

CHAMBERS LLC

ANIL CHANGAROTH

FCIArb FSIArb

Mediator, Arbitrator & Adjudicator

Advocate and Solicitor of Singapore and

Solicitor of England and Wales

Commissioner for Oaths & Notary Public Singapore

anil@changarothchambers.com

Mobile: + 65 9760 0069



In practice since 1995 after graduating as a Barrister of England (Middle Temple) and a five-year career as a infantry officer with the Singapore Armed Forces before that, established CHANGAROTH CHAMBERS LLC on 1st July 2014, focusing on Counselling the Business and the Business of Counselling with Appropriate Dispute Resolution

His work primarily involves
Commercial, Civil,
Corporate & Criminal
Dispute Resolution
represents parties in
Singapore and the region

PRACTICE IN GENERAL

Anil's practice with a focus on building, construction and infrastructure work (including front end advisory work, managing/consulting on Construction Projects/Claim and dispute resolution) primarily involves commercial, civil, corporate & criminal dispute resolution.

Anil has also worked as In-House Counsel and head of Quantity Surveyors Davis Langdon & Seah (now part of Arcadis)'s Contract Advisory and Dispute Management division (2006-2008) and with the arbitration practice group of the international law firm Hogan Lovells Lee and Lee (2008-2009).

Anil represents parties in Singapore and the region including Australia, China, Hong Kong, India, Indonesia, Mauritius, Pakistan, Philippines, Sri Lanka and Vietnam and is conversant with Mandarin, Malay, Tamil and Malayalam besides English.

PANELS

A Mediator & Arbitrator, Fellows of the Chartered (<u>CIArb</u>) and Singapore (<u>SIArb</u>) Institutes of Arbitrators, and also conversant in Mandarin, Malay, Tamil & Malayalam, Anil is on the panels of:

- Mediator (Associate), Singapore Mediation
 Centre (<u>SMC</u>) and Marine Offshore Oil & Gas
 Association Singapore (<u>MOOGAS</u>)
- □ Arbitrators, Mediators & Adjudicators, Kuala Lumpur Regional Centre of Arbitration (KLRCA) Malaysia [2013 - 2016]
- □ Arbitrator (Secondary Panel) for SIArb and (International/Foreign) for the Indian Institute of Arbitration & Mediation (IIAM) and International Centre of Alternate Dispute Resolution, India (ICADR)
- □ Honorary Legal Advisor to the Singapore Institute of Surveyors & Valuers (SISV) 2015 2017 and Singapore Institute of Architects (SIA) 2014 onwards, advising on quantity surveying, project management, the Building Contract and Small & Medium Architectural Practices (SMAP) Committee

APPROPRIATE DISPUTE RESOLUTION PRACTICE

Mediator (Associate) with Singapore Mediation Centre



Director (and Mediator, Adjudicator and Arbitrator) of Trinity ADR Pte Ltd (www.trinityadr.com) –



Appropriate Dispute Resolution

setup with 12 Consultants namely negotiators, accredited mediators (including specialist Family mediators), collaborative professionals, arbitrators, psychologists, coaches and trainers providing a single platform for the exploration of solutions to a wide variety of disputes

- Arbitrator and trained in International Investment Treaty Arbitration
- Building, Construction and Infrastructure Dispute Resolution including Mediation, Arbitration, Adjudication, Neutral Evaluation, Expert Determination, Litigation, Front-End advisory, and Managing & Consulting on Construction Projects and Claims
- Commercial, Civil, Corporate and Criminal Dispute Resolution including:

Commercial & MCST Property Management, Contractual & Debt recovery, Defamation, Employment, Insurance, Personal Injury, Accident, & Medical Negilence, Shipping, and Trade Mark

Adoption and Guardianship, Family & Matrimonial (Civil & Syariah Courts), Probate & Trust (contentious & non contentious), Wills and Estate

Banking, Bankruptcy, Directors' Duties & Liablities, Factoring, Hire Purchase & Leasing, Judicial Management, Liquidation, Scheme of Arrangement, Judical Management and Winding Up

