Rabin Kok

Called to the Bar 2021
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Rabin is a versatile commercial chancery barrister who is equally comfortable working unled or as part of a team. He enjoys specialist insolvency, restructuring and personal bankruptcy work – and was named a 'Rising Star' in this area by Legal 500. Rabin is equally happy acting in (and has substantial experience of) fraud, company and commercial disputes with no insolvency element.

He is called to the Bars of England & Wales, the BVI and is an Advocate & Solicitor in Singapore with full rights of audience, and can appear in the ADGM courts.

Rabin also has experience of litigation in Jersey, the Isle of Man, the DIFC, Cayman and Bermuda.

Highlights of Rabin's work include:

- *Terrae Nominees et al v Pretlove* – BVIHCMAP2024/0018 – Appearing unled as sole advocate before the Eastern Caribbean Court of Appeal. This was the first substantive appeal and second-ever known case to consider s 209 of the BVI Business Companies Act 2004 (and other issues). Judgment is awaited. He was led by Sue Prevezer KC at first instance.
- *Re Avanti Communications Ltd* [2023] EWHC 940 (Ch) – Successfully acted for the Lead Secured Creditors in this landmark case, which changed the law on proper characterisation of fixed and floating charges for the first time in 20 years (led by David Allison KC)
- *Sayacorp BSC v NMC Healthcare Ltd* (ADGM) – Successfully defending a Bahraini bank against US$850m+ counterclaims in conspiracy and fraudulent trading before the Courts of the Abu Dhabi Global Market (led by Richard Gillis KC and William Willson). The case concluded with a favourable settlement that saw all of NMC's claims dropped.
- *Re Madagascar Oil Ltd* [2025] EWHC 1015 (Ch); [2025] EWHC 1549 (Ch); [2025] EWHC 2129 (Ch); Successfully acted for an oil E&P company in heavily contested restructuring plan involving issues of Mauritian and Malagasy law. The case was one of the first sanctioned post-Petrofac and the first 'cram across' involving only two unsecured creditors. (Rabin was led by Mark Phillips KC and Matthew Abraham).
- *IS Prime v TF Global Markets (UK) Ltd* (England & Wales) – Successfully defending a prime brokerage in a highly technical 4-week Commercial Court trial of deceit and conspiracy claims relating to forex and index swap trade platforms and execution (led throughout by Adam Al-Attar KC). The case settled favourably on day one of trial.
- *Kington SarL v Thames Water Utilities Holdings Ltd* [2025] EWCA Civ 475 – Public interest challenge to Thames Water's £19 billion restructuring – one of the largest and most high-profile restructuring plans to date. (Led by Will Day and Dr Riz Mokal)
- *Mirror Trading International* (England & Wales) – acting for the Joint Liquidators of MTI in ongoing South African and English law clawback claims to recover cryptocurrency dissipated by a ponzi scheme. The claims are being asserted in England through section 426 of the Insolvency Act 1986 (led by Charlotte Cooke)

Before coming to the Bar, Rabin topped his year at Cambridge University and subsequently graduated with a First Class degree in Law and as a Senior Scholar of Peterhouse. He also served as an air defence officer during mandatory military service. Rabin previously taught trusts and contract part time at Oxford University.

Advocacy and unled work

Rabin has a healthy unled practice and has appeared unled at both first instance and appellate level. He acts unled both in England & Wales and offshore.

Terrae Nominees et al v Pretlove BVIHCMAP2024/0018 – Appearing unled as sole advocate before the Eastern Caribbean Court of Appeal. This was the first substantive appeal and second-ever known case to consider s 209 of the BVI Business Companies Act 2004 (and other issues). Judgment is awaited. Rabin was led by Sue Prevezer KC at first instance.

Time GB Group Ltd / Royale Group – As sole counsel, Rabin successfully represented an unsecured creditor (owed £57m) of a company whose financial affairs required urgent investigation. The Court accepted his client's position that a fresh set of administrators different from those nominated by the applicant and secured creditors should be appointed, in order to ensure an independent investigation of the Company's affairs. Rabin appeared against two counsel many years his senior, both from specialist chancery chambers. *Re certain Isle of Man Protected Cell Companies* – acting unled alongside local Advocates in relation to the insolvency of an Isle of Man fund structure, which was rendered unable to operate following the imposition of OFAC sanctions on well-known Russian businessmen who held interests in the structure.

Re Robert Lee Jack Bull – as sole counsel, successfully resisting an application to set aside a statutory demand for £57m against a UK billionaire. The set-aside application was dismissed by consent the day before the hearing with costs on the indemnity basis, and the debtor was ultimately made bankrupt on a different creditor's petition upon which Rabin also appeared.

