

# Paul Sandosham, Singapore



**Paul Sandosham**  
**FCI Arb, FSI Arb**

Partner

T: +65 6661 2055

M: +65 9680 3375

E: paul.sandosham  
@cliffordchance.com

Paul Sandosham is a partner in the Litigation and Dispute Resolution practice and heads the Energy, Infrastructure and Resources (Disputes) practice for South East Asia.

Paul is on the roll of solicitors of England and Wales and is admitted to the Singapore Bar. He is registered in the Dubai International Financial Centre Courts' register of practitioners. He is a Fellow of both the Chartered Institute of Arbitrators (FCI Arb) and Singapore Institute of Arbitrators (FSI Arb). Paul is an accredited mediator with the Centre for Effective Dispute Resolution in London (CEDR) and an incorporate member of the Chartered Institute of Building (CIOB).

Paul acts as counsel in court and international arbitration proceedings (under ICC, SIAC, DIAC, ADCCAC, UNCITRAL Rules) for various parties in disputes arising out of large scale construction and infrastructure projects including commercial and residential developments, industrial buildings, resorts, hotels, toll roads, bridges, railways, pipelines, mines, FPSOs, offshore LNG terminals, mooring buoys, oil refineries, and power and chemical plants. He also drafts building contracts, tender documents, work specifications, performance guarantees and other construction related documents. Paul has advised on numerous projects internationally, including in Singapore, Malaysia, Indonesia, Thailand, Vietnam, India, Lao PDR, Philippines, UAE, Qatar, Bahrain, KSA, Mauritius, Maldives and Papua New Guinea.

Paul is on the panel of arbitrators of the Singapore International Arbitration Centre (SIAC), Dubai International Arbitration Centre (DIAC) and Kuala Lumpur Regional Centre for Arbitration (KLRCA). He sits as sole arbitrator and tribunal chairman in arbitrations relating to disputes on various types of projects.

He is a director of The Chartered Institute of Arbitrators (Singapore) Ltd and is the current vice-chairman of the Society of Construction Law (Singapore). He speaks regularly at conferences on arbitration related topics and is on the Faculty of CI Arb where he teaches arbitration courses conducted by CI Arb. Paul is a member of the Law Society's Alternative Dispute Resolution Committee, and a member of the appointments sub-committee responsible for appointing arbitrators under the Law Society of Singapore Arbitration Scheme (LSAS).

Paul is recognised as a leading construction and dispute resolution lawyer and has been commended in numerous prominent legal publications including *Chambers Global - The World's Leading Lawyers for Business*, *The Legal 500: Europe, Middle East & Africa*, *Global Arbitration Review's 100*, *Who's Who Legal – The International Who's Who of Business Lawyers*, *Euromoney's Guide to the World's Leading Construction Lawyers* and *Asian Legal Business*.

# Paul Sandosham, Singapore (continued)

## Accolades

- Commended in numerous independent legal publications, including Asian Legal Business where he has been identified as one of the "Hot 100 lawyers".
- Recognised for his active arbitration practice in *Global Arbitration Review's 100 (2011 edition)*, an international publication that ranks the top 100 arbitration firms in the world.
- Recommended by *The Legal 500: Europe, Middle East & Africa, 2012* in the field of construction and is recognised by clients as a "litigation expert" who is "clear in his instructions and fully in command of the assignment" and valued by clients as a lawyer who is "always there when you need him."
- Recognised in *Chambers Global-The World's Leading Lawyers for Business 2012*, as a lawyer "who is particularly prevalent in the real estate and construction sectors".
- Nominated as a leading construction lawyer in *Who's Who Legal: The International Who's Who of Construction Lawyers, 2012*.
- Nominated in *Euromoney's Guide to the World's Leading Construction Lawyers, 2013*.
- Recommended in *Chambers & Partners – Guide to the World's Best Lawyers in Asia-Pacific, 2014* in *Dispute Resolution – Arbitration* and described by clients as follows: "He has a great talent for getting to the root cause of the issues and for getting to grips with the technical issues presented by factual and expert witnesses..In terms of drafting clauses he is very astute, and he is a great speaker as well."

## Examples of his experience in construction/engineering/infrastructure/energy/oil & gas/power/resources (mining) disputes (including litigation & arbitration)

