

CHRISTOPHER, ENG CHEE YANG

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WORK EXPERIENCE

Work experience encompass both public and private sectors on restructuring and insolvency (“R&I”). Public sector experience includes regulation, administration and law reform of R&I. Areas of private practice include banking, insolvency litigation and debt-recovery work for local and foreign financial institutions. Please refer to the Work Experience Profile enclosed.

EMPLOYMENT HISTORY

Nov 2009 – Present	Insolvency & Public Trustee’s Office, Ministry of Law, Singapore <i>Assistant Official Assignee and Public Trustee</i>
Nov 2009 – Nov 2010	PSB Academy, Singapore <i>Associate Lecturer</i>
Jul 2008 – Oct 2009	Tetemetallwerk Pte Ltd <i>Consultant, Projects Team</i>
May 2006 - Jun 2008	Rajah & Tann LLP, Singapore <i>Legal Associate, Business Finance & Insolvency</i>
Dec 2005 - May 2006	Rajah & Tann, Singapore <i>Pupil, Business Finance & Insolvency</i>
Dec 2003 - May 2004	Allen & Gledhill, Singapore <i>Graduate Attachment, Corporate Real Estate</i>

PROFESSIONAL & EDUCATION QUALIFICATIONS

May 2006 – Jun 2008	Advocate & Solicitor, Supreme Court of Singapore
Jul 2005 - Dec 2005	Board of Legal Education, Singapore <i>Postgraduate Practical Course in Law</i>
Jul 2004 - May 2005	National University of Singapore <i>Graduate Diploma in Singapore Law</i>
Oct 2002 - Oct 2003	University College London, United Kingdom <i>Masters of Law, Merit</i>
Sep 1999 - Jul 2002	University of Bristol, United Kingdom <i>Bachelor of Law (Honours), Second Upper Class Division</i>

ACHIEVEMENTS

Research	2005 Bronze Medal Prize for International Insolvency Research; International Insolvency Institute
Publication	Co-author, Singapore Law Gazette article, November 2016 “ <i>Consequences of Bankruptcy in Matrimonial Proceedings</i> ”

WORK EXPERIENCE PROFILE

Banking Litigation

- Acted for **Mizuho Corporate Bank Ltd** in a US\$8 million claim against Asia Pacific Breweries (Singapore) Pte Ltd (“APBS”) in relation to a US\$80 million fraud committed by APBS’ senior finance manager. Primary involvement included:
 - Discovery and inspection of documents: compiling, verifying and review of the Bank’s and APBS’ documents which numbered over 110,000. Preparation for specific discovery application to the Singapore High Court and the Singapore Court of Appeal.
 - Interrogatories: Preparation, co-ordination and administration of the Bank’s interrogatories on APBS and the Bank’s answers to APBS’ interrogatories on the Bank. Preparation for application to the Singapore High Court for court-ordered interrogatories.
 - Main Trial: Interviewing and drafting clients’ and expert witnesses’ affidavits of evidence-in-chief, preparing witnesses for cross-examination at trial, planning and strategisation for trial.
 - Ancillary matters: Advice to clients on potential claims under various insurance policies in relation to the fraud. Pursuing and tracing assets overseas, liaising with foreign counsel in Australia on the forfeiture of assets. Negotiation and drafting of a partition agreement amongst the banks for assets seized by the Commercial Affairs Department.

Judicial Management and Liquidation

- Acted for **KPMG**, the judicial managers of **ITC Global Holdings Pte Ltd** (the “Company”) in a US\$9.1 million claim against Defendants who were resident in India and the United States of America on the basis of *inter alia*, an account for monies unlawfully loaned to some of the Defendants.
 - Liaised with foreign counsel in India and the United States of America and prepared application to the Singapore High Court for leave of service out of jurisdiction.
 - Liaised with foreign counsel in foreign jurisdictions such as Costa Rica for the ascertainment of the whereabouts of the Company’s debtors and recovery of the Company’s debts. Assisted in negotiation and drafting of settlement agreements with the Company’s various trade debtors.