Criminal matters (Penal Code & other Statutes)

Corporate Advisory work including drafting of front-end Building, Construction & Infrastructure, Tenancy, Partnership, Shareholders, Joint Ventures, Share Capital Reduction and Buy-Back and other agreements



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APPOINTMENTS

- The Chairman of the Society of Construction Law (Singapore) (SCL(S)), 2012 - 2014 & its representative on the SCL International (SCL(Int'I)) Liaison committee
- The Honorary Treasurer, Singapore Institute of Arbitrators (SIArb), 2011 - 2013 and chair of its Schemes Arbitration committee, 2012 - 2013
- The Honorary Secretary of the Singapore – Sri Lanka Business Association (SSLBA), 2015-16 and on the executive committee since 2011
- Honorary Advisor (International Relations) to Asia Pacific Corporate Counsel Alliance's (APCCA) and Honorary Legal Advisor to the Singapore Corporate Counsel Association (SCCA) and had advised on international relations with Inhouse Counsel Worldwide (ICW)
- A legal representative for pro legal service and bono community affairs since 1996 with the Jurong Town Constituency of the Honourable Deputy Prime Minister Tharman Mr. Shanmugaratnam

Anil holds a Master of Science in Construction Law and Arbitration awarded jointly by King's College London & National University of Singapore.

In 2008, his MSc dissertation on "International Arbitration - A consensus on Public Policy Defences?" was published in the Asian International Arbitration Journal, Volume 4, Number 2, 2008.

MANAGING & CONSULTING ON PROJECTS & CLAIMS

- In-house counsel, director and head of Contract Advisory and Dispute Management services Davis Langdon & Seah S'pore for 2 years dealing with construction industry:
 - Front End Contract Advisory work for residential, commercial, institutional, industrial and infrastructural projects) including procurement strategy and incorporation of and amendments to conditions of contract;
 - Project Management; and
 - Claims Assessment and Appropriate Dispute Resolution services (including arbitration, adjudication & mediation

in over 100 projects for developers, building owners and contractors in residential, commercial, institutional, industrial, infrastructural and Public Private Partnership projects represents parties in Singapore and the region including Australia, China, Hong Kong, India, Indonesia, Pakistan, Philippines, Sri Lanka and Vietnam.

- Consulting, managing and advising (as Legal Counsel/Representative) Developers, Building Owners, Contractors and sub-contractors for major construction projects including airport developments; infrastructure works (including steel structure for power plant); oil and gas projects; tunneling and excavation; power plant steel structure fabrication contractor; mechanical and electrical; landscaping; lighting; lift installation; piping and cable laying; fabrication; cladding works etc on issues with:
 - procurement, negotiations, and administering projects;
 - managing the project;
 - dealing with disputes including defects, delays, extension of time, change order, liabilities for damage to equipment and maintenance agreement, liquidated damages; and
 - reviewing appropriate disputes resolution mechanism and resolving disputes via Mediation, Adjudication, Arbitration and Litigation.

LECTURES & PRESENTATIONS (OVERVIEW)

- Lectured on Construction Law & Appropriate Dispute Resolution for
 - Building & Construction Authority Academy (<u>BCAA</u>) – 2010 onwards;
 - Singapore Institute of Legal Education (<u>SILE</u>) – 2011 onwards;
 - Chartered Institute of Arbitrators (<u>CIArb I</u>) & Society of Construction Law (India) (<u>SCL(II)</u>) joint training for Arbitrators – 2016
 - Society of Construction Law International Conferences – 2012, 2014 and 2016
 - Land Transport Authority Singapore
 2016
 - National University of Singapore (<u>NUS</u>) & Kings College London joint Masters in Science in Construction Law and Arbitration – 2009;
 - NUS's Masters in Architechture 2013 and NUS's Bachelor of Science in Project Facilities Management – 2012;
 - Singapore Management University's (<u>SMU</u>) Masters in Law for International Trade – 2012
 - Sri Lankan Bar Association 2014
 - Malaysia Kuala Lumpur Regional Centre of Arbitration's Adjudication (KLRCA) training – 2012
- Presented Papers in Singapore, Malaysia, Hong Kong, Indonesia, India, Sri Lanka, Mauritius, Australia on:
 - Appropriate Dispute Resolution including Mediation, Arbitration, Adjudication and Dispute Resolution Board,
 - Construction Law including Managing Construction projects & disputes, and Drafting of Construction Contracts,
 - In-house Counsel's practice including Roles, Counselling Businesses and promoting Foreign



