



Andrew Pullen

Call 2016

"A market source says he is a lawyer who is 'constantly getting good feedback' and another praises his ability to provide 'crucial in-depth analysis' and 'client care'."

Chambers & Partners, Asia Pacific

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Andrew Pullen specialises in international arbitration, appearing as counsel and sitting as arbitrator.

Andrew is an English-qualified barrister, based in Singapore since 2011. He originally qualified as a solicitor in 2002, and practised as a solicitor-advocate in Allen & Overy's international arbitration group before joining Fountain Court Chambers.

Described as an 'excellent barrister', 'enthusiastic and well informed'... with an 'incisive attention to detail' and 'a deep knowledge of arbitral rules' (*Chambers & Partners*), Andrew's experience includes cases determined under a wide variety of governing laws and arbitral rules, in Asia, Europe and the US. He frequently works as co-counsel with lawyers from many jurisdictions and has significant experience of interim measures and jurisdiction issues in arbitration.

With experience across a diversity of business sectors, Andrew's recent cases range from construction disputes in Australia and Asia, to claims relating to sale of goods, insurance, hotel management, professional services, software licensing and the development of pharmaceuticals.

Andrew has served on the council of the Singapore Institute of Arbitrators since 2017 and is the current Vice-President of the Institute. He is also registered as a foreign lawyer with the Singapore International Commercial Court.

To comply with Singapore immigration and employment law, Andrew Pullen is employed by and practises primarily through Andrew Pullen Law Practice Private Limited, a private limited company incorporated under the laws of Singapore. Further information relating to this can be found [here](#).

Recent Highlights

SIAC & ICC Arbitrations in Singapore and London

Acting for a contractor in two related arbitrations against subcontractors arising from the supply of equipment for a power plant in South East Asia. Arbitration under SIAC Rules; Singapore seat; English law. Arbitration under ICC Rules; London seat; English law.

ICC Arbitration in Singapore

Acting for an Indian company in the defence of a claim under a commodity sale of goods contract. Arbitration under ICC rules; Singapore seat; English law.

SIAC Arbitration in Singapore

Counsel for a claimant power plant operator in a claim concerning defective equipment. Arbitration under SIAC Rules; Singapore seat; New York law.

ARIAS Arbitration in Singapore

Counsel for a respondent insurer in a claim under a public offering of securities policy. Arbitration under ARIAS Arbitration Rules; Singapore seat; Singapore law.

UNCITRAL Arbitration in Singapore

Defending a subcontractor in a complex, billion-dollar dispute relating to a mining project. Arbitration under UNCITRAL Rules; Singapore seat; Western Australian law.

Expertise

Banking & Finance

Notable Banking & Finance cases

Providing an expert report on principles of English law in connection with a dispute under a merchant services agreement. The expert report addressed principles of contract law (incorporation of terms, interpretation, anticipatory and repudiatory breach, limitation of liability clauses, dispute resolution clauses) and unjust enrichment. Singapore High Court proceedings; English law.

Advising parties to a put option agreement granted in connection with the financing of a corporate group in an Asian country. English law.

Advising a European bank acting as security agent on potential claims as assignee of receivables under bunker (fuel) supply contracts entered into by a Singapore company; and acting for the security agent in a series of arbitrations relating thereto. Arbitration under SCMA Rules; Singapore seat; Singapore and English law.

Advising several financial institutions, in relation to a series of separate transactions, on the effects of supervening

illegality and insolvency proceedings under foreign law on the enforceability of letters of credit. English law.

Defending two Indian banks against claims under guarantees issued by the banks in connection with shipbuilding contracts. Arbitration under SIAC Rules; Singapore seat; English law.

Acting for an international investment bank in a claim against a Thai bank for an early termination amount under an ISDA Master Agreement. Litigation before Thai courts; Thai law.

Acting for an international investment bank in a claim against an Indian corporate for an early termination amount under an ISDA Master Agreement. Arbitration under ICC Rules; London seat; English law.

Acting for an international investment bank in a claim against an Indian corporate for an early termination amount under an ISDA Master Agreement. Arbitration under LCIA Rules; London seat; English law.

Defending an international investment bank against a claim by a hedge fund manager concerning the withdrawal of an investment in the hedge fund. Arbitration under LCIA Rules; London seat; English law.

Commercial Disputes

Notable Commercial Disputes cases

Advising on claims in economic torts in a dispute concerning a commodities sale contract. Arbitration under SIAC rules; Singapore seat; Singapore law.

Acting for a Thai company in a dispute concerning the management of a hotel. Arbitration under SIAC rules; Singapore seat; English and Thai law.

