

## Lim Chee Yong

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Chee Yong, a member of the Energy, Projects, Infrastructure & International Arbitration and Oil & Gas Practice Group, holds a first degree in Mechanical Engineering and Business Finance from University College London. Subsequently, he pursued law at postgraduate level and has been called to both the English and Malaysian Bars. He is an Incorporated Member of the Institution of Engineers, Malaysia, and a Member of the Chartered Institute of Arbitrators.

He is actively practicing in various forms of international and domestic dispute resolution. His expertise often involves high-value contentious matters within the energy, utilities, and construction sectors. Chee Yong's background is particularly evident in technical disputes where he has the ability to understand and dissect complex engineering matters. He has considerable experience within the oil & gas industry through his extended stint as a secondee to a major oil & gas joint venture in the region. This afforded him the unique opportunity to be exposed to commercial, technical, and regulatory aspects of the oil & gas industry, in particular the downstream segment, and has rendered him well versed with dealing with multi-party disputes involving proprietary technology licensors.

Chee Yong is also often instructed to advise both domestic and foreign contractors on project risk management and dispute avoidance, covering the entire life cycle of construction projects. Such experience, coupled with his in-depth understanding and familiarity with on-the-ground construction issues, guides his pragmatic approach in arriving at strategic legal and commercial solutions in resolving disputes.

He was seen as a recommended lawyer in **The Legal 500 Asia Pacific 2024** rankings. Additionally, Asialaw Profiles describes Chee Yong as "attentive" and "able to grasp and understand any issues presented to him quickly". According to the Legal 500, his "ability to decipher technical information and asking complex technical questions, turning it into a clear easily understandable concept" is an added value that sets "this firm apart from the rest."



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### Qualifications

- GDL, BPP University Law School
- BEng (Hons), University College London
- Advocate & Solicitor of the High Court of Malaya
- Called to the Bar of England & Wales (Lincoln's Inn)

### Practice Areas

- International Arbitration
- Adjudication
- Power and Utilities
- Energy and Natural Resources
- Construction and Engineering

### Experience

#### *Engineering*

- Advising and representing a facility owner in an UNCITRAL ad-hoc arbitration concerning defects arising out of the design & fabrication of a component within hydrogen production units.
- Represented the subsidiary of a major nuclear power producer against Japanese Consortium of EPC Contractors and sub-contractors in an international arbitration under the UNCITRAL Arbitration Rules concerning defective design works to heater tubes, defective technical and advisory services provided for under long term technical services agreements and effect of coal blending concerning a coal-fired power plant.

- Advised national utility against a major Asian EPC Contractor and European subcontractor of a CCGT plant for engineering design works under the EPCC Contract, and various performance guarantees including heat rate guarantees under a long-term maintenance program contract.
- Advised multinational utilities owner on its rights and obligations under French/Civil law-governed 25-years supply contract and operations and maintenance contract for the provision of full physical service scope of operation, maintenance, and repair of a water desalination plant in North Africa.
- Representing a subsidiary of a major palm oil conglomerate in an on-going arbitration against the design and build contractor in relation to the processes, design and construction of a POME treatment system, anaerobic biogas digester system (methane capture) and polishing plant.
- Advised a coal-fired power plant owner in a RM400 million dispute against American EPCC Contractor in respect of recurring defects and fleet-wide latent defects to critical power generation component affecting commercial reliability and viability due to prolonged unplanned outages.
- Represented multinational energy conglomerate in a RM750 million hybrid arbitration against Japanese EPC Consortium and sub-contractors in respect of defective technical, advisory services and O&M related services provided for under long term technical services agreements for a coal-fired power plant.
- Advised a Korean EPCC Contractor concerning disputes arising out of design and soil settlement issues of discharge diffuser pipes for a CCGT Plant.

### *Oil & Gas*

- Secondment with an oil & gas joint venture (between two of the world's most successful national oil companies) in relation to the construction of an integrated petrochemical complex, the largest single construction project ever undertaken in Malaysia.
- Advised a joint venture between one of the world's leading chemical producers and a national petroleum company in relation to project documentation including drafting of bespoke agreements.
- Advised a subsidiary of a Chinese stated-owned entity concerning the construction of oil & gas facilities involving Spherizone and Spheripol technology.
- Advising a facility owner in relation to design defects and calibration issues concerning a diesel hydrotreating unit.
- Advised on numerous long-term supply agreements concerning among other feedstocks and catalysts.
- Advised on contractual dispute concerning spent catalyst agreement and sales agency agreement.

### *Construction*

- Advising various Malaysian subsidiaries of Chinese stated-owned companies in commercial and construction disputes concerning the construction of highways and mixed-use developments.
- Representing a joint venture between two leading property development entities in CIPAA and AIAC arbitration concerning construction disputes flowing from the expansion of a shopping mall.
- Advising and representing a Korean EPCC Contractor in relation to dispute management and avoidance throughout the on-going construction of a CCGT Plant and interconnecting facilities.
- Advised a subsidiary of a construction engineering company listed in Thailand concerning civil construction works for an oil & gas facility.
- Represented the Malaysian subsidiary of a major Korean chemical and engineering conglomerate in relation to the construction of a chemical plant.
- Represented a poultry production company in an arbitration against the contractor and its Korea-based parent company in relation to the construction of a poultry processing plant.
- Advised the Malaysian subsidiary of a major Taiwanese real-estate and engineering conglomerate in relation to project documentation for the construction of a mixed used residential and entertainment development.
- Represented special purpose vehicle set up by a national sovereign wealth fund in an arbitration involving the construction of an elevated highway interchange within the Iskandar Region.
- Advised and represented a local contractor in CIPAA proceedings concerning the construction of an industrial building.
- Advised and represented a Taiwanese engineering conglomerate and a leading local contractor in separate claims against the appointed project delivery partner in relation to the Light Rail Transit 3 project in Malaysia.

- Advised and represented Korean EPCC Contractors in respect of the construction of one of the largest ultra-supercritical coal-fired power plant within the region.
- Represented the Malaysian subsidiary of a major Korean chemical and engineering conglomerate in relation to the construction of a chemical plant.
- Reviewed, advised, and drafted numerous bespoke contracts concerning among others the construction of highways, hospital and railways.

## **Publications**

- Co-Author, The Legal 500: Construction Country Comparative Guide (Malaysia)
- Co-Author, The Impact of COVID-19 on the Performance of Energy & Construction Contract
- Author, Latent Damage Claims After Six Years
- Co-Author, Common Law Not So Common
- Author, Managing Expert Witness in Construction and Engineering Disputes [2021] 1 LNS(A) xli

## **Language**

- English
- Mandarin, Hokkien, & Cantonese
- Bahasa Malaysia