



TAY PENG CHENG

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QUALIFICATIONS

National University of Singapore (LL.B., Hons.)

ADMISSIONS

Singapore Bar

PROFILE

TAY Peng Cheng is the Joint Head of the Energy, Projects & Construction Practice. He has an active practice with focus on the energy and utility industries, construction and engineering projects, residential, commercial and industrial property developments.

Peng Cheng represents clients in court and in arbitration proceedings, including acting for and advising developers, contractors and consultants in disputes arising out of large scale energy and utilities projects, construction and engineering contracts, and supply and offtake agreements, as well as advising clients in the management of such disputes. Projects that he has advised on include private and commercial developments, utility facilities, waste to energy plants, and offshore installations.

On the non-contentious front, Peng Cheng is active in drafting, reviewing and negotiating the suite of energy/construction related contracts and project documentation for various types of developments, plants and installations, as well as concession agreements, supply contracts and offtake agreements. He regularly advises clients on the suite of standard form construction and engineering contracts in use both locally and internationally, and bespoke contracts.

Peng Cheng graduated from the National University of Singapore ("NUS"). He is admitted to the Singapore Bar and is an accredited adjudicator appointed under the Building and Construction Industry Security of Payment Act (Cap 30B). Peng Cheng has also been appointed to Asian International Arbitration Centre's (AIAC) Panel of Adjudicators, and is a Fellow of the Chartered Institute of Arbitrators and the Asian Institute of Alternative Dispute Resolution.

He speaks regularly on issues on construction law and dispute resolution at various conferences and seminars, including to professional bodies and corporate organisations. Peng Cheng, who is a member of the Society of Construction Law, Singapore, was also a tutor in Building and Construction Law at the Law Faculty of NUS.

Relevant experience:

Matters of significance in which Peng Cheng has been involved in include acting for the following:

- A main contractor, a subsidiary of a SGX-listed company, in an ICC arbitration against a sovereign state over various claims, including for variations, extensions of time, prolongation costs and recovery of liquidated damages, arising out of the design, construction and operation of a waste management facility in a Middle East country and successfully obtaining a significant award on the same.
- The subsidiary of a listed company on various issues arising out of the collapse of a viaduct under construction at Upper Changi Road East, including defending the company in criminal proceedings brought against it under the Workplace Safety and Health Act in relation to such collapse.
- An owner and operator of a hydrogen and synthesis gas plant in an SIAC arbitration with its end user over a prolonged outage at the plant, and the transfer of the plant and ancillary equipment to the end user.
- SMRT Corporation Ltd on the project documentation for the Singapore-Johor Bahru Rapid Transit Link between Woodlands North station in Singapore and Johor Bahru, a project to be implemented under a Public Private Partnership model, and to be undertaken by a joint venture company formed by SMRT Corporation and a Malaysian entity.
- M+S Pte. Ltd., a joint venture company 60% owned by Khazanah Nasional Berhad and 40% owned by Temasek Holdings (Private) Limited, and its subsidiaries, in the preparation and review of various infrastructure and construction-related project documents for the development and construction of two integrated developments, estimated at S\$11 billion, in downtown Singapore.
- Resorts World at Sentosa Pte. Ltd., part of the Genting Group of Companies, on a long-term retainer for the preparation and review of various infrastructure and construction-related project documents for the development and construction of Resorts World Sentosa, a S\$6.59 billion integrated resort on Sentosa.

Related Practices

- China
- Energy, Projects & Construction
- International Arbitration
- Middle East

Publications & Legal Updates:

- Chambers Global Practice Guides - Real Estate Singapore 2019
- Chambers Global Practice Guides - Real Estate Singapore 2018
- Chambers Global Practice Guides - Real Estate Singapore 2017
- Singapore Chapter of the International Libel and Privacy Handbook (1st to 4th Editions)
- Singapore Chapter on Construction in the Getting the Deal Through: Construction publication
- Contributing Editor of the Singapore "White Book" (Singapore Civil Procedure)

Awards & Accolades:

Peng Cheng is recognised as a leading lawyer in the areas of Disputes, Energy & Infrastructure and Project Development in *IFLR1000: Energy and Infrastructure*, where he is praised by a client for having "good knowledge of the industry and [providing] innovative solutions". Peng Cheng is recommended for Projects & Energy and Construction in *The Legal 500: Asia Pacific – The Client's Guide to the Asia Pacific Legal Profession*, where he is commended by clients for his "excellent and practical advice", noted for being "commercially minded, practical and timely", and praised for "his ability to assist on mega resort projects". He is also recognised as a leading practitioner for Projects & Energy since 2013 in both *Chambers Global – The World's Leading Lawyers for Business* and *Chambers Asia-Pacific – Asia Pacific's Leading Lawyers for Business*, where Peng Cheng is highlighted for his "sharp legal skills", described as being "popular with clients", appreciated for his "strong technical ability", with clients explaining that he "understands [their] business and the industry" and is "responsive and is able to see the big picture". He is also identified as a leading lawyer in Energy & Natural Resources by *Asialaw Profiles – The Guide to Asia-Pacific's Leading Domestic Law Firms*, *Asialaw Leading Lawyers – The Guide to Asia-Pacific's Leading Lawyers* and in Project Finance & Development by *Best Lawyers* since 2013.