapore, 2004

Advocate & Solicitor, Singapore (2005)

T: +65 6531 2445 F: +65 6535 4906 E: chernyang.see@drewnapier.com

ABOUT CHERN YANG

Chern Yang is a banking and commercial matters litigator and also has extensive experience as a mediator.

Chern Yang has expertise in secured and unsecured facilities, debt recovery, bankruptcy and insolvency. Aside from banking litigation, Chern Yang has advised on a wide spectrum of issues such as defamation, contractual claims, medical and other professional misconduct or negligence, and landlord-tenant disputes. He also has experience in corporate commercial matters such as breach of fiduciary duty and shareholder disputes.

Chern Yang has also advised and acted for clients on issues pertaining to divorce, annulment and judicial separation and other ancillary matters such as custody, care and control of children, maintenance and division of assets.

He has also advised clients on data protection matters arising out of the application of the Personal Data Protection Act (PDPA) both in Singapore and as part of a global policy. He conducts training workshops, both in-house for clients as well as public workshops with the Singapore Academy of Law, to equip Data Protection Officers and other participants with the knowledge and skills for compliance with the PDPA.

Chern Yang is a proficient mediator and was one of the youngest to be appointed as a Principal Mediator and Fellow of the Singapore Mediation Centre. He regularly teaches mediation and has done so for the Judiciary in Brunei, Thailand and Myanmar.

EXPERIENCE

Litigation

- Lead counsel in successfully defending a client in dismissing an application for Committal against the client and related

proceedings (*UNE v UNF* [2019] SGHCF 9; [2018] SGHCF 15).

- Lead counsel in the Singapore International Commercial Court for an international coloration specialist and textile solution provider in a minority oppression dispute and a claim against its directors for breaches of fiduciary duties (*DyStar Global Holdings (Singapore) Pte Ltd v Kiri Industries Limited & Ors* [2018] 5 SLR 1).
- Lead counsel in the Singapore High Court and the Court of Appeal in an application for access to and inspection of documents of a company pursuant to s 199 of the Companies Act (*Mukherjee Amitava v DyStar Global Holdings (Singapore) Pte Ltd* [2018] 2 SLR 1054 / [2018] 5 SLR 256).
- Lead counsel in successfully striking out a multi-million dollar claim in the High Court on the basis that the contractual clause in a settlement agreement was unenforceable by reason of it being a penalty (*Allplus Holdings Pte Ltd & Ors v Phoon Wui Nyen* [2016] SGHC 144).
- Lead counsel, before both the High Court and the Court of Appeal, defending an ex-employee of an oil and gas consultancy company against claims brought by his former employer alleging breaches of employment duties (*Schonk Antonius Martinus Mattheus v Enholco Pte Ltd* [2016] 2 SLR 881; *Enholco Pte Ltd v Schonk* [2015] SGHC 20; [2015] SGHC 108).
- Lead counsel for a cross-border dispute involving a High Court claim by a shareholder to vitiate an unauthorised transfer of its shares in a marine company to a third party on the basis that the transfer was procured by fraud.
- Lead counsel in a dispute between shareholders of a medical clinic (*Tam Tak Chuen v Eden Aesthetics Pte Ltd* [2010] 2 SLR 667).

- Acting for a director / shareholder in a shareholders' dispute in a group of companies which owned a hotel in Sentosa (*Lian Hwee Choo Phebe v Maxz Universal Development Group Pte Ltd* [2010] SGHC 268).
- Acting for an individual against an Austrian-incorporated bank in respect of losses suffered on his investment portfolio following the Asian financial crisis of 1997/8 (*Go Dante Yap v Bank Austria Creditanstalt AG* [2010] 4 SLR 916).
- Lead counsel in a High Court claim by a patient against an eye surgeon in an action for medical negligence arising out of a LASIK surgery.
- Acting for a minority shareholder in an application for a common law derivative action in Singapore against errant directors of a foreign company (*Ting Sing Ning v Ting Chek Swee* [2007] 1 SLR(R) 369 (HC), [2008] 1 SLR(R) 197 (CA)).
- Acting for an international hotel management and consultancy services chain in an action involving the quantification of damages for a loss of chance claim (*Asia Hotel Investments Ltd v Starwood Asia Pacific Management Pte Ltd* [2007] SGHC 50).

