

PETER DORAISAMY LLC

ADVOCATES & SOLICITORS

RAGHUNATH PETER DORAISAMY

Advocate & Solicitor (Singapore) • Barrister-at-Law, Middle Temple

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KEY AREAS OF PRACTICE

Marine & Offshore

International Trade & Trade Finance

Corporate, Commercial & Civil Disputes



EXPERIENCE

Raghunath Peter Doraisamy graduated with an LL.B. (Hons) from the University of Nottingham and received an LL.M. (Maritime Law) from the National University of Singapore. Peter was admitted to the Middle Temple as a Barrister-at-Law in 1997 and became an Advocate and Solicitor of the Supreme Court of Singapore in 1999.

Prior to founding Peter Doraisamy LLC, Peter established the Dispute Resolution practice group in Duane Morris & Selvam LLP when he joined the firm in 2011. He was the Head of the Dispute Resolution Practice Group as well as the Firm's Shipping and International Trade Practice Group.

With almost 18 years of practice experience, Peter has extensive expertise in handling complex civil litigation and arbitration matters and has litigated at all levels of the Singapore Courts.

Having had significant experience in the shipping sector, Peter's specialisation lies in shipping and maritime law. He regularly engages in advisory work and dispute resolution (including charterparty and bill of lading disputes, shipbuilding/repair, collisions, arrest and enforcement of maritime claims), marine insurance and international trade. His non-contentious matters usually involve advisory work and drafting in relation to joint ventures, mergers and acquisitions, construction, repair, conversion, sale & purchase and chartering/operations/management of ships and onshore/offshore drilling platforms, ship finance and registration.

AREAS OF PRACTICE AND EXPERIENCE

WET/DRY SHIPPING

- Acted as Singapore counsel in a three-way collision involving the vessels “Lord Vishnu”, “Hai Qing” and “Skua” in Singapore waters.
- Acted as Singapore counsel for P&I Club on behalf of shipowners in a collision between 2 bulk carriers “Best Unity” and “Southern Explorer” in Singapore waters.
- Acted as Singapore counsel for German shipowners of bulk carrier vessel “Mare Traveller” in collision with “Densa Jaguar” off Chittagong. Successfully obtained a stay of Singapore court proceedings.
- Acted as Singapore counsel in an incident involving tug “ALM Eagle” which was towing barge “POE Giant 12”. In the course of towage, “POE Giant 12” ran aground off Pedra Branca.
- Acted as Singapore counsel for P&I Club on behalf of shipowners in a collision involving product tanker “United Fortitude” and vehicle carrier “Oceanus Leader” near Singapore.
- Ship agents in ad-hoc arbitration in Singapore for a claim in the sum of US\$2 million against a Ukrainian-based ship owner for outstanding agency and management fees.
- Cargo interests in arbitration proceedings for a claim amounting to US\$500,000 against the owner of a barge for loss of a cargo overboard due to alleged unseaworthiness.
- P & I Club to defend actions brought by cargo interests and an Indonesian based container terminal in the sum of approximately US\$1.5 million for damage to cargo and containers

caused by an explosion and resulting fire in the container terminal. The alleged source of the explosion was a wrongly declared dangerous cargo stuffed in a container carried by the member's container vessel.

- P & I Club and hull underwriters in coordinating the defence against actions brought in South Africa by cargo interests for loss and damage amounting to approximately US\$5 million arising from an explosion and resulting fire on board the member's container vessel at Durban.
- Owners in a claim against bunker suppliers for substantial damage to the vessel's main engines arising out of the supply of off-specification fuel oil. The claim was brought via arbitration in Singapore under the Singapore International Arbitration Centre's Bunker Claims Procedure (SBC) terms.
- Owners in relation to the 2010 sinking of a tugboat off Pedra Branca. Work involved taking of statements from surviving crew, assisting clients in relation to MPA investigations and advice on policy coverage.
- A Singapore listed company in a SIAC arbitration involving a US\$85 million claim for breach of a long-term charterparty of a floating warehouse to PDVSA, the Venezuelan NOC.
- A sub-contractor in a High Court suit facing a claim from owners and engine manufacturers for damages in excess of US\$1.5 million resulting from an engine room fire.
- An Indonesian shipping company, which is listed on the Indonesia Stock Exchange, in defending an US\$11 million arbitration claim in the London Maritime Arbitrators Association in respect of an alleged breach of a bareboat charterparty. Separately, he acted as the coordinating solicitor in respect of proceedings brought against the client in the Commercial

Division of the English High Court arising out of a guarantee given by the client in relation to the bareboat charterparty which is the subject of the arbitration mentioned above.