- a sub-contractor in a dispute with its main contractor in relation to the construction of viaducts for a Light Rail Transport (LRT) system in Singapore
- an international contractor in a dispute arising out of the construction of MRT rail lines and an MRT station in Singapore
- an Italian contractor in an ICC arbitration against a Thai sub-contractor arising out of the construction of a hydropower plant in SEA under a sub-contract governed by English law
- the owner of several coal mine concessions in Indonesia in a dispute with its mining contractor arising out of a mining operating agreements governed by Australian State laws
- a Korean contractor in a dispute with the employer arising out of the construction of a hospital and medical facility in Singapore
- an oil major in arbitration proceedings under UNCITRAL Rules against an international contractor & developer (a government entity) for damage to an oil terminal caused by reclamation and dredging works amounting to over US\$40 million
- a resort developer in arbitration under SIAC Rules against an Indonesian company relating to the sale of land in Bintan Island, Indonesia, (over 200 hectares) for the construction of a beach resort and golf course
- an oil major in a High Court Suit in a claim against a public listed company in India for breach of a petrochemical supply agreement (with concurrent proceedings in the Mumbai Courts)
- a Korean contractor in a dispute with the employer arising out of a contract for the refurbishment for a convention centre worth over US\$300 million.
- a contractor in arbitration proceedings under the ICC Rules in relation to the construction of an industrial complex in Abu Dhabi
- a supplier in arbitration proceedings under the DIAC Rules in relation to materials and equipment supplied for a chemical plant in Qatar
- an energy conglomerate in a multi-billion dollar dispute with its EPC contractor for the construction of a process plant in Singapore
- an international contractor in arbitration proceedings under the ICC Rules in relation to work done for the construction of a smelter plant in the UAE
- a contractor in arbitration against the Government of Singapore for extension of time, prolongation costs, unpaid variations and damages in connection with the construction of a bridge. *Antara Koh Pte Ltd v Government of Singapore (1997) 2 SLR 167*

# Paul Sandosham, Singapore (continued)

- a German contractor in a High Court suit commenced by its specialist sub-contractor in connection with works carried out for the construction of a chemical plant in Singapore
- a Thai oil exploration company in a dispute with its EPC contractor arising out of a contract for the procurement and construction of an oil production platform
- a German and US consortium in a dispute with the owner in relation to the construction of a geothermal power plant in the Philippines
- an oil major in a dispute with an international resources firm arising out of a breach of a supply agreement
- a developer (subsidiary of a public listed company) against a Belgian Contractor in arbitration proceedings in Mauritius governed by Mauritian law in connection with the construction of a 5-star resort hotel in Mauritius
- a main contractor in a claim for over US\$ 40 million arising out of the termination of contracts for two commercial office blocks in Dubai
- a main contractor (Government Linked Company) in an arbitration under ICC Rules in connection with a claim by a sub-contractor for extension of time, prolongation costs and variations relating to the construction of sewage facilities in Singapore
- a German contractor in dispute with its Indonesian employer arising from wrongful termination of a contract for construction of a pulp and paper mill in Indonesia
- a property developer in resisting claims for extension of time and prolongation costs by the main contractor due to delays caused by a slope failure in connection with the construction of a condominium in Singapore
- a Malaysian contractor in a dispute with the owner arising out of the construction of a hospital in Saudi Arabia
- a developer in a tripartite arbitration involving a claim by a supplier for unpaid monies and claim by contractor for extension of time and prolongation costs in connection with the construction of a 26-storey condominium in Singapore
- a granite cladding sub-contractor in arbitration against a Japanese contractor for acceleration costs, unpaid variations and monies withheld in connection with construction of 8-storey office block in Singapore
- a British M&E sub-contractor in arbitration against a Japanese main contractor for extensions of time, prolongation costs, acceleration costs and loss of productivity totalling over US\$ 35 million in connection with the construction of an educational complex in Singapore
- a contractor in claims against a Government Ministry arising out of a collapsed roof in a warehouse under construction arising from negligent design by the design consultant
- a property developer in arbitration proceedings brought by a Japanese contractor for extension of time, prolongation costs and variations in connection with the construction of 600-unit condominium in Singapore
- a property developer in arbitration proceedings commenced by a Japanese contractor for extension of time, prolongation costs, variations etc. in connection with an A&A contract for a shopping/retail complex in Singapore
- a property developer in arbitration involving claims by the main contractor for extension of time, prolongation costs, variations in relation to the construction of a country club in Singapore
- a French contractor in arbitration under SIAC Rules against its M&E sub-contractor claiming costs of variation works in connection with the construction of 5-star hotel in Singapore
- an international design consultant in litigation proceedings against the owner in relation to design work for a project in Saudi Arabia

# Paul Sandosham, Singapore (continued)

- an international design consultant in arbitration proceedings against the owner arising out of a claim for negligent design of a factory in Abu Dhabi
- a structural engineer in a High Court suit commenced by the employer alleging breach of duty in supervision of works and defects in design for roof works by the engineer.
- an Australian specialist contractor (EPC contract) in claims by the employer for contamination of a compressed dry air system in a manufacturing facility in Singapore
- a developer in arbitration proceedings against its Japanese contractor for defective external wall cladding in a prime office block resulting in severe leaks and dislodged granite tiles
- a developer of a condominium in a High Court suit by the management corporation for defects in common property
- a piling contractor in a High Court suit by the owner of a neighbouring office building for damage caused by construction works. Suit involved several parties including the owner, main contractor, specialist piling sub-contractor and insurers
- an architect in a High Court suit involving a claim by the management corporation for defects in common property in a premium condominium in Singapore
- the owners of a hospital/medical centre in a High Court suit against a Japanese specialist sub-contractor in relation to defects in the vertical lift mechanical car-parking system
- a developer in a High Court suit commenced by the main contractor for return of liquidated damages deducted for delays, which resulted in a landmark ruling on the power of Court to order arbitration and the liability of consultants to the main contractor in tort. *Yee Hong Pte Ltd v Andrew Tan v Ho Bee Development Pte Ltd* (2005) 4 SLR 398
- a power generation company before the Market Surveillance and Compliance Panel of National Electricity Market of Singapore in a prosecution by the regulator for breaches of the Energy Market Rules
- an international design consultant in a dispute with the owner and sub-consultant in relation to the design of a bus depot in UAE
- an oil major in relation to a dispute arising out of a gas supply agreement
- an oil major in relation to a dispute arising out of the termination of an Off-Take Agreement
- a gas transporter in claims arising out of damage to its gas pipelines in Singapore
- a Singapore incorporated company in ICSID and court proceedings against the Independent State of PNG for expropriation of shares in a gold & copper mine in PNG.

