



Sharon Chong Tze Ying
Dispute Resolution Partner

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Legal 500 Asia-Pacific 2020

Sharon Chong is a dispute resolution partner and her portfolio includes aviation, international arbitration, joint venture and shareholders’ disputes, commodity disputes, fraud & asset recovery and insolvency & restructuring.

She acts as an advocate in a wide array of cross-border disputes and has appeared at all tiers of the Malaysian courts and in international arbitrations in Asia and Europe.

Sharon is the Past President of the Malaysian Institute of Arbitrators and a member of the Maxwell Chambers Steering Committee and the YSIAC Council. In addition to her work as counsel, Sharon sits as arbitrator and has served as sole arbitrator in AIAC, SIAC and ad hoc arbitrations. She is a Fellow of the Chartered Institute of Arbitrators (FCIArb) and the Malaysian Institute of Arbitrators (FMIArb). She is also on the panel of arbitrators of AIAC, SIAC, HKIAC, KCAB and THAC.

Sharon is a member of INSOL International and a founding member and immediate past Co-Chair of the Malaysia Network of the International Women’s Insolvency & Restructuring Confederation (IWIRC). She has recently been elected as a Director-At-Large of IWIRC International for 2024-2025. She is part of the faculty for the Bar Council of Malaysia’s Advocacy Training Course and Delos’s Remote Oral Advocacy Programme (ROAP) Asia 2023-2024 edition.

Sharon has been recognised by various legal publications including Chambers Asia-Pacific, The Legal 500, Benchmark Litigation Asia-Pacific, asialaw, Global Arbitration Review and Global Restructuring Review. Sharon’s clients have commented that she is “patient and thorough, but more than that, she is supportive and explains the legal position clearly at the outset”, “very good at addressing the subject matter and really easy to work with” and is “clear-thinking and decisive” (Chambers Asia-Pacific 2023-2024). She has also been described to be “efficient, has an in-depth legal knowledge of the subject matter, and is quick in responding” and “stands out for her enthusiasm, incisive analysis of issues, and incredible commitment to the client”, “always a pleasure to work with”, “particularly impressive in terms of her enthusiasm and being available to clients”, her “skillset, integrity, intelligence and dedication to the case and client surprises all the time”, is “extremely responsive and savvy”, “gives practical and clear advice”, has “impressed” with “both her round-the-clock availability and her ability to get up to speed with sometimes complex matters” and also “very willing to roll up her sleeves and get the work done. Meticulous, with a strong work ethic and very easy to get along with” (The Legal 500 Asia-Pacific 2020-2024).

Sharon was recognised in The Legal 500 Arbitration Powerlist 2022 and 2023 for South East Asia and ALB Asia’s Top 15 Rising Lawyers 2021. She has been ranked Band 5 for Dispute Resolution by

Chambers Asia-Pacific 2024, “Next Generation Partner” for Dispute Resolution in The Legal 500 Asia-Pacific 2020-2024 and listed as “Litigation Star” in Commercial Disputes, Dispute Resolution and International Arbitration in Benchmark Litigation Asia-Pacific. She is also recognised in the Global Arbitration Review 100 (GAR 100) as a “name to know”.

Areas of Practice

International Arbitration
Oil & Gas, and Commodity Disputes
Aviation Disputes
Commercial Litigation and Arbitration
Company Law and Shareholders’ Disputes
Restructuring and Insolvency
Regulatory Enforcement
Fraud and Asset Recovery

Selected Experience

International Arbitration

As Arbitrator

- ❖ Appointed as Arbitrator by the AIAC and SIAC in a number of institutional arbitrations on contractual disputes.
- ❖ Appointed as Arbitrator in a number of ad-hoc arbitrations on contractual disputes.

