



FELLOWSHIP ASSESSMENT COURSE

18 November – 14 December 2020

The Singapore Institute of Arbitrators (SI Arb) is pleased to announce that a new edition of its Fellowship Assessment Course (FAC) is now open for registration.

***The FAC will focus on teaching candidates the practical aspects of acting as an arbitrator. To benefit from FAC, candidates should already have a sound grasp of the law of arbitration.**

SYNOPSIS OF THE COURSE

It will consist of 6 modules with a total of 9 lectures, 6 practical workshops and an Award Writing Examination:

- **Module 1** will cover the basic concepts and principles on the sources of law, the law of contract, the law of tort, and the treatment of evidence. *Candidates who have obtained a degree in law from a university or other tertiary institution recognised by the SI Arb (or such other legal qualifications as the SI Arb may in its absolute discretion accept) are exempted from Module 1. All other candidates are required to attend Module 1 and attend Practical Workshop 1.*
- **Module 2** relates to (i) the acceptance of an arbitral appointment, covering topics such as conducting conflict checks and making disclosures before or when accepting an appointment; (ii) dealing with jurisdictional challenges; and (iii) emergency arbitrations.
- **Module 3** covers (i) case management in conducting an arbitration; (ii) techniques for controlling time and costs in an arbitration; and (iii) drafting procedural orders.
- **Module 4** covers (i) dealing with interlocutory applications; (ii) drafting discovery orders; (iii) dealing with costs of interlocutory applications; (iv) dealing with extension of time applications and guerilla tactics; and (v) dealing with preliminary issues.
- **Module 5** covers the conduct of the evidentiary hearing.
- Finally, **Module 6** covers the practical aspects of actually writing the Final Award.
- In the **Practical Workshops**, lecturers and tutors will address questions from candidates and show practical examples of an arbitrator's work product such as procedural orders, Redfern Schedules, discovery orders and interim awards. In **Practical Workshop 6**, the lecturer of Module 6 will dissect a sample award to see how it should, or should not, be written.
- In the **Award Writing Examination**, candidates will write an enforceable final award.

FORMAT AND DELIVERY METHOD

Each lecture will be delivered online by way of a Zoom webinar recording which can be accessed remotely and on demand during the period specified in the Course Schedule below. Each candidate is required to view each lecture in sequence and in its entirety. The first lecture is preceded by an Introductory Video by the Course Director. The total scheduled duration of all lectures is about 13.5 hours.

Each Practical Workshop will be led by one or more Workshop leaders in a live interactive class conducted virtually on the Zoom meeting platform. Each candidate is required to attend the full duration of each Practical Workshop, the dates of which are specified in the Course Schedule below. The total scheduled duration of all 6 Practical Workshops is 8 hours.

The Award Writing Examination is an open-book examination which will be conducted virtually on SI Arb's online course portal and/or on the Zoom meeting platform over a period of 3.0 hours on the date specified

**If you wish to have a comprehensive course/refresher on the law of arbitration, SI Arb offers an option for those interested candidates to add on and attend 9.5 hours of online lectures on:*

- *An Introduction to Arbitration*
- *Arbitration Agreement, Commencement & The Tribunal*
- *Arbitration Procedure*
- *The Award; Recognition & Enforcement of Awards*

Please contact the SI Arb Secretariat for more details should you be interested in these online lectures which are available at an additional fee.



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in the Course Schedule below. Each candidate is required to sit for and pass this written examination by writing an enforceable final award within the time and based on the facts given.

Each candidate who has been successfully registered for FAC will receive personalised login details to SI Arb's online course portal to access all reading materials, lectures, presentations slides and the online examination as set out in the Course Schedule.

COMPLETION OF THE COURSE

To complete the FAC successfully, a candidate must:

- (a) Achieve 100% attendance at all the Practical Workshops; and
- (b) Pass the open-book Award Writing Examination.

A candidate who has successfully completed the FAC may, subject to satisfying other relevant criteria, apply for admission as a Fellow of the Singapore Institute of Arbitrators.

CRITERIA FOR ADMISSION TO FAC

Admission to the FAC is open to:

1. Lawyers with at least 10 years involvement in litigation/dispute resolution; or who have been active arbitrators, and can provide documentary evidence of such experience; OR
2. Non-lawyers who have at least 10 years of involvement in dispute resolution or who have been active arbitrators, and who can provide documentary evidence of such experience; OR
3. Those who have successfully completed the International Entry Course conducted by SI Arb or such other equivalent course as may be recognised by SI Arb.

