

Clive Navin Selvapandian



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Practice Areas

- Shipping & International Trade.
- International Arbitration.
- Commercial Litigation.

Qualifications

- Advocacy Trainer, Malaysian Bar's Advocacy Training Course.
- SIArb-SCMA Maritime Arbitrator's Fellowship Course.
- Arbitral Tribunal Secretary (Hong Kong International Arbitration Centre Tribunal Secretary Training Programme).
- Accredited Mediator (Malaysian International Mediation Centre).
- LLM (Maritime Law) (Southampton).
- Advocate and Solicitor (High Court of Malaya).
- Barrister, (Middle Temple).

Clive has been ranked annually in the legal directories as a leading shipping counsel since 2018, his eighth year of practice.

Alongside his practice as counsel, Clive is 'a well-regarded maritime arbitrator, with experience across the vast spectrum of both dry and wet work.' - *The Legal 500 (Asia Pacific), 2025*.

Additionally, he accepts appointments as tribunal secretary in maritime arbitrations following his completion of the Hong Kong International Arbitration Centre's Tribunal Secretary Training Programme.

Clive qualified as an Accredited Mediator in 2022 and is an Advocacy Trainer on the Malaysian Bar's Advocacy Training Courses.

Accolades:

- "Clive Navin Selvapandian is a standout figure in the shipping practice, recognised for his deep expertise in maritime law and his ability to deliver innovative solutions to complex legal issues. Clients value his sharp analytical skills and practical advice that aligns with their business objectives. " - *The Legal 500 (Asia Pacific), 2026 (Hall of Fame)*.
- "Clive Navin Selvapandian stands out for his responsiveness and genuine willingness to assist. Clive is approachable, solutions-oriented, and consistently goes the extra mile, making him a reliable partner who is truly invested in supporting his clients' needs." - *The Legal 500 (Asia Pacific), 2026 (Hall of Fame)*.
- "Clive demonstrates a deep expertise in shipping law, a solid understanding of the commercial realities of the industry, and a pragmatic approach to resolving issues efficiently." - *Chambers and Partners (Asia Pacific), 2026 (Band 2)*.

- "Clive is a very professional and trustworthy lawyer who understands the commercial aspects of matters and can think outside the box when the case requires." - *Chambers and Partners (Asia Pacific), 2026 (Band 2)*.
- "Clive Navin Selvapandian is a well-regarded maritime arbitrator, with experience across the vast spectrum of both dry and wet work." - *The Legal 500 (Asia Pacific), 2025 (Hall of Fame)*.
- "Clive Navin Selvapandian is able to attend to complex issues in a timely manner and comprehensively. He is a skilled counsel, navigating through voluminous documents and compounded matters."- *The Legal 500 (Asia Pacific), 2025 (Hall of Fame)*.
- "He has vast and in-depth knowledge on the law and is able to provide commercial and practical advice." - *Chambers and Partners (Asia Pacific), 2025 (Band 2)*.
- "Clive is a highly capable lawyer who is able to identify issues with speed and accuracy, assessing which items carry risk for clients and advising accordingly."... "Clive is very prompt with his legal advice and is very accessible. He gives no legal jargon, but practical and commercially friendly solutions that we can understand and work with very easily." - *Chambers and Partners (Asia Pacific), 2024 (Band 2)*.
- "Clive Navin Selvapandian is professional, always maintains his composure and is accommodating... Clive Navin Selvapandian possesses exceptional expertise in international trade, shipping, and maritime law. Despite his seniority, Clive maintains a lean practice, making him easily accessible. A fast thinker, Clive Navin Selvapandian can swiftly break down complex questions into concise and practical commercial solutions. His commercial, savvy nature makes collaborating with him a seamless and straightforward experience." - *The Legal 500 (Asia Pacific), 2024 (Hall of Fame)*.