As Counsel

- ❖ Acting for a state-owned oil and gas company in an AIAC arbitration claim in excess of RM380 million in respect of an engineering, procurement, construction, installation and commissioning contract for an offshore production unit.
- ❖ Advising and acting for a foreign multinational banking and financial services corporation in relation to enforcement issues and arbitral proceedings (with seat in a foreign state as well as in Malaysia).
- ❖ Acted successfully for a foreign client against one of the largest integrated energy and commodity trading companies in the world in an SIAC arbitration involving petroleum product quality dispute.
- ❖ Acted successfully for a foreign client against the world’s largest commodities trading company in an ad-hoc arbitration with the seat of arbitration in London and the governing law of the contract being English law. Successfully resisted claims of force majeure arising out of a contract for crude oil supply. Damages for breach of contract in the sum of US\$ 20.2 million plus interests and costs were awarded by the tribunal to the client.
- ❖ Represented a subsidiary of one of the world’s largest integrated oil and gas services and solutions provider in a subsea cable installation project.

- ❖ Acted for a state-owned oil and gas company in defending a claim in excess of USD120 million arising from a contract for the leasing, operation and maintenance of offshore production units and related facilities for petroleum exploration and production.
- ❖ Advised and acted for a Malaysian oil and gas company in an AIAC arbitration seated in Malaysia involving helicopter charter services.
- ❖ Advised and acted for a foreign client in an ICC arbitration seated in Singapore involving service agreements.
- ❖ Acted for a reinsurer in various international arbitrations seated in Thailand under the auspices of the Thai Arbitration Institute, on coverage issues in claims resulting from environmental disasters in Thailand.
- ❖ Acted for a foreign client in an ICC arbitration seated in Singapore on disputes arising from shareholders and settlement agreements involving more than RM 56 million.
- ❖ Acted for a foreign client to enforce an ICC Award involving a sum in excess of USD 17 million.
- ❖ Acted for a reinsurer which is the world's first Shariah compliant/Reinsurance operator in various international arbitration proceedings on reinsurance coverage issues.
- ❖ Acted in various setting aside and enforcement proceedings before the courts in Malaysia, including representing a Thai company and a Lao company in their appeal to the Federal Court against the Court of Appeal decision which upheld the High Court order to set aside an international arbitration award for the sum of USD 57.2 million. [Thai-Lao Lignite Co Ltd & Anor v. Government of The Lao People's Democratic Republic [2017] 9 CLJ 273 (FC)]
- ❖ Acted for the director of the then KLRCA, where the director's immunity from legal suits and other process were in question. [AV Asia Sdn Bhd v Director of KLRCA & Measat Broadcast Network Systems Sdn Bhd Originating Summons No. 24NCC(ARB)-1-01/2013]
- ❖ Acted for the then KLRCA, where the appointment of an arbitrator by the Centre as an appointing authority is challenged by one of the parties. [Al-Hidayah Properties Development Sdn Bhd v KLRCA & Kukdong Engineering & Construction Co Ltd Originating Summons No. 24NCC-184-06/2013]

Aviation

- ❖ Advising aircraft lessors, financiers, reinsurers, airlines and regulatory bodies in aviation disputes, repossession of aircraft and restructuring.
- ❖ Acted for various creditors of AirAsia X Berhad's including Sky High I Leasing Company Limited, a subsidiary of ICBC Aviation Leasing Company Limited, in intervening in AirAsia X Bhd's debt restructuring scheme.
- ❖ Acted successfully for a subsidiary of a global investment and advisory financial services firm in the first ever case of repossession of an aircraft, Airbus 330-200, in Malaysia. [GAFS-P Labuan Limited v Eaglexpress Air Charter Sdn Bhd Originating Summons No. WA-24NCC-240-06/2016]
- ❖ Acted for Malaysia Airports Holding Berhad in matters involving abandoned aircrafts at its airports and on matters relating to the airports' conditions of use and the Civil Aviation Regulations.
- ❖ Advised and represented a wholly owned subsidiary of a leading player in China's leasing industry (with a local and overseas asset portfolio worth more than CNY 300 billion) in a matter involving a potential repossession of three Airbus A330 leased to one of the main airlines in Malaysia.
- ❖ Advised a client against the largest helicopter manufacturer in the industry, in terms of revenues and turbine helicopter deliveries in a dispute involving manufacturing defaults.
- ❖ Advised Malaysian Airline Systems Berhad (Administrator Appointed) in a variety of contractual matters.
- ❖ Acted for a Malaysian oil and gas company in an arbitration involving helicopter charter services.
- ❖ Acted for a subsidiary of a public listed company in Malaysia in a matter involving a helicopter crash and fatalities in Malaysia.
- ❖ Advised the world's largest independent aircraft leasing company in its remedies under the Cape Town Convention.

