PDLEGAL
SINGAPORE | THAILAND | MALAYSIA | AUSTRALIA

Partner | Advocate & Solicitor (Singapore)

Mato Kotwani

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KEY PRACTICES

Corporate, Commercial & Civil Litigation

Criminal Law

Employment

Restructuring & Insolvency

QUALIFICATIONS

University of Tasmania, LL.B.

MEMBERSHIPS

Member, Law Society of Singapore

Member, Singapore Academy of Law

CLAS Merits Test Panel, Law Society Pro Bono Services

ADVISORY AND VOLUNTEER WORK

Advisor, Singapore Talent, Artistes & Resources Association (STAR)

Volunteer, Criminal Legal Aid Scheme (CLAS)

Recognised as one of Singapore's Rising Stars in 2024 by *Asian Legal Business*, Mato Kotwani is a partner in PDLegal's Singapore office, where he leads the firm's expanding Criminal & Regulatory Practice.

His areas of practice include complex commercial litigation, white-collar crime and employment law. Mato represents individual clients as well as organisations ranging from SMEs to multinational corporations. He represents various clients in high-stakes cases before Singapore's State Courts, High Court and Court of Appeal.

Mato was co-counsel *on ByBit Fintech Limited v Ho Kai Xin [2023] SGHC 199 and others* which was named one of the Impact Cases of the Year at *Benchmark Litigation Asia-Pacific Awards* 2026. The Singapore High Court rule that crypto assets are property capable of being held on trust. This was significant because it was the first common law decision to finally recognise that a crypto-asset holder has an incorporeal property right enforceable in court.

He represents clients in high-value contractual disputes, including matters with cross-border elements, and regularly acts as lead counsel in white-collar and general criminal cases involving financial fraud, cheating, corruption, forgery, criminal breach of trust, money laundering and other serious offences. Mato also advises and represents employers and individuals in employment-related matters, including wrongful dismissal, sexual harassment and unfair termination claims.

In addition to his contentious practice, Mato advises clients on company law, data protection, corporate governance, regulatory compliance and employment policies. He was appointed as an expert contributor to the World Bank's 2024 and 2025 Business Ready Reports on employment law in Singapore and regularly writes and speaks on developments in Singapore employment law.

Mato holds Bachelor of Law (LL.B.) from the University of Tasmania, Australia, and is admitted as a solicitor in Singapore.

Outside of his practice, Mato serves as an advisor to the Singapore Talent, Artistes & Resources Association (STAR) and volunteers with the Criminal Legal Aid Scheme (CLAS).

WORK HIGHLIGHTS

CORPORATE, COMMERCIAL & CIVIL LITIGATION

- **Cross-border energy and natural-resources shareholder dispute**

  Co-lead counsel for the defendants in a complex High Court dispute concerning an offshore production vessel held through a Singapore company. The claim involved competing allegations over a substantial minority shareholding, the alleged funding of a regional energy and mining venture, and a proposed buy-out. The matter required the team to navigate a dense factual record spanning Singapore, Vietnam and Cambodia, including questions of title, shareholder rights, cross-border investment arrangements and the commercial use of a specialised offshore asset.

- **International commodities interpleader**

  Co-lead counsel for an international commodities business in an interpleader action arising from competing claims to a large consignment of sugar shipped from Brazil to Singapore. The dispute engaged "to order" bills of lading, possession and title to cargo, and overlapping proceedings and orders in Brazil. It also involved a contractual arbitration dimension and competing claims advanced through different cross-border sale chains. The matter required careful coordination of Singapore court procedure with foreign court orders, shipping practice and the risk of delivery to the wrong claimant.

- **Cross-border defamation and malicious falsehood dispute**

  Acted for an international manufacturer and its regional distributors in a complex commercial defamation and malicious falsehood claim arising from an alleged campaign directed at sales representatives and prospective customers. The dispute involved competing product businesses operating across Singapore, Taiwan, China, Hong Kong, Malaysia and other markets, and raised issues of publication across borders, corporate and individual liability, common design, and the protection of commercial reputation in a multi-jurisdictional distribution network.

- **Fraud/Conspiracy/Breach of Fiduciary Duties**

  Acted for a company involved in disputes with numerous other financial institutions who were claiming against the company for aggregate sums in excess of US$30 million. This dispute involved elements of fraud by a listed company and cross-border issues involving multiple other parties.

Acted for directors of a private equity fund, who were sued by the judicial managers of the fund for, *inter alia*, breach of directors' duties and unlawful means of conspiracy, for an aggregate sum of US$40 million.

Acted for a plaintiff in a High Court suit involving fraud, misrepresentation and unlawful means conspiracy. The defendants had through various misrepresentations and fraud induced the plaintiff to invest monies into a financial product. The plaintiff's case was that the defendants then used the investments to pay themselves exorbitant salaries and eventually depleted all funds invested.

Acted for a plaintiff (tenant) in a High Court suit involving a claim in misrepresentation against the landlord and property agent of a commercial property. The defendants had misrepresented that the commercial property was approved by URA for use as a restaurant.

- **Enforcement and Assisting in Foreign Proceedings**

  Advised foreign clients on cross border issues such as enforcing of foreign judgments in Singapore as well as the taking of evidence in Singapore to assist in foreign proceedings.

  Advised and represented foreign entities facing vexatious applications by overseas investigative authorities seeking to misuse mutual legal assistance arrangements with Singapore to pursue baseless investigations and exert improper pressure.

CRIMINAL LAW (WHITE COLLAR CRIME)

- **Prevention of Corruption Offences**

  Acted for and advised numerous accused persons involved in prosecutions under the Prevention of Corruption Act (PCA). These charges involved offences relating to corrupt solicitation or receipt of gratification, abetment of offences under the PCA as well as cases involving the making of false statements under the PCA.