www.changarothchambers.com

COUNSELLING THE BUSINESS & THE BUSINESS OF COUNSELLING



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CONSTRUCTION & INFRASTRUCTURE MATTERS

- Mediator. Arbitrator and Advocate & Solictor on commercial disputes.
- Counsel for and advising Contractors, subcontractors, and Consultants on disputes that proceed to mediation, neutral evaluation, expert determination, adjudication, arbitration and litigation.
- Advising international architectural firms on architectural consultancy agreements for major construction projects and incorporation of architectural services company in Dubai; international construction contractors on issues with change order, liabilities for damage to equipment and maintenance agreement arising from construction of entertainment facility; and international construction contractors on alleged breach of consortium agreement involving construction of power plant.
- Counsel for and advising Contractors and subcontractors (including landscaping works, tunnelling and excavation works, mechanical and electrical works specialist lighting, lift installation, specialist power plant steel structure fabrication contractor, cladding works) in resolving disputes through Adjudication (under the Building and Construction Industry Security of Payment Act) & Litigation.
- Counsel for and advising Management Corporation Strata Title and Subsidiary Proprietors on MCST matters and claims on defects.
- Counsel for and advising construction contracts as creditors of main contractors' winding up and Scheme of Arrangements.
- Advising on all legal aspects of front end contract advisory work (for residential, commercial, institutional, industrial and infrastructural projects) including procurement strategy and incorporation of and amendments to conditions of contract on over 250 construction projects for in Singapore, India, Vietnam & Korea.

COMMERICAL, CIVIL & CRIMINAL MATTERS

- Counsel in and advising a subsidiary one of the largest Sri Lankan conglomerates in a US\$ 165 million dispute arising from the investment, sale and development of land governed by Sri Lankan law and administered the International Chamber of Commerce (ICC) in Sri Lanka.
- Counsel and co-counsel in institutional (including International Chamber of Commerce (ICC), Singapore International Arbitration Centre (SIAC), Singapore Institute of Architects (SIA) and Singapore Institute of Arbitrators (SIArb)) and adhoc arbitrations of civil and construction disputes including for sub-contractors of mechanical and electrical installation works at Mass Rapid Transit depot, for international manufacturers of fiberglass protection for local water treatment plant, for mechanical and electrical installation contractors of air-conditioning works, carrying out marine construction works on vessel in claim against main contractors, and for partner in partnership dispute in entertainment business.
- Advising foreign party in dispute arising from the sale and purchase of shares in foreign hotel governed by Hong Kong law and administered by the Singapore International Arbitration Centre (SIAC) in Singapore.
- Advising foreign health care manufacturer in joint venture dispute governed by English law and administered by the Int'l Chamber of Commerce (ICC) in Spore.
- Advising foreign oil and gas Investment Company in joint venture dispute relating to oil field concessions, governed by English law and administered by the London Courts of International Arbitration (LCIA) in London.
- Advising parties on a variety of arbitration and dispute resolution clauses.
- Providing & advising developers, building owners, construction professionals, & lawyers, construction industry related dispute management services as evaluator, mediator, adjudicator and arbitrator, working with/assisting Arbitrator, Adjudicator, and Mediator.





