

Harry Zheng

Counsel



E: harry.zheng@arklaw.com.sg

Areas of Practice

- Commercial litigation
- International arbitration
- Restructuring and insolvency
- Corporate advisory

Qualifications

- Advocate & Solicitor, Singapore

Education

- University of Nottingham
- BPP Law School

Memberships

- Law Society of Singapore
- Singapore Academy of Law

Introduction

Harry began his career in a joint law venture with a US-based international law firm, and specialised in commercial litigation and international arbitration involving high-value corporate matters. Thereafter, Harry expanded his practice in a boutique firm where he also acts for clients in insolvency and restructuring, and corporate advisory matters.

A lawyer focused on practical outcomes, clients praise Harry for his keen commercial sense and practical solutions.

Experience

Corporate Advisory

- Providing small and medium enterprises (“SMEs”) in the tech space with comprehensive legal solutions including advisory and preparation of various agreements including service agreements, non-disclosure agreements and employment agreements
- Advising SMEs on data protection policy

Commercial Litigation

- Acting for a nominee director in a claim by creditors of the Company relating to a breach of nominee directors’ duties. The reported decision is now the seminal case on the duties of nominee directors: *Prima Bulkship Pte Ltd (in creditors’ voluntary liquidation) v Lim Say Wan* [2017] 3 SLR 839
- Acting for an individual in proceedings for the taking of an account of profits arising from shares held on trust. The reported decision provided much-needed clarity to the law of issue estoppel and *res judicata*: *Cost Engineers (SEA) Pte Ltd v Chan Siew Lun* [2016] 1 SLR 137
- Acting for a bank in Dubai to recover monies loaned out based on fraudulent documents and performed the first seizure and direct sale of gold bars to United Overseas Bank in Singapore
- Acting for a family office in a suit against an architect for the recovery of monies paid out under an agreement for a construction development project that failed to meet regulatory requirements

Insolvency and Restructuring

- Representing and advising a bank creditor in the judicial management of a construction company including advising on the effect of judicial management on guarantors (provided by the bank) and on the effects of a draft scheme of arrangement prepared by the judicial managers
- Representing and advising a bank creditor in a matter relating to a moratorium under the then-section 211B of the Companies Act. Advising on the implications of rescue financing and successfully argued an application resisting an order that rescue financing be secured on the unencumbered property of the insolvency company
- Representing a bank creditor to successfully resisting the extension of a moratorium under the then-section 211B of the Companies Act in a case involving complex questions which required extensive consideration of statute and case law on Chapter 11 proceedings in the United States
- Advising a British Virgin Islands family office on insolvency matters and acting in liquidation of the company

International Arbitration

- Acting for a listed Australian biochemical company against a Malaysian sovereign wealth fund in relation to the interpretation of contractual documents and enforceability issues related to penalty provisions and clogs on the equity of redemption (SIAC Arb 22/2017, SIAC ARB 23/2017)
- Acting for a Burmese construction company in resisting a claim under a construction contract by an Australian joint venture partner (SIAC ARB 164/2010)
- Acting for an English oil exploration company against the Indonesian subsidiary of a Canadian drilling company for damages resulting from delays in the construction of an offshore oil rig (ICC/19851/CYK)
- Acting for a Nepalese individual in claims against a Swedish telecommunications company for capital gains tax due by the Swedish telecommunications company to the Nepalese government which the Nepalese authorities charged to the individual under tax withholding regulations