

Siew Guo Wei

Partner



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Areas of practice

- Dispute resolution
- Restructuring and insolvency
- Investigations

Qualification/Education

- Advocate & Solicitor, Singapore, 2014
- Bachelor of Laws (Hons), National University of Singapore, 2013

Appointments/Memberships

- Member, The Law Society of Singapore
- Member, Singapore Academy of Law

Awards and accolades

- *The Legal 500, Asia Pacific: Recommended Lawyer (Restructuring and Insolvency)*, 2022
- *Singapore Business Review: Singapore's 20 Most Influential Lawyers Aged 40 and Under*, 2019

Guo Wei's main areas of practice include insolvency and restructuring, as well as litigation and international arbitration across a wide range of matters including shareholders, complex banking and contractual disputes.

Guo Wei is fluent in English and Mandarin.

Experience

- Acting for a project company in an SIAC arbitration, arising out of a shareholder dispute on the construction, maintenance and operation of **Coal-fired Power Plant** in Sumatra, Indonesia.
- Acted for a freight transportation and logistics company based in Hong Kong in a suit against **CIMB Bank Berhad**, a Malaysian Bank, for claims for breach of contract relating to stop-loss trading and front-running.
- Acted for the **liquidators** in relation to the investigations and potential action (including claims of **audit negligence**) against the **former auditors and officers of Hyflux Ltd**, a well-known water treatment company in respect of a public-private service concession.
- Advised on potential claims of **audit negligence** arising from an alleged failure to identify insolvency of a bond issuer.
- Advised the **judicial manager** in proceedings involving claims of **audit negligence** arising out of the falsified accounts of a Singapore public listed company with operations in China.
- Representing two **offshore commodity financing institutions** in the restructuring of the Antanium Group (previously known as the Rhodium Group).
- Represented the **entities of Asahi Group** in an action brought by a local distributor of alcohol for amongst other things, fraudulent misrepresentations, lawful and unlawful conspiracy, breach of implied agreement and collateral and unjust enrichment. Successfully obtained a dismissal of proceedings against the Asahi entities under the Choice of Court Agreements Act ("**CCAA**"), which enshrines the Hague Convention of 30 June 2005 on Choice of Court Agreements ("**Hague Convention**"): see *6DM (S) Pte Ltd v AE Brands Korea Ltd and others and another matter* [2021] SGHC 257. This decision is the first in Singapore which deals with the interpretation of Sections 11 and 12 of the CCAA, and the first in the world concerning Articles 5 and 6 of the Hague Convention.
- Represented the **private trustee in bankruptcy of Mr Tan Boon Kian** and succeeded in an action to unwind preferential payments and undervalue transactions paid by Mr Tan Boon Kian to related parties. Mr Tan Boon Kian was the Group

Chairman of the Cairnhill group of companies and directly and indirectly owned a luxury hotel known as **Treasure Resort**. See *Christie, Hamish Alexander (as private trustee in bankruptcy of Tan Boon Kian) v Tan Boon Kian and others* [2021] 4 SLR 809. This decision dealt with the novel issue of how and the extent to which the Court's discretion should be exercised in relation to whether preferential payments/ undervalue transactions should be reversed.

- Represented the **entities of the Comarco Group**, a shipping conglomerate primarily based in Kenya, in a restructuring of the Group's debts and liabilities under Section 64 of the Insolvency, Restructuring and Dissolution Act 2018.
- Represented a **working group of bank lenders** comprising approximately S\$930 million of the unsecured debt of Hyflux Limited, in the well-publicised restructuring, judicial management and subsequent liquidation of the Hyflux Group.
- Acted for various entities of the **Beyonics Group**, a large precision manufacturing group based in Singapore in an action against the group's previous CEO in the SICC. The group has claimed amongst other things for breaches of fiduciary duties committed by the previous CEO in his capacity as director of the entities: see *Beyonics Asia Pacific Ltd and another v Goh Chan Peng and another* [2022] 1 SLR 1
- Acted for **Malayan Banking Berhad** before the SICC in a dispute with Barclays Bank PLC, involving SWIFT payments. The case is the first of its kind in the common law world, involving novel issues of banking law relating to the allocation of risk/liability in the area of cross-border funds transfers: see the decision in *Malayan Banking Bhd v Barclays Bank PLC* [2019] 4 SLR 109. The SICC's decision has ramifications on the jurisprudence and practice of bank payments around the world.
- Acted for a **Singapore shipping company** against an Indian multinational conglomerate, involving claims of illegality for breach of Indian regulations, conspiracy and breaches of fiduciary duties.
- Acted as lead counsel for a **leading Indian technology services company** against a major Singapore statutory corporation in respect of a dispute over the performance of a large technology services contract. The claims and counterclaims in the dispute exceeded S\$1 million.
- Acted for an **Indonesian client** in claims for unauthorised trading, failure to advise and misrepresentation against a major US bank.
- Acted for a **multinational telecommunications company** in a multi- million dollar dispute involving

contractual claims on wireless network planning against a Singapore-listed company: see *Creative Technology Ltd and another v Huawei International Pte Ltd* [2017] SGHC 201.

- Acted for the **majority shareholders of a major oil-bunkering company** in a minority oppression/unfair prejudice claim.
- Acted for a **major local retail landlord** in its dispute against a tenant concerning alleged misrepresentation and breaches.
- Acted for a **Singapore statutory agency** in its dispute against a tenant concerning issues of leases, licences and equitable relief for tenants.
- Successfully defended a **Singapore-listed ship engineering company** in an arbitration under the Singapore International Arbitration Centre brought by a multinational shipping company involving disputes on ship-repair.
- Acted for a **Thai-listed media company** in an arbitration brought by an English sports agency alleging breaches of a football match perimeter advertising contract in the English Premier League.
- Advised a **private equity fund** to investigate and report on issues of corruption alleged against a high-ranking employee.

Publications

- *Impact of the Choice of Court Agreements Act 2016 on Exclusive Jurisdiction Clauses*, Lexology, December 2021.
- *Commercial Litigation in a Multi-Jurisdictional Context – Lessons from Beyonics Asia Pacific Ltd & ors v Goh Chan Peng & anor* [2021] SGCA (I) 2, Lexology, June 2021.
- *Singapore Civil Procedure 2024 – Volume I* (Sweet & Maxwell) – author of the chapter on *Corruption, Drug Trafficking and Other Serious Crimes (Confiscation of Benefits) Act*.
- *Singapore Civil Procedure 2021 – Volume I* (Sweet & Maxwell) – author of the chapter on *Affidavits*.
- *Wrotham Park*, Lexology, July 2017.