



Singapore Institute of Arbitrators
proudly presents



SI Arb

Commercial Arbitration Symposium 2013

Thursday, 14 November 2013
The Arts House
Old Parliament Chamber

SYMPOSIUM FORMAT

The SI Arb Commercial Arbitration Symposium provides a distinctive and interactive forum for participants to discuss current issues and developments in the field of commercial arbitration.

There are no set speakers or speeches. Participants will be invited to submit topics for discussion in advance of the Symposium. The topics will be grouped into themes and allocated to one of the 3 working sessions, at which participants will be invited to introduce their topics.

Each topic is then presented for discussion, under the expert chairmanship of the Co-Chairs, all of whom are well known experienced practitioners in the field.

The objective is to generate a free-flowing discussion of current issues in commercial arbitration practice guided by the Co-Chairs.

There are limited places available for this Symposium so as to maintain the efficiency of the format and preserve the quality of the discussion. Participants are not required to have any particular level of practical experience in arbitration.

For the first time, this year's Symposium will also feature a third session exploring the future of Litigation Funding in Singapore. Taking advantage of the old Parliamentary Chamber, we will host a debate on the motion: "This House believes that Litigation Funding is good for arbitration in Singapore". Join us for this interesting debate on a topic of current significance within the global arbitration community.

PROGRAMME

1200 - 1300	Registration and Networking Lunch
1300 - 1305	OPENING REMARKS BY PRESIDENT, SIARB
1305 - 1420	SESSION 1 <i>Co-Chairs:</i> Chan Leng Sun, SC (Baker & McKenzie, Wong & Leow, Singapore) Nish Shetty (Clifford Chance, Singapore)
1420 - 1430	Book Launch by Michael Hwang, SC
1430 - 1500	Coffee Break
1500 - 1620	SESSION 2 <i>Co-Chairs:</i> Yu-Jin Tay (DLA Piper, Singapore) Ben Giarretta (Ashurst, Singapore)
1620 - 1640	Coffee Break
1640 - 1800	DEBATE: "This House believes that Litigation Funding is good for arbitration in Singapore" <i>Presiding Commentator:</i> Michael Lee (20 Essex Street, London) <i>Proposition:</i> Susan Dunn (Harbour Litigation Funding, London) Raja Bose (K&L Gates, Singapore) <i>Opposition:</i> Alastair Henderson (Herbert Smith Freehills, Singapore) Vikram Nair (Norton Rose Fulbright, Singapore)
1800 - 2000	Networking Cocktail Reception at Timbre

WHO SHOULD ATTEND

Arbitrators, arbitration counsel, litigators, transaction counsel, in-house counsel, academics and members of the business community interested in current developments and best practices in the rapidly developing field of commercial arbitration.

Venue Sponsor:



Supporting Sponsors:



K&L GATES



Organised by:

SI Arb Arbitration Bar Committee

SESSION 1 CO-CHAIRS



Chan Leng Sun, SC

Principal, Baker & McKenzie.Wong & Leow

Leng Sun heads the Dispute Resolution practice in Baker & McKenzie.Wong & Leow. He is qualified in Malaysia, Singapore and England. Leng Sun was appointed Senior Counsel, Singapore's equivalent to the Queen's Counsel, in January 2011. In addition to years of experience in maritime-related work, he has a broad commercial practice that covers international trade, insurance and company law.

Apart from being counsel, Leng Sun is an arbitrator and adjudicator on the panel of leading arbitral institutions. He is President of the Singapore Institute of Arbitrators (SI Arb) and Chairman of the Singapore Law Society ADR Committee. He serves on statutory tribunals such as the Income Tax Review Board and the Maintenance of Parents Tribunal. He is on the Advisory Panel of the Singapore Maritime Foundation.

Leng Sun has taught at the law schools of the National University of Singapore and the Singapore Management University. Leng Sun was a legal officer of the United Nations Compensation Commission in Geneva and a SIAC-CIAC Observer to the UNCITRAL Working Group on Arbitration. He has published widely in international journals and is the author of the book *Singapore Law on Arbitral Awards*, which has been cited with approval by Courts in Singapore and Australia.



Nish Shetty

Clifford Chance, Singapore

Nish is a Partner and the Head of International Arbitration and Dispute Resolution for South and South East Asia at Clifford Chance. He is regarded as a leading expert in the field of dispute resolution, in particular international arbitration.

He has advised on many of the most complex cross-jurisdictional disputes in recent years in South and South East Asia.

Nish is on the panel of arbitrators of the key arbitral institutions in the region. He has acted as both counsel and arbitrator in arbitrations under the SIAC, ICC, LCIA & UNCITRAL rules in Singapore, London, Paris, Geneva & India. He is currently the founder-Chairman of the SIAC's newly formed Users' Council.

