



## LEE HWAI BIN

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### QUALIFICATIONS

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

### ADMISSIONS

Singapore Bar  
Roll of Solicitors of England & Wales

## PROFILE

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LEE Hwai Bin is a Partner in the Firm's Infrastructure, Construction & Engineering Practice. Her main areas of practice encompass commercial litigation and arbitration, with an emphasis on building & construction disputes.

Hwai Bin is involved in all aspects of contentious construction and civil engineering disputes and has assisted in High Court trials and many institutional arbitrations. She is familiar with the standard form contracts available in the local and international market, including JCT and FIDIC. She has also been involved in various dispute resolution matters, having extensive experience in mediation and settlement conferences, both in and out of court as well as drafting and advising on settlement agreements. Hwai Bin's practice also encompasses front-end construction work involving drafting, reviewing, negotiating and advising on various standard form construction contracts including those commonly used in the domestic (SIA Articles and Conditions of Building Contract and PSSCOC), insurance contracts (including Contractors' All Risks policies) and other general commercial contracts. Hwai Bin has also contributed to the *Singapore Precedents of Pleadings (Construction Section)*, 2006 and 2015 and has advised the Building and Construction Authority Working Committee in proposing new amendments to the Public Sector standard contracts to keep them in line with the Building and Construction Industry Security of Payment Act 2004 (now known as Building and Construction Industry Security of Payment Act (Cap 30B)), which came into effect in April 2005. She has also contributed to the Construction Contracts Dictionary (1st and 2nd Editions), authored by Chow Kok Fong.

Hwai Bin is also a trainer with the BCA Academy, the education and research arm of Singapore's Building and Construction Authority. Prior to re-joining the Firm in January 2010 as a Partner, Hwai Bin worked for a leading international law firm in London. Her practice included providing construction procurement, drafting (standard forms, including JCT, FIDIC, ICE and bespoke contracts) and negotiation advice relating to construction and engineering projects including tender risk management analysis, and advising on investment acquisitions and disposals and funding due diligence to a range of clients including developers, landowners and financial institutions. Significant clients

which Hwai Bin has serviced include The British Land Company plc, The Crown Estate, Marks & Spencer, Hilton Hotels, Gazeley UK Limited, National Bank of Abu Dhabi, and Evans Randall (a privately held investment banking and private equity group specialising in alternative asset investments).

Hwai Bin graduated from the National University of Singapore. She is admitted to the Singapore Bar and to the Roll of Solicitors of England & Wales.

**Relevant experience:**

Matters of significance in which Hwai Bin has been involved in include acting for the following:

- A Singapore private property developer in a suit brought by the management corporation for alleged defects in common property in a landmark Court of Appeal decision in Singapore which upheld the trial Judge's ruling that the developer was entitled to rely on the defence of independent contractor to defeat the management corporation's claim in tort against the developer and rejection by the Court of Appeal of the management corporation's claim that a statutory non-delegable duty was imposed on a developer by virtue of the Housing Developers (Control and Licensing) Act.
- The developer in a landmark Court of Appeal decision concerning a claimant's entitlement to serve a payment claim after the issuance of a valid Final Certificate under the SIA Conditions of Contract.
- A Singapore contractor in a CIETAC arbitration commenced by a China sub-contractor for an approximate claim of RMB15 million, being work done and variations, including prolongation claims.
- An established property developer in defending a misrepresentation claim by a purchaser for loss and damage in a sum in excess of S\$13 million allegedly suffered as a result of entering into the sale and purchase agreements for two commercial units in a mixed development.
- Huntsman Corporation, one of the largest chemical manufacturers in the U.S., on the construction of a new S\$57 million JEFFAMINE® polyetheramines manufacturing facility in Jurong Island, Singapore, with an expected annual capacity of 16,000 tonnes per annum.
- A Chinese entity in a cross-border arbitration with a US entity in an ICC Arbitration on breaches of contract and allegations of misappropriation of trade secrets. The dispute arose out of injunctive proceedings taken out in a Federal Court in Ohio, United States wherein the US entity is seeking damages of over US\$19 million.



Related Practices

- Infrastructure, Construction & Engineering