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COMMERICAL & CIVIL **MATTERS**

- Various Contractual, Commercial and Corporate disputes including cross border disputes for electrical and electronic consumer appliance distribution agreements involving South Korea and South Africa; investment and foreign exchange trading and private banker dispute; inventor and manufacturer of power saving devices and protecting intellectual property rights; and disputes over rent, renovation works, licensing and royalties for entertainment and hospitality companies.
- Banking dispute including private banker on a claim raised by investor against Bank and private banker, recovery of loans, letter of credits, issues arising out of a US sanctioned country and freezing of assets.
- Debt Recovery and litigation for Leasing and Hire Purchase, Financing debts, leading telecom & Yellow Pages.
- Employment including injunctive relief over Restrain of Trade, Confidential Info, Wrongful Termination & use of proprietary productions.
- Partnership, Shareholder, Sales & **Purchase** and Joint Venture agreements disputes.
- Multi-national and local companies Winding Up, Scheme of Arrangements, Capital Share Reduction.
- Matrimonial and related enforcement proceedings (both civil and Syariah Court), Adoption proceedings, Probate and various Criminal matters.

CORPORATE MATTERS

- Drafting and advising on a wide variety of incorporation and agreements including construction, partnership, sale and purchases, venture, mergers and acquisitions, tenancy, advertising, and loan facilities.
- Advising on Share Advising on snare Capital Reduction, Share Buy-back and insolvency matters.
- Working with and advising on contract negotiation; compliance laws and regulations; with developing implanting and departmental strategic programmes professional on practice, business continuity, and employee retention matters and advising regional operations in India, Korea, and Vietnam.
- Drafting and advisina on agreements and contracts including employment matters, human resource issues, consultancy services, shareholders, joint venture, and standardization of front end contract documentation and practice matters.

PUBLICATIONS

- "Online Dispute Resolution Suitability in the Construction Industry", in the Journal Mediation, on December 2016
- "International Arbitration Α Consensus on Public Policy Defences?" in the Asian International Arbitration Journal, Vol 4, No. 2, 2008
- "Scheme Arbitration Efficient ADR" and "Further Options in ADR" in the Spore Medical Association's publications in No.18 Oct & No 19 Dec 2013
- Written Executive Summaries in Davis Langdon & Seah Consultancy on Impact of the Indonesian Ban on Sand Export (Vol 7, Issue 1, Mar 07); case review on NCC Int'l AB v Alliance Concrete S'pore PL (Vol 7, Issue 4, June 07); and the Significance of RDC Concrete PL. v Sato Kogyo (S) PL (Vol 7, Issue 6, Oct 07)

LECTURES - CONSTRUCTION & APPROPRIATE DISPUTE RESOLUTION

- Building & Construction Authority Academy, Singapore - Construction Contract Drafting, Technicalities & Legalities, 2010 onwards
- Land Transport Authority Singapore In-house Training - Alternative Dispute Resolution Project & Claims Management, August 2016
- Singapore Institute of Legal Education, Bar Examinations - Arbitration, Civil Procedure & File Management System modules, 2011 onwards
- Singapore Institute of Surveyors and Valuers -Certificate on Construction Contract Law, 2016-2017; Dispute Resolution (Art of Collaboration vs War) - 2013, 2014 and 2016
- National University of Singapore, Masters in Architecture - Architectural Practice (Law), 2013 and Bachelor of Science in Project & Facilities Management - Project Dispute Management, 2012
- Singapore Management University, Masters in Law of Int'l Trade Module - Appropriate Dispute Resolution, What the Region Holds, 2012
- Chartered Institute of Arbitrators Powers & Jurisdiction of Arbitrators, 16-17 July 2016, New Delhi
- Kuala Lumpur Regional Centre of Arbitration, Malaysia - Adjudicators' Training Programme, 29th September to 3rd October 2012
- Sri Lankan Bar Association Construction & International Commercial Contracts, August 2014
- Society of Construction Law International "Construction Issues" Conferences September 2014, 5th Conference Malaysia: "Appropriate Dispute Resolution", September 2016, 6th Conference Brazil; "Delay and Disruption Protocol (UK), Jan 2017 Malaysia
- UNCITRAL/Construction Industry Arbitration Council of India - "Online Dispute Resolution in the Construction Industry", Feb 2015 New Delhi India



CHANGAROTH CHAMBERS LLC (UEN 201416635N)
ADVOCATES & SOLICITORS COMMISSIONER FOR OATHS & NOTARY PUBLIC



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PUBLICATIONS, LECTURES

APPROPRIATE DISPUTE RESOLUTION – delivered papers conferences, seminars and workshops