He is also the first in Asia to be appointed as a Judge of Appeal on the FIA International Court of Appeal in Paris; Vice-Chairman of the Singapore Law Society's Insolvency Practice Committee; a member of the Board of Directors of the Insolvency Practitioners Association of Singapore; a member of the Editorial Board of the IBA's Dispute Resolution International; the Head of the Disciplinary Commission of the Singapore Motorsports Association; and a member of the International Council for Commercial Arbitration.

Nish is admitted to practice in both Singapore and England and Wales. He has been recognised as a "Leading Individual" in dispute resolution by the major legal directories including Legal 500, IFLR 1000 and Chambers Asia-Pacific and is identified among the leading international arbitration practitioners in the world by International Who's Who of Commercial Arbitration.

SESSION 2 CO-CHAIRS



Yu-Jin Tay

Partner, DLA Piper Singapore

Yu-Jin Tay is a partner and global co-chair of DLA Piper's international arbitration practice, with responsibility for coordinating the firm's international arbitration practice in Asia. Presently based in Singapore, he has practised international arbitration in Paris, London and Washington DC. He specialises in international arbitrations arising from M&A, joint venture, oil and gas, energy, infrastructure and general commercial disputes, and has experience of over 50 arbitrations under the rules of most leading arbitral institutions including the ICC, SIAC, HKIAC, LCIA, AAA-ICDR, CIETAC, DIAC, KLRCA and BANI. In addition to acting as counsel, Yu-Jin sits as an arbitrator and has received

appointments in ICC, SIAC, LCIA and ad hoc arbitrations. He is a Fellow and Council member of the Singapore Institute of Arbitrators and a member of various arbitrator panels including the SIAC, KLRCA, KCAB and VIAC. Since 2001, he has had experience advising and representing investors and governments in investment treaty arbitrations and, since 2013, he has been designated by the Government of Timor-Leste to ICSID's Panels of Arbitrators and Conciliators. Yu-Jin has also been commissioned by international development agencies to conduct arbitration training and capacity-building for governments in Asia and he is an Advisory Board member of the London-based NGO -- Africa International Law Awareness (AILA).

In 2011, Yu-Jin was featured in the 2011 edition of *Global Arbitration Review* 45 under 45, a global survey of arbitration lawyers under 45 and he has been listed annually as a leading individual in global legal directories including *GAR* International Who's Who of Commercial Arbitration (since 2010), *Chambers Asia-Pacific* and *Asia-Pacific Legal 500* (since 2008) and the *Euromoney Guide to the World's Leading Experts in Commercial Arbitration* (since 2006).



Ben Giaretta

Partner, Ashurst LLP

Ben Giaretta is a partner of Ashurst LLP, based in Singapore. He is the head of Ashurst's international arbitration practice in Asia, and his work is primarily focused on the resolution of disputes in the energy, transport, construction and infrastructure

sectors. Ben was educated at the University of Oxford, and he is a Fellow of the Singapore Institute of Arbitrators and a Fellow of the Chartered Institute of Arbitrators, as well as being on the panels of arbitrators of the SIAC, the KLRCA and the SI Arb. He appears as Counsel in international arbitration and often sits as arbitrator. He is recommended for international arbitration in various directories including *Benchmark Litigation*, *Chambers Global*, *Legal 500* and *The Guide to the World's Leading Commercial Arbitration Experts*.

SESSION 3 DEBATE: "THIS HOUSE BELIEVES THAT LITIGATION FUNDING IS GOOD FOR ARBITRATION IN SINGAPORE"



Michael Lee

20 Essex Street

Michael Lee is a specialist arbitrator and practising barrister. Before joining the English Bar he was a solicitor and a partner in a major international law firm, Norton Rose, where he managed the Paris office and the firm's international arbitration group.

He has had over thirty years' experience practising commercial litigation in the English High Court and international arbitration, as well as co-ordinating and overseeing overseas litigation. He is a Fellow of the Chartered Institute of Arbitrators and a CEDR accredited mediator.

Michael Lee has a wide ranging practice as an international arbitrator having served as a member of the tribunal in over 70 international arbitrations administered under the rules of various international arbitration institutions, including the International Chamber of Commerce (ICC), London Court of International Arbitration (LCIA), International Centre for the Settlement of Investment Disputes (ICSID), American Arbitration Association (AAA) and Singapore International Arbitration Centre (SIAC), as well as ad hoc arbitrations and those under UNCITRAL Rules. Arbitrations in which he has been appointed have included disputes in the fields of energy supply, oil and gas, agency, joint ventures, expropriation, and engineering, as well as finance and banking, involving a variety of national laws and jurisdictions. He is on the panel of international arbitrators of the AAA, SIAC, the Hong Kong International Arbitration Centre (HKIAC), the Beijing Arbitration Commission, the Kuala Lumpur Regional Centre for Arbitration (KLRCA) and the Indian Council of Arbitration and is also on the panel of experts of the Hong Kong International Arbitration Centre.