Mediation

- Appointed to the World Intellectual Property Organization (WIPO) Arbitration and Mediation Center's List of Mediators in 2020
- Appointed as International Mediator with Singapore International Mediation Centre
- Accredited as Certified Mediator, IMI and SIMI
- Appointed as Principal Mediator and Fellow, Singapore Mediation Centre
- Appointed as Mediator in:
 - State Courts Centre for Dispute Resolution
 - Healthcare Mediation Scheme administered by MOH Holdings Pte Ltd
- Attended advanced mediation training by:
 - Straus Institute for Dispute Resolution, Pepperdine University School of Law.
 - Harvard Negotiation Institute, Harvard Law School.
- Appointed to adjunct training faculty of SMC and conducted mediation training courses in Singapore and for members of the Judiciary in Brunei, Thailand and Myanmar and Government Officials in Fiji.
- Assessed and accredited mediators for SMC in Singapore, Malaysia, Brunei, and Fiji.
- Expert Assessor at CDRC Vienna IBA-VIAC Mediation and Negotiation Competition.

ACCOLADES

The Asia Pacific Legal 500

Dispute Resolution 2019 – Recommended Lawyer

Sources say that Chern Yang is “a good team player” and a “strategic thinker”

Recognised as an Outstanding Court Volunteer (Advocate and Solicitor) 2015 by the State Courts of Singapore

Benchmark Litigation

Commercial & Transactions 2024 – Future Star



PUBLICATIONS

- Co-author, Chambers Global Practice Guide: Enforcement of Judgments 2022 and 2023 (Singapore chapter)
- Co-author, Chambers Global Practice Guide: Litigation 2023 (Singapore chapter)
- *Mediation: A Better Approach to Managing Business Disputes*, Singapore Venture Capital & Private Equity Guide 2019
- *Common Ground* (Family Law Journal March 2015)
- *Same Difference?* (Family Law Journal February 2015)
- *Taking the Mediation Way to Resolve Spats* (Business Times. 24 June 2014)

SEMINARS/CONFERENCES

- *Fundamentals of the Personal Data Protection Act*, Singapore Academy of Law (April 2019)

- *PDPA Awareness Talk 2019 – What the Medical Profession Needs to Know About PDPA*, Academy of Medicine Singapore (April 2019)
- *Strategic Dispute Management: Optimising the Outcome*, Singapore Venture Capital & Private Equity Association (2018)
- *Mediation Training Workshop*, Fiji Ministry for Employment, Productivity and Industrial Relations (2016 – 2018)
- *Strategic Dispute Management for Professionals*, ESSEC Business School (EMBA, May and December 2018)
- *Panel Discussion*, Sorbonne-Assas International Law School (December 2018)
- *Managing Disputes in the Hotel Industry*, Singapore Hotel Association (August 2018)
- *Advanced Training for Judges*, Thai Judiciary (June 2018)
- *Strategic Conflict Management for Professionals*, Singapore Mediation Centre
- *Mediation Skills Workshop for Judges*, Supreme Court of the Union, Myanmar (April 2015)
- *Effective Conflict Management and Dispute Resolution*, Judiciary Department, Brunei Darussalam (March 2015)
- International Mediation Institute (IMI) and Singapore International Mediation Institute (SIMI) Certified Mediator
- Principal Mediator & Fellow, Singapore Mediation Centre
- Mediator, MOHH Healthcare Mediation Scheme
- Vice-Chairperson, Society of Mediation Professionals (Singapore) (2019 – 2020)
- Vice-Chairperson, Law Society of Singapore Mediation Committee (2019)
- Court Volunteer Mediator, State Courts Centre for Dispute Resolution

APPOINTMENTS/MEMBERSHIPS

- Panel of Mediators, Hetao International Mediation Center
- Panel of Mediators, Belt and Road International Commercial Mediation Center
- Panel of Mediators, Shanghai Baoshan Pan-Asia International Commercial Mediation Center
- List of Mediators, Vietnam Mediation Centre
- Assessor, Panel of Assessors for COVID-19 Temporary Relief, Ministry of Law
- List of Mediators, WIPO Arbitration and Mediation Center (Singapore)
- International Mediator, Singapore International Mediation Centre
- Council Member, Law Society of Singapore (2013 – 2014)