

Crystal Wong Wai Chin

Crystal has an active arbitration practice throughout Malaysia, Singapore and the ASEAN region, with an emphasis on electricity, conventional and renewable energy generation, water supply, and complex infrastructure & engineering projects. She is the trusted advisor for clients ranging from utility companies, independent power producers, government-linked companies, multinational companies, and Chinese State-Owned Entities. Her experience includes an extended stint with a leading international utilities conglomerate.

Having received Chinese legal training in Chongqing at Southwest University of Political Science and Law, further aided by her fluency in English and Mandarin and her first-hand understanding of Chinese corporate and social culture, Crystal has gained a strong reputation as the trusted legal advisor and leading solicitor for mainland Chinese companies investing in Malaysia. She co-heads the firm's China Desk.

Crystal is a Fellow of the Chartered Institute of Arbitrators and is on the panel of arbitrators for Asian International Arbitration Centre ("AIAC") and Chinese Arbitration Association, Taipei. Crystal also holds numerous committee appointments, including Committee Member of the Arbitration Committee for the Bar Council of Malaysia, Committee Member of the Belt & Road Committee for the Young Practitioners Group of AIAC, Regional Ambassador of the HK45, Hong Kong International of Arbitration Centre, Ambassador of the ICC Belt and Road Commission, Sole Member of Rising Arbitrators Initiative from Malaysia, and Founder of Malaysia Chapter, Energy Related Arbitration Practitioners.

Crystal's contribution to publications, particularly on arbitration and energy, extends across national and international conferences, various books and journals. She is a regular contributor to the Arbitration chapter of the Malaysian Civil Procedure (Sweet & Maxwell, 2015 & 2018 editions). As part of her commitment towards giving back to society, Crystal, in her pro bono capacity, is the committee member of the Constitution Commission and Queen's Guide Leadership Fund Committee of the Girl Guides Association Malaysia and a TrustLaw Member, Thomson Reuters Foundation.



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Qualifications

- LLM, International Arbitration and Dispute Resolution, National University of Singapore
- LLB (Hons), Cardiff University
- Advocate & Solicitor of the High Court of Malaya
- Called to the Bar of England and Wales (Lincoln's Inn)

Practice Areas

- International Arbitration
- Energy, Natural Resources & Utilities
- Infrastructure Projects
- Media

Professional Affiliations

- Panel Arbitrator, Asian International Arbitration Centre
- Fellow, Chartered Institute of Arbitrators
- Director of the CIArb, Malaysia Branch
- Chairman, Arbitration Sub-Committee of the Malaysian Bar Council (2018-2020)
- Committee Member, Belt & Road Committee for the Young Practitioners Group of AIAC
- Ambassador of the ICC Commission on the Belt and Road Initiative
- Regional Ambassador of the HK45, Hong Kong International of Arbitration Centre
- Regional Leader, Asia Pacific, Interlaw, Special Business Team - Arbitration and ADR

Experience

As Counsel/Co-Counsel:

- Represented one of Malaysia's largest independent power producers in a series of AIAC arbitrations involving issues on the operation and maintenance of power stations, generation capacity payments under power purchase agreements for IPPs, and the operation and maintenance of the Malaysian Grid System.
- Advising one of Malaysia's largest independent power producers on payment-related disputes in relation to commercial rates for Capacity Payment and Energy Payment, including adjustments to the Fixed Operating Rate and Variable Operating Rate, under various long-term power purchase agreements.
- Representing a Malaysian independent power producer in a Singapore-seated ad hoc arbitration against Japanese contractors concerning design and operating defects in the boiler and auxiliary systems of a coal-fired power plant.
- Advising various power producers in arbitrations against EPC contractor for delays in completion of works for conventional power plants and co-generation plants.
- Represented a stated-owned company in dispute on construction and transmission-related issues concerning power transmission lines.
- Represented a stated-owned company in a series of arbitrations (against insurer, engineer, and end user) arising out of the post-completion explosion at petroleum shore tank facilities.
- Advising a multinational EPCC contractor on a potential investor-state dispute and possible commercial exit strategies from a suite of civil law-governed project agreements concerning a water treatment plant in Algeria.
- Counsel for a major Chinese oil conglomerate in multi-party litigation concerning commercial arrangements under a suite of construction contracts for a refinery and petrochemical integrated development project in Malaysia.
- Advising one of China's largest stated-owned construction company in arbitration claim and counterclaim exceeding RM300million arising out of construction of one of the highest towers in Malaysia.
- Advising various Chinese stated-owned companies in commercial and construction disputes arising from belt and road investments in Malaysia.
- Representing a state-owned petroleum company in a series of Malaysia-seated ad hoc arbitrations involving engineering disputes concerning defective earthworks in the construction of an international airport runway.
- Representing a UK-based oil and gas contractor in an arbitration against a Singaporean employer concerning the fabrication of production enhancement facilities for an offshore petroleum facility.

As Arbitrator:

- Sole arbitrator in an arbitration arising out of plantation dispute under the AIAC Arbitration Rules.
- Sole arbitrator in an arbitration arising out of a commercial contract under the SIAC Arbitration Rules.

Notable Publications

- Contributor — The Malaysian Civil Procedure 2013, 2015 and 2018 by Sweet & Maxwell Asia
- Contributor — Bullen & Leake & Jacob's Malaysian Precedents of Pleadings 1st and 2nd Edition)
- Co-authored — The COVID-19 Act and Contracts, 23.10.2020
- Co-authored — *The Coronavirus Epidemic: Does it count as Force Majeure? [2020] MLN(A) xiii*
- Co-authored — *The Rise of Mediation: An Alternative Dispute Resolution Forum in the Times of COVID-19, 16.4.2020*
- Co-authored — Changing for Climate Change: Renewable Energy Regulation in Malaysia, published in Master Builders Journal, Issue 119, Vol. 2/2020
- Authored — Research paper on Climate Change & Energy: Malaysia's Energy Policy - where roads paved with good intentions lead?", Nominated Best Paper Award, International Conference on the Future of Law & Legal Practice 2019
- Co-authored — *Enforcing foreign arbitral awards in Malaysia, Lexis@PSL, 2.6.2016*

Language

- English
- Bahasa Malaysia
- Chinese Mandarin, Cantonese and Hokkien