



Singapore Institute of Arbitrators



**Singapore Institute of Arbitrators
&
National University of Singapore
Proudly Present**

PROTECTION OF FOREIGN INVESTMENTS: THE KEY ISSUES IN INVESTOR-STATE ARBITRATION

Date: : 21 January 2009 (Wednesday)
Time : 6.30pm to 8.45pm
Venue : Marina Mandarin Singapore
6 Raffles Boulevard
Marina Square
Singapore 039594
Charges : SI Arb members S\$80
NUS Students S\$65
Non-members S\$100

Programme:

6.00pm - 6.30pm Registrations & Refreshments
6.30pm - 6.45pm Opening Address by Chairperson
Mr. Tay Yu-Jin, Counsel, Shearman & Sterling LLP
6.45pm - 8.15pm PROTECTION OF FOREIGN INVESTMENTS: THE KEY ISSUES IN INVESTOR-STATE ARBITRATION
Mr. J. Christopher Thomas, QC, Consultant to Borden Ladner Gervais LLP, Chartered Arbitrator
8.15pm - 8.45pm Question & Answer Session

About the Seminar:

Singaporean businesses are engaging in cross-border transactions and making substantial foreign investments at an almost unprecedented rate. Often the greatest opportunities present themselves in unfamiliar, unpredictable and potentially unstable political, legal and economic environments. As Corporate Counsel and Consultant, you are expected to advise your clients on how to avoid or manage these risks, and to vigorously defend corporate interests when they come under attack, wherever in the world that might occur. This seminar is a must attend for Arbitrators, Senior Executives and Corporate Counsel who need to appreciate the growing range of tools available to meet corporate expectations concerning the security of foreign investments and cross-border agreements. The topics to be discussed at the seminar include the following:

- The most common sources of legally manageable foreign investment risk
- Legal mechanisms available to manage these risks
- Using investment protection mechanisms effectively
- Avoiding common pitfalls associated with investment protection mechanisms

About the Chairperson:

Mr. Tay Yu-Jin is counsel in Shearman & Sterling's International Arbitration Group with responsibility for the development of the international arbitration practice across Asia. Presently based in Singapore, he has practised international arbitration in Paris,

London and Washington, D.C. He specializes in representing investors and governments in investment treaty arbitrations as well as international arbitrations concerning oil and gas, construction and engineering, defence procurement, M&A, joint venture and general commercial disputes. Prior to joining Shearman & Sterling, Mr. Tay trained as a barrister at Fountain Court Chambers, a leading commercial set in London. As a returning Singapore Public Service Commission Scholar, he also served for over two years in the Ministry of Defence as a military prosecutor and legal counsel. Mr. Tay is listed in Euromoney's *Guide to the World's Leading Experts in Commercial Arbitration* (2006 and 2007) and as a *Leading Individual in Chambers Asia 2009*. He has spoken at various international conferences on aspects of investment treaty arbitration and, more generally, on arbitration law and practice in Asia. Since 2002, Mr. Tay has served as the Regional Representative for Asia in the LCIA's Young International Arbitration Group (YIAG). He is a Member of the Singapore Institute of Arbitrators and serves as the Singapore Representative in the Chartered Institute's Young Members Group. He is a member of the Australasian Forum for International Arbitration (AFIA) as well as a member of the International Arbitration Institute (IAI), International Bar Association and other international bar associations.

About the Speaker:

Mr. J. Christopher Thomas, QC is a lawyer and Chartered Arbitrator who has practiced in the field of international trade and commercial law with emphasis on trade and investment regulation and dispute settlement. He has acted as counsel in various international disputes, in domestic administrative law procedures (anti-dumping and countervailing duty cases) and in contentious proceedings before the superior courts of Canada. He has received an AV rating from Martindale-Hubbell. The London-based Chambers Global's Guide for leading law firms in the world ranked Mr. Thomas' former firm, Thomas & Partners, as a leading (Band 1) firm in Canada. Mr. Thomas has also been ranked in 2008 Lexpert's *American Lawyer Guide to the Leading 500 Lawyers in Canada*, *The International Who's Who of Business Lawyers*, *The International Who's Who of Commercial Arbitrators* and in Woodward/White's *The Best Lawyers in Canada* in the areas of international arbitration and international trade and finance law. He was appointed Queen's Counsel in 2002 and has been designated a Chartered Arbitrator by the ADR Institute of Canada. On 16 June 2008, Mr. Thomas announced that the partners and certain associates of Thomas & Partners had joined Borden Ladner Gervais (BLG) in various capacities. Mr. Thomas acts as a consultant to BLG, advising its clients on a case by case basis (subject to a prior conflicts check), and maintains a separate practice as an arbitrator.

REGISTRATION: PROTECTION OF FOREIGN INVESTMENTS: THE KEY ISSUES IN INVESTOR-STATE ARBITRATION

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Notes:

1. Closing date is 19 January 2009. Placement is on a first-come-first-served basis.
2. The Organiser/s reserve the right to cancel, curtail or change the content of programmes and the names of speakers without prior notice.
3. The Organiser/s reserve the right to cancel or postpone the seminar in which case refunds will be given, but otherwise, no refunds will be made for cancellations or no-shows by those who registered. If you are unable to attend the seminar, a substitute may attend in your place at no extra charge with at least 3 days prior notice being given to the Institute, failing which there shall be no refund.