- **Customs Act / Tax Offences**

  Acted for individuals charged under the Customs Act and the Good and Services Act for tax evasion.

  Acted for freight forwarders in a novel prosecution under the Customs Act concerning allegations that they had caused shipping lines to issue bills of lading containing false particulars.

The matter raised novel questions of causation and statutory interpretation under the Customs Act.

Acted for and advised individuals and companies charged under the Income Tax Act for numerous offences including making false statements relating to PIC claims and failure to file annual returns.

- **Maritime casualty prosecution**

  Acted for a ship's second officer charged under the Merchant Shipping Act following a fatal collision between two vessels. The prosecution is unusual, involving a rarely used statutory offence concerning the proper discharge of a crew member's duties. The defence requires detailed analysis of navigational watchkeeping obligations, radar data, bridge-resource management, the COLREGS and STCW framework, causation, and the statutory due-diligence defence in the context of a serious maritime casualty

- **Fraud / Financial Crimes / Money Laundering**

  Represented accused persons charged with various types of financial crime (theft, criminal breach of trust, money-laundering related offences under the Corruption, Drug Trafficking and other Serious Crimes (Confiscation of Benefits) Act (CDSA)).

CRIMINAL LAW (GENERAL CRIME)

- **Violent Offences**

  Acted for the accused person in *PP v Shawalludin bin Sa'adon*. The accused person was initially charged with murder. Charges were successfully reduced to voluntarily causing grievous hurt and secured a sentence of five and a half years imprisonment for the offender.

  Acted for an individual charged with causing hurt using a dangerous weapon. Through negotiations with the prosecution, obtained a reduction in the charge to voluntarily causing hurt. Successfully secured a lower sentence in Court as the victim had provoked our client.

- **Sexual Offences**

  Acted for accused persons charged with various sexual offences including rape, outrage of modesty, voyeurism and other sexual offences. Also acted for an accused person who was a nurse at the Institute of Mental Health and had committed a series of sexual offences against patients and ex-colleagues.

- **Miscellaneous Offences**

Acted for individuals charged for various traffic related offences including dangerous driving, negligent driving causing death and driving whilst under disqualification.

ADVISORY

- Regularly advise both employees and employers on employment-related matters. This includes drafting and advising clients on employment contracts, acting for and advising clients in employment-related disputes including wrongful termination and/or unfair dismissal and dismissal on grounds of serious misconduct. Mato also advises clients including employees at middle management and C-suite management on enforceability of restrictive covenants including non-compete/non-solicitation clauses.
- Advise businesses on data protection obligations. This includes reviewing the company's current PDPA policies and structuring appropriate defensive policies to ensure compliance during the employee or vendor's period of employment but also to ensure that employees and vendors continue to protect core interests post-service.

CAREER HIGHLIGHTS

- **Landplus Property Network v Y.H.H. Marine Engineering Pte Ltd [2024] SGDC 280** - Successfully defended a claim for commissions from a S$9.5 million property sale, addressing complex issues in contract and agency law.
- **PP v CPS [2024] SGCA 59** - Acted as lead counsel in a novel case before the High Court and Court of Appeal, addressing reformative training for young offenders charged with serious sexual crimes, with significant implications for sentencing in sexual offence cases.
- **Bybit Fintech Ltd v Ho Kai Xin & Ors [2023] 5 SLR 1748** - Acted as part of a team for the Claimant in this seminal decision resulting in the High Court finding for the first time that crypto assets met the definition of 'property' and was capable of being held on trust.
- **Taking of Evidence in Aid of Foreign Proceedings** - Lead counsel in an application for evidence under the Evidence (Civil Proceedings in Other Jurisdictions) Act, dealing with complex cross-border issues related to shipping standards and quality control.
- **Public Prosecutor v Dinesh s/o Rajantheran [2023] SGDC 39**- Achieved a full acquittal for a client charged with bribery of judicial witnesses, challenging the credibility of key prosecution evidence.
- **Oleo Chem Far East Pte Ltd** - Represented a distressed company in defending against claims exceeding US$30 million.

- **Large Scale Excise Duty Evasion** - Lead counsel defending a co-accused in a large-scale excise duty evasion case, resulting in a favorable sentence amidst complex regulatory issues. (https://www.straitstimes.com/singapore/courts-crime/29-million-fine-for-supplier-who-was-part-of-largest-syndicate-involving-duty-unpaid-alcohol)
- **CPIB Prosecution** - Acted as assisting counsel in a CPIB prosecution, successfully challenging the admissibility of confessions obtained under oppressive conditions.
- **World Bank Expert Contributor on Employment Law** - Appointed as one of four expert contributors on employment law in Singapore for the 2024 Business Ready Report, focusing on regulatory updates and best practices for businesses operating in the region.

OTHER REPORTED DECISIONS

- 3N Investments Group Ltd and another v Lim Boon Chye Victor and others [2023] SGHC 76
- Sng Jing Xiang Benjamin t/a Blink! Events & Entertainment v Xie Shun Heng and others and another suit - [2021] SGDC 248
- Public Prosecutor v Wong Poon Kay - [2023] SGDC 187
- Public Prosecutor v Allswell Marketing Pte Ltd - [2018] SGMC 48
- Ravindran s/o Kumarasamy v Public Prosecutor - [2023] 3 SLR 1343
- Jason Grendus v Stephen David Lynch and others - [2021] SGHC 191
- Wong Poon Kay v Public Prosecutor - [2024] 4 SLR 453