

[WEBINAR] Fundamentals of Arbitration for Transactional Lawyers Part 1 of 2: Basics of drafting an arbitration clause

24 September 2020, Thursday

12.30pm – 1.45pm

This programme is conducted as a live webinar.

Registration Fees

Category	Fees (Inclusive of 7% GST and course materials)
Law Society Member	Free*
ACCA/SCCA Member	\$53.50
Non-Member	\$107.00



No. of Public
CPD Points:
1.0

Practice Area:
**Alternative
Dispute
Resolution**

Training Level:
General

*From 1 July to 31 December
2020, webinars are free for all
eligible LawSoc Members.
Terms and conditions apply.

About the Programme

Often, the dispute resolution clause in agreements is the clause least reviewed in a heavily negotiated transaction. Pre-existing clauses from previous agreements are copied without consideration for suitability. When issues arise, a poorly drafted arbitration agreement will only exacerbate the problems between the parties, and may be the cause of years of proceedings, wasted costs and an award that is unenforceable.

In the first of two webinars, our speakers will critique and comment on several sample arbitration provisions to illustrate the basic principles of drafting an arbitration clause and key issues to consider including:

- the seat of the arbitration
- the scope of the arbitration clause
- the law governing the arbitration agreement
- mechanism for appointment of arbitrators
- choice of institutional or ad hoc arbitration

The second webinar, to be held on 1 October 2020, will cover issues such as arbitrability and multi-tiered dispute resolution clauses.

Both webinars are suitable for practitioners who wish to understand the rationale for certain wording and ensure that the arbitration provisions they craft are suitable for their clients' needs. The first session will comprise a discussion amongst Ms Asya Jamaludin, Mr Herman Jeremiah and Mr Gerald Kuppusamy, moderated by Ms Lijun Chui.

Programme Outline

Time	Programme
12.30pm – 1.30pm	Fundamentals of Arbitration for Transactional Lawyers Part 1 of 2: Basics of drafting an arbitration clause <u>Moderator</u> Lijun Chui – Member, Alternative Dispute Resolution Committee, The Law Society of Singapore; Arbitration Practitioner <u>Panellists</u> Asya Jamaludin – Co-Vice Chairperson, Alternative Dispute Resolution Committee, The Law Society of Singapore; Counsel, CMS Holborn Asia Herman Jeremiah – Senior Partner, Dentons Rodyk & Davidson LLP Gerald Kuppusamy - Senior Legal Counsel, Standard Chartered Bank
1.30pm – 1.45pm	Question & Answer
1.45pm	End

Speaker's Profile



Lijun Chui – Member, Alternative Dispute Resolution Committee, The Law Society of Singapore; Arbitration Practitioner

Chui Lijun specialises in commercial dispute resolution and regulatory investigations, with a sub-specialty in tech disputes. She also regularly advises on cybersecurity and data issues and on emerging technology such as smart contracts, blockchain and distributed ledger technology. Her relevant experience includes crisis handling data breaches, ranging from overseeing investigations to advising on potential follow-on civil liability and regulatory action. She frequently speaks at conferences on cyber and data security issues, including at the TechLaw.Conference organised by the Singapore Academy of Law and the Ministry of Law in 2019. Lijun is qualified to practise in Singapore and England and Wales.



Herman Jeremiah – Senior Partner, Dentons Rodyk & Davidson LLP

Herman Jeremiah is a Senior Partner in the Dentons Rodyk Litigation and Dispute Resolution practices.

His areas of practice include international arbitration, banking and finance litigation, insolvency litigation and restructuring, high value contractual disputes resolution, general litigation in insurance, employment disputes and competition law.

In international arbitration, Herman's experience includes representation in respect of matters as varied as oil and gas price dispute in the context of the Indonesian Production Sharing Contracts, CISG contracts, Islamic finance facilities, standby off-take agreements, joint venture disputes, airline software solutions and the termination of shipbuilding contract under various institutional rules of SIAC, ICC and LCIA arbitrations. He also accepts appointments as an arbitrator.

Herman is a Fellow of the Chartered Institute of Arbitrators (CI Arb), Fellow of the Singapore Institute of Arbitrators (Si Arb), Panellist of the Asian International Arbitration Centre (AIAC), Fellow of the Insolvency Practitioners Association of Singapore and Member of the ICC Singapore Arbitration Group.



Asya Jamaludin – Co-Vice Chairperson, Alternative Dispute Resolution Committee, The Law Society of Singapore; Counsel, CMS Holborn Asia

Asya is a Counsel in CMS, Singapore. Her practice focuses primarily on the infrastructure and oil & gas/energy sectors, where she advises on dispute resolution and avoidance, particularly in arbitrations subject to various institutional rules. She also provides front-end advice on engineering, procurement and construction contracts and other project documentation.

Asya also sits as an arbitrator. She is a Fellow of the Chartered Instituted of Arbitrators. Asya is qualified in Malaysia and Singapore.



Gerald Kuppusamy - Senior Legal Counsel, Standard Chartered Bank

Gerald is Senior Legal Counsel, Disputes and Government Investigations Legal at Standard Chartered Bank, where he leads the management of assigned major disputes and significant investigations across the group's global network involving any aspect of the group's business and operations. He also advises from time to time on the drafting of dispute resolution clauses.

Gerald joined Standard Chartered Bank in 2015 and has practiced as a dispute resolution lawyer in both New York and Singapore at a variety of firms, including Sullivan & Cromwell, Baker McKenzie, and Drew & Napier. In private practice, he represented clients before the courts in Singapore and New York, in arbitrations under ICC, SIAC and FINRA Rules, and in ad-hoc arbitrations under AAA and UNCITRAL Rules. Gerald is a Fellow of both the Chartered Institute of Arbitrators and the Singapore Institute of Arbitrators. He earned his LLB from the National University of Singapore, and his LLM from Harvard.

Registration

To register, please visit our website at: <https://www.lawsociety.org.sg/CPD-Portal/Law-Society-Events>.

For enquiries, please contact us at cpd@lawsoc.org.sg or 6530-0230.

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- 1.3. **If a Member is found to have lapsed in attendance of 3 free webinars, without cancellation of registration at least 3 working days prior to the event, their subsequent free registrations will be rejected and the usual registration fee will apply. Strictly no exemptions will be considered.**
- 1.4. Registration closes on the date as stipulated on the registration page or when all seats are filled.
- 1.5. Allocation of seats is on a first-come-first-served basis and there are limited seats for each programme.
- 1.6. The registration fee is due and payable upon registration and must be received prior to the programme.
- 1.7. Payment must be made by the closing date stated. Registration will only be confirmed upon receipt of full payment.
- 1.8. The Law Society reserves the right to refuse to register or admit any participant, and to cancel or postpone the programme.
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 - i. 20 calendar days before commencement date: 25% of registration fee.
 - ii. 8 to 19 calendar days before commencement date: 50% of registration fee.
 - iii. 7 calendar days or less before commencement date: 100% of registration fee.
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- 2.3. Participants who are unable to attend the programme due to medical exigencies will be subject to a cancellation fee of 50% of the registration fee.

Admin Note to Singapore Practitioners and s36B Foreign Lawyers in relation to the Mandatory CPD Scheme:

No of Public CPD Points: 1.0
Practice Area: Alternative Dispute Resolution
Training Level: General

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.

Note: In the course of the event, photographs/videos/interviews of participants could be taken/conducted by the Law Society or parties appointed by the Law Society for the purpose of post event publicity, either in the Law Society's official publication/website, social media platforms or any third party's publication/website/social media platforms approved by the Law Society.