Michael Lee also has experience of mediation, having acted as mediator or co-mediator in several mediations. He has also acted as counsel or legal adviser in numerous arbitrations under institutional rules, including ICC, LCIA, Stockholm Chamber of Commerce and trade association rules as well as ad hoc arbitrations in the general commercial, banking, insurance and commodities fields.

He was formerly the UK member on the ICC Court of International Arbitration, and is a member of the ICC Commission on International Arbitration. He is also a member of the International Bar Association and the American Bar Association.



Susan Dunn

Head Of Litigation Funding, Harbour Litigation Funding Limited

Susan is widely recognised as the leading litigation funder in the UK and has originated and managed over 130 litigation funding cases totalling over £3bn in claim value, since 2002.

She has worked as a commercial litigator in both the UK and US. In 2006, Susan was pivotal in the UK Civil Justice Council report. This report endorsed litigation funding and led to both the Chapter 11 of the Jackson Review of costs published in 2011 and to the completion of the Code of Conduct in England and Wales for Litigation Funders which was introduced in 2011 and the formation of The Association of Litigation Funders of which she is a founding director.

In 2007 she co-founded Harbour. In May 2012 Harbour raised an additional fund of £120 million for the funding of commercial litigation, taking its funds for investing in litigation to £180 million, making it the UK largest funder. Harbour currently funds cases in England, the Channel Islands, the USA, Canada, Hong Kong, New Zealand and the Caribbean as well as ICC, LCIA and ICSID arbitrations. In many common law jurisdictions Harbour has established the jurisprudence relating to litigation funding at both High Court and Court of Appeal levels.

Harbour has a portfolio of over 40 cases internationally with a combined value of over £2 billion.



Alastair Henderson

Partner, Herbert Smith Freehills

Alastair heads Herbert Smith Freehills' arbitration practice in Southeast Asia. He is based in Singapore but handles cases across the region and he is widely recognised among the leading arbitration lawyers in Asia. He first moved to Singapore in

1999 and for several years was Herbert Smith's managing partner in Thailand.

Alastair handles disputes across many sectors and industries, including notable experience in energy, construction, infrastructure and natural resources. His clients include government agencies and public bodies, international banks, multinationals and leading regional companies.

He also serves as presiding arbitrator, co-arbitrator and sole arbitrator under the rules of the SIAC, ICC, HKIAC and other institutions, and he is a Fellow of the Singapore Institute of Arbitrators; a former national committee member of the Chartered Institute of Arbitrators in Thailand and the ICC Thailand national

arbitration commission; and a regular author and speaker at international conferences.



Raja Bose

Partner, K&L Gates LLP

Mr. Bose is a partner in the Singapore office of K&L Gates and leads the firm's Commercial Disputes and International Arbitration practice in Asia. He has more than 20 years' experience in international dispute resolution and has worked in both London and Singapore. He is qualified both as an Advocate & Solicitor of the Supreme Court of Singapore as well as admitted as a Solicitor of England & Wales.

He is also a qualified arbitrator and is a Fellow of both the Chartered Institute of Arbitrators of the UK as well as of the Singapore Institute of Arbitrators. Mr. Bose is on the panel of arbitrators of a number of arbitration institutions including the SIAC, KLRCA, ICA and HKIAC. He is also a Board Member and Director of the UK Chartered Institute of Arbitrators' Singapore Branch.

Mr. Bose has experience conducting international arbitrations with seats in Singapore, Hong Kong, Indonesia, Vietnam, China, India, Dubai, Malaysia, London, Paris, Geneva and New York under a variety of trade association and international arbitration centre rules including UNCITRAL, LCIA, LMAA, GAFTA, CIETAC, BANI, HKIAC, KLIAC, SIAC, ICC, AAA, VIAC and ICSID.



Vikram Nair

Associate, Norton Rose Fulbright

Vikram Nair is a dispute resolution lawyer based in Singapore. He specialises in international arbitration, with a particular interest in financial sector and commodity market disputes.

Vikram graduated from Cambridge University in 2002 with a BA (Hons) in Law. After graduation, he worked in a leading consulting firm, consulting for financial institutions and commodity companies in South East Asia. From 2005 to 2008, after being called to the Singapore bar, he joined a large Singapore law firm and focused on commercial and corporate litigation. Vikram joined Norton Rose Fulbright in 2008.