Confidential – as sole counsel, Rabin acted for a major private bank in its pursuit of bankruptcy proceedings against a well-known high-net worth individual who resides outside the jurisdiction. The case concluded with a favourable settlement.

Confidential – Rabin acts unled (alongside local Advocates) for the Liquidators of a Jersey holding company in various statutory and customary law claims against directors and a foreign trust.

Re a Mediation (confidential) – acting unled, Rabin secured a confidential settlement for a claimant who brought claims against a defendant for historic and long-running credit history misreporting. Following the commencement of High Court proceedings and a mediation, the defendant settled for a six-figure sum after having previously offered a settlement figure in the low hundreds at the outset of the case.

Confidential – acting unled, Rabin successfully resisted a proprietary injunction in the High Court and obtained an order for indemnity costs.

Insolvency and Restructuring

Corporate Insolvency

Terrae Nominees et al v Pretlove BVIHCMAP2024/0018 – Appearing unled as sole advocate before the Eastern Caribbean Court of Appeal. This was the first substantive appeal and second-ever known case to consider s 209 of the BVI Business Companies Act 2004 (and other issues). Judgment is awaited. Rabin was led by Sue Prevezer KC at first instance.

Re Avanti Communications Ltd [2023] EWHC 940 (Ch) – Proper characterisation of a charge over a satellite and orbital slots. The court was asked to consider, in depth, the effect of the House of Lords' landmark decision in *Re Spectrum Plus* in the context of fixed assets and market-standard forms. The case is likely to have wide-reaching ramifications for structured and asset finance, in particular where debt documents modelled on LMA forms are used (led by David Allison KC).

Re Mirror Trading International (Pty) Ltd – Led by Charlotte Cooke, Rabin acts for the South African liquidators of a crypto exchange found to have perpetrated a worldwide ponzi scheme. Charlotte and Rabin are instructed to pursue a South African law transaction avoidance claim in England under section 426 of the IA 1986.

Sayacorp BSC v NMC Healthcare Ltd (ADGM) – Successfully defending a Bahraini bank against US$850m+ counterclaims in conspiracy and fraudulent trading before the Courts of the Abu Dhabi Global Market (led by Richard Gillis KC and William Willson). The case concluded with a favourable settlement that saw all of NMC's claims dropped.

Three Arrows Capital v Su Zhu and Kyle Davies – Acted for the JLs in one of the largest insolvencies to follow the 2022 LUNA/Terra crash and the 'crypto winter' that followed. Aspects of the case include **(i)** a US$1.3bn+ wrongful trading claim against the Founders of Three Arrows in the BVI High Court and **(ii)** an application to the BVI court to sanction the decision of TAFL's liquidators to commence Chapter 11 proceedings in the USA and **(iii)** a US$1bn+ unfair preference claims governed by BVI law but brought in the US Bankruptcy Courts

Re CargoLogicAir Ltd – Rabin acted to place CLA into administration, reported at [2022] EWHC 3316 (Ch), where he was led by Adam Al Attar KC. Rabin continues to advise and act unled for the Joint Administrators.

Contentious Restructuring

Re Madagascar Oil Ltd [2025] EWHC 1015 (Ch); [2025] EWHC 1549 (Ch); [2025] EWHC 2129 (Ch); Successfully acted for an oil E&P company in heavily contested restructuring plan involving issues of Mauritian and Malagasy law. The case was one of the first sanctioned post-Petrofac and the first 'cram across' involving two *pari* creditors. (Rabin was led by Mark Phillips KC and Matthew Abraham)*Kington SarL v Thames Water Utilities Holdings Ltd* [2025] EWCA Civ 475 – Rabin acted in the Court of Appeal for Charlie Maynard MP, who mounted a public interest challenge to Thames Water's £19 billion restructuring – the largest and most high-profile restructuring plans to date. This is the first case where a restructuring plan has been challenged on public interest grounds. (Led by Will Day and Dr Riz Mokal)

Re People's Energy (Supply) Ltd [2023] EWHC 2610 (Ch) – Instructed to appear at the convening hearing of the People's Energy scheme, involving questions relating to the treatment of hundreds of thousands of historic data breach claims against the company (led by Daniel Bayfield KC)

Re OQ Chemicals Holding Drei GmbH [2024] EWHC 2036 (Ch) – parallel schemes of arrangement for multinational chemicals group (led by Tom Smith KC)