Corporate and Commercial Disputes, Restructuring & Insolvency

- ❖ Advising and acting for clients in cross-border disputes involving multiple jurisdictions (Malaysia, Hong Kong, China and BVI) relating to among others, estate disputes, corporate and shareholders' disputes including shareholders' oppression action, validity of EGMs, removal

of directors, allegations of fraud, dishonesty, conspiracy to injure, misappropriation of funds and assets, breach of statutory duties, and committal.

- ❖ Acted for various creditors of AirAsia X Berhad's including Sky High I Leasing Company Limited, a subsidiary of ICBC Aviation Leasing Company Limited, in intervening in AirAsia X Bhd's debt restructuring scheme.
- ❖ Advising and acting for various aircraft lessors in airline restructurings.
- ❖ Acting for a Fortune 500 company in various litigation proceedings filed in the Malaysian courts.
- ❖ Acted for a subsidiary of the Indonesian state-owned oil and gas company and third largest crude oil producer in Indonesia in a legal suit filed in Malaysia.
- ❖ Acting for Health Digital Technologies Sdn Bhd which operates DoctorOnCall, the largest online doctor consultation platform in Malaysia in a corporate litigation matter.
- ❖ Advised and acted for a major public listed Thai company and its subsidiary, involved in a shareholders' dispute with a minority shareholder in a Malaysian company in various legal proceedings commenced by the minority shareholder against the Thai companies. [Aras Jalinan Sdn Bhd v Tipco Asphalt Public Company Ltd & Anor [2008] 5 CLJ 654; Aras Jalinan Sdn Bhd v Tipco Asphalt Public Company Ltd & Anor [2011] 8 CLJ 830; Tipco Asphalt Public Company Limited & Anor v Aras Jalinan Sdn Bhd Civil Appeal No. 02(i)-26-05/2013(W)]
- ❖ Acted for Prestariang SKIN Sdn Bhd in a highly publicised case where it claimed RM733 million with interest against the Government of Malaysia (GOM) under the RM3.5 billion SKIN Project Concession Agreement for the design, development, building and maintenance of a new and more efficient and cost-effective immigration and border control system for the Immigration Department of Malaysia.
- ❖ Acted for Pelangi Prestasi Sdn Bhd ("Pelangi") in a RM1.2 billion court action against, among others, Sabah Forest Industries (under receivership) involving Timber Licences to be issued by the State Government of Sabah in respect of 288,138 hectares of forest reserve in Sipitang Sabah. This case involved court actions before the Kuala Lumpur and Kota Kinabalu courts and included civil actions, restraining order applications and judicial review proceedings before the courts.
- ❖ Acted for an investment holding company (a subsidiary of an Australian company listed on the stock exchanges of Australia and New Zealand with leading outdoor

advertising businesses in Australia and New Zealand, and with growing businesses in Hong Kong and Indonesia) in successfully resisting a claim that there was a concluded contract for the transfer of 30% shares in a local outdoor advertising company in Malaysia between the plaintiff and the shareholders of the said company. [Capital Billboards Sdn Bhd v Asia Posters Sdn Bhd & Ors [2012] 1 LNS 724]

