

Dentons Rodyk Reporter Issue 02 (2019)

May 6, 2019

Welcome to the 2nd issue of the Dentons Rodyk Reporter in 2019.

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:

- Dentons Rodyk Dialogue 2019
- Singapore Ministry of Health publishes fee benchmarks for surgical procedures in the private sector

Business Bulletin

- Singapore Budget 2019: Tax Developments
- Inward Re-domiciliation – Practical Pointers

IP Edge

- The "new" 2014 Geographical Indications Act

Litigation Briefs

- Need for Speed: Get your Anti-Suit Injunction Fast!
- Legal Update: Delayed detection of lung cancer – a patient's suit against a hospital and its doctors
- Liquidated Damages after Termination of Contract: Termination of LDs or just Termination of the Contract?
- A contractual right to directorship – distinguishing between a one-off and a continuing right using the principles of contextual interpretation

Insolvency Insights

- Perspectives from the Dentons Global Restructuring, Insolvency and Bankruptcy Team

A contractual right to directorship – distinguishing between a one-off and a continuing right using the principles of contextual interpretation

April 30, 2019

A shareholder does not have an automatic right to be a director of a company, unless otherwise provided in a shareholders' agreement or the company's constitution. Even if there is a right to directorship, a further issue arises as to its temporal scope. The case of *Debotosh* highlights this temporal issue by distinguishing between a one-off right to directorship and a continuing right.

Dentons Rodyk Dialogue 2019

May 6, 2019

After more than a decade of individuals giving up their personal data for the convenience and utility of networking and messaging at no cost, the perils and dangers of doing so have been brought home by scandals over how personal data has been exploited for political and commercial gain, as well as multiple serious data breaches. Governments, regulators and business need to respond to this crisis, and the question of how best to do so was the subject of the Dentons Rodyk Dialogue 2019.

Inward re-domiciliation – practical pointers

April 25, 2019

Following from our article *From off-shore to on-shore: Moving foreign entities to Singapore under the Inward Re-domiciliation Regime* discussing the introduction in Singapore of the re-domiciliation regime allowing a foreign corporate entity to transfer its registration in Singapore, our firm has assisted clients with this exercise. We now share the following pointers from the experience gained.

Legal Update: Delayed detection of lung cancer – a patient's suit against a hospital and its doctors

March 22, 2019

Key implications of the Court of Appeal's judgment of 26 February 2019 in the case of *Noor Azlin bte Abdul Rahman v Changi General Hospital Pte Ltd and others* [2019] SGCA 13 on medical practice and public sector hospital work systems

Liquidated Damages after Termination of Contract: Termination of LDs or just Termination of the Contract?

April 25, 2019

Construction law practitioners are familiar with the Singapore case of *LW Infrastructure Pte Ltd v Lim Chin San Contractors Pte Ltd* [2011] SGHC 163 (LW Infrastructure). The Singapore High Court in that case held that in the absence of express provision to the contrary, termination of the contract does not affect a claim for liquidated damages in respect of the period before termination. This case is also cited with approval in *Law and Practice of Construction Contracts*, 5th edition (Sweet & Maxwell 2018). For all intents and purposes, the Singapore law position appears settled even though there is no direct guidance from the Singapore Court of Appeal.

Need for Speed: Get your Anti-Suit Injunction Fast!

March 18, 2019

Parties entering into arbitration agreements ordinarily abide by their contractually chosen dispute resolution mechanism and proceed accordingly. Sometimes, one encounters a counter-party who takes it upon himself to start proceedings in a foreign jurisdiction in breach of an arbitration clause. How does an innocent party restrain such conduct? The Court of Appeal (SGCA) in *Sun Travels & Tours Pvt Ltd v Hilton Manage (Maldives) Pvt Ltd (Sun Travels)* laid down firm guidance that a party who finds itself in this scenario should act as fast possible to restrain the

counter-party by way of an anti-suit injunction (ASI).

Perspectives from the Dentons Global Restructuring, Insolvency and Bankruptcy Team

May 6, 2019

In September 2017, the Dentons Global Restructuring, Insolvency and Bankruptcy (RIB) Team put together a series of seminars for our financial institution clients to share practical perspectives on the insolvency law reforms in Singapore which were largely inspired by Chapter 11 proceedings under the US Bankruptcy Code. Our global panel, comprising partners from the Chicago, New York, London, Australia and Singapore offices, shared their expert views on what Singapore lenders can expect going forward in view of Singapore's insolvency law reforms and enactment of the UNCITRAL Model Law on Cross-Border Insolvency (Model Law).

Singapore Budget 2019: Tax Developments

February 25, 2019

As Singapore progresses into its bicentennial year this 2019, Singapore's Finance Minister Mr Heng Swee Keat delivered the Budget Statement in Parliament on 18 February 2019, announcing various tax and policy changes aimed at building a long-term and fiscally sustainable future.

Singapore Ministry of Health publishes fee benchmarks for surgical procedures in the private sector

January 10, 2019

As part of efforts to keep healthcare costs sustainable, the Singapore Ministry of Health (MOH) has on 13 November 2018 introduced fee benchmarks for surgeon fees at private hospitals and clinics. As at the date of writing, the document released by MOH is titled 'Fee Benchmarks for Private Sector Surgeon Fees.

The "new" 2014 Geographical Indications Act

March 29, 2019

In April 2014 the Singapore Parliament passed the Geographical Indications Act (2014) (the 2014 GIA), in contemplation of the European Union-Singapore Free Trade Agreement (EUSFTA).

Your Key Contacts



Philip Jeyaretnam, SC

Global Vice-Chair and
ASEAN CEO, Singapore

D +65 6885 3605

philip.jeyaretnam@dentons.com