COURSE SCHEDULE

Lectures	
Lecture videos (and the Introductory Video) will be accessible remotely and on demand during this self-study period	9.00am on 18 November 2020 to 6.00pm on 14 December 2020

Practical Workshops		
Date	Time	Workshop
30 November 2020	10.30am -12.00pm	Workshop 1 for Module 1
*11 December 2020 AND/OR 12 December 2020	9.00 - 10.00am	Workshop 2 for Module 2
	10.30 - 11.30am	Workshop 3 for Module 3
	12.00 - 1.00pm	Workshop 4 for Module 4
	1.30 - 2.30pm	Workshop 5 for Module 5
	3.00 - 5.30pm	Workshop 6 for Module 6
	5.30 - 6.00pm	Course Director Closing Remarks & Briefing on Online Examination

**NB: SI Arb reserves the right to allocate candidates to such groups for the Practical Workshops and to conduct the Practical Workshops on 11 and/or 12 December at its discretion. Candidates should ensure they are available for the full day on both dates.*

Award Writing Examination	
Date	Time
14 December 2020	10.00am – 1.00pm



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COURSE CONTENT

Module	Content	Lecture / Workshop
Introduction	Introduction to FAC and its Objectives	Introductory Video
Module 1	Sources of Law <ul style="list-style-type: none"> - Common Law - Equity - Statute - Court system - Doctrine of <i>stare decisis</i> 	Lecture 1
	Law of Contract <ul style="list-style-type: none"> - Essential ingredients of a binding and enforceable contract – offer, acceptance, consideration, intention to create legal relations - Privity of Contract - Rules of Interpretation of Contracts - Express and Implied Terms - Assignment and Novation - Discharge of contract by breach - Remedies for breach of contract - Damages – liquidated and unliquidated damages; remoteness; ordinary and extraordinary damages 	Lecture 2
	Law of Tort <ul style="list-style-type: none"> - What is a tort – difference between tortious claim and contractual claim - Nature of vicarious liability - Negligence - Misrepresentation - Economic Torts - Remedies 	Lecture 3
	Evidence <ul style="list-style-type: none"> - What is “evidence” - Relevance of rules of evidence in arbitration - Burden of proof - Standard of proof - Admissibility versus weight - Weighing the evidence – relevance and reliability 	Lecture 4
	Review of Module 1	Workshop 1
Module 2	Accepting the Appointment <ul style="list-style-type: none"> - Conflict Check – what to look out for - IBA Guidelines on Conflict of Interests - Disclosures - Verifying Jurisdiction – identifying the arbitration agreement; whether dispute falls within scope of arbitration agreement - Ascertaining seat; arbitral institution; arbitration rules; composition of tribunal; language Dealing with Jurisdictional Challenges <ul style="list-style-type: none"> - Doctrine of “<i>competence – competence</i>” - Due process - When and how to decide Emergency Arbitrations	Lecture 5
	Practical Workshop for Module 2	Workshop 2



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	<ul style="list-style-type: none"> - Accepting the Appointment and Challenges to Jurisdiction: Practical exercise - Q&A on Module 2 	
Module 3	<p>Case Management</p> <ul style="list-style-type: none"> - First Procedural Meeting – when to hold one - Matters to be dealt with at First Procedural Meeting - Adoption of Rules and Guidelines - Prague Rules - IBA Rules on the Taking of Evidence - Procedural Timetable – How far should it go - Subsequent procedural meetings <p>Techniques for Controlling Time and Costs</p> <ul style="list-style-type: none"> - ICC Report on such techniques <p>Drafting Procedural Orders</p> <ul style="list-style-type: none"> - How to draft, what to say - Can procedural orders be appealed against or set aside and what is the significance of this 	Lecture 6
	<p>Practical Workshop for Module 3</p> <ul style="list-style-type: none"> - Examples of Procedural Orders to see how they are written - Q&A on Module 3 	Workshop 3
Module 4	<p>Dealing with Interlocutory Applications</p> <ul style="list-style-type: none"> - Common applications to expect - Amendment of pleadings; security for costs; injunctions; production of documents <p>Drafting Discovery Orders</p> <ul style="list-style-type: none"> - Use of Redfern Schedule; How to draft a discovery order; Costs of application <p>Costs of Interlocutory Applications</p> <ul style="list-style-type: none"> - Does the Tribunal have power to award costs on interlocutory applications - Award now or later <p>Dealing with Extension of Time Applications and Guerilla Tactics</p> <ul style="list-style-type: none"> - How not to breach the rules of natural justice <p>Dealing with Preliminary Issues</p> <ul style="list-style-type: none"> - Interim and Partial Awards 	Lecture 7
	<p>Practical Workshop for Module 4</p> <ul style="list-style-type: none"> - Examples of Redfern Schedules to see how they are used - Examples of Discovery Orders and Interim Awards to see what they say and how they say it 	Workshop 4
Module 5	<p>Conducting the Evidentiary Hearing</p> <ul style="list-style-type: none"> - Pre-Hearing Conference – what should be discussed - Core Bundle of Documents for Hearing - Privacy of Hearing - Timetable and Allocation of Time - Timekeeping – whether or not to guillotine - Opening Submissions - Calling of Witnesses; Administering Oaths and Affirmations - Expert Witnesses – how should they and their evidence be treated; - Witness Conferencing or “Hot Tubbing” – How is this done; how to prepare for it - Dealing with objections during examination of witnesses - Pitfalls – Entering the arena - what the Tribunal should not do during the evidentiary hearing - Closing Submissions 	Lecture 8