Advising a Thai company on issues of force majeure under a commodity sale of goods contract. English law.

Acting for an Asian company in a claim against its auditors. Arbitration under VIAC rules; Vietnam seat; Vietnamese law.

Acting for a pharmaceutical company in a commercial dispute concerning the development of a cancer treatment. Arbitration under ICC Rules; London seat; English law.

Defending a global software company against a claim by a financial institution. Arbitration under UNCITRAL Rules administered by HKIAC; Hong Kong seat; Philippines law.

Advising an Asian company on its defence of claims under a charter guarantee. Arbitration under SIAC Rules; Singapore seat; English law.

Defending a Japanese automotive manufacturer against allegations of wrongful termination of a distribution agreement relating to Saudi Arabia. Arbitration under JCAA Rules; Tokyo seat; Japanese and Saudi law.

Defending a Japanese automotive manufacturer against allegations of wrongful termination of a distribution agreement relating to India. The case involved an interim measures phase before an emergency arbitrator as well as substantive proceedings before a tribunal. Arbitration under SIAC Rules; Singapore seat; Japanese law.

Advising a maintenance contractor on protecting its rights under an aircraft engine maintenance contract and standby letters of credit in the context of payment defaults by its customer, an Asian airline. English law.

Defending an international consortium of steel companies against allegations of wrongful termination of an offtake agreement. Arbitration under ICC Rules; London seat; English law.

Acting for a European defence contractor in claims under a teaming agreement. Arbitration under AAA Commercial Arbitration Rules; Washington DC seat; English law.

Acting for a Russian business in a dispute relating to provision of services in the telecoms sector. Arbitration under SCC Rules; Stockholm seat; English law.

Company, Restructuring & Insolvency

Notable Company, Restructuring & Insolvency cases

Advising a claimant on jurisdiction issues in a claim under a joint venture agreement. Arbitration under SIAC Rules; Singapore seat; English law.

Defending an international bank against claims in contract, equity and unjust enrichment concerning aborted negotiations for the sale of shares in a power company. Arbitration under ICC Rules; Singapore seat; New York, English and Singapore law.

Defending a Philippine manufacturing joint venture company in the solar sector and its majority owner against claims by a Korean joint venture partner. Arbitration under ICC Rules; Hong Kong seat; Philippine law.

Advising a purchaser on a potential claim for the enforcement of a share purchase agreement. SIAC Rules; Singapore seat; English law.

Advising an interested party in relation to an arbitration concerning the termination of a joint venture. Myanmar law.

Acting for a private equity purchaser in a post-acquisition claim for breach of warranties relating to an acquisition in the European pharmaceutical sector. Arbitration under Swiss Rules; Zurich seat; Swiss law.

Acting for an international brewing company in a dispute concerning post-completion accounts and the scope of an expert determination clause. Arbitration under LCIA Rules; London seat; English law.

Acting for an international media group in a joint venture dispute relating to a European Pay TV business. Arbitration under LCIA Rules; London seat; English law.

Acting for a Kuwaiti purchaser of a banking group in a dispute with the Saudi seller. Arbitration under ICC Rules; London seat; English law.

Construction, Energy & Infrastructure

Notable Construction, Energy & Infrastructure cases

Advising a contractor on force majeure and change of law clauses in connection with the Covid-19 pandemic. English law.

Acting for a construction contractor in a high-value dispute relating to an LNG megaproject. Arbitration under ICC Rules; Singapore seat; Western Australian law.

Acting for a claimant in connection with the termination of a project in the mining sector. Arbitration under SIAC Rules; Singapore seat; English and Indonesian law.

Advising an operator in a dispute under a joint operating agreement for an oil and gas project. Arbitration under UNCITRAL Rules; Singapore seat; Indian law.

Acting for a subcontractor in a dispute relating to the supply of equipment for a mining project. Arbitration under UNCITRAL Rules; Singapore seat; Western Australian law.

Defending a pipeline owner against a contractor's claims relating to variation order requests under a contract for the repair of a gas pipeline. Arbitration under UNCITRAL Rules; Singapore seat; Indonesian law.

Advising an employer on potential claims against its EPC contractor relating to the delayed construction of a bio-

ethanol production plant. English law.

Advising an oil trading company on contractual rights and a potential arbitration in connection with an investment in an oil terminal. Malaysian law.

Defending a South African company against a claim for injunctive relief compelling it to assist in the development of a demonstration coal-to-liquids plant in the United States. Arbitration under LCIA Rules; London seat; English law.

Advising on an application for interim measures against a government in a dispute under production sharing contracts relating to offshore oil and gas fields. Arbitration under UNCITRAL Rules; London seat; Indian law.