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- *"Clive is one of those lawyers who is able to comprehend issues and complexities fast, and therefore, he is able to provide a practical approach to issues."*- Chambers and Partners (Asia Pacific), 2023 (Band 2).
- *"Clive Navin Selvapandian is always ready to assist and provide practical input, supported by his in-depth knowledge and experience of maritime law. His willingness to support my team at any time is greatly appreciated."*- The Legal 500 (Asia Pacific), 2023 (Leading Individual).
- *"Clive is always sharp in his analysis, and very approachable. The firm also advises on oil shipment and trading matters. He and his team are very responsive and trustworthy."*- The Legal 500 (Asia Pacific), 2022 (Leading Individual).
- *Clive Navin Selvapandian advises clients in relation to shipping disputes, including collision, charter party and cargo cases. One client attests: "He makes the effort to explain issues in depth to us."* - Chambers and Partners (Asia Pacific), 2020 (Up and Coming).
- *"Clive Selvapandian delivered a timely, professional and personal service to our valued client."* - The Legal 500 (Asia Pacific), 2020 (Leading Individual).
- *"The 'very objective, sharp and solution-oriented' Clive Selvapandian is a shipping and trade disputes specialist."* - The Legal 500 (Asia Pacific), 2019 (Leading Individual).
- *"Clive Navin Selvapandian is an up-and-coming practitioner who has a strong track record on both wet and dry shipping disputes. One client reports: "He is knowledgeable, very prompt and offers clients a lot of comfort as he speaks in very simple terms and delivers what is needed."* - Chambers and Partners (Asia Pacific), 2019 (Up and Coming).

Notable Work:

Maritime Arbitration

- **SIAC Arbitration (May 2024 to Present):** Lead counsel for the Claimant in a shipbuilding dispute, representing Dutch shipbuilders. Arguments centre on whether the shipbuilding contracts were novated and whether there was delay in the building of the Offshore Patrol Vessels. This international arbitration is before a three-member tribunal. The claim is valued at €3.6 million.
- **AIAC Arbitration (2022):** Lead counsel for the Respondent shipowner in a claim arising from a Barecon 2001 Charterparty. The claim was for MYR1.9 million. The claim turned on the right of the shipowners to retain the insured sum following the sinking and total loss of the vessel.
- **PORAM Arbitration (2022):** Advised CIF sellers on the impact of Indonesia's 2022 ban on the export of palm oil. The claim was for USD2 million. The key issue was whether the ban constituted a *force majeure* event under the terms of the sale.

Ship Arrest Proceedings

- **The MY Ferry 2:** Lead counsel in the Federal Court, Court of Appeal, and the High Court for a shipowner in a collision claim caused by a barge under tow. The key argument was whether a dumb barge can be liable under a maritime lien for damage. See *Owners of the Ship or Vessel 'MY Ferry 2' v. Owners and/or Demise Charterers of the Ship or Vessel 'KKD000132-T' & Anor* [2020] MLJU 298, High Court ; [2021] MLJU 738, Court of Appeal.

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- Barrister, (Middle Temple).

- **The Semua Bahagia:** Lead counsel in the Court of Appeal in a claim against a vessel buyer, who bought the vessel whilst she was under arrest. The question that arose was whether the claimant's right to keep the vessel arrested had been lost by laches due to its failure to seek a judicial sale. See the High Court's judgment (where Clive was junior counsel) at *Majorole Shipping Sdn Bhd v. The Owners and/or other persons having interest in the ship or vessel 'Semua Bahagia' [2019] 1 LNS 2397*.
- **The Inaimerak Super :** Junior counsel in a suit that examined the significance of documents issued by the bareboat charter registry (as distinct from the ownership registry) in proving the ownership of a vessel: *Rei Management Sdn. Bhd. v. The Owners of the Ship or Vessel 'Inaimerak Super' [2016] MLJU 1390, High Court*.

Carriage of Goods

- **The Malik Al-Ashtar (2019):** Lead counsel in a Sessions Court trial representing Cosco Shipping Lines. The key issue was whether the subcontractor claimant was in breach of industry standards by securing containers with semi-automatic twist locks.

Maritime Casualty, Pollution and Salvage

- **The MY Ferry 2:** Lead counsel in the Federal Court, Court of Appeal, and the High Court for a shipowner in a collision claim caused by a barge under tow. The judgments considered whether discrepancies in the Marine Department's investigation nevertheless allowed the claimant to arrest the barge for damage. See *Owners of the Ship or Vessel 'MY Ferry 2' v. Owners and/or Demise Charterers of the Ship or Vessel 'KKD000132-T' & Anor [2020] MLJU 298, High Court ; [2021] MLJU 738, Court of Appeal*.