- ❖ Acted for a Consortium, comprising two leading global engineering, construction and services corporations (one of which is ranked on the Fortune 500 List of Largest Corporations) and three Malaysian engineering and contracting companies in Malaysia. [Lembaga Pembangunan Industri Pembinaan Malaysia v Konsortium JGC Corporation & Ors (Issued as Incorporated Partnership) [2011] 7 CLJ 46 (HC); [2015] 5 CLJ 157 (CA); [2015] 9 CLJ 273 (FC)]
- ❖ Acted for a leading integrated end-to-end supply chain management solutions partner with companies throughout Asia Pacific, against the world's largest electronics contractor manufacturer and the third largest information technology company by revenue in various disputes.
- ❖ Successfully obtained a summary judgment for Intel Capital Corporation against Green Packet Berhad for the specific performance of a put option agreement, where Green Packet Berhad was ordered to pay the option exercise price of RM 60 million together with the interest of 1.5% per month, compounded monthly.
- ❖ Acted for a subsidiary of a public listed company in Malaysia in striking out an action filed by a former director of a company to have access to the company's statutory and secretarial records on the ground that he did not have locus standi to proceed with his action.
- ❖ Acted for a public listed information technology company in Malaysia in its dispute with its former directors and senior employees involving various breaches of fiduciary duties, conspiracy and fraud. The litigation involved the granting of a Mareva Injunction Order to freeze the defendants' assets, as well as the execution of an Anton Piller Order.
- ❖ Acted in opposing an action for a declaration that the removal of certain directors was void, which included a determination of whether a physical shareholder meeting was required in order to remove directors. [Dato' Low Tuck Choy & Anor v Chong Kok Weng & Ors [2009] 1 LNS 964]
- ❖ Advised and acted for a major public listed construction company in Malaysia in various legal actions involving the removal and appointment of directors and breach of director's duties.

- ❖ Acted in opposing a just and equitable winding-up petition which involved various interlocutory applications, including an application to appoint a provisional liquidator for the company, an injunction to restrain the company from appointing additional directors to the board and application for validation orders for payment of dividends to shareholders and staff bonuses.
- ❖ Acted for an Indian national in a commercial dispute where parties were embroiled in various litigation proceedings involving issues of breach of trust and the secrecy provision in the Labuan Companies Act 1990. The litigation involved the granting of an anti-suit injunction to restrain a party from continuing or prosecuting or assisting in the prosecution of a suit in a foreign jurisdiction, interpleader application and a Beddoe Order.
- ❖ Acted for a foreign client in an application made to the Labuan High Court by trustees of a Labuan company for leave to disclose information pertaining to the Labuan company for the purpose of disclosure in foreign proceedings commenced by the other beneficial owner against the trustees. This case is the first reported case in Malaysia on the secrecy provisions in the Labuan Companies Act 1990 which included detailed analysis of the Labuan Companies Act 1990 and statutory interpretation.

Qualifications & professional Affiliations

Qualifications:

Fellow of CIArb (UK)

Fellow of MIArb

Diploma in International Arbitration (CIArb (UK)

AIAC Certificate Programme in Sports Arbitration

Advocate & Solicitor, High Court of Malaya

LLB (Hons) University of London (2006)

Professional Affiliations:

Director-At-Large, International Women's Insolvency & Restructuring Confederation (IWIRC) International Board of Directors (2024-2025).

Co-Chair, International Women's Insolvency & Restructuring Confederation (IWIRC) Malaysia Network (2022-2023).

Council member, YSIAC Council of the Singapore International Arbitration Centre (2023).

Committee member, YSIAC of the Singapore International Arbitration Centre (2019-2022).

Committee member, Steering Committee of Maxwell Chambers Singapore (2021-present).

President, Malaysian Institute of Arbitrators (2019-2021).

Secretary, International Women's Insolvency & Restructuring

Confederation (IWIRC) Malaysia Network (2019-2021).
Founding member and Director, International Women's Insolvency & Restructuring Confederation (IWIRC) Malaysia Network (2017-present).
Faculty Member, Malaysian Bar Council Advocacy Training Course.
Panel Arbitrator, Asian International Arbitration Centre.
Panel Arbitrator, Singapore International Arbitration Centre.
List of Arbitrator, Hong Kong International Arbitration Centre.
Panel Arbitrator, Korean Commercial Arbitration Board.
Panel Arbitrator, Thai Arbitration Center.
Sports Arbitrator.
Member, SIAC Users Council (2017-2024).
Member, Young International Arbitration Group (YIAG) of the London Court of International Arbitration (LCIA).
Member, ICC Young Arbitrators Forum.