Hunkemöller – Advising a security trustee in relation to the contentious restructuring and takeover of Dutch retailer Hunkemöller through a distressed disposal (led by David Allison KC)

The *China Aoyuan* restructuring – Instructed to advise on the parallel Cayman and BVI schemes of arrangement proposed by the China Aoyuan group, a large Chinese property development group, as well as its subsidiary, Add Hero (led by Tom Smith KC)

Aggregate – Rabin is instructed to provide English-law advice on various aspects of the Aggregate restructuring in Germany and Luxembourg (led by Mark Arnold KC and Felicity Toube KC)

Personal Bankruptcy

Re Robert Lee Jack Bull – as sole counsel, successfully resisting an application to set aside a statutory demand for £57m against a UK billionaire. The set-aside application was dismissed by consent the day before the hearing with costs on the indemnity basis, and the debtor was ultimately made bankrupt on a different creditor's petition upon which Rabin also appeared.

Confidential – as sole counsel, Rabin acted for a major private bank in its pursuit of bankruptcy proceedings against a well-known high-net worth individual who resides outside the jurisdiction. The case concluded with a favourable settlement.

Civil Fraud

Sayacorp BSC v NMC Healthcare Ltd (ADGM) – Successfully defending a Bahraini bank against US$850m+ counterclaims in conspiracy and fraudulent trading before the Courts of the Abu Dhabi Global Market (led by Richard Gillis KC and William Willson). The case concluded with a favourable settlement that saw all of NMC's claims dropped.

Re Certain BVI Trusts – Acted for a professional trustee in defending an unusual and complex 'trust-busting' and sham claims against a high net-worth individual's offshore trusts, involving issues of foreign law. Also acted in associated application for associated Beddoe relief from the BVI Courts (led by Tim Collingwood KC and Matthew Brown).

Three Arrows Capital v Su Zhu and Kyle Davies – Acted for the JLs in one of the largest insolvencies to follow the 2022 LUNA/Terra crash and the 'crypto winter' that followed. Aspects of the case include **(i)** a US$1.3bn+ wrongful trading claim against the Founders of Three Arrows in the BVI High Court and **(ii)** an application to the BVI court to sanction the decision of TAFL's liquidators to commence Chapter 11 proceedings in the USA and **(iii)** a US$1bn+ unfair preference claims governed by BVI law but brought in the US Bankruptcy Courts

Re Mirror Trading International (Pty) Ltd – Led by Charlotte Cooke, Rabin acts for the South African liquidators of a crypto exchange found to have perpetrated a worldwide ponzi scheme. Charlotte and Rabin are instructed to pursue a South African law transaction avoidance claim in England under section 426 of the IA 1986.

IS Prime v TF Global Markets – Led by Adam Al-Attar KC. Instructed in this complex dispute

involving deceit and conspiracy claims in the context of forex and index swap pricing and trade execution, the meaning of 'matched principal broker' and 'A-book' and 'B-book' trading. The case settled favourably on day one of trial but produced several notable judgments, including [2023] 4 WLUK 357, concerning the relationship between pleadings and issues for disclosure under PD 57AD.

Instructed as junior counsel in a high-stakes mediation on behalf of the directors of two groups of insolvent companies in parallel Jersey / Cayman Islands fraudulent trading, breach of fiduciary duty, and negligence claims worth in excess of US$150m (led by William Willson)

Arbitration

Rabin is able to act in ICC, LCIA, SIAC, HKIAC, BVIAC, ICDR, and other international arbitrations (and particularly in arbitrations relating to investment funds, companies, loans, security, and the sale of shares and businesses). Rabin is called to the Singapore Bar and can act in all aspects of Singapore-related arbitrations or in arbitrations involving Singapore law.

LCIA Arbitration (2025) – Acting for a company in connection with a US$80m+ LCIA arbitration brought against it by a well-known commodities house raising issues relating to the exceptions to the 'rule in *Gibbs*' and the effect of foreign schemes of arrangement on English law debt (led by Felicity Toube KC)

ICDR Arbitration (2022) – Instructed in connection with a substantial ICDR arbitration over a joint venture between two multinational construction conglomerates (led by Tom Smith KC)

LCIA Arbitration (2021) – Resisting an LCIA arbitration brought by a bond trustee on behalf of bondholders, to enforce payment of over US$500m (assisting Adam Al-Attar KC)

Advising on the scope of termination rights under a US$370m+ share sale and purchase deed governed by English law, subject to SIAC arbitration seated in Singapore (assisting Matthew Abraham)

Commercial Litigation & Arbitration

IS Prime v TF Global Markets – Led by Adam Al-Attar KC. Instructed in this complex dispute involving deceit and conspiracy claims in the context of forex and index swap pricing and trade execution, the meaning of 'matched principal broker' and 'A-book' and 'B-book' trading. The case settled favourably on day one of trial but produced several notable judgments, including [2023] 4 WLUK 357, concerning the relationship between pleadings and issues for disclosure under PD 57AD.