Advising the operator of an LNG project in the Caribbean on its rights under project contracts. English law.

International Arbitration - Appointments as Arbitrator

Notable International Arbitration - Appointments as Arbitrator cases

Sole arbitrator in a dispute under a contract for the sale and purchase of receivables. HKIAC Rules; Hong Kong seat; Hong Kong law.

Co-arbitrator in a dispute under a contract for the supply of products in the solar energy sector. SIAC Rules; London seat; English law.

Co-arbitrator in a dispute concerning indemnity claims under share sale and purchase agreements. SIAC Rules; Singapore seat; Indian law.

Sole arbitrator in a dispute under a contract for the sale of engineering products. ICC Rules (expedited procedure); Singapore seat; Singapore law.

Sole arbitrator in a dispute under a contract for the sale of fuel oil. Statutory appointment under (Singapore) International Arbitration Act 1994; English law.

Sole arbitrator in a dispute under a commodity sale contract. SIAC Rules; Singapore seat; Singapore law.

Sole arbitrator in a claim for repayment of a loan agreement. LCIA Rules; London seat; English law.

Sole arbitrator in a dispute relating to a contract for services in the renewable energy sector. SIAC Rules; Singapore

seat; English law.

Sole arbitrator in a dispute under a commodity sale contract. ICC Rules (expedited procedure); Singapore seat; English law.

Sole arbitrator in a dispute relating to software licensing in a South East Asian country. SIAC Rules; Singapore seat; US law.

International Arbitration - Investment Protection

Notable International Arbitration - Investment Protection cases

Acting for Biwater Gauff (Tanzania) Ltd in its claim against the United Republic of Tanzania under the UK-Tanzania bilateral investment treaty. Arbitration under ICSID Convention and Rules; public international law.

Advising a potential investor into a South East Asian country on the availability of investment treaty protection and on structuring contractual arbitration provisions.

Advising a telecoms company on potential claims against its host government under the investment law of an Asian state relating to changes to the applicable tariff regime.

Advising a potential investor into a North African country on the relative merits of available investment treaties and (with tax advisors) making a recommendation on where to incorporate an investment vehicle to obtain the optimum balance of beneficial tax treatment and investment protection.

Advising an investor on potential expropriation and fair and equitable treatment claims against a Middle Eastern Government.

International Arbitration - Arbitration-related Litigation

Notable International Arbitration - Arbitration-related Litigation cases

Providing an expert report on questions of English law relating to the interpretation of an arbitration agreement in connection with an application to enforce an English award in Singapore. Singapore High Court; English law.

Application under section 10 of the International Arbitration Act to set aside an arbitrator's decision on jurisdiction (instructing Singapore local counsel). Singapore High Court; Singapore and New York law.

Advising an Indian bank in relation to its rights under loans to an SPV concessionaire, and under related sponsor guarantees and undertakings, in the context of the termination and expropriation of the concession. Application for an interim injunction under section 12A of the International Arbitration Act (instructing Singapore local counsel). Singapore High Court; English and Singapore law.

Application for an anti-suit injunction to restrain proceedings before Indian courts brought in breach of an arbitration agreement. English Commercial Court; English law.

Application for an interim injunction relating to the use of Pay TV equipment (instructing Cypriot local counsel). Nicosia District Court; Cypriot law.

International Arbitration - Advisory

Notable International Arbitration - Advisory cases

Advising an international organisation on its policy for choice of law and dispute resolution for consultancy contracts.

Advising the International Swaps and Derivatives Association on the preparation of its 2013 Arbitration Guide.

Member of the Group of Experts of the European Commission on the Interface between the Brussels I Regulation (Reg. 44/2001) and Arbitration (2010).

Advising a group of financial institutions on the design and drafting of arbitration provisions for the rules of a derivatives clearing house.

Frequent advice to transactional lawyers on the design and drafting of dispute resolution regimes for complex corporate and financial transactions.

Directory Quotes

"The depth of his knowledge and passion for arbitration are remarkable."

Chambers & Partners, Asia Pacific

"More than one interviewee calls him an 'excellent barrister', one identifying him as a model to emulate, while

another, who emphasises his 'understanding of the importance of the client relationship', adds: 'I would use him for the full range of commercial arbitration work, particularly if I needed a counsel who would get deep into a case!.'

Chambers & Partners, Asia Pacific

"Praised by sources for his 'incisive attention to detail' and describe his opinions as 'easy to read and able to get to the heart of the issues'. He has a strong reputation for international commercial arbitrations under the rules of a range of arbitral institutions."

