

TAN SWEE IM

	Surname, First name	<u>TAN</u> Swee Im
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	Nationality	Malaysian
Educational/Professional Memberships		
<p>LLB (Hons) (London School of Economic, University of London) Barrister-at-Law (Middle Temple) Advocate and Solicitor of the High Court of Malaya Diploma in International Commercial Arbitration</p> <p>Chartered Arbitrator Fellow of the Chartered Institute of Arbitrators Fellow of the Malaysian Institute of Arbitrators Fellow of the Asian Institute of Alternative Dispute Resolution Fellow of the Chartered Institute of Building Fellow of the Malaysian Society of Adjudicators Fellow of the Dispute Board Federation</p> <p>Asian International Arbitration Centre (AIAC) Panel Arbitrator Singapore International Arbitration Centre (SIAC) Panel Arbitrator Hong Kong International Arbitration Centre (HKIAC) Panel Arbitrator Hainan International Court of Arbitration Panel Arbitrator Beihai Asia International Arbitration Centre Panel Arbitrator Qualified Adjudicator with Asian International Arbitration Centre Malaysia Construction Industry Development Board Accredited Mediator</p>		
Current Position		
International Arbitrator Member of 39 Essex Chambers Principal at Chambers of Tan Swee Im		

Professional Experience

- 1987 Called to The Middle Temple
- 1988 Admitted as an Advocate & Solicitor of the High Court of Malaya
- 1988 – 1990 Associate in M/S Shook Lin & Bok handling banking litigation and construction advisory and disputes matters
- 1990 – 1993 In-house counsel at YTL Corporation handling range of legal matters including the drafting and negotiation of joint venture and shareholder agreements, hotel management and technical assistance contracts, property related privatisation projects, construction contracts for the Government of Malaysia projects and private developments. Projects included the first independent power plants in Malaysia Nucleus Hospitals Project, Eastern and Oriental Express Luxury Train
- 1993 - 1995 Associate at M/S Abu Talib Sharom & Zahari, seconded to Masons (now Pinsent Masons) team as principal legal advisors to KL International Airport Berhad, the developers of the new KL International Airport, on all construction related matters, including development of procurement strategy, drafting of standard form contracts for the engagement of consultants, contractors (build only and design and build) and Operations and Maintenance contractors, assessment of tenders, negotiations and finalisation of contracts. On privatisation packages, advising on the privatisation strategy, drafting privatisation agreements and negotiating with concessionaires, in particular for the District Cooling System for the provision of chilled water and electricity. Similar services for Malaysia – Singapore Second Crossing
- 1995 - 1999 Partner at M/S David Chong & Co, Kuala Lumpur. Partner in charge of Construction and Privatisation, and Commercial and Company Secretarial services. Commercial practice included the major areas of joint ventures, foreign investment, development agreements and hotel projects, ranging from advising on structures of investment to drafting of contracts and negotiations. Construction practice encompassed all aspects of the construction industry from the outset of procurement strategy to drafting of procurement contracts for construction and consultancy and dispute resolution, including advisory role during administration of contract. Handling of arbitrations involving claims in excess of RM100 million as well as performance bond issues. Advisory and contract drafting on privatisation projects in Malaysia, Cambodia, Myanmar
- 1999 - 2015 Founded Tan Swee Im & Co, legal firm focused on construction and energy sectors. Acting for developers and contractors in dispute resolutions particularly arbitrations. Advising on project procurement strategy, drafting contracts, advising on contract administration and on contractual claims. Advising construction industry consultants. In 2006 reorganisation of the firm resulting from merger of two established law firms, Tan Swee Im & Co and P.Y. Hoh & Tai into the single firm of M/S Tan Swee Im, P.Y. Hoh & Tai. In 2015 further reorganisation of the firm resulting in M/S Tan Swee Im, Siva & Partners
- 1999 - Construction Industry Development Board Malaysia (CIDB) Standard Form of Contract for Building Works 2000 – key member of drafting committee

	2005 – Proposed Construction Industry Development Board Malaysia (CIDB) Standard Form of Contract for Design and Build – led drafting committee
	2015 – Pertubuhan Akitek Malaysia (PAM) 2006 Review Sub-Committee
2016 - 2019	Consultant at M/S Tan Swee Im, Siva & Partners
	2017 - AIAC Standard Forms of Contracts Expert Advisory Committee
Oct 2018	International Arbitrator Member of 39 Essex Chambers
Aug 2019	Principal at Chambers of Tan Swee Im

Publications

Case Reviews – Construction Industry Construction Law Reports
Case Reviews – Construction Adjudication Reports of Malaysia
The International Comparative Legal Guide To Construction Law 2014 and 2015
The Turkish Commercial Law Review - Construction Procurement Strategy: Key Principles
New publication - Law and Practice of Construction Law in Malaysia, Chapter on Risk and Management Obligations in Construction
Numerous articles for various construction law publications and newsletters

Languages

English – first language
Bahasa Malaysia – fluent written and spoken
Hokkien – conversational, spoken only