



ASIYAH ARIF

DIRECTOR

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Asiyah is a Director in the firm's International Arbitration practice group and heads the firm's recruitment efforts.

Asiyah regularly represents clients in complex, sensitive and high-value commercial arbitration and litigation matters. Her practice covers a diverse range of matters, including construction and infrastructure, shareholder disputes, defamation actions, and sovereign disputes. Her clients include individuals and local and international companies from a wide range of industry sectors.

She has broad experience in conducting arbitrations under the auspices of the Singapore International Arbitration Centre (SIAC) and the International Chamber of Commerce (ICC) as well as ad-hoc arbitrations under the UNCITRAL or other rules. She also frequently acts for clients in related court proceedings to set aside or enforce arbitral awards.

Asiyah graduated from Singapore Management University with an LLB (Hons). During her time in university, she participated in numerous moot competitions, winning the Howard Hunter Moot, and representing the university in the 19th Willem C. Vis International Arbitration Moot in Vienna, where she received an Honourable Mention as Best Oralist, and the team received awards for their memorials.

Asiyah has been described as “*an outstanding quarterback*” and commended for her “*cool disposition, attention to detail and client handling skills*”. Asiyah was recently shortlisted as a Finalist in the Rising Star (Arbitration) category in the South-East Asian Women in Business Law Awards 2022.

Outside of practice, Asiyah is involved in various initiatives to serve the community. Asiyah serves on the Women in Practice Sub-Committee of the Law Society of Singapore and was on the Board of Directors of the Association of Women for Action and Research from 2020 – 2022.

Asiyah is fluent in English and Malay.

PROFESSIONAL EXPERIENCE

Representative International Arbitration Experience

- Represented a BVI company in a SIAC arbitration against a sovereign state for a claim in excess of US\$130 million arising from breaches of a joint venture agreement for the development of a lagoon. Successfully resisted a jurisdictional challenge commenced by the Respondent in both the arbitration and the subsequent SICC proceedings. See *CLQ v CLR* [2021] SGHC(I) 15.
- Represented a Myanmar based cement company in an ICC arbitration commenced by a subsidiary of the largest cement conglomerate in South-East Asia listed on the Thai stock exchange, involving claims for approximately USD\$385 million for alleged breaches of a joint venture agreement between the parties to develop a cement factory, and manufacture and distribute cement in the region.
- Represented an Australian company in an SIAC arbitration against a foreign state for prematurely terminating a 20-year concession agreement. Successfully secured an award of damages of approximately US\$17 million for, inter alia, losses of profits.
- Represented the subsidiary of a leading Malaysian construction conglomerate in an arbitration and various adjudications under the Security of Payment Act involving a claim of over S\$9 million, involving over 60 heads of claim.
- Represented a holding company and a group of businessmen in an SIAC arbitration and various actions commenced in the High Court in respect of claims in excess of US\$83million in relation to the sale of a freeport storage facility. Successfully defended clients in an emergency arbitration application.
- Represented a global brand of luxury resorts in an arbitration commenced against them in respect of a claim of approximately US\$7m for alleged breaches of contract and fraudulent misrepresentation.
- Represented a prominent Malaysian hotelier group in an SIAC arbitration in Singapore in its claims for damages arising from the wrongful termination of a development agreement estimated to be at US\$4.5 million. Successfully obtained a settlement in client's favour.
- Represented a Thai company and its director in an arbitration commenced against them by an investor in respect of the rehabilitation of a steel pipe manufacturing company in Thailand. Successfully obtained a ruling that the Tribunal did not have jurisdiction to hear the dispute against the said director.



PROFESSIONAL EXPERIENCE

- Represented a Thai satellite company in ad hoc arbitration proceedings against an Indian television broadcaster for unpaid fees.
- Acted for a Japanese listed company in defending an application brought by the promoters of an Indian power company to set aside an SIAC arbitration award arising from a INR 8.4 billion (approx. S\$153 million) dispute for purported breaches of contractual obligations in relation to an earn-out payment. See *CJM and others v CJT* [2021] SGHC(I) 4.