Chambers & Partners, Asia Pacific

"One of the smartest people I've ever met - thorough, detailed but very commercial and with a quiet, determined style."

Chambers & Partners, Asia Pacific

"A clear thinker on complex issues."

"Hardworking, diligent and capable."

The Legal 500, Asia Pacific

"Able to digest a long pleading, disassemble it into its several constituent parts, and then address each in turn."

The Legal 500, Asia Pacific

"Very thorough, highly intelligent, measured and always has something incisive to point out - certainly a safe pair of hands."

Chambers & Partners, Asia Pacific

"...a barrister with 'a deep knowledge of arbitral rules' who 'goes through every single point to make sure it's covered' and who combines 'persuasive and articulate' argument with 'an understanding of the commercial context'."

Chambers & Partners, Asia Pacific

Directory Rankings

Chambers & Partners

- Dispute Resolution: Arbitration – The English Bar – Singapore – Band 1 (Asia-Pacific & Global Guide)
- International Arbitration – The English Bar – Asia-Pacific Region – Spotlight Table (Asia-Pacific & Global Guide)

The Legal 500

- The English Bar: Commercial – Tier 1 (Leading Juniors) (Asia Pacific)
- The English Bar: Construction, Energy & Infrastructure – Tier 1 (Leading Juniors) (Asia Pacific)

Education

- LLB, Law (European Union), University of Leicester, 1999 (First Class Honours)
- Legal Practice Course, Nottingham Law School, 2000 (Distinction)
- Postgraduate Diploma in International Commercial Arbitration, Queen Mary University of London, 2007 (Distinction)

Appointments, Memberships and Prizes

Arbitral organisations

- Fellow & Vice-President, Singapore Institute of Arbitrators
- Member, Chartered Institute of Arbitrators
- Member, SIAC Users Council
- Member, LCIA Asia-Pacific Users Council
- Member, ASA (Swiss Arbitration Association); former co-chair of ASA Below 40 (2010-2013)

Arbitrator panels

- HKIAC List of Arbitrators
- SIAC Reserve Panel of Arbitrators
- KCAB International Panel of Arbitrators

Publications

- “Asymmetric Arbitration Clauses: The Best of Both Worlds or None at All?” 2021, *Singapore Arbitration Journal*, Andrew Pullen and Katie Chung
- “When is Commencement of Court Proceedings a Repudiatory Breach of an Arbitration Agreement?”, 13 February 2019, *Kluwer Arbitration Blog*, Andrew Pullen
- “Opening the gates for third party funding – recent developments in Hong Kong and Singapore and lessons for Korea”, 2017, *Korean Arbitration Review*, 7th Issue, Andrew Pullen and Jae Hee Suh
- “A Restatement of the Relationship between Arbitral Tribunals and the Courts”, 2015, *Mealey’s International Arbitration Reporter*, Vol 30, No. 5, Andrew Pullen and Andrew Foo
- “TMM Division Maritima SA de CV v Pacific Richfield Marine Pte Ltd [2013] SGHC 186”, 2013, *Mealey’s International Arbitration Reporter*, Vol. 28, No. 10, Andrew Pullen and Sunil Mawkin
- “Developments for Arbitration of Financial Sector Disputes”, 2013, *SIAC Newsletter*
- “Astro Nusartura International BV and others v PT Ayunda Prima Mitra and others”, 2012, *Mealey’s International Arbitration Report*, Vol. 27, No. 12, Andrew Pullen and Shobna Chandran
- “Setting Aside an Arbitral Award On Grounds of Natural Justice”, 2012, *Mealey’s International Arbitration Report*, Vol. 27, No. 9, Andrew Pullen and Xia Li
- “Casenote: *AJU v AJT* – Singapore Court of Appeal clarifies scope of public policy review of arbitral awards”, 2011, *Mealey’s International Arbitration Report*, Vol. 26, No.11, Andrew Pullen and Rick Gal
- “The rise of arbitration in financial transactions: key issues for users and practitioners”, September 2011, *Newsletter of the International Bar Association Legal Practice Division*, Vol. 16 No 2, pg 36 – 39, Andrew Pullen and Hi Chong (Sylvia) Ko
- *The International Arbitration Review*, Law Business Research Ltd, 2010, Stephen Jagusch and Andrew Pullen, Chapter 7: England & Wales, in Carter, J.H. (ed)
- “The Future of International Arbitration in Europe: West Tankers and the EU Green Paper”, 2009, *Int. A.L.R.*, Andrew Pullen, Vol. 12(4), pg 56-61
- “The Reform of the Brussels Regulation: A Crossroad for arbitration in Europe”, published on Practicallaw.com, 2009, Andrew Pullen

Awards

