

WORKSHOPS ON THE INSOLVENCY, RESTRUCTURING AND DISSOLUTION ACT 2018 AND RECENT DEVELOPMENTS

Webinar	Speakers	Date & Time
Workshop 1	Mr Harold Foo (Ministry of Law) & Associate Professor Wee Meng Seng (NUS Law)	16 October 2020, Friday 4.00 PM to 5.15 PM
Workshop 2	Mr Paul Seah (Tan Kok Quan Partnership) & Associate Professor Wee Meng Seng (NUS Law)	23 October 2020, Friday 4.00 PM to 5.15 PM
Workshop 3	Ms Smitha Menon (WongPartnership) & Associate Professor Wee Meng Seng (NUS Law)	30 October 2020, Friday 4.00 PM to 5.15 PM
Workshop 4	Mr Andrew Chan (Allen & Gledhill LLP) & Associate Professor Wee Meng Seng (NUS Law)	6 November 2020, Friday 4.00 PM to 5.15 PM

ABOUT THE WORKSHOPS

This is a series of four workshops on the Insolvency, Restructuring and Dissolution Act 2018 (IRDA) and the developments since the seminal 2017 reforms. IRDA has come into force on 30 July 2020, bringing to fruition the most fundamental reform process to Singapore's insolvency laws since independence. IRDA is a crucial step to Singapore achieving its objective of helping companies in the region and beyond that are in financial difficulties to restructure and survive.

The first workshop provides an overview to IRDA and examines the winding up provisions. Although most provisions on winding up are similar to their predecessors, there are important changes that require close examination, for e.g., the meaning of "commencement of winding up", the new section on transaction defrauding creditors, disclaimer and the avoidance provisions which now apply directly to judicial management (JM) as well.

The second and third workshops are on rescue. The second workshop provides an overview of JM, the traditional Commonwealth scheme and the hybrid scheme, the interactions between them and the interactions between rescue and winding up. It then examines JM in some detail, in particular the new out-of-court JM.

The third workshop examines schemes, especially the hybrid scheme. It discusses the case law on the hybrid scheme since this was introduced in the 2017 reforms. References will be made to US law where appropriate.

The fourth workshop is on cross-border insolvency law. The main focus is on the Singapore enactment of the UNCITRAL Model Law on Cross-Border Insolvency, the case law, the Judicial Insolvency Network Guidelines and the Modalities of Court-to-Court communications. References will be made to recent US and UK case law which are relevant to the future development of Singapore's cross-border insolvency law.

PROGRAMME

3:45 pm : Zoom Log in by Registrants
4:00 pm : Presentation
5:00 pm : Q&A Session
5:15 pm : End of Webinar

REGISTRATION

Registration is compulsory.
Registration fees:
S\$80.25 (including 7% GST) per workshop
Bank charges (if any) will be borne by the registrants.
Complimentary for NUS Law Staff & Students.
(Note: for verification purposes, please use your NUS email address to register)

Visit <https://bit.ly/3kXNFei> or

Scan the QR Code below to register by Friday, 9 October 2020, 12 noon



CONTACT PERSON

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Public CPD Point: 4 (1 Public CPD Point for each workshop)
Practice Area:
Corporate/Commercial
Training Level: Foundation

Participants who wish to obtain CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. For this activity, this includes logging in at the start of the webinar and logging out at the conclusion of the webinar on each day of the activity, and not being away from any part of the webinar for more than 15 minutes on each day of the activity. Participants may obtain 1 Public CPD Point for each day of the event on which they comply strictly with the Attendance Policy. Participants who do not comply with the Attendance Policy will not be able to obtain CPD Points for attending the activity. Please refer to <http://www.sileCPDcentre.sg> for more information.

ABOUT THE SPEAKERS



Andrew Chan is a Partner at Allen & Gledhill. His practice encompasses commercial work, and he is a specialist in dispute resolution (especially arbitration), trusts, and insolvency (corporate and personal). In arbitration, he has acted as counsel, been appointed arbitrator and appointed to give expert evidence on Singapore law. Andrew has also represented the Democratic Socialist Republic of Sri Lanka as Singapore counsel in an investment treaty arbitration. Andrew is consistently noted as a leading insolvency and restructuring lawyer by leading legal publications and is recommended for his expertise in litigation and international arbitration. He graduated from the National University of Singapore with an LL.B. (Hons).

