

Gerald Singham

Global Vice-Chair and ASEAN CEO



Global Vice-Chair and ASEAN CEO

Singapore

D +65 6885 3644

gerald.singham@dentons.com

Overview

Gerald Singham is the Global Vice-Chair & ASEAN CEO at Dentons. He is also a senior partner in our Corporate practice, and he leads the firm's Competition practice. He has extensive experience advising domestic and multi-national clients from a broad range of industries on competition law matters. He deals with all aspects of competition law including merger clearance/notifications, cartel investigations, dawn raids, leniency applications and reviewing and advising on competition restrictive practices and sectoral competition laws.

Gerald also regularly conducts competition law compliance seminars and competition law audits, and sits on the competition law roundtable of the Competition and Consumer Commission of Singapore ("CCCS").

Gerald's other areas include a broad range of corporate transactions including mergers and acquisitions, joint ventures, private equity, foreign direct investments and cross-border transactions.

Gerald is named in numerous legal guides and directories including the *Chambers Asia-Pacific*, *The Legal 500 Asia Pacific*, *Global Competition Review*, *Who's Who Legal*, *IFLR1000*, *Asialaw Leading Lawyers* and *Best Lawyers*.

Experience

- **Confidential client:** Advising a multi-national pharmaceutical company on the competition issues arising from its acquisition of certain pharmaceutical product lines from a competitor.
- **Flipkart Private Limited:** Acting as Singapore counsel to Flipkart Private Limited, in the US\$16 billion acquisition, which involved competition law merger control clearance in India, leading to Walmart Inc becoming Flipkart's largest shareholder. This deal won The Asia Legal Awards 2019 for TMT Deal of the Year, Asian Legal Business India Law Awards 2019 for M&A Deal of the Year (Premium), India Business Law Journal 2018 for M&A Deal of the Year and FinanceAsia Achievement Awards 2018 for Deal of the Year for Asia, Best M&A Deal in Asia and Best India Deal.
- **Leading Japanese car manufacturer:** Advising on various competition law issues including distributorship/dealership arrangements, retail pricing policies and competitive restraints. With the growing regulatory scrutiny on the car manufacturing industry worldwide, the provision of strategic advice on the permitted limits of the manufacturer's commercial strategies from a competition law perspective is extremely

crucial for the manufacturer as it competes in a highly competitive and saturated industry, where aggressive commercial strategies must continuously keep pace with growing regulatory oversight.