ADR Innovation & Update, Iskandar Malaysia's Inaugural Construction Law Conference, Johor Bahru Malaysia, 24th Nov 2016,

Managing Construction Projects & Dispute Resolution (Art of Collaboration), Arcadis Design & Consultancy for Natural and Built Assets, 24^{th} Sep 2016

Mediation Advocacy Training, Asia Pacific International Mediation Summit, The Habitat, New Delhi, India, 12 – 16 February 2015

Appropriate Dispute Resolution – New Trends & What the Region Holds, Royal Institute of Chartered Surveyors (RICS)'s School of Built Environment, Amity University, New Delhi, India 16th February 2015; India International ADR Association's 1st Annual Conference/Business Summit, Kochi India, 16th to 18th May 2013; and Legal ERA Conclave 2012, Singapore, 30th November 2012

Mediation - Regimes, Protocol and Techniques under other Judicial Systems, Mauritius Commission for Conciliation & Mediation (Ministry of Labour, Industrial Relations & Employment), Port Louis Mauritius, 21st November 2011 and Indonesian Corporate Counsel Association's Basic Principles of Mediation as Business Dispute Settlement, Benefit for In-House Counsel, Jakarta Indonesia, 28th January 2010

Dispute Resolution Board, A fresh look at Alternative
Dispute Resolution Mechanisms, Building &
Construction Authority and Singapore Institute of
Surveyors and Valuers (SISV)'s Joint Seminar on
Exploring Alternative Procurement Systems, Singapore,
19th October 2011

Adjudication - Adjudication Decisions, the Essentials, KLRCA Adjudication Training, Kuala Lumpur, Malaysia, 29th Sept to 3rd October 2012 and Malaysian Institute of Architects (PAM), developed and training, Kuala Lumpur Malaysia, 31st July 10 & 24th Sept 2011

Adjudication - Tactics & Strategies for the Respondent, S'pore Mediation Centre's 1st Nat'l Construction Adjudication Conference, 20th Oct 11

Adjudication - Challenges faced, Problems Answered, Charlton Martin Seminar, 6th Oct 2011; SISV, 19th May 2010; and Building & Construction Law Conference, Singapore, 13th November 2009

& PRESENTATIONS

Arbitration & Adjudication - Overview, Differences and Cases Studies, Chartered Institute of Buildings (Mal'sia), Kuala Lumpur, 9th Dec 2010

Arbitration Public Policy Defence to Enforcement of Int'l Awards, Current state of affairs, LawAsia 23rd Int'l Conf, New Delhi India, 12th Nov 2010

Arbitration - Expedient & Cost Effective, Construction Industry Arbitration Centre, New Delhi India, 10th November 2010

Understanding & Managing Construction Claims under the FIDIC Contracts, at the Chartered Institute of Builders (Malaysia) Conference/Workshop, Kuala Lumpur, Malaysia, 25th September 2013 and Mauritius International Conference on Construction Law & Dispute Resolution, Wolmar Flic en Flac, Mauritius, 23rd – 24th November 2011

Rebranding Architect, S'pore Institute of Architects' Minor Works Standard Form Contract 2012, SIA Practice Convention, S'pore, 1st March 13

Construction, 50 Problems Answered, Charlton Martin Seminar, Singapore, 6th October 2011

Construction, Present and what the Future holds – [1] Impact from Polices, Current Trends on Industry & DR; [2] Building Codes, Environmental Sustainability & Housing, Energy Efficiency & Carbon Footprint; & [3] Standard Forms of Contracts, Construction & Building Law Conference, Spore, 5th – 6th July 2012 & 6th – 7th July 2011

Construction Claims Management and Strategies, Chamber of Construction Industry of Sri Lanka, Colombo Sri Lanka, 17th March 2011 and Construction Claims Management Conferences, Singapore, 5th March 2009, 26th May and 29th October 2010