Acting in a multi-million pound property dispute before the High Court at Manchester, between a property developer and landowners and concerning the interpretation and rectification of an option over developable land (led by Mark Phillips KC and Matthew Abraham)

Banking & Finance

IS Prime v TF Global Markets – Led by Adam Al-Attar KC. Instructed in this complex dispute involving deceit and conspiracy claims in the context of forex and index swap pricing and trade execution, the meaning of 'matched principal broker' and 'A-book' and 'B-book' trading. The case settled favourably on day one of trial but produced several notable judgments, including [2023] 4 WLUK 357

Re Avanti Communications Ltd [2023] EWHC 940 (Ch) – Proper characterisation of a charge over a satellite and orbital slots. The court was asked to consider, in depth, the effect of the House of Lords' landmark decision in *Re Spectrum Plus* in the context of fixed assets and market-standard forms. The case is likely to have wide-reaching ramifications for structured and asset finance, in particular where debt documents modelled on LMA forms are used (led by David Allison KC).

Sayacorp BSC v NMC Healthcare Ltd (ADGM) – Successfully defending a Bahraini bank against US$850m+ counterclaims in conspiracy and fraudulent trading before the Courts of the Abu Dhabi Global Market (led by Richard Gillis KC and William Willson). The case concluded with a favourable settlement that saw all of NMC's claims dropped.

BNP Paribas Trust Corporation UK Ltd v URO Property Holdings SA [2022] EWHC 3251 (Comm) – defending an unusual summary judgment application relating to the construction of a 'Make-Whole' call provision in a bond issued by a Spanish property company (led by David Allison KC and Ryan Perkins)

Offshore

A significant proportion of Rabin's practice is offshore. Rabin is called to the Bar of the British Virgin Islands and has a good grasp of BVI law, procedure and practice from time spent on secondment with the BVI litigation team of Conyers Dill & Pearman and subsequent appearances before the BVI courts. He is comfortable acting unled or led in a wide range of applications before the BVI High Court (e.g. applications to appoint liquidators, set aside statutory demands or obtain Norwich Pharmacal relief against registered agents).

Rabin is called to the Bar of Singapore as an Advocate & Solicitor and has full rights of audience there, practicing with RCLT Law Corporation.

Some of the offshore cases Rabin is or has been instructed in are listed below.

Terrae Nominees et al v Pretlove BVIHCMAP2024/0018 – Appearing unled as sole advocate before the Eastern Caribbean Court of Appeal. This was the first substantive appeal and second-ever known case to consider s 209 of the BVI Business Companies Act 2004 (and other issues). Judgment is awaited. Rabin was led by Sue Prevezer KC at first instance.

Re certain Isle of Man Protected Cell Companies – acting unled alongside local Advocates in relation to the insolvency of an Isle of Man fund structure, which was rendered unable to operate following the imposition of sanctions on well-known Russian businessmen who held interests in the structure.

Re Certain BVI Trusts – Acted for a professional trustee in defending an unusual and complex 'trust-

busting' and sham claims against a high net-worth individual's offshore trusts, involving issues of foreign law. Also acted in associated application for associated Beddoe relief from the BVI Courts (led by Tim Collingwood KC and Matthew Brown).

Three Arrows Capital v Su Zhu and Kyle Davies – Acted for the JLs in one of the largest insolvencies to follow the 2022 LUNA/Terra crash and the 'crypto winter' that followed. Aspects of the case include **(i)** a US$1.3bn+ wrongful trading claim against the Founders of Three Arrows in the BVI High Court and **(ii)** an application to the BVI court to sanction the decision of TAFL's liquidators to commence Chapter 11 proceedings in the USA and **(iii)** a US$1bn+ unfair preference claims governed by BVI law but brought in the US Bankruptcy Courts

Sayacorp BSC v NMC Healthcare Ltd (ADGM) – Successfully defending a Bahraini bank against US$850m+ counterclaims in conspiracy and fraudulent trading before the Courts of the Abu Dhabi Global Market (led by Richard Gillis KC and William Willson). The case concluded with a favourable settlement that saw all of NMC's claims dropped.