- Preparation of application to extend the validity of the judicial management order and the writ of summons. Assisted in the review of the judicial manager's report of the Company and prepared subsequent winding-up application of the Company and discharge of judicial managers.
- Acted for **Deloitte & Touche** in the liquidation of **SAL Construction Pte Ltd** and the discharge of liquidators of the company. Primary duties included assisting in the drafting and review of the creditors' meetings of minutes, advice on correspondence, drafting letters to the committee of inspection, preparation for an application to the Singapore High Court for the release of liquidators and dissolution of the Company.
- Acted for **SembCorp Park Management Pte Ltd** in the members' voluntary liquidation of 2 of its wholly-owned subsidiaries, **Wuxi International Management Services Pte Ltd** and **Vietnam Singapore International Marketing Pte Ltd**. Duties included drafting directors' and shareholders' resolutions, minutes of directors' meeting, liaising and drafting correspondences to Inland Revenue Authority seeking tax clearance.
- Acted for the contributories of **CEP Instruments Pte Ltd** in a novel application to the Singapore High Court for a stay on the winding-up order. Duties included research on the law of United Kingdom, New Zealand, Australia and Malaysia on a permanent stay of a winding-up order, and drafting of affidavits and application to the Singapore High Court. The court allowed the clients' application.

Debt Restructuring

- Acted for **KPMG** in the S\$65 million debt restructuring of **Ban Joo & Company Ltd**. Primary duties included assisting in drafting of advice to clients on trust receipts, documentary collections and accounts receivables financing; review of the company's bank creditors' trade financing documentation; review of the term sheet and drafting of the debt restructuring agreement.

Trust Law

- Acted for **British Malayan Trustees Limited** in their holding and management of trust assets. Duties included application to the Singapore High Court for the trustees' powers of management and investment for the trust assets; advice to clients on various aspects of the Trustees Act and Charities Act.

Debt Recovery

- Acted for **Standard Chartered Bank, Hongkong Shanghai Banking Corporation Limited, Oversea-Chinese Banking Corporation Limited** and

United Overseas Bank Limited in banking claims against private individuals and companies. Primary responsibilities included:

- Drafting letters of demand, writ of summons and statement of claim. Application to the Singapore Subordinate Court and Singapore High Court for writ of summons, judgments and execution orders. Attendance in the Singapore Subordinate Court and the Singapore High Court for judgments, garnishee orders, orders for examination of judgment debtors, interpleaders' summons, mortgage actions, bankruptcy and winding-up hearings.
- Advised clients and assisted in conducting seminars to **Standard Chartered Bank** on various aspects of civil court procedures, insolvency and banking laws. Review and advice on clients' variation of standard terms and conditions in banking documentation.

General Advisory and Litigation Work

- Acted for the directors of **IPACS Computer Services (S) Pte Ltd (In Liquidation)**, a subsidiary of **NCS Pte Ltd**. Duties included advising clients on obligations and personal liability of a director in the period leading up to liquidation of a company.
- Acted for **EZ-Link ("EZL")** in advising various aspects of its agreement with **QB Pte Ltd ("QB")** in relation to QB's rights of exclusivity on the management, operation and marketing of EZL's EZ-Link Card for public transport and non-public transport businesses. Advised EZL on its claim for monies held on trust by **Transit Link Pte Ltd** under an agreement, and the various modes of dispute resolution.
- Acted for **Hong Leong Properties Pte Ltd** advising various aspects of its property sale agreements to **HSBC Institutional Trust Services Singapore Ltd**, as trustees of **Suntec Real Estate Investment Trust ("REITS")**. Duties included reviewing property purchase agreement, correspondences, research and assisting on drafting advice on Monetary Authority of Singapore's guidelines, fulfilment of conditions precedent and wrongful termination of contract.
- Acted for **Ricoh Asia Pacific Pte Ltd** in a tenancy agreement dispute against the landlord of one of the clients' business premises. Primary Duties included review of the tenancy agreement, negotiation and drafting a settlement agreement.