- **Far East Hospitality Management (S) Pte. Ltd.:** Acting for Far East Hospitality Management (S) Pte. Ltd. and two hotels under its management, in CCCS's investigation into the hotel industry for the exchange of price-related commercially sensitive information.
- **Shareholders of Singapore Poultry Hub Pte. Ltd.:** Acting for the shareholders of SPH in relation to the formation of Singapore's first poultry slaughtering hub. This ground breaking decision issued 29 June 2018 marks the first of many hub formations for land-scarce Singapore, proving that competitors can compete fairly and effectively with the right processes in place. Following commercially viable commitments offered to CCCS, the CCCS found that the joint venture, if carried into effect, would not infringe the section 34 of the Competition Act of Singapore.
- **Confidential client:** Acting in the record infringement decision issued by the CCCS. The CCCS had on 12 September 2018 imposed its highest ever financial penalty of almost S\$27 million against 13 fresh chicken distributors for engaging in anti-competitive agreements to coordinate the amount and timing of price increases and agreeing not to compete for each other's customers in the market for the supply of fresh chicken products in Singapore. CCCS' record penalty highlights its growing enforcement prowess against cartel conduct particularly those involving parties with huge market shares and whose conduct were serious and protracted. Dentons Rodyk was successful in assisting the client to make various representations (including in relation to leniency) that resulted in a significant reduction to the financial penalties imposed on the clients.
- **Panasonic Corporation:** Acting in connection with the sale and purchase agreement for the sale of three subsidiaries of Panasonic to UTAC Manufacturing Services Limited, a wholly owned subsidiary of UTAC Holdings Ltd, a leading semiconductor testing and assembly services provider headquartered in Singapore. The three Panasonic subsidiaries being divested operate semiconductor testing and assembly facilities, strategically located in Singapore, Indonesia and Malaysia. The total transaction value for the acquisition by UTAC will be USD 116.5 million, payable over five years, inclusive of certain transitional services agreements with Panasonic.
- **Panasonic Corporation:** Acting as Singapore legal counsel to this electronics company and its local subsidiaries in respect of the investigations by CCCS for price fixing.
- **Cyclect Group and Chemicrete Enterprises Pte Ltd:** Advising in relation to an investigations into alleged bid-rigging activities.
- **Multinational freight forwarder companies:** Acting for MOL Logistics (Japan) Co Ltd and its local subsidiary, MOL Logistics (Singapore) Pte Ltd, and "K" Line Logistics Ltd and its local subsidiary "K" Line Logistics (Singapore) Pte Ltd, in relation to the first international cartel investigation by the CCCS.
- **Japan Airlines International Co Ltd and American Airlines Inc (the "Joint Applicants"):** Acting in their Notification Application for Decision to the CCCS under s.44 of the Competition Act (Cap. 50B) with respect to their Joint Business Agreement and Alliance Agreement (the "Agreements"). These Agreements were cleared by CCCS on 7 April 2011. The CCCS' clearance decision allows the Joint Applicants, as members of the oneworld alliance, to implement the Agreements in relation to Singapore, boosting their level of cooperation on the operation of transpacific routes between Singapore and United States via Japan. The Agreements enable the two carriers to work together to optimise and expand their product offerings and quality of service to air passengers, providing enhanced and more effective competition against other global airline alliances. After nearly four months of deliberations and intense scrutiny of submissions and arguments submitted on behalf of the Joint Applicants, the CCCS issued their official clearance of the Agreements on 7 April 2011, concluding that the Agreements result in net economic benefits to competition in Singapore and are thus excluded from the s.34 prohibition of the Competition Act.
- **AIG:** Acting as Singapore counsel, advising on Singapore regulatory and merger control issues relating to the proposed sale of its Asian life insurance arm to Prudential PLC for S\$50 billion.
- **Heineken International B.V.:** Acting for Heineken International B.V. in its notification application to CCCS.

The notification application was in relation to the acquisition of up to the entire issued and outstanding ordinary share capital of Asia Pacific Breweries Limited and Asia Pacific Investment Pte Ltd. This was a significant merger control notification as it involved a comprehensive analysis of the competition law aspects in the beer market for the first time in Singapore. The merger notification clearance was also successfully obtained within the Phase 1 Review Period (30 working days) deadline thus keeping within the transaction timetable.

