

BUI DAI HUYNH (Harry)

PRACTICE

Energy
Corporate – M&A - Investment
Construction – Real Estate - Project Development
Finance & Banking
Dispute Resolution



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Languages: Vietnamese, English

DOB: 07/10/1992

EDUCATION & TRAINING

- Bachelor of Laws, HCMC University of Law
- Bachelor of Business Administration, HCMC University of Law
- Lawyer Practicing Certificate, Ministry of Justice
- Introduction to International Arbitration, CIArb
- SIAC Academy Singapore 2019, *"The Making of an Advocate and an Arbitrator"*

PRACTICE

My experience is mixed of a law firm's lawyer and in-house counsel. I was a senior associate at a leading boutique law firm and a transaction manager (legal) at a solar power investment fund and developer. Currently, I am a legal manager at an FDI real estate and retail developer.

I have significant experience in numerous large-scale projects related to energy, construction, real estate, corporate, finance & banking, shipping and aviation, international trade, and dispute resolution fields.

My recent experience includes project delivery – development and construction related agreements (e.g. EPC, O&M, PSC, JOA, tender, FSO/FPSO, EPCI, construction contracts, and equipment supply contracts), renewable energy (particularly in the wind and solar sectors), M&A structure and related agreements (e.g. DD, SPA, SHA, JVA), CISG, licensing, liquidation, bankruptcy, litigation and arbitration.

I have acted and advised for both domestic and foreign clients, including State owned companies, multinational corporations, and listed companies.

AWARDS & ARTICLES

- Asialaw 2019, Rising Star in Energy practice
- IFLR1000 2019, Rising Star in Project Development and Finance & Banking practice
- Legal500's comments:

Dispute Resolution: Arbitration, *"Senior associate **Harry Bui** supports the workload and has acted for both domestic and foreign clients"*.

Dispute Resolution: Litigation, *"Tony Nguyen and Annie Ngo are key names, supported by senior associate **Harry Bui**"*.

Projects and Energy. *"**Harry Bui** is an experienced associate who handles large-scale project work and*

construction matters and Annie Ngo is another notable name”

- *“Vietnam recognition and enforcement of foreign arbitral awards in a nutshell”, EPLegal’s website*
- *“Vietnam Chapter”, The Projects and Construction Review, 6th and 7th editions*
- *“Vietnam: International Arbitration Laws and Regulations 2019”, Global Legal Insights*

EXPERIENCE

- Legal Manager, Central Group (Dec 2020 – now)
- Transaction Manager (Legal), Shire Oak International (May 2020 – Dec 2020)
- Senior Associate, EPLegal (January 2019 – May 2020)
- Associate, EPLegal (December 2016 – January 2019)
- Paralegal, EPLegal (September 2015 – December 2016)

PROFESSIONAL MEMBERSHIP & PARTICIPATION

- Associate of Chartered Institute of Arbitration (ACIarb)
- CISG for Vietnamese Practitioners
- HCMC Bar Association

SELECTIVE PROJECT HIGHLIGHTS

A. In-house Counsel

▪ Shire Oak International:

As a transaction manager (legal) at Shire Oak International, I am in charge of structuring, drafting and negotiating all kinds of transactions in solar power industry, e.g. power purchase agreement, rooftop lease agreement, PV modules sale contract, EPC and O&M contracts, NDA, MOU, Agent Plus and Introducer, Novation and Assignment contract, etc.

I also assist the investment relation team in all legal aspects of fundraising or loan transactions, e.g. loan agreement, SPA, SHA, JVA, asset sale contract, capital contribution agreement, development agreement, etc.

In order to maintain the effective operation of the company in compliance with the laws, I advise, prepare and directly perform licensing works (e.g. IRC and ERC application, company incorporation, share purchase, etc.) or day to day operation (e.g. office lease, tax, purchase agreement, service agreement, etc.).

▪ Central Group:

As a legal manager at Central Group, I am in charge of all legal aspects in relation to land acquisition and construction of commercial centers and supermarkets. Up to now, we have completed land acquisition (via auction or private land lease) and construction for numerous GO! Malls and go! Supermarkets.