- Acted as lead counsel for a Singapore mainboard listed company, in a High Court suit facing a claim amounting to approximately S\$1 million brought by Indonesian-based subcontractors for invoices allegedly due and owing from the client's subsidiary shipyard based in Batam. Successfully obtained a stay of the proceedings in the High Court of Singapore in favour of Indonesia on the basis of forum non conveniens, which was upheld on appeal.
- Acted as lead counsel for a leading Mexican offshore drilling contractor on a US\$60 million Singapore arbitration commenced against a world-renowned shipyard in connection with warranty claims arising under a US\$500M semi-submersible building contract.
- Represented VSC International Pte Ltd, a subsidiary of a leading Indian private sector shipping company, in the first ever prosecution brought by the Maritime Port Authority of Singapore (MPA) under the Merchant Shipping (Maritime Labour Convention) Act (Act 6 of 2014) (the Act). The client faced 15 charges under the Act for offences committed on board the vessel, M.V. Maharshi Bhavatreya, whilst anchored off the coast of Dubai. The client was charged under Section 14 (1) of the Act, which seeks to address the perennial issue faced by seafarers of arrears and/or non-payment of wages. Successfully mitigated the client's exposure to the charges when the District Courts of Singapore levied a fine of S\$12,000 as opposed to the maximum fine of S\$ 75,000.

SHIPBUILDING, REPAIR AND CONVERSION

- A Singaporean shipyard in a claim for loss and damage in the sum of £800,000 brought by owners for alleged negligence in the conversion of their vessel to enable her to perform cable-laying works.
- Owners in a claim against an UAE-based builder for damages arising from delay and negligence in the construction of an offshore platform built at a contract price of US\$8 million.
- Acted for owners in a claim against a manufacturer of controllable pitch propellers for loss and damage arising from defects in design.
- Retained by a Thai shipyard to advise and assist with all of their contract drafting and litigation.

INTERNATIONAL TRADE / TRADE FINANCE

- Acted for a local subsidiary of a large Japanese ship-owning and logistics company (“the Company”) in its defence of 6 separate High Court actions brought by international trade finance banks for losses amounting to approximately US\$100 million in respect of the Company’s alleged issuance of warehouse receipts for non-existent metal cargo.
- Acted for a commodities trader in the prosecution of 2 separate claims amounting to US\$3 million brought by way of arbitration under the ICC Rules for non-delivery of sulphuric acid. Issues of law involved force majeure, repudiatory breach of contract and whether consequential losses were claimable.

- Acted for a commodities trader in an arbitration in which it faces a claim for failure to deliver cargo valued at US\$0.5 million.
- Acted for a palm oil trader in a High Court suit involving a claim in excess of US\$1.7 million involving allegations of fraud and conspiracy to defraud.
- Retained as Counsel by a large Singapore-based petrochemicals trader to handle all contract drafting and disputes arising from their sale and purchase contracts.

NON-CONTENTIOUS MATTERS IN THE MARINE & OFFSHORE SECTOR

- Acted for a buyer in relation to 3 new building contracts for self-propelled jack-up barges for construction at a shipyard in the USA. The aggregate project cost amounted to approximately US\$150 million. Work done included drafting and negotiating documentation in relation to the financing of the new builds and separate joint ventures to own and operate the vessels.
- A buyer in relation to the purchase of 5 onshore drilling rigs manufactured in China at a project cost of approximately US\$25 million. The rigs were leased on a long-term basis to various drilling contractors for deployment in the USA, the Middle East, North Africa and other jurisdictions. Work done included advising on the sale and purchase, leasing and operation of the rigs and reviewing the finance documentation for the purchase of the said units.
- A buyer in relation to a construction contract for a Friede & Goldman Super M2 design jack-up rig to be built in an UAE based yard at a contract price of US\$150 million. Scope of the advice included the financing of the construction cost, the drafting of all necessary documentation for a tripartite joint venture to own and operate the rig and the negotiation on the terms and conditions of the building contract.