Representative Corporate & Commercial Litigation Experience

- Represented a local listed engineering company against a claim for US\$125 million brought against them by a Saudi Arabian national for alleged breaches of an agreement in relation to procuring payments under an EPC contract from SATORP, including advising on compliance with SGX Regulations. Applied to stay proceedings in Singapore on the basis that Saudi Arabia was the appropriate forum. The Singapore Court of Appeal stayed proceedings.
- Represented local holding companies for a group of Jordanian companies in proceedings commenced in the Singapore High Court by Motorola Credit Solutions to enforce a US judgement for US\$2.6 billion. The action was part of Motorola's worldwide effort to enforce a judgment obtained in USA in 2003 against Turkish political dissident Cem Uzan and family.
- Representing an Australian venture capital investment company in its A\$6.75 million claim against a local investment holding company for damages resulting from a breach of a share sale agreement by the latter, and misrepresentations made in relation to a project to build a cement and clinker plant in Malaysia.
- Represented the shareholders of a company listed on the SGX Mainboard in a defamation suit commenced against them by the majority shareholder of the company.

Representative Private Client Practice Experience

- Represented Li Shengwu, the nephew of Singapore Prime Minister, in proceedings commenced against him by the Attorney-General of Singapore for alleged contempt of court in relation to comments he made in a private Facebook post. See *Li Shengwu v Attorney-General* [2019] SGCA 20.



PROFESSIONAL **EXPERIENCE**

- Represented Mrs Lee Suet Fern, a prominent corporate lawyer, in disciplinary proceedings commenced against her by the Law Society of Singapore in relation to her role in the drafting of the will of Mr Lee Kuan Yew. See *Law Society of Singapore v Lee Suet Fern* [2020] SGHC 255.
- Represented the Executors and Trustees of the estate of Mr Lee Kuan Yew in an application under Section 96(1) of the Legal Profession Act for an order directing the Law Society to constitute a Disciplinary Tribunal to investigate complaints of professional misconduct against Mdm Kwa Kim Li, the Managing Partner of Lee & Lee.
- Represented local holding companies for a group of Jordanian companies in proceedings commenced in the Singapore High Court by Motorola Credit Solutions to enforce a US judgement for US\$2.6 billion. The action was part of Motorola's worldwide effort to enforce a judgment obtained in USA in 2003 against Turkish political dissident Cem Uzan and family.
- Advised an international oil services and production company in relation to potential claims in Singapore against its former employee in relation to stolen data regarding the IMDB funds.
- Represented Mr Deepak Sharma, ex-Chairman of Citi Private Bank, in a judicial review application involving a review committee's decision to dismiss a complaint of gross overcharging against two senior lawyers.



MEMBERSHIPS, QUALIFICATION, EDUCATION & PUBLICATION

Memberships

- Law Society of Singapore, Woman in Practice Committee - Member
- ArbitralWomen - Member
- Singapore Institute of Arbitrators - Fellow
- Singapore Academy of Law, Professional Affairs Committee Young Members Working Group - Member
- Young Singapore International Arbitration Centre (YSIAC) - Council Member
- Young Arbitration and ADF Forum (ICCYAF), International Chamber of Commerce - Member
- Singapore Arbitration Group, International Chamber of Commerce - Member
- Association of Women for Action & Research (2020 – 2022) - Director

Asiyah previously served on the Project Law Help Committee, the Content Management Committee, and the International Relations Committee of the Law Society of Singapore.

Speaking Engagements

Asiyah is regularly invited as a panellist and thought leader to opine on legal issues and issues affecting women. Some of her previous speaking engagements include:

- Catalyse Consulting, “*Bad Company: Understanding Singapore’s Workplace Bullying Problem*” - Panellist
- People’s Association Ang Mo Kio Grassroots, “*Navigating Societal Attitudes & Online Sphere*” - Panellist
- Law Society of Singapore, “*Writ of Seizure & Sale, Garnishee and Bankruptcy*” - Moderator
- The Straits Clan, “*2021, A Tipping Point for Women’s Development in Singapore*” - Panellist. Asiyah’s fellow panellists for the event include Minister for Culture, Community and Youth and Second Minister for Law, Edwin Tong SC, and Member of Parliament Hany Soh.