As a litigator, Vikram had been involved in cases such as Deutsche Bank v Beckett, the National Kidney Foundation's claim against its former directors and Tullett Prebon v BGC International. At Norton Rose Fulbright, he has been focusing on international arbitration and investigative work, particularly in relation to anti-bribery and corruption. His most recent arbitration experience includes acting for a European food and beverage retailer in a USD 600 million dispute with an Asian manufacturer arising from the termination of a contract between the two.

Vikram is also a Member of Parliament for Sembawang GRC in Singapore.

Practice Area : **Alternative Dispute Resolution**
Training Level : **General**
Public CPD Points : 2
(Based on 100% attendance)

STLE Attendance Policy

Participants who wish to claim CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. This includes signing-in on arrival and signing-out at the conclusion of the activity in the manner required by the organiser, and not being absent from the entire activity for more than 15 minutes. Participants who do not comply with the Attendance Policy will not be able to obtain CPD Points for attending the activity. Please refer to <http://www.stleCPDcentre.org.sg/> for more information.

REGISTRATION

(Registrations close when capacity is reached or by Friday, 8 November 2013)

IMPORTANT:

1. Please complete each section.
2. Please complete a separate form for each delegate
3. Return this form to: Singapore Institute of Arbitrators, c/o Intellitrain Pte Ltd, Level 3, 146 Robinson Road, Singapore 068909
Fax: +65 3151 5797 (no 6 prefix required) Tel: +65-6521 2888 Email: siarb_events@intellitrain.biz
4. By completing this form, you fully consent to the collection, use and disclosure of your personal data as appears in any form, document or electronic template, by the Singapore Institute of Arbitrators.

SYMPOSIUM

Please tick as appropriate

	Register and pay by 31 October	Normal Fee
Members of Singapore Institute of Arbitrators	<input type="checkbox"/> S\$160.00	<input type="checkbox"/> S\$200.00
Member of: RAIF; Society of Construction Law, Singapore (SCL)	<input type="checkbox"/> S\$240.00	<input type="checkbox"/> S\$300.00
Others	<input type="checkbox"/> S\$320.00	<input type="checkbox"/> S\$400.00

NOTE:

1. Registrations are open until capacity is reached or by Friday, 8 November 2013.
2. Registration of ALL delegates starts at 12.00pm on 14 November 2013, before the Symposium Opening.
3. Light lunch will be served during registration, starting at 12.00pm.
4. Symposium Registration Fee includes attendance at the Symposium, light lunch, 2 coffee breaks and 1 networking cocktail session.

DELEGATE DETAILS (Please Complete All Details)

Name (Prof / Dr / Mr / Mrs / Miss / Mdm): _____

Name to Appear on Badge: _____

Name and Mailing Address of Organisation: _____

Designation: _____

Member of: SI Arb RAIF SCL (S) Others

Check if CPD points are required AAS no. _____ (for practicing lawyers requiring SILE CPD points)

Membership No.: _____ Email: _____

(Mandatory field for SI Arb members)

(Email required for confirmation of registration)

Tel number: _____

Fax number: _____

Please indicate any special dietary, medical or other requirements:

Cheque Credit Card Telegraphic Transfer

CHEQUE PAYMENT DETAILS

Cheque payments should be made payable to [X]Singapore Institute of Arbitrators[X] and arrive at the Symposium Secretariat office with your completed registration form before the closing date, 8 November 2013. Registrations will be on a first come first served basis and the Secretariat may have to turn away delegates after capacity has been reached.

CREDIT CARD DETAILS

Mastercard/Visa Number: _____ Card Expiry Date: _____(MM/YY)

Cardholder [X]Name: _____ Signature: _____

Kindly note that an administration charge of 1.75% will be imposed on payments via credit card.

TELEGRAPHIC TRANSFER DETAILS

Account Name : Singapore Institute of Arbitrators

Account Number : 208-308-736-8

SWIFT Code : UOVBSGSG

Bank Details : United Overseas Bank Limited, 148 Upper Bukit Timah Road, UOB Centre, Singapore 588178.

Please email us at siarb@siarb.org.sg after the T/T has been done for our follow-up with the bank. The registration fee must be received nett of all receiving and paying bank charges.

SUBSTITUTIONS, CANCELLATION & REFUNDS

Equivalent substitute delegates (e.g. member for member or non-member for non-member) are welcome at no additional charge, subject to our being informed in writing at least 5 working days in advance of such substitution. Cancellation and refunds may be made upon receipt of written notice, less handling fee and bank service charges as follows: notice received on or before 31 October 2013 50% refund; notice received after 31 October 2013 no refund.

Disclaimer:

The Organising Committee is committed to staging a successful symposium; however it reserves the right to cancel or postpone the symposium, change its venue or any of the other details published.