Andrew is a Fellow of both the Singapore Institute of Arbitrators and the Chartered Institute of Arbitrators. He is on the panels of arbitrators of the Singapore International Arbitration Centre, the Law Society Arbitration Scheme, the Singapore Institute of Arbitrators and the Asian International Arbitration Centre. He is also a Fellow of the Insolvency Practitioners Association of Singapore, and a Director of the American Arbitration Association-ICDR Ltd. In October 2011, Andrew was presented the "Minister for Law Outstanding Volunteer Award", the highest volunteer award for individuals given by the Ministry of Law Singapore, for providing expertise and helping shape insolvency practice in Singapore.

Andrew is the General Editor of the leading local practitioner's book entitled Law & Practice of Corporate Insolvency. Andrew has also co-authored two works on personal insolvency: Butterworths Annotations of The Singapore Bankruptcy Act and Law And Practice of Bankruptcy In Singapore and Malaysia. He is also Consultant Editor of Halsbury's Laws of Singapore volume on Insolvency.



Harold Foo is Assistant Director in the Policy Advisory Division at the Ministry of Law. Harold is closely involved in debt restructuring and insolvency policy development. Notable legislation he has worked on include the Companies (Amendment) Act 2017, the Companies (Amendment) Act 2018, and the Insolvency, Restructuring and Dissolution Act 2018.

Internationally, Harold has been part of Singapore's delegation to UNCITRAL Working Group V (Insolvency Law) since May 2017, and chaired the Working Group at its 56th session (Dec 2019). He was actively involved in the negotiations and completion of the UNCITRAL Model Law on Recognition and Enforcement of Insolvency-related Judgments (2018) and the UNCITRAL Model Law on Enterprise Group Insolvency (2019). Harold is a member of the International Insolvency Institute's NextGen Leadership Programme.



Smitha Menon is a Partner in the firm's International Arbitration, Restructuring & Insolvency and Special Situations Advisory Practices. Her main areas of practice are corporate disputes and restructuring. Smitha is a Fellow of the Insolvency Practitioners Association of Singapore, on the board of the Singapore network of the International Women's Insolvency and Restructuring Confederation (IWIRC) and on the Insolvency Practice Committee of the Law Society. Smitha's international appointments include being the Singapore alternate Court member on the ICC International Court of Arbitration and on the ICC Commission for Arbitration and ADR. Smitha's expertise has been recognized in legal publications such as Chambers Asia-Pacific, IFLR1000, The Legal 500, Who's Who Legal and The Global Restructuring Review's list of the world's leading restructuring lawyers.



Widely recognised as one of Singapore's leading disputes practitioners, Paul has acted as lead counsel in some of the country's most important and high-profile cases in recent years. Paul also writes on a wide variety of dispute resolution related topics and has contributed to important Singapore publications for litigators. Paul also has a speciality in insolvency and restructuring work, and has advised Singapore's leading accounting firms and financial institutions in numerous well-publicised insolvencies. In 2017, Paul garnered the Asialaw Asia-Pacific Dispute Resolution Awards' Disputes Star of the Year award. He was also recognised by the Asian Legal Business as one of "40 Under 40 – Asia's Brightest Young Legal Minds" in 2015. In 2014, Singapore Business Review ranked him as one of Singapore's "20 Most Influential Lawyers 40 and Under". In addition, Paul is ranked as a Recommended Lawyer for Dispute Resolution, and Restructuring and Insolvency by The Legal 500 Asia Pacific, 2017-2020. He is also ranked as a Distinguished Practitioner for Dispute Resolution, and Restructuring and Insolvency by Asialaw Profiles, 2020. This is in addition to Paul being recognised as a Leading Lawyer for Dispute Resolution and Restructuring and Insolvency by Asialaw Profiles, 2017-2019.



Wee Meng Seng is an Associate Professor and the Deputy Director and Head (Corporate Law) of the EW Barker Centre for Law & Business at the Faculty of Law, National University of Singapore (NUS), and an editorial member of the Singapore Journal of Legal Studies. He obtained his LLB from NUS, BCL (First Class) and DPhil from Oxford. He teaches corporate insolvency law and company law. He has published in journals including the SAclJ, LQR, SJLS and the LMCLQ and chapters in Oxford University Press and Cambridge University Press books. His writings have been cited by fellow academics, the Singapore Court of Appeal and the Australian Federal Court. He was a member of the Insolvency Law Review Committee and a visiting professor at various law schools.