Publications & Talks

Delivered the following presentations/talks:

Selected Talks/Presentations

- Speaker, "Fireside Chat: Live, Laugh and Learn in Arbitration and Beyond)" at the Seoul ADR Festival 2023 hosted by CI Arb Korea on 31 October 2023.
- Panel speaker, "Geopolitics and its impact on Asian commercial disputes" at the GAR Live Singapore 2023 in Singapore on 31 August 2023.
- Panel speaker, "Too late to sue?" at the Asset Recovery Asia Conference on 23 May 2023.
- Panel speaker, "Arbitrator Diversity - Welcome step or misplaced crutch? Will diversity be achieved at the cost of meritocracy in arbitrator selection?" at the ICC Malaysia Arbitration Day on 22 May 2023.
- Moderator, "New regional developments in international arbitration/investment arbitration involving Asian parties" at the Lex Mundi Litigation, Arbitration and Dispute Resolution Asia Pacific Regional Practice Group Meeting held in Busan on 19 May 2023.
- Moderator, "Different Coverage of Insurance and How Arbitration Comes Into Place to Address These Insurance Claims" at the AIAC Insurance Arbitration Workshop 2023 on 21 March 2023.
- Speaker, "Cross-Examination", Delos's Remote Oral Advocacy Programme (ROAP) Asia 2023 edition on 27 February 2023.
- Panel speaker, "Room for Debate: Six Leading Arbitration Practitioners Debate Three Controversial Propositions" hosted by Lee & Ko at the Seoul ADR Festival on 8 November 2022.
- Panel speaker, "Arbitration Through the Ages" hosted jointly by SIAC and University of Malaya on 31 October 2022.
- Panel speaker, "Future of Arbitration: New and Emerging Norms" at the India ADR Week 2022 hosted by the Mumbai

- Centre For International Arbitration on 10 October 2022.
- Panel speaker, “Joining forces: business continuity and legal advocacy in merger & acquisitions and debt restructuring” at the 4th ICC Indonesia Arbitration Day in Jakarta, Indonesia on 14 September 2022.
 - Speaker, “The Gar Live Debate” at the GAR Live: Singapore hosted by the Global Arbitration Review in Singapore on 23 August 2022.
 - Panel speaker, “Joint Venture Arbitrations: Your Divorce, Your Way? (And More)” as part of the AIAC Evening Talk Series 2022 on 28 July 2022.
 - Panel speaker, “Asset recovery litigation in a new world order” at the Asset Recovery International Conference in Dublin, Ireland on 12 May 2022.
 - Panel speaker, “Panel II: ‘Signed and Concluded’ – Principles of Arbitration Agreement Formation and Conclusion” at the Generations in Arbitration Conference in Hong Kong on 24 March 2022.
 - Panel speaker, “ESG, Technology and the Emerging Regulatory and Disputes Landscape”, SIAC Korea Webinar hosted jointly by SIAC, In House Counsel Forum of Korea and Yoon and Yang on 14 December 2021.
 - Panel speaker, “Pandora’s Box – Obtaining Documents in Asset Recovery Cases” at the Asset Recovery Asia Conference on 30 November 2021.
 - Moderator, Lex Mundi Asia Pacific Litigation, Arbitration and Dispute Resolution Meeting on 11 November 2021.
 - Moderator, YSIAC Conference 2021 on 10 November 2021.
 - Panel speaker, “Developing Diversity in Arbitration, Advocacy and Tribunal Secretaries” at the 2021 Annual Conference of CIArb Nigeria Branch on 4 November 2021.
 - Facilitator, SIAC South East Asia Academy “The Making of an Advocate and an Arbitrator”, hosted by SIAC on 29-30 July 2021.
 - Moderator, “Surviving, Persevering and Thriving in the Era of COVID – Has ADR Evolved?”, MIArb’s 7th Annual Law Review 2021 on 22 July 2021.
 - Panel speaker, “Recent Trends and Developments: An Asian market perspective on dispute management” hosted jointly by Skrine and Allen & Overy on 13 July 2020.
 - Moderator and panel speaker, “Dispute Resolution in the Age of COVID-19: Perspectives from different jurisdictions” on 24 June 2021.
 - Speaker, “Arbitration Proceedings in the Time of COVID-19: Are Virtual Hearings the Answer?”, Joint Monthly Fellowship of the Philippine Institute of Arbitrators (PIArb) and the Chartered Institute of Arbitrators (East Asia Branch, Philippine Chapter) on 27 May 2021.
 - Moderator, YSIAC-YPG-YMG-YSCL Debate on 12 March 2021.