Sand and Granite Ban, Legal Implications and Fluctuation Clauses, CIOB (S), 18th May 2007 and SISV's CPD Seminars, Spore, 1st June 2007

Letters of Intent & Award and **The right way to Contract, An update from recent cases**, SISV, Singapore, 20th November 2009 and 29th June 2007

Insurance in Construction, King's College London/NUS of Spore joint MSc in Construction Law & Arbitration, Singapore, 10th February 2007

Workplace Safety & Health Act's implications, Asia Business Forum on Construction and Dispute Resolution, Singapore, 22nd May 2007

Real Estate Legal Framework, Complexities and Pitfalls of marketing Cross Territorial Transactions and Properties & Estate Agents Liabilities, Singapore Accredited Estate Agencies Ltd and SISV's Global Real Estate Specialist Course, Singapore, 15th September 2009 and 12th May



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SRI LANKA RELATED MATTERS

- Sri Lanka, a brief legal landscape & perspective 2014, at the Singapore-Sri Lanka Business Association's Investor Series, Singapore 14th October 2014
- Sri Lanka, Labour & Skills Development Beyond 2012, Report 2012, by the Singapore-SL Business Association for Her Excellency Ferial Ismail Ashraff, Sri Lankan High Commissioner to Singapore, 28th June 2012
- Infrastructure Developments and Investment Opportunities in Sri Lanka, for the Chartered Institute of Buildings (Singapore), 23rd Sept 2010 and Singapore Sri Lanka Business Association's 2010 AGM, Singapore, 24th May 2010

IN-HOUSE COUNSEL MATTERS

Role of Corporate Legal Counsels in Promoting Foreign Direct Investment to a in a Global Economy, Country Counselling the Business and Assessing the key roles of Corporate Legal Counsels, given the current growth in Asia, on the international panels at the Association of Corporate Lawyer Sri Lanka's 2nd Regional and Int'l Corporate Law Conference, Colombo Sri Lanka, 18th & 19th Mar '10; Australian Corporate Lawvers Association's National Conference, Melbourne Australia, 1st Nov 2007; In-House Legal Counsel Asia Forum, Singapore, 20th Oct '08; and Asia Business Forum Corporate Legal Counsel, Kuala Lumpur Malaysia, 12th Mar '08

CHAIR AND JUDGE on the following programmes and events

- Chair seminar Construction Law, Destructive Relationships of Constructive Acceleration, Society of Construction Law (Spore), 30 Aug 15
- Co Chair at the Arbitration Symposium of the Australasian Forum of International Arbitration's, Singapore, 30th May 2011
- Chair for the session on Arbitration Challenges in Emerging Markets for In House Counsel at the Indonesian Corporate Counsel Association 3rd Regional Conference, Jakarta, 21st April 2011
- □ Chair for session on Arbitration Transnational Perspective & Need for Speedier via Documents Only & Fast Track at the Association of Corporate Lawyer (ACL) Sri Lanka's 2nd Regional (International Corporate Law) Conference, Colombo Sri Lanka, 19th March 2010 and at the SIAC & ACL Sri conference Colombo Sri Lanka, 26th June 2009
- □ Co Judge for the LawAsia 5th International Moot Competition, New Delhi India, 11th to 14th November 2010
- Chair talk on The Architect at Work, Myth & Reality for the Society of Construction Law (Singapore), 3rd August 2010
- □ Co Judge for the Singapore Management University School of Law's Mooting Examinations with Asst Professor Tay Eu-Yen, 30th March 2010
- Chair for Session on In-House Counsels Role in Promoting Foreign Direct Investment to a Country, at the Association of Corporate Lawyer (ACL) Sri Lanka's 2nd Regional (International Corporate Law) Conference, Colombo Sri Lanka, 19th March 2010
- Chair for key roundtable panel on In-House Counsel

 Business Opportunities in the Region and the Role of In-House Counsel at the SCCA Inaugural Regional Conference 2009, 2nd April 2009
- Chair for the Law Society of Singapore & SCL(S)'s Joint Construction Law Conference— Workplace Safety and Health, 17th July 2007