Confidential – Rabin acts unled (alongside local Advocates) for the Liquidators of a Jersey holding company in various statutory and customary law claims against directors and a foreign trust.

Re a Deceased Estate – Seal & gag and Norwich Pharmacal application against BVI registered agents by the personal representatives of a deceased high-net worth individual in support of foreign proceedings to remove a co-executor for potential misappropriation of estate assets. Led by Jerry D. Samuel.

The *China Aoyuan* restructuring – Instructed to advise on the parallel Cayman and BVI schemes of arrangement proposed by the China Aoyuan group, a large Chinese property development group, as well as its subsidiary, Add Hero (led by Tom Smith KC)

Confidential – Instructed as junior counsel in a high-stakes mediation on behalf of the directors of two groups of insolvent companies in parallel Jersey / Cayman Islands fraudulent trading, breach of fiduciary duty, and negligence claims worth in excess of US$150m (led by William Willson)

Company Law

Re a property investment company – instructed to defend a just and equitable winding up / unfair prejudice petition and claims for breaches of directors duties in ongoing proceedings before the Chancery Division in England (led by Matthew Abraham)

Instructed as junior counsel in a high-stakes mediation on behalf of the directors of two groups of insolvent companies in parallel Jersey / Cayman Islands fraudulent trading, breach of fiduciary duty, and negligence claims worth in excess of US$150m (led by William Willson)

Re BAF Latam Credit Fund (Unreported, Grand Court of the Cayman Islands, 10 Dec 2021) – Successful application by Apollo Global Management vehicles to wind up a solvent closed-end fund on the just and equitable ground after heavily contested trial (assisting Tom Smith KC and Charlotte Cooke)

Trusts and Property

Re Certain BVI Trusts – Currently acting for a professional trustee in defending an unusual and complex 'trust-busting' claim against a high net-worth individual's offshore trusts, including an application for associated Beddoe relief from the BVI Courts and involving issues of foreign law (led by Tim Collingwood KC and Matthew Brown).

Re a Deceased Estate – Seal & gag and Norwich Pharmacal application in the BVI by the personal representatives of a deceased high-net worth individual in support of foreign proceedings to remove a co-executor for potential misappropriation of estate assets. Led by Jerry D. Samuel.

Re an application to remove a Trustee – acted for a beneficiary in a contested, multi-party application to remove the trustee of certain BVI trusts set up by a well-known industrialist. Led by Matthew Brown.

Career

2024 – Admitted as an Advocate & Solicitor in Singapore (Rabin has full rights of audience in all Singapore Courts practicing with RCLT Law Corporation)

2023 – Admitted to the Bar of the Eastern Caribbean Supreme Court (Virgin Islands Circuit)

2022 – Rights of Audience, Astana International Financial Centre

2021 – Called to the Bar of England and Wales

2016 – Lieutenant, Singapore Armed Forces

Professional Associations

Chancery Bar Association

COMBAR

Insolvency Lawyers Association

Contentious Trusts Association

Singapore Academy of Law

Publications

Rabin Kok, Third Party Rights and the LMA Suite of Debt Documents (2024) 39 Journal of Intl Banking & Financial Law 8

Charlotte Cooke and Rabin Kok, Fixed or Floating? *Re Avanti Communications* Revisits the Characterisation of Charges (2023) 20 International Corporate Rescue 1

Rabin Kok, Placing Sanctioned Entities into Judicial Management [2023] Singapore Academy of Law Practitioner 8

William Willson and Rabin Kok, Cryptocurrency and the Claim in Debt (2023) Journal of International Banking and Financial Law 25

Rabin Kok, Cross-Border Real Estate Investment Trust Insolvencies and Recognising Foreign Insolvency Judgments: *Re Tantleff, Alan [2022]* Singapore Academy of Law Journal

Education & Qualifications

2020-2021 – Bar Vocational Studies, City University of London (Distinction)

2019-2020 – Oxford University, BCL (Distinction)

2016-2021 – Cambridge University, BA Law (First Class Hons)

Scholarships & Prizes

- Thomson Reuters Prize – top in year at Cambridge University
- De Montmorency Prize in Law
- Senior Scholar of Peterhouse and formerly Scholar
- Des Voeux Chambers-Cambridge Junior Scholarship
- Kenneth Thomas Law Essay Prize
- Rebecca Flower Squire Scholarship
- City Law School Scholarship for Academic Excellence

Languages

Rabin is able to read and write Bahasa Indonesia and Bahasa Malaysia (including legal documents) and is happy to be instructed in cases involving this type of material.