

## [Webinar] Unjust Enrichment Claims in Singapore: Where are we now post-*Esben Finance Limited v Neil Wong*?



2 June 2022, Thursday  
2.30pm – 4.45pm



*This programme is conducted as a live webinar.*



No. of  
Public CPD  
Points:  
**2.0**

Practice Area:  
**Corporate/Commercial**

Training  
Level:  
**General**

## About the Programme

This webinar discusses the ramifications of the recent decision *Esben Finance Limited v Neil Wong* [2022] SGCA(I) 1 issued by the Court of Appeal on 10 January 2022 which dealt with the law of unjust enrichment. Spanning over 151 pages, this judgment covers an astounding range of issues including limitation, laches, at the plaintiff's expense, illegality, lack of consent, ignorance and vindication of property rights. This webinar will provide a clear overview of the practical ramifications of this decision in relation to the future of the law of unjust enrichment claims in Singapore.

## Programme Outline

Time	Programme
2.00pm – 2.30pm	<b>Registrants to log on</b>
2.30pm – 3.00pm	<b>Unjust Enrichment Claims and Limitation &amp; Laches</b> Alina Chia – Partner, Rajah & Tann Singapore LLP
3.00pm – 3.30pm	<b>Unjust Enrichment Claims – At the Plaintiff's Expense &amp; Illegality</b> Tay Yong Seng – Partner, Allen & Gledhill LLP
3.30pm – 3.40pm	<b>Break</b>
3.40pm – 4.10pm	<b>Unjust Enrichment – Lack of Consent, Ignorance &amp; Vindication of Property Rights</b> Tang Hang Wu – Professor of Law, Yong Pung How School of Law, Singapore Management University
4.10pm – 4.45pm	<b>Panel Discussion on the Ramifications of Esben Finance Litigation</b> <u>Moderator</u> Low Weng Tchung – Principal, Weng & Co <u>Panellists</u> Alina Chia – Partner, Rajah & Tann Singapore LLP Tay Yong Seng – Partner, Allen & Gledhill LLP Tang Hang Wu – Professor of Law, Yong Pung How School of Law, Singapore Management University
4.45pm	<b>End</b>

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## Speakers' Profile



### **Alina Chia – Partner, Rajah & Tann Singapore LLP**

Alina has more than 10 years of experience, specialising in commercial dispute resolution.

Alina has advised and acted in a wide range of matters involving cross-border joint venture disputes, derivative actions as well as claims involving restraint of trade, breaches of fiduciary duties, employment and sale of goods. She has been involved in both arbitration and litigation proceedings and has appeared before the Singapore International Commercial Court.



### **Tay Yong Seng – Partner, Allen & Gledhill LLP**

Tay Yong Seng is a Litigation Partner at Allen and Gledhill. He acts as lead counsel with a broad-based commercial practice, spanning employment, commodities trading and joint ventures.

In the High Court, he specialises in heavy commercial injunctions like non-competes and Mareva injunctions in high stakes litigation. He has acted for top trading companies like BGC Partners, Itochu and Maersk Trade Finance in injunction cases that pushed the boundaries of Singapore law.

In the Court of Appeal, his experience involves difficult and novel areas of law. His successful cases include *Seah Teong Kang v Seah Yong Chwan* [2015] 5 SLR 792, a leading case that clarified the law of transmissions of title in trusts.

Yong Seng is recognized by leading directories like Legal 500 (“*Leading Individual*”), Benchmark Litigation (“*Litigation Star*”) and Chambers (“*Ranked Lawyers*”), noting that “[he] has a very sharp and insightful mind and plans his court strategy like a chess grandmaster”, [is] “*Oxford-educated and technically razor sharp*”, and “*technically brilliant and makes difficult cases seem easy*”.

Yong Seng combines public sector experience (Assistant Director in Ministry of Law) with academia. At the Singapore Academy Law (SAL), he serves as Subject Editor for Employment Law for SAL Practitioner, and Co-Editor of the SAL Annual Review of Singapore Cases (Equity and Trusts). He also teaches at Singapore Management University as Adjunct Faculty on Commercial Remedies.

Yong Seng was educated at Oxford University, taking a BA in Law in 2003 and BCL in 2004.



### **Tang Hang Wu – Professor of Law, Yong Pung How School of Law, Singapore Management University**

Tang Hang Wu is a Professor at the School of Law, Singapore Management University. His research interests include land law, restitution, equity, trusts, charity and non-profit law. Hang Wu has published widely and his work has been relied on by all levels of the Singapore courts and other Commonwealth countries. Hang Wu is in demand to provide training for lawyers in Singapore, Hong Kong and Malaysia and he has also provided continuing legal education for judges at the Singapore Judicial College and Family Justice Court. He is frequently instructed by law firms to act as instructed Counsel before the Singapore courts or to advise legal teams on crafting compelling case theories in litigation before the High Court and Court of

Appeal. In terms of advisory work, Hang Wu has advised high net worth individuals, banks, trustees, the U.S Department of Justice and international law firms on complex property and trust issues. Outside his work in academia and practice, he serves on boards and committees of multiple non-profit organisations including the Strata Titles Board, Special Needs Trust Company and Community Foundation of Singapore. For his service, he has been presented with awards from the Law Society of Singapore, Ministry of Law, Ministry of National Development and Ministry of Social & Family Development.



**Low Weng Tchung – Principal, Weng & Co**

Weng Tchung holds a First Class Master of Law degree from the University of Cambridge, with a specialisation in Commercial Law, and was the first recipient of the prestigious Malaysian Tun Suffian Foundation Cambridge Scholarship. He was a Prize Scholar of Churchill College, University of Cambridge. He also holds a First Class Bachelor of Law Degree, and is a Barrister-at-Law of the Honourable Society of the Middle Temple where he was a Blackstone Entrance Exhibitioner.

Weng Tchung is an advocate and solicitor of the High Court of Malaya, and has a broad and diverse dispute resolution practice. He is regularly instructed in commercial, corporate and telecommunication matters involving novel and complex legal issues, and has appeared at all levels of the Malaysian superior courts including the Federal Court.

Weng Tchung is the author of *The Law of Restitution and Unjust Enrichment in Malaysia* (2015), the first dedicated textbook on the law of restitution and unjust enrichment in Malaysia, which is regularly cited in the superior courts.

He was also a contributor and assistant editor to Sinnadurai, *Law of Contract*, 4th Edition (2011), the authoritative textbook on contract law in Malaysia.

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