

DANIEL CHUA

Senior Associate
LL.B. LL.M. CLP



Bar admission: Advocate and Solicitor, Malaysia, 2015; Solicitor, England and Wales, 2019
Nationality: Malaysian
Languages: English, Malay

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AREAS OF EXPERTISE

- > Arbitration / Litigation
- > Investment Law

INDUSTRY SECTORS

- > Mergers and acquisitions
- > Mining & Metals
- > Oil & Gas
- > Telecommunications

PROFESSIONAL PRACTICE

Daniel is a senior associate at Peter & Kim in Singapore, specialising in cross-border dispute resolution with a particular focus on international commercial and investment treaty arbitration.

Daniel is experienced in resolving disputes in common law and civil law jurisdictions primarily in the energy, hotels, infrastructure, mergers and acquisitions, mining, professional services and telecommunications sectors, as well as disputes involving elements of public international law, sanctions and ESG.

Daniel advises and represents states, state-owned entities and multinational corporations in disputes arbitrated under various institutional rules (including AIAC, BANI, DIAC, HKIAC, ICC, ICSID, UNCITRAL, SIAC and VIAC). Daniel has also advised and represented clients in arbitration-related litigation before national courts, including on staying litigation proceedings, obtaining interim measures in aid of arbitration, and challenging and enforcing arbitral awards in domestic courts.

Daniel also has experience in other forms of dispute resolution, including commercial mediation, expert determination as well as litigation in commercial and appellate courts. He also regularly advises and represents multinational corporations in government investigations and internal investigations.

Daniel is a Fellow of the Chartered Institute of Arbitrators, and an Accredited Tribunal Secretary at the Hong Kong International Arbitration Centre. Daniel also holds an adjunct faculty position in Taylors University, Malaysia, where he teaches international dispute resolution. He is also currently a Member of the Asia Pacific Sub-Committee of the Campaign for Greener Arbitrations, and Member of the Asian International Arbitration Centre's Young Practitioners Group Investment Arbitration Committee.

Daniel is a Solicitor of the Senior Courts of England and Wales, and is an Advocate and Solicitor of the High Court of Malaya (non-practising).

CAREER

- > Senior Associate, Peter & Kim, Singapore (2022 to Present)
- > Senior Associate, Mayer Brown, Singapore (2022)
- > Associate, Herbert Smith Freehills (Kuala Lumpur) (2018 to 2022)
- > Associate, Cecil Abraham & Partners, Kuala Lumpur (2016 to 2018)
- > Intern, Wilmer Cutler Pickering Hale and Dorr LLP, London (2017)
- > Pupil-in-Chambers, Rahmat Lim & Partners, Kuala Lumpur (2014 to 2015)

EDUCATION

- > Diploma Certificate in International Arbitration, Chartered Institute of Arbitrators (2019)

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- > Master of Laws (Bentham Scholarship), University College London (LLM, 2016)
- > Certificate in Legal Practice (Tan Sri Dato' Seri P Alagendra Scholarship Award, and Law Faculty Dean's Scholarship Award), Legal Profession Qualifying Board (CLP, 2014)
- > Bachelor of Laws (First Class Honours) (Duli Yang Maha Mulia Tuanku Jaafar Scholarship Award), University of London (LLB, 2013)

PROFESSIONAL ASSOCIATIONS

- > Core Committee Member, Asian International Arbitration Centre Young Practitioners Group, Investment Arbitration Committee
- > Member, Campaign for Greener Arbitrations, Asia Pacific Regional Sub-Committee
- > Fellow, Chartered Institute of Arbitrators
- > Accredited Tribunal Secretary, Hong Kong International Arbitration Centre