- **Minebea Co., Ltd and NMB Singapore Limited (a Singapore subsidiary of Minebea Co., Ltd):** Acting in an investigation conducted by the CCCS on alleged collusive conduct in the small-sized ball bearings and pivots industry (the “Collusive Conduct”). This cartel investigation was concurrently investigated in other jurisdictions, including the US and Korea, and went on for at least three years. A favourable result was secured in the form of a notice from the CCCS of the cessation of its investigations into the Collusive Conduct without any finding of liability or issuance of fines, based on the evidence and information currently available.
- **Citynet Infrastructure Management Pte Ltd (as Trustee-Manager of the Netlink Trust):** Acting in the clearance with the Infocomm Development Authority (IDA) pursuant to the Telecommunications Act (Cap. 323) and the Code of Practice for Competition in the Provision of Telecommunication Services 2012 for the consolidation of an enlarged infrastructure business trust between CitySpring Infrastructure Trust (through its Trustee-Manager, Citynet Infrastructure Management Pte Ltd) and Keppel Infrastructure Trust (through its Trustee-Manager, Keppel Infrastructure Fund Management Pte Ltd). The enlarged trust will be the largest Singapore infrastructure-focused business trust with total assets of over S\$4 billion.
- **Various parties:** Acting for various local and multinational companies for leniency applications at CCCS involving different industries.
- **Archer Daniels Midland Co. (“ADM”):** Advising in ADM's divestment of its global cocoa business to Olam International Limited (“Olam”). The multi-jurisdictional sale encompassed ADM's entire global cocoa business, including processing facilities in Mississauga, Canada; Koog aan de Zaan and Wormer, Netherlands; Mannheim, Germany; Ilhéus, Brazil; Abidjan, Côte d'Ivoire; Kumasi, Ghana; and Singapore. The transaction also included the sale of ADM's buying stations in Brazil, Cameroon, Côte d'Ivoire, and Indonesia, the ADM's brands, deZaan and UNICAO and the transfer of the majority of the approximately 1,550 employees in ADM's cocoa business, to Olam for US\$1.2 billion.
- **Archer Daniels Midland Co. (“ADM”):** Acting as Singapore counsel for Archer Daniels Midland Co., in the sale of its global chocolate business to Cargill Inc. (“Cargill”). The multi-jurisdictional sale involving the transfer of ADM's North American, European, Brazilian and Asian plants, ADM's brands such as Ambrosia, Merckens and Schokinag and the transfer of approximately 670 employees from ADM to Cargill, was valued at US\$ 400 million (subject to post-completion adjustments).
- **Malayan Banking Berhad bank:** Acting in its US\$1.5 billion acquisition to secure a controlling stake in PT Bank Internasional Indonesia Tbk (BII).
Singapore corporate: Appointing counsel to Norway's Renewable Energy Corporation (REC), which is committed to building the world's largest solar manufacturing plant in Singapore at an anticipated investment of S\$6.3 billion.
- **Eureka GmbH, a subsidiary of the Munich Re Group:** Acting in the divestment of its entire stake in Eureka Office Fund Pte Ltd to CapitalLand (Office) Investments Pte Ltd, comprising 50% of the ordinary shares and 50% of the voting preference shares in the issued share capital of EOF not already owned by CapitalLand. The transaction had a cash consideration of about S\$590.6 million.
- **Tiger Global Four Holdings, a hedge fund:** Acting in US\$60 million equity-cum-debt investment in Athena Projects, a holding company of hydroelectric and thermal power plants in India.
- **Parco Co Ltd and The Seiyu Ltd:** Acting in the S\$139 million divestment by its Singapore subsidiaries of all the share capital of its retail subsidiary to a wholly owned subsidiary of CapitalLand Limited.

Recognition

- *Best Lawyers in Singapore*: Recognised in the area of Competition/Antitrust Law, 2021
- *Best Lawyers in Singapore*: Recognised in the area of Corporate Law, 2020 – 2021
- *Chambers Asia Pacific*: Leading Individual for Competition/Antitrust, 2010, 2012 – 2013, 2015 – 2021
- *Client Choice Award*: Recognised in the area of Competition & Antitrust, 2020
- *Chambers Global*: Recognised as a Leading Individual for Corporate/M&A, 2010, 2012 – 2013
- *Global Competition Review 100 (GCR 100)*: Co-head of Highly Recommended Competition practice, 2019 – 2021
- *Who's Who Legal*: Recognised as a Leading Individual for Competition, 2019
- *IFLR1000*: Highly Regarded (Leading Lawyer) for M&A, 2016 – 2021
- *IFLR1000*: Highly regarded (Leading Lawyer) for Private Equity, 2019 – 2021
- *In-House Community*: Commended External Counsel of the Year, 2019
- *Acritas*: Recognised as an Acritas Star Lawyer, since 2017
- *Asialaw*: Recognised as Distinguished Practitioner for Competition/Antitrust, 2020
- *Asialaw*: Recognised as a Market-Leading Lawyer for Competition & Antitrust, 2017 – 2018
- *Asialaw*: Recognised as a Market-Leading Lawyer for Corporate/M&A, 2017 – 2018
- *Who's Who Legal*: Recognised as a Leading Lawyer for Corporate: Merger & Acquisition, 2017 – 2018
- *Who's Who Legal*, 2014: Named as the International Who's Who of Competition Lawyers in Singapore, 2014
- *The Legal 500 Asia Pacific*: Corporate and M&A, 2015
- *Asialaw Profiles*: Noted for his work in the area of competition law, 2014, 2015
- *Asialaw*: Recognised as a Leading Lawyer for Competition & Antitrust in Singapore, 2014
- *Asialaw*: Recognised as a Leading Lawyer for Corporate/M&A in Singapore, 2009, 2014
- *Asialaw*: Recognised as a Leading Lawyer for General Corporate Practice, 2006 – 2013
- *Who's Who Legal*: Named as the International Who's Who of Competition Lawyers & Economists, 2013
- *Practical Law Company*: Recognised as a Recommended Lawyer In Singapore for Corporate/M&A, 2011 – 2012
- "...Gerald Singham [is] 'responsive, enterprising and proactive'." – *The Legal 500 Asia Pacific*, 2010/2011