## **Examples of his experience in commercial litigation & other legal proceedings includes advising:**

- a European commodities company in a dispute with its joint venture partner arising out of unauthorised payments made to third parties
- a Singapore insurance company in a claim by an Australian company for an indemnity under a credit insurance policy
- a minority shareholder in a dispute with a majority Japanese shareholder in a freight forwarding company
- a director of a pawnshop in a High Court suit in connection with a claim by the company for loss and damage arising from alleged breach of fiduciary duties
- a bank (as mortgagee) in competing claims over 4-acre plot of land arising out of a sale and purchase agreement in 1973
- three international banks in High Court suit against the agent bank for negligence in administration of a US\$150,000,000 Syndicated Loan Facility (involving seven other major banks) to a rubber conglomerate (now in liquidation). Dispute involved Singapore law and New York law

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- a Japanese supplier in claim against a distributor for payment under D/A Bills. Action involved resisting application for judicial management and applying for liquidation of company. Also involved assisting Official Receiver to recover debts from India
- a Singapore resort management company in arbitration under the SIAC Rules against the Indonesian owners of a 5-star resort in Bali in connection with a breach of the management agreement. Concurrent proceedings in Indonesia up to the Supreme Court of Indonesia
- a pulp and paper trading company in High Court Suit against its former managing director for breach of fiduciary duties. Service agreement governed by English law. Concurrent related legal proceedings in the English Commercial Court
- a golfer in a High Court suit against a professional golfer's association for breach of rules of natural justice
- a doctor in Medical Inquiry proceedings following the death of a patient
- an oil major in investigations (and coroner's inquiry) by a Government Ministry into a boiler explosion at chemical plant resulting in two fatalities
- an oil major in investigations arising out of industrial fatalities at a petroleum refinery in Singapore
- a successful claimant in the enforcement of an Indian arbitral award in the Singapore High Court and coordinating enforcement of the award in Dubai and London
- the compliance officer before the Qatar Financial Centre Regulatory Tribunal for breaches of Financial Market Rules

## **Drafted and advised on contract documents for various projects including:**

- residential and commercial complex
- wafer fabrication plant
- retail/entertainment/commercial complex (contract sum approximately US\$150 million)
- township development project in India
- shoreline redevelopment project
- sand aggregate terminal
- large scale housing for foreign workers
- process and petrochemical plant
- integrated resort development (contract sum in excess of US\$3.5 billion)
- oil refinery and cogeneration plant
- coal mine
- nickel mine
- port

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## Key appointments

- Board of directors of The Chartered Institute of Arbitrators (Singapore) Limited, serving as a member of its professional development committee, and is on the CIArb's approved faculty list where he teaches courses on arbitration
- Vice-Chairman of the Society of Construction Law (SCL), and chairman of its external relations committee
- Specialist contributor and co-editor of the publication entitled *Doing Business in India* and co-author of the chapter on *Dispute Resolution*.
- Assistant editor and co-author of the published book entitled *India-Singapore CECA, The Investor's Guide*
- Honorary legal advisor to the Association of Aerospace Industries (Singapore) and the Singapore Chapter of the International Real Estate Federation (FIABCI - Singapore)
- Member of Law Society's Alternative Dispute Resolution Committee
- Member of the team of lawyers that drafted the Law Society of Singapore's Arbitration Scheme (LSAS) Arbitration Rules
- Assistant Adjunct Professor of the National University of Singapore teaching construction law

## Arbitral Appointments:

- DIAC Case No. 7/2008 - Sole Arbitrator
- DIAC Case No. 58/2010 – Sole Arbitrator
- DIAC Case No. 92/2010 – Sole Arbitrator
- DIAC Case No. 125/2010 – Sole Arbitrator
- DIAC Case No. 131/2010 – Sole Arbitrator
- DIAC Case No. 212/2010 – Tribunal Chairman
- DIAC Case No. 402/2010 – Sole Arbitrator
- SIAC Case No. 161/2013 – Sole Arbitrator
- SIAC Case No. 182/2011 – Sole Arbitrator

## Qualifications and admissions

- University of Bristol (LL.B.Hons)
- Postgraduate Diploma in Singapore Law (with merit)
- Singapore Bar
- Roll of Solicitors of England & Wales
- DIFC Courts Register of Practitioners