

November 13, 2018

Welcome to the 6<sup>th</sup> issue of the Dentons Rodyk Reporter in 2018.

The Dentons Rodyk Reporter is a compendium of commentaries produced and published by Dentons Rodyk Academy on a weekly basis. You may download the PDF report to read the complete issue, or read the articles using the links below. The updates and articles on the latest developments in the law and industry practices are conveniently categorised in these specialist bulletins:

## Business Bulletin

- Impact of the EU-Singapore Free trade Agreement

## Litigation Briefs

- Ignorance is not always bliss: a case study of Marty Limited v Hualon Corporation (M'sia) Sdn Bhd
- Understanding the new Singapore Infrastructure Dispute-Management Protocol
- Crystallising the floating charge to preserve your clear interest - Looking beyond the crystal ball

## Regional Reports

- Ensuring Compliance with the Myanmar Companies Law 2017
- Prohibition of Multi-Level Marketing in Myanmar
- Myanmar Withholding Tax abolished to support local businesses
- Myanmar's Draft Employment Compensation Law 2018
- Amendments to the Singapore Employment Act - tips for Japanese companies
- Amendments to the Singapore Employment Act - tips for Japanese companies (Japanese)

## Starboard

- Singapore Court of Appeal restates the law on exclusive jurisdiction clauses

## Impact of the EU-Singapore Free Trade Agreement

October 22, 2018

The EU-Singapore Free Trade Agreement (EUSFTA) was signed on Friday, 19 Oct 2018. When the EUSFTA enters

into force in early 2019, businesses on both sides of the pact can expect to enjoy greater market accessibility and significant boosts in trade within the next few years.

## Ignorance is not always bliss: a case study of Marty Limited v Hualon Corporation (M'sia) Sdn Bhd

October 25, 2018

The case of *Marty Limited v Hualon Corporation (Malaysia) Sdn Bhd (receiver and manager appointed)* [2018] SGCA 63 was an appeal by the Appellant (Marty) against the decision of the Singapore High Court (the High Court) in *BMO v BMP* [2017] SGHC 127 which held that a sole arbitrator (the Tribunal) had jurisdiction over a dispute referred by the Respondent (Hualon) to arbitration (the Arbitration).

## Understanding the new Singapore Infrastructure Dispute-Management Protocol

October 26, 2018

On 23 October 2018, the Ministry of Law launched a new Singapore Infrastructure Dispute-Management Protocol to help parties involved in mega infrastructure projects manage disputes and minimise the risks of time and cost overruns. Minister for Finance Mr Heng Swee Keat announced the launch of the new protocol at Enterprise Singapore's Asia-Singapore Infrastructure Roundtable as part of efforts to establish Singapore as the infrastructure hub of Asia.

## Crystallising the floating charge to preserve your clear interest – Looking beyond the crystal ball

October 31, 2018

In *Jurong Aromatics Corp Pte Ltd (receivers and managers appointed) and others v BP Singapore Pte Ltd and another matter* [2018] SGHC 215, the Singapore High Court considered the effect of a no-assignment clause and a no-charging clause on a pre-existing fixed charge and/or crystallised floating charge over the chargor's assets, and how this affected the chargee's rights in an insolvency setoff situation.

## Ensuring Compliance with the Myanmar Companies Law 2017

October 1, 2018

The Myanmar Companies Law 2017 (MCL), which entered into force on 1 August 2018, introduces a modern legal framework for foreign investment in Myanmar.

## Prohibition of multi-level marketing in Myanmar

October 18, 2018

The Ministry of Commerce announced the prohibition of multi-level marketing in Notification No. 46/2018 dated 18 September 2018 (the Notification). The Notification does not contain details on the definition of multi-level marketing or the specific activities that are prohibited under the Notification, but simply states that multi-level marketing is prohibited by the date of the Notification. It is also unclear how the prohibition will be implemented.

## Myanmar withholding tax abolished to support local businesses

October 18, 2018

The Myanmar government has taken steps to support local businesses by removing the need for withholding tax on domestic payments.

## Myanmar's Draft Employment Compensation Law 2018

November 7, 2018

The Draft Employment Compensation Law 2018 (the Draft), published on or around August 2018, aims to refine the existing Workmen's Compensation Act. The Workmen's Compensation Act was issued on 1 July 1924, and the Law Amending the Workmen's Compensation Act was issued on 11 May 2005.

## Amendments to the Singapore Employment Act - tips for Japanese companies

October 22, 2018

The Employment Act (Act) governs a relationship between an employer and an employee, including the terms of employment, rights and obligations on both parties. It was enacted in 1968 and amended several times. The current Act has limited application, especially for executives, professionals and managers (PMEs).

## Amendments to the Singapore Employment Act - tips for Japanese companies (Japanese)

October 22, 2018

The Employment Act (Act) governs a relationship between an employer and an employee, including the terms of employment, rights and obligations on both parties. It was enacted in 1968 and amended several times. The current Act has limited application, especially for executives, professionals and managers (PMEs).

## Starboard News: Singapore Court of Appeal restates the law on exclusive jurisdiction clauses

October 25, 2018

Dentons Rodyk is pleased to announce that in a case it handled, the Singapore Court of Appeal has changed the law on exclusive jurisdiction clauses.

## Your Key Contacts



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