



Charles K. S. Tay

Senior Associate

charles.tay@mayerbrown.com

Singapore

T +65 6922 2242

"[Charles] provide[s] precise legal advice" – Global Arbitration Review (GAR) (2022)

Charles Tay is a senior associate in the International Arbitration practice in Mayer Brown's Singapore office. His case experience includes work on major cross-border disputes spanning energy, private equity, construction, post-M&A, technology, investor-state and general commercial interests. As a lawyer with a full academic and practice grounding in both the common law and civil law legal traditions, Charles is particularly well-placed to handle disputes spanning varied legal systems and geographies.

Prior to joining Mayer Brown in Singapore in 2022, Charles had worked in one of China's top Red Circle firms in Beijing focusing on global China-related arbitrations, was a Visiting Foreign Lawyer with Gary Born's international arbitration practice at Wilmer Cutler Pickering Hale & Dorr LLP in London, and was an associate and tribunal secretary to leading international arbitrator Dr. Michael Hwang S.C.

Alongside his practice, Charles holds roles as Asia-Pacific Regional Representative of the London Court of International Arbitration's Young International Arbitration Group (LCIA-YIAG) for 2020-2024 and Steering Committee Member of the Tashkent International Arbitration Centre's TIAC45 for 2021-2023. He has also attained Fellowship of the Chartered Institute of Arbitrators (UK) and has been empanelled onto the Reserve Panels of Arbitrators at both the Singapore International Arbitration Centre (SIAC) and the Tashkent International Arbitration Centre (TIAC).

Charles holds a Master of Laws from Peking University's School of Law, where he was a Chinese Government Scholar and a China Development Bank Excellence Award prizewinner. Earlier at the University of Queensland from 2009 to 2012, he was twice awarded Dean's Commendations for High Achievement and had represented the university at the Asia-Pacific and Harvard Model United National Conferences.

Charles is a Singapore qualified lawyer, fluent in English and Mandarin Chinese.

Experience

- Successfully represented an international industrial conglomerate as respondent in an ICC arbitration concerning the nuclear industry in China. The tribunal dismissed all of the claimant's claims and awarded a substantial part of the respondent's counterclaims.

- Successfully represented a large Asian conglomerate in a SIAC arbitration over a substantial international electrical business purchase concerning post-purchase price adjustments. The tribunal issued its award in favour of the client.
- Successfully represented a construction company at the High Court of Singapore over payment disputes over work done for a commercial property development. The Court issued its judgment ordering almost full payment in favour of the client.
- Represented a nationwide Chinese business in parallel HKIAC arbitration and offshore Cayman proceedings concerning Series C private equity investors' rights under a shareholders' agreement.
- Represented an Asian main board listed company as respondent in a bilingual English-Mandarin CIETAC arbitration over a derailed share and technology business sale in China and another Asian state.
- Represented a Chinese technology company as claimant in a bilingual English-Mandarin CIETAC arbitration over an unsuccessful technology purchase involving artificial intelligence and machine learning from a European technology company.
- Represented a construction company at the Singapore Court of Appeal (Singapore's apex court) in a dispute over the interpretation of provisions under Singapore's Building and Construction Industry Security of Payment Act.
- Represented a construction company at the Singapore Court of Appeal in a dispute over a Singapore government housing project involving about 250 residential units.
- Assisted in a bilingual ICC arbitration and related offshore proceedings involving a shareholder dispute between two Asian conglomerates over a nationwide business in China.
- Assisted in a very large HKIAC arbitration (quantum >USD 900 million) involving a Chinese state-owned oil & gas company concerning an oil project in Africa.
- Assisted in a dispute involving a very large set of parallel NAI and CIETAC arbitrations (quantum >USD 1 billion) involving a Chinese technology company over claims arising under investment and technology licensing agreements.
- Assisted in handling a dispute involving the enforcement of arbitration awards in Mainland China, New Zealand, Hong Kong and Singapore.
- Assisted in handling a dispute involving the enforceability of an arbitration award in Hong Kong due to the alleged presence of "carve-outs" in the underlying arbitration agreement.
- Assisted in handling a dispute involving the impact of certain oral agreements made between Chinese and British nationals concerning a substantial cross-border infrastructure business.
- Advised a large Chinese state-owned oil & gas company against multiple hydrocarbon majors on force majeure disputes triggered by the Covid-19 pandemic.
- Served as tribunal secretary in 7 international commercial arbitrations (SIAC, ICC, HKIAC, AAA-ICDR and ad hoc) with subject matters at dispute including international supply of goods, oil & gas, construction, business acquisition and shareholder agreements.

- Assisted Dr. Michael Hwang S.C. in his role (then) as Chief Justice of the Dubai International Financial Centre's (DIFC) Courts with bench memoranda and case management at the DIFC's Court of Appeal.

Education

- Peking University, Master of Laws (Chinese Government Scholar; China Development Bank Excellence Award)
- The University of Queensland, Bachelor of Laws (Honours)

Admissions

Bar

- Singapore

Activities

- Asia-Pacific Regional Representative, London Court of International Arbitration's Young International Arbitration Group (LCIA-YIAG) (2020-2024)
- Steering Committee Member, Tashkent International Arbitration Centre's TIAC45 (2021-2023)

Perspectives

- "Satellite Launch and Production Services and Arbitration in the Chinese Private Sector," *Journal of International Arbitration*, December 2022
- "Tashkent International Arbitration Centre - Uzbekistan's New Arbitral Institution," *GAR Asia-Pacific Arbitration Review*, July 2021
- "World Roundup: Asia," *International Law Quarterly*, Spring 2020
- "World Roundup: Asia," *International Law Quarterly*, Winter 2019
- "Substantive Legitimate Expectations: The Singapore Reception," *Singapore Academy of Law Journal*, September 2014

Events

- International Arbitration in China, March 2022
- Belt and Road Initiative: Current Challenges and Future Prospects, September 2021
- Force Majeure, Hardship and Pandemic Fuelled Disputes, September 2021
- Arbitral Procedures in China, August 2021
- Bankruptcy vs International Arbitration, June 2021
- International Arbitration in China, May 2021
- Implications of China's Doctrine of Strict State Immunity on Belt & Road Disputes, November 2020