- A purchaser in its US\$80 million acquisition of an Oslo OTC listed company active in the provision of management services, operation and supply of on and offshore drilling and accommodation units. Advice rendered was mainly in relation to an extensive due diligence exercise carried out on the target company's management contracts and assets.
- A purchaser in its US\$30 million acquisition of an offshore jack-up drilling unit damaged by Hurricane Katrina. Advice was rendered on, among other things, the insurance/classification aspects for the rig, its dry towage to a yard to commence conversion works and the conversion contract itself.
- A borrower in relation to a US\$40 million term loan facility to finance the construction of an offshore platform in the USA.
- A Singapore listed company in its purchase of 2 accommodation barges at a contract price of US\$20 million and a subsequent joint venture to own and operate the barges.
- A Singapore counsel for a US-based fund and its manager in a proposed US\$300 million investment in a Singapore-based venture to acquire, operate and /or charter a large fleet of small tankers and other vessels.
- A Singapore listed company in the sale and lease back of an oil tanker valued at US\$18 million.
- Acted as Singapore counsel for a UK based subsea oil and gas services group in its acquisition of a well intervention services provider.
- A Singapore listed company in its US\$6 million acquisition of an oil and gas project management services provider.

Advocate & Solicitor (Singapore), Barrister at Law, Middle Temple 1997

- A Singapore listed company in its tripartite joint venture to supply offshore support vessels in respect of the Gorgon gas project in Western Australia. Work done included drafting and negotiating the JVA and the chartering contracts.
- A Singapore listed company in port development projects in Western Australia. Work done involves, *inter alia*, drafting and negotiating lease and license documentation.

APPOINTMENTS / COMMITTEES

Committee Member, Maritime Law Association of Singapore

Committee Member, Offshore Services Committee, Singapore Shipping Association

Member, Advisory Board, National University of Singapore Centre for Maritime Law

Committee Member, Singapore Chamber of Maritime Arbitration (SCMA)

Committee Member, Law Society of Singapore Probate and International relations sub-committees

Legal Counsel to the Mexican Embassy of Singapore and Bulgarian Embassy of Singapore

MEMBERSHIPS IN PROFESSIONAL BODIES

Member, Law Society of Singapore

Member, Singapore Academy of Law

Member, Catholic Lawyer's Guild of Singapore

Advocate & Solicitor (Singapore), Barrister at Law, Middle Temple 1997

Member, The Catholic Business Network Singapore

Member, Singapore Institute of Directors

PUBLICATIONS / EDITORIAL CONTRIBUTIONS

Peter's publications include: -

- Author of the Singapore chapter of International Comparative Legal Guide on Shipping Law 2014
- Author of "Future of Judicial Sale of Ships in Singapore" article contained in Benedict's Maritime (2014 edition)
- Author of the Singapore chapter of Shipping and International Trade Law 2nd Edition (2015)

SELECTED SPEAKING ENGAGEMENTS

- Co-presenter for Duane Morris' key client seminar – The Global Arbitration Movement: Trends in Asia in October 2012.
- Co-Chair of the Maritime Panel of the 2009 Seasonal Meeting of the New York State Bar Association (International Section) held in Singapore from 26-29 October 2009.
- Under the invitation of the Indonesian National Shipowners' Association (INSA), delivered a full day seminar and workshop entitled, *Ship Finance from a Singapore Perspective* in Jakarta in January 2010 and a second seminar on sale and purchase of second hand tonnage in June 2012.
- Delivered numerous in-house seminars and workshops to owners, shipyards and banks etc. covering relevant topics on shipping and admiralty law.

VOLUNTEERING WORK

Volunteer - Roman Catholic Free Legal Clinic

Volunteer lawyer for the Law Society Criminal Legal Aid Scheme (CLAS)

The Law society of Singapore Defence Assist Scheme

LANGUAGES

English

Mandarin (Second language)