Honors and Awards

- Public Service Star (Bar), National Day Awards, 2019
- Justice of the Peace, 2018
- Public Service Star (Bintang Bakti Masyarakat), National Day Awards, 2009
- Presented with the "Minister for Law Appreciation Award" in acknowledgment of his more than 10 years of service to the Ministry in service to the public, 2008
- Public Service Medal (Pingat Bakti Masyarakat), National Day Awards, 2006

Insights

- Co-author, "Turning rivals into partners: CCCS issues business collaboration guidance amidst COVID-19 crisis", *Dentons Rodyk Reporter Issue 05 (2020)*, October 2020
- Co-author, "COVID-19: Maintaining competition hygiene in times of crisis", *Dentons Rodyk Reporter Issue 03 (2020)*, April 2020
- Co-author, "Playing Fair: Avoiding Deceptive Pricing Practices", *Dentons Rodyk Reporter Issue 05, November 2019*
- Co-author, "Myanmar Competition Law Update", *Regional Reports Issue 03*, July 2019
- Co-author, "Extensive amendments to the Employment Act in the pipeline," *Dentons Rodyk Reporter - Business Bulletin*, October 2018
- Co-author, "Competition and Consumer Commission of Singapore (CCCS) issues record breaking S\$27 million penalty against fresh chicken distributors," *Competition Law Alert*, September 2018
- Co-author, "Singapore and Indonesia enters into cross-border competition enforcement agreement," *Competition Law Alert*, September 2018
- Co-author, "Indonesian Business Competition Supervisory Commission (KPPU) Chair Hints of Enforcement Against Foreign Companies Arising from Amendments to Indonesian Competition Law," *Competition Law Alert*, February 2018
- Co-author, "The benefits and harms of e-commerce on competition law," *Dentons Rodyk Reporter*, January 2017
- Co-author, "Challenges that HR professionals face in Singapore," *Business Bulletin*, October 19, 2016
- Co-author, "CCS blocks healthcare merger in a bid to maintain healthy competition," *Competition Law Alert*, January 2015
- Co-author, "Roadmap To An ASEAN Competition Law And Policy," *Dentons Rodyk Reporter - Regional Reports*, January 2015
- Co-author, Singapore Chapter, *International Business Acquisitions*, edited by Michael Whalley and Ralf Kurney
- Author, "Regional Alert," *Competition Law Alert*, January 2015
- Co-author, "Competition Commission of Singapore Imposes Fines Following Investigation into Price Fixing by Freight Forwarding Companies," *Competition Law Alert*, December 2014
- Co-author, "Coffee, Cement and Competition Law," *The Professional Builder*, Silver Jubilee Edition
- Co-author, "CCS' Reward Scheme For Cartel Informants," *Competition Law Alert*, March 2014
- Co-author, "CCS Ceases Investigation Of Non-Compete Clause," *Dentons Rodyk Reporter - Competition Law Alert*, December 2013
- Co-author, "Rodyk Acts For Heineken In The Competition Commission Of Singapore Investigation Of A Soft Drinks Non-compete Agreement With Fraser & Neave," *Competition Law Alert*, November 2013
- Co-author, "Competition Laws In ASEAN - Overview Of The Main Prohibitions," *Dentons Rodyk Reporter - Competition Law Alert*, June 2013
- Author, "Competition Laws In ASEAN: A South-East Asian Perspective," *Dentons Rodyk Reporter - Competition Law Alert*, December 2012