B. Law Firm’s Lawyer

Energy

- Advising a State-owned company on an offtake agreement of a large refinery and petrochemical complex
- Advising the leading Singapore-based renewable energy platform on rooftop solar power project

- Advising a Korean oil company on an upstream tie-in transaction
- Advising an energy company on a waste heat power plant
- Advising a petroleum transportation on FSO/FPSO dispute
- Advising a top listed company on its investment in upstream projects
- Advising a Vietnamese company on a rooftop solar power business cooperation contract with a Singaporean company
- Advising a joint operating company on interpretation of FPSO time charter party
- Advising a joint operating company on a termination agreement of an FPSO time charter party
- Advising a top oil refinery company on its upgrading and expansion project

Construction – Real Estate - Project Development

- Advising a listed company on EPC contracts regarding a large hydropower project
- Advising a Vietnamese company on an equipment and technology transfer with a Spanish trader
- Advising a Vietnamese contractor on a mechanical and piping instalment of a project in Ba Ria – Vung Tau
- Advising a listed company on its EPC contract and sub-contracts relating to the largest petrochemical complex project of Vietnam
- Advising a top construction contractor on EPC contract and performance bonds dispute
- Advising an oil and gas company on bidding documents and procedure
- Advising a Vietnamese company on its rights and obligations under EPC contracts with the employer and subcontractors
- Advising a US company on its rights and obligations under the EPC contract with Vietnamese employer
- Advising a listed company on final settlement of an EPC contract with Ministry of National Defence
- Advising a listed company on an apartment building project in District 7
- Advising a listed company on development of an 850 hectare industrial zone project in Ba Ria – Vung Tau
- Advising numerous individual clients on apartment purchase agreements with Khang Dien and Novaland
- Advising a listed company on a real estate project in Ba Ria – Vung Tau

Corporate, M&A and Investment

- Advising numerous foreign investors on setting up their new companies
- Advising the establishment and operation of a Romanian representative office in Vietnam
- Advising an investment fund on its corporate governance
- Advising a Vietnamese ship building company on ship sale contract
- Advising a securities company on a purchase agreement of 100% share
- Advising a listed company on share purchase agreements
- Advising a State-owned company on its divestment in the largest petrochemical project of Vietnam
- Advising a Vietnamese investment fund on the SHA and SPA of a solar power project purchase transaction
- Advising a leading oil and gas Group of Thailand on a potential acquisition of interest in a upstream project of Vietnam

- Advising a Japanese oil and gas company on an M&A Due Diligence
- Advising an FDI company on ship purchase and registration procedure
- Advising numerous share purchase agreements of a company in HCMC
- Advising an energy company on a business cooperation structure and its investment in Vietnam
- Advising a top restaurant company on an M&A deal
- Advising on the closure of a Representative Office in HCMC
- Advising a top airline on its offshore transactions
- Advising establishment and operation of several tax heaven companies

Finance & Banking

- Advising an investment fund on purchasing corporate bond issued by a large real estate company
- Advising a State-owned company of shipping lines on its guarantee obligations against its subsidiaries' bank loans
- Advising a ship building company on facility agreements
- Advising a top airline on numerous aircraft leasing/sub-leasing/purchase transactions
- Advising a top airline on a financing transaction
- Acting as Vietnamese Lender Counsel on US\$ 600 mil syndicated and ECA loans
- Advising a foreign client on a ship mortgage agreement
- Advising a foreign client on auction procedure

Dispute Resolution

- Acting for a rice trader on litigation against a large container shipping company at HCMC People's court
- Acting for a Malaysian company on litigation against a Vietnamese trader at Ba Ria – Vung Tau People's court
- Acting for a shipyard company on a dispute against a US company at SIAC
- Acting for a Respondent on one of the largest dispute at VIAC
- Acting for a Singapore creditor on bankruptcy proceedings in Vietnam
- Acting for a number of clients on their debt collection solutions
- Acting for a foreign owned company on dissolution proceedings
- Advising a foreign client of ship arrest procedure in Vietnam
- Advising a Vietnamese company on a dispute of an international sale of goods contract
- Acting for a shareholder to file for avoidance of a resolution of a listed company's general meeting of shareholders
- Acting for a logistic company on its debt collection
- Acting for a Vietnamese Claimant on litigation proceedings at HCM Court of District 2
- Acting for two Vietnamese Respondents on a dispute resolved at SIAC
- Acting for a Filipino company on recognition and enforcement of a foreign arbitral award in Vietnam
- Advising M&A dispute resolution between two real estate companies valued nearly US\$ 60 mil

- Advising a listed company on an EPC dispute
- Acting for a Vietnamese Claimant on a dispute resolved at ICC
- Acting for a Vietnamese Respondent on a high-valued dispute resolved at SIAC
- Advising a foreign creditor on litigation, bankruptcy and arbitration of a Vietnamese debtor