Acted for directors of **S.E.A Hydropower Pte Ltd** in a dispute amongst the companies' shareholders. Duties included review of the Companies' documents and invoices, drafting of writ of summons and statement of claim, preparing further and better particulars, preparing list of documents and inspection of documents.

Regulatory and Law Reform Work

- Appointed as Assistant Official Assignee and Assistant Public Trustee in the Insolvency & Public Trustee's Office, Ministry of Law, Singapore. Assisted the Insolvency Law Reform Committee ("ILRC") as part of the secretariat. The ILRC proposed to introduce an integrated piece of legislation governing personal bankruptcy, liquidation, receivership, schemes of arrangement and judicial management. This culminated in the Insolvency Restructuring and Dissolution Act 2018 ("IRDA"). Duties included:
 - Assisting in drafting a closed consultation paper from various stakeholders on the major changes in the corporate insolvency regime. The areas for consideration include accreditation and licensing of insolvency practitioners, application and effects of liquidation, super-priority for fresh credit, adoption of contracts, and adoption of the UNCITRAL Model Law on cross-border insolvency.
 - Assisting in drafting a closed consultation paper on the schemes of arrangement regime in Singapore, with an analysis of empirical data from over 150 schemes of arrangement cases filed from 2002 to July 2009. The purpose of the paper was to evaluate the success of the schemes of arrangement regime and to consolidate the feedback received from practitioners and various stakeholders on a new proposed statutory provision for schemes of arrangement.
 - Preparing a study of the judicial management regime in Singapore, with an analysis of empirical data from over 100 judicial management cases filed from January 2001 to December 2009. The purpose of the study was to evaluate the strengths and weaknesses of the judicial management regime and to consider possible legislative reforms.
 - Assisted in the review of the personal bankruptcy legislation and administration. The areas include mandatory surplus income payments by bankrupts, priority of payments for maintenance arrears in matrimonial proceedings, and the investigative powers of the Official Assignee on non-bankrupt persons.
 - Assisted in the drafting of the relevant subsidiary legislation for the IRDA (which numbered about 46 distinct pieces of legislation) from 2018 to 2020, for the commencement of the IRDA on 30 July 2020.
 - Assisted in the review and drafting of the provisions for the temporary measures affecting individual and corporate insolvency and restructuring processes in the COVID-19 (Temporary Measures) Act 2020.

Academic

- Appointed as an Associate Lecturer at PSB Academy. Duties include co-ordinating and teaching the Business Law module as part of the Academy's Advanced Diploma in Business Studies Programme.

General Corporate Work

- Provided legal advice at Tetemetallwerk Pte Ltd, a company specialising in the import of raw wrought-iron materials from neighbouring Asian countries and Europe for the design, supply and installation of decorative wrought-iron products for the building industry. Duties included:
 - Assisting the company in the tender process by ensuring that all tender procedures were complied with.
 - Vetting and drafting of contract documents for supply of goods from the company's vendors and clients. Highlighting and advice to the company as to its various contractual rights, obligations and liabilities. Achievements included assisting in the revamping and redrafting the company's standard terms and conditions of sales.
 - Advising the company on compliance with various statutory building and engineering requirements in its construction works.
 - Advising the company as to its risk management and indemnity of liabilities, such as acquiring insurance policies for public liabilities, and workmen injury compensation.
 - Advising the company on its rights against vendors for breach of contract, for non-supply and/or late delivery of goods under its terms of contract.
 - Advising the company on its late performance and its potential liabilities under the terms of contract. Advised the company on the issue of performance bonds and its legal consequences on partial or non-performance of its obligations.
 - Advising the company on various courses of action against its trade debtors. Duties included meeting with company's trade debtors for debt recovery and restructuring, and conflict resolution. Advised the company's rights in the schemes of arrangement and judicial management of its trade debtors.