- Author, "Rodyk Acts For Heineken International B.V In Its Merger Control Notification To The Competition Commission Of Singapore," *Competition Law Alert*, November 2012
- Co-author, "Wettbewerbsrecht in Singapur," *SGC Bizguide 2012*
- Co-author, "Information Exchange Between Ferry Operators Infringed The Section 34 Prohibition," *Competition Law Alert*, July 2012
- Author, "SISTIC Abuse Of Dominance Case: CAB Upholds CCS' Decision," *Competition Law Alert*, June 2012
- Co-author, "CCS More Facilitative In Latest Amendments To Its Guidelines On Merger Procedures," *Competition Law Alert*, June 2012
- Author, "Parent Company Liable For Anti-Competitive Conduct Of Its Wholly-Owned Subsidiary," *Competition Law Alert*, June 2012
- Author, "Global Merger Control Index 2012: Singapore Rankings," *Competition Law Alert*, April 2012
- Author, "South Africa's Competition Commission Fines Singapore Airlines 2.5 million Euros For Price Fixing," *Competition Law Alert*, April 2012
- Author, "Freight Forwarding Companies Fined 169 Million Euros By The European Commission For Price-Fixing," *Competition Law Alert*, April 2012
- Author, "Further Liberalisation Of Foreign Direct Investment In India," *Dentons Rodyk Reporter - Business Bulletin*, December 2011
- Author, "India's New Merger Control Regime & Liberalised FDI Policy: Impact On Cross Border M&As," *Dentons Rodyk Reporter - Business Bulletin*, June 2011
- Author, Singapore Chapter, *World Law Group Merger Control Basics 2010*
- Co-author, "Competition Law And Your Business," *Dentons Rodyk Reporter - Business Bulletin*, September 2010

Activities and Affiliations

Presentations

- Competition Law and Your Company, December 14, 2015
- USFTC/CSS Training on Procedural Fairness, December 1, 2015
- Competition Law and Your Company, November 19, 2015
- Competition Law Workshop (for Japanese counsels), January 8, 2015
- Competition and Consumer Commission Of Singapore's (CCCS) - Leniency Programme, November 20, 2014
- ASEAN Integration - Business Opportunities, October 16, 2014
- Multi-Jurisdictional Leniency Applications: Navigating The Fault Lines, August 21, 2014
- Update on Competition Law, July 15, 2014
- CCS Roundtable Discussion, June 27, 2014
- The First Decade of UK Gaming Regulation and Beyond: Key Lessons and Perspective, April 4, 2014
- Talk on Legal Issues: Business Entities - A General Overview, April 3, 2014

- Introducing Arbitration, Corruption and Competition' the Law in Singapore, November 27, 2013
- Overview of Competition Law, November 11, 2013
- Implications For The Construction Industry, July 3, 2013
- How The Competition Act Can Help Your Business: Leveraging On Competition Law In Your Growth Story, February 6, 2013
- Moderator of Panel Session 1 Anti-competitive Agreements: A discussion on Cartels, Price Recommendation and Joint Ventures, July 26, 2012
- Competition Law & Your Business: Strategies To Safeguard Your Company, November 14, 2011
- Competition Law & Your Business: Strategies To Safeguard Your Company, November 10, 2011
- Impact of Competition Law on Businesses, September 14, 2011
- Do's And Don'ts Of Competition Law, August 8, 2011
- Competition Law Strategies, July 27, 2011
- Competition Law & Abuse Of Dominant Position, March 16, 2011

Memberships

- Board Member, Casino Regulatory Authority (appointed by the Minister for Home Affairs)
- Vice-Chairman, National Council on Problem Gambling (appointed by the Minister for Social and Family Development)
- Chairman, National Crime Prevention Council (appointed by the Minister for Home Affairs)
- Resource Panel Member, Government Parliamentary Committee for Defence and Foreign Affairs
- Vice Chairman, OnePeople.sg
- Vice Chairman, Teck Ghee Community Club Management Committee
- Member, Teck Ghee Citizens' Consultative Committee
- Member, Military Court of Appeal
- Member, Committee to Strengthen National Service (appointed by the Minister for Defence)

Prior and Present Employment

- Global Vice-Chair & ASEAN CEO, Dentons Rodyk & Davidson LLP, 2021 - Present
- Deputy Managing Partner, Dentons Rodyk & Davidson LLP (formerly Rodyk & Davidson LLP), 1989 - 2020

Areas of focus

Practices

- Corporate
- Competition and Antitrust
- Mergers and Acquisitions

Education

- University of London, 1987, LL.M.
- University of London, 1985, LLB (Hons)

Admissions and qualifications

- Barrister at Law, Lincoln's Inn, 1986
- Advocate & Solicitor, Singapore, 1989