REPRESENTATIVE CASES

- > Representing an international telecommunications company in ICSID arbitration against Nepal in respect of breaches of international law obligations arising from a tax dispute.
- > Representing a Thailand cement conglomerate in ICC arbitration in relation to a joint venture dispute over a mining concession in Myanmar under Myanmar law.
- > Representing an Indonesia-based company in SIAC arbitration in relation to a dispute over the failure of a long-term coal mining and offtake agreement in a coal mine in Indonesia under English law and Indonesian law.
- > Representing a Bruneian state-owned entity (SOE) in SIAC arbitration relating to a construction dispute involving delay and prolongation claims over the modernization of an airport in Brunei under Brunei law.
- > Representing a Malaysian utilities company in SIAC emergency arbitrator proceedings to restrain parallel ad hoc arbitration in India in a dispute relating to the construction of a waste heat recovery power generation plant.
- > Representing an oil and gas exploration and production company in BANI arbitration and mediation relating to liabilities for lost-in-hole equipment in offshore drilling rig dispute in the Lemang PSC block under Indonesian law.
- > Representing a leading FSRU and LNG infrastructure provider in consolidated SIAC arbitrations in a dispute over the validity of a long-term charter of an FSRU vessel to an Indonesian SOE under Indonesian law.
- > Representing an international hotel chain in SIAC and ICC arbitration to restrain parallel Thai litigation commenced by two separate hotel property owners in Thailand in breach of its arbitration agreements under Thai, English and Hong Kong law.
- > Advising and representing a Chinese SOE in SIAC arbitration over fraudulent misrepresentations which caused its purchase of a majority stake in a joint venture company having interests in various oil and gas fields in the North Sea under English law.
- > Advising and acting for a Filipino conglomerate against an auditing firm on claims of professional negligence in VIAC (Vietnam) arbitration for the failure to detect fraud within a Vietnamese subsidiary under Vietnamese law.
- > Advising and representing a foreign state in the Malaysian High Court to claim sovereign immunity in proceedings brought against the host state.
- > Representing a Singaporean company in the Malaysian High Court in resisting an application to set aside and challenge the enforcement of an arbitral award made against a state government.

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- > Representing ultra-luxury international hotel chain in the Malaysian High Court for an application for interim remedies to preserve the subject matter of a dispute pending the commencement of HKIAC arbitration.
- > Representing a Malaysian mining company in an application to stay statutory foreclosure proceedings in the Federal Court in favour of arbitration proceedings on a novel point of arbitrability and public policy under Malaysian law.
- > Representing a Singaporean plastics manufacturer in the Malaysian High Court an application to stay a company winding up petition premised on minority oppression in favour of arbitration proceedings.
- > Conducting for a U.S. pharmaceutical and life sciences multinational corporation various U.S. Foreign Corrupt Practices Act internal investigations into alleged fraud violations and corporate misconduct in its PRC, Indonesian, Indian and Malaysian operations.

PUBLICATIONS

- > Kwong Chiew Ee, Chai Phing Zhou, Daniel Chua, Aravind Kumarr and Melvin Ng, *Commercial Conflict of Laws in Malaysia* (Sweet & Maxwell, 2022)
- > Daniel Chua, 'Malaysia's Investment Treaty Disputes: Experience of Malaysia and its Investors', *Asian International Arbitration Centre Newsletter* (2019)
- > Cecil Abraham and Daniel Chua, 'Malaysia Report' in Lise Boseman (ed), *ICCA International Handbook on Commercial Arbitration* (Supplement 100, 2018)
- > Sunil Abraham, Daniel Chua and Syukran Syafiq, 'Malaysia' in Tai-Cheng Heng and Odysseas Repousis (eds), *Getting the Deal Through: Sovereign Immunity* (Lexology, 2018)
- > Cecil Abraham, Aniz Amirudin and Daniel Chua, 'Interaction of Laws: An Asian Perspective' in Neil Kaplan and Michael Moser (eds), *Jurisdiction, Admissibility and Choice of Law in International Arbitration: Liber Amicorum Michael Pryles* (Kluwer, 2018)
- > Sunil Abraham and Daniel Chua, 'International Bar Association Arbitration Committee's Arbitration Guide – Malaysia' (International Bar Association, 2018)
- > Cecil Abraham et al, 'Misrepresentation' in Nallini Pathmanathan (ed), *Bullen & Leake & Jacob's Malaysian Precedents of Pleadings* (Sweet & Maxwell, 2017)
- > Sunil Abraham and Daniel Chua, 'Dispute Resolution Law Guide 2017 – Malaysia' (LexisNexis 2017)

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