- **The Tanjung Pinang 1:** The claim of USD37 million arose when the vessel's anchor snagged an underwater oil pipeline, causing pollution. The shipowner attempted to limit liability, relying on The International Convention Relating to the Limitation of Liability of Owners of Seagoing Ships 1957. Clive was junior counsel representing the shipowner, see *Newfield Peninsula Malaysia Inc. v. The Owners of the Ship or Vessel 'Tanjung Pinang 1' [2013] 10 MLJ 650, High Court*.
- **The Trident Star :** Represented the carrier Maersk in limitation decree proceedings sought under the Civil Liability Convention 1992. The claim arose from the discharging operations of the 'Trident Star' in August 2016 at the Tanjung Bin Terminal, Johor. About 19 vessels belonging (or chartered by) Maersk had their hulls fouled.

Maritime Insolvencies

Clive has been involved in the maritime insolvencies of the region. He has represented parties in proceedings arising from the collapse of OW Bunker, Hanjin Shipping, Hin Leong Trading, Sapura Energy Berhad, and in the commodity fraud disputes. He has advised Big 4 Accounting Firms, liquidators, shipowners, charterers, creditors, and debtors on the interaction between maritime and insolvency laws.

Thus, he is well-versed with the impact of maritime claims on winding-up and judicial management proceedings, restraining orders, and schemes of arrangements.

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Memberships

- Member, Faculty of Trainers, Malaysian Bar's Advocacy Training Course (since 2023).
- Member, Malaysian Bar's Publications Committee (2022-2024).
- Member, The Malaysian Institute of Arbitrators (since 2018).
- Member, International Malaysian Society of Maritime Law (since 2016, Treasurer for the 2020 - 2023 term).
- Member, Malaysian Bar's Shipping and Admiralty Law Committee (2015 to 2024).

Publications

- "Case Update on "Banque de Commerce et de Placements SA v China Aviation Oil (Singapore) Corporation Ltd & Others [2024] SGHC 145 - Sham transactions and letters of credit in commodity sales" in Volume 24, Issue 24 (September 2024) of the Lloyd's Shipping and Trade Law Newsletter.
- "Case Update on "The "Sea Justice" [2024] SGHC 37 – Forum Non Conveniens Stays and In Rem Security" in Volume 24, Issue 4 (May 2024) of the Lloyd's Shipping and Trade Law Newsletter.
- "Case Update on The "Navigator Aries" [2023] SGCA 20 - Bow Cushion Effects and the Narrow Channels Rule" in Volume 23, Issue 7 (September 2023) of the Lloyd's Shipping and Trade Law Newsletter.
- "Case Update on The "Thorco Lineage" [2023] EWHC 26 (Comm) - Can a loss in value count as damage to goods?" in Volume 23, Issue 3 (April 2023) of the Lloyd's Shipping and Trade Law Newsletter.

- "Case Update on The "Jeil Crystal" [2022] SGCA 66 - Changing the Grounds of Arrest" in Volume 23, Issue 1 (January/February 2023) of the Lloyd's Shipping and Trade Law Newsletter.
- "Case Comment on The "Divinegate" [2022] EWHC 2095 (Comm) - Revisiting slow steaming and wrongful arrest claims" in Volume 22, Issue 8 (October 22) of the Lloyd's Shipping and Trade Law Newsletter.
- "Case Comment on The "MT Cavalier" [2022] MLJU 673 - Bills of lading: Incorporation of charterparty arbitration clauses" in Volume 22, Issue 6 (July/August 2022) of the Lloyd's Shipping and Trade Law Newsletter.
- "Think Tank - Halliburton v Chubb: A Discussion from a Malaysian Perspective" in the Asian International Arbitration Centre Newsletter 01, April 2021.
- Contributor to Malaysian Civil Procedure 2021 and 2018 editions, Sweet and Maxwell, commonly known as the 'White Book.'
- "Maritime Law Legal Practice in Malaysia" in the August 2021 issue of I-Risk Spot, a publication of the Malaysian Bar.
- "The Moscow Stars – Charter Party Liens and Arbitration," The Newsletter of The Malaysian Institute of Arbitrators (Issue 1/2019).
- "New Remedies for Seafarers," The Sun, 6 February 2017.

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