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	- Virtual Hearings	
	Practical Workshop for Module 5 - Q&A on Module 5	Workshop 5
Module 6	Writing the Award - Closing the Proceedings – when to do so - Time for submission of Award - Partial Award or Final Award – e.g. bifurcation; reserving issues of costs and interest - Structure and components of Award – “Introduction” to “Dispositive” - Dealing with agreed issues framed by parties – Must Tribunal deal with even the irrelevant ones; Can Tribunal reframe or consolidate or depart from them - Techniques and tools for drafting the Award - Pitfalls – what to avoid in writing the Award - Awarding Costs - Awarding Interest - Scrutiny by arbitral institution	Lecture 9
	Practical Workshop for Module 6 - Dissecting a sample Award to see how it should (or should not) be drafted	Workshop 6
	Course Director’s Closing Remarks & Briefing on Online Examination	
Conclusion	Award Writing Examination	

COURSE FACULTY

- Chia Chor Leong (Course Director)
- Samuel Chacko
- Remy Choo
- Delphine Ho
- Edmund Kronenburg
- Johnny Tan
- Toh Chen Han

For more details about our Course Faculty, please click [here](#).

TECHNICAL REQUIREMENTS

To properly participate in this online course, you will require the following which must be put in place before the Tutorials and Online Examinations (no exceptions will be entertained) :

1. A laptop or computer (as typing will be required during the Tutorials and examinations, accessing via mobile phone or other mobile devices is not encouraged)
2. Stable Internet access from the same laptop/computer– a wired connection is recommended (this is especially important for taking the online written assessment)
3. An Internet browser on the same laptop/computer
4. A video camera (either external or built-in to your laptop or computer) to participate in the video Tutorials and Online Examination
5. Zoom Client for Meetings
If you have not used Zoom before, clicking [HERE](#) to download the latest version for security reasons. Even if you already have Zoom installed, we recommend that you check to ensure you have updated to the latest version due to frequent security upgrades and to ensure that your laptop/computer meets the minimum requirements for the use of Zoom.

IMPORTANT NOTES

1. Acceptance or rejection of an application for admission to the FAC is at the sole discretion of SI Arb.



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- Closing date is **23 November 2020**. Placement is on a first-come-first-served basis.
- Registrations received on or before the closing date are confirmed upon **RECEIPT OF FULL PAYMENT**.
- SI Arb reserves the right to change the content of the programme and/or the facilitators without prior notice. SI Arb is committed to staging a successful programme. However, we reserve the right to cancel the programme in which case refunds will be given, but otherwise, no refunds will be made for cancellations or no-shows by those who registered.
- SI Arb reserves the right to change the venue or amend any of the other details published.
- 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 SI Arb.

FEES & REGISTRATION

Member or Associate Member of SI Arb	Non-Member
\$2,900 (All Modules (Incl Award Writing Exam))	\$3,200 (All Modules (Incl Award Writing Exam))
\$2,300 (Modules 2,3,4,5 & 6 (Incl Award Writing Exam))	\$2,600 (Modules 2,3,4,5 & 6 (Incl Award Writing Exam))

Click [HERE](#) to register.

- ❖ **Cheque:** Made payable to "Singapore Institute of Arbitrators" mail to c/o Intellitrain Pte Ltd, 12 Eu Tong Sen Street, #08-169, SOHO 2 Clarke Quay Central, Singapore 059819" or Fax to (65) 6225 9426.
- ❖ **Credit Card:** Please visit https://www.siarb.org.sg/index.php?option=com_content&view=article&layout=edit&id=444 Select Payment Category accordingly and enter payment details.
- ❖ **Bank Transfer/Internet Banking:** Account name – Singapore Institute of Arbitrators | Account number – 208-308-736-8 | Name of Bank – United Overseas Bank Limited | SWIFT Code – UOVBSGSG | Bank Address – 148 Upper Bukit Timah Road, UOB Centre Singapore 588178.

For further enquiries, please contact the Singapore Institute of Arbitrators

Tel: (65) 6551 2785 Fax: (65) 6225 9426

E-mail: secretariat@siarb.org.sg

REGISTRATION, REFUND & CANCELLATION POLICY

- Places are limited and can only be allocated in order of priority upon receipt of registration and any payment due.
- SI Arb reserves the right to update or amend the details of the programme and/or the names of Course Faculty without prior notice.
- SI Arb will not entertain any request for a refund of fees.
- We reserve the right to refuse to register or admit any participant, and to cancel or postpone the Course.
- 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 SI Arb. [CLICK [HERE](#) TO READ OUR PRIVACY POLICY]



Practice Area: **Alternative Dispute Resolution**

Training Level: **Advanced**

CPD Points: **6.5 (Only applicable for Practical Workshops 2-6)**

SILE Attendance Policy

Participants who wish to obtain CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. For this activity, this includes logging in at the start of the webinar and logging out at the conclusion of the webinar in the manner required by the organiser, and not being away 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.sileCPDcentre.sg> for more information.

PEB: PDU (TBC)
RICS: 18 CPD hours

SPM: CPD (TBC)