Selected Publications

- Co-author, the Malaysian Chapter on Dispute Resolution 2020-

- 2022 published on Lexology Getting The Deal Through.
- Contributor, Malaysian Civil Procedure 2021 and 2022 - a practitioner's guide.
- Co-author, the Malaysian Chapter in the Arbitration Post-Award Interest "Guidebook".
- Co-author, AirAsia X - One step closer to flying again.
- Co-author, Malaysian regulators urged to prohibit surcharges for seats next to minors and persons with disabilities or reduced mobility, Lexology/ILO/Mondaq.
- Co-author, Court of Appeal sets aside financial penalties imposed by MyCC on MAS and AirAsia, Lexology/ILO/Mondaq.
- Co-author, Cape Town Convention: court rules that AirAsia X restructuring scheme is insolvency-related event, Lexology/ILO/Mondaq.
- Co-author, Landmark decision on first airline debt restructuring scheme due to COVID-19, Lexology/ILO/Mondaq.
- Co-author, Cape Town Convention: Malaysian Court Rules That Airasia X Restructuring Scheme Is an 'Insolvency Related Event', Lexology/ILO/Mondaq.
- Co-author, Landmark Decision on the First Airline Debt Restructuring Scheme in Malaysia due to Covid-19 Fallout, Lexology/ILO/Mondaq
- Author, "Staying Aflight in the Time of Covid-19", Mondaq
- Author, "Staying airborne during COVID-19 pandemic", ILO Aviation Newsletter.
- Author, the Malaysian law section of the NRF Global E-Signatures Guide.
- Author, "ICC Guidance Note on Mitigating the Effects of COVID-19 in Arbitral Proceedings", Mondaq.
- Co-author, Malaysia Country Update, Asian Dispute Review journal 2018 edition, April 2018.
- Author, "The Cape Town Convention and Aircraft Protocol", Mondaq.
- Co-author, the Malaysian Chapter on "Directors in the Twilight Zone Project IV", INSOL International.
- Co-author, the Malaysian Chapter on "Directors in the Twilight Zone Project Zone III", INSOL International.
- Co-author, chapter on "Corporate Dispute Resolution", "Arbitration in Malaysia: A Practical Guide".

Accolades

- Ranked as Band 5 in Dispute Resolution by Chambers Asia-Pacific 2024 - 2026
- Listed as "Up and Coming" in Dispute Resolution by Chambers Asia-Pacific 2023
- Listed as "Litigation Star" in Commercial and Transactions by Benchmark Litigation Asia Pacific 2023 - 2025
- Listed as Notable Practitioner for Dispute Resolution by Asialaw Profile 2023 - 2025
- Recognised in The Legal 500 Arbitration Powerlist 2022 for South East Asia
- Recognised as one of ALB's Asia's Top 15 Rising Lawyers in 2021.
- Awarded Young Lawyer of the Year (Law Firm) at ALB Malaysia

Law Awards 2020.

- Ranked as “Next Generation Partner” for Dispute Resolution in The Legal 500 Asia-Pacific 2020-2025 where her clients have commented that her “skillset, integrity, intelligence and dedication to the case and client surprises all the time” (Legal 500 2022). She has been described as “extremely responsive and savvy”, “gives practical and clear advice” and has “impressed” with “both her round-the-clock availability and her ability to get up to speed with sometimes complex matters” (The Legal 500 Asia-Pacific 2021), and also “very willing to roll up her sleeves and get the work done. Meticulous, with a strong work ethic and very easy to get along with” (The Legal 500 Asia-Pacific 2020).
- Listed as a “Future Star” in Commercial and Transactions, International Arbitration, and Dispute Resolution in Benchmark Litigation Asia-Pacific 2018-2022.
- Recognised and mentioned in Global Arbitration Review (GAR 100) as a “name to know”.
- *“Sharon is really strong, and we love working with her. She is very helpful in explaining to the client how things work in Malaysia, and is very user-friendly.” - Chambers Asia-Pacific 2026*
- *“Sharon is clear-thinking and decisive. She is very good at addressing the subject matter and really easy to work with. Sharon directs us to the right people where appropriate.” - Chambers Asia-Pacific 2023*