

[WEBINAR] Fundamentals of Arbitration for Transactional Lawyers Part 2 of 2: Key considerations in drafting arbitration clauses

1 October 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

In the second of two lunchtime webinars aimed at familiarising transactional lawyers with the fundamentals of arbitration, our speakers will discuss various considerations that, despite their importance, tend to be overlooked or misunderstood when drafting arbitration clauses. These may have a significant impact on the enforceability and effectiveness of an arbitration clause. The issues that will be covered include:

- (a) the concept of arbitrability (i.e. what type of disputes may or may not be submitted to arbitration) and its impact on the scope and enforceability of an arbitration clause;
- (b) multi-tier dispute resolution clauses, which may impose pre-conditions to arbitration (e.g. good faith negotiation requirements and Arb-Med-Arb clauses); and
- (c) planning for multi-party and multi-contract arbitral proceedings.

This session will be a discussion amongst Ms Foo Yuet Min, Ms Tan Ai Leen and Mr Avinash Pradhan, moderated by Ms Farrah Isaac.

This webinar is beneficial 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.

Programme Outline

Time	Programme
12.30pm – 1.30pm	Fundamentals of Arbitration for Transactional Lawyers Part 2 of 2: Key considerations in drafting arbitration clauses <u>Moderator</u> Farrah Isaac – Member, Alternative Dispute Resolution Committee, The Law Society of Singapore; Senior Associate, Harry Elias Partnership LLP <u>Panellists</u> Foo Yuet Min – Director, Drew & Napier LLC Tan Ai Leen – Assistant General Counsel, Asia/Pacific (ex. China) of Labour and Employment and Litigation, TE Connectivity Avinash Pradhan – Partner, Rajah & Tann Singapore LLP
1.30pm – 1.45pm	Question & Answer
1.45pm	End

Speaker's Profile



Farrah Isaac – Member, Alternative Dispute Resolution Committee, The Law Society of Singapore; Senior Associate, Harry Elias Partnership LLP

Farrah Isaac is a dispute resolution lawyer and senior associate at Harry Elias Partnership LLP. She specialises in managing and resolving complex, high-quantum commercial disputes through arbitration, litigation, and negotiation.

She assists clients ranging from large multi-national corporations to small and medium enterprises, including start-ups and non-profit organisations. Her experience includes advising clients across a wide range of industries on disputes relating to shareholders' rights, corporate governance, breach of contract, insolvency, fraud & corruption, breach of trust, and employment.

Farrah was selected by the Singapore Academy of Law for the Post-Qualification Overseas Attachment award scheme for 2017-2018. As part of this programme, she spent 3 months at Blackstone Chambers, a leading barristers' set in London. While there, she had the opportunity to work with and learn from eminent lawyers, including Queen's Counsel.

Since 2014, she has been a member of the Associate Mediator Panel of the Singapore Mediation Centre, and has trained in mediation in Singapore and the United Kingdom. She also serves on the Law Society's Alternative Dispute Resolution Committee and International Arbitration Sub-committee.



Foo Yuet Min – Director, Drew & Napier LLC

Yuet Min is a Director in the Dispute Resolution department of Drew & Napier LLC. She regularly appears before the Singapore courts for a variety of commercial matters, including complex banking and finance disputes as well as arbitration-related court proceedings to enforce or set aside arbitral awards and to obtain interim relief. She has also successfully handled high-value matters ranging from offshore drilling contracts and construction matters to disputes relating to commercial rights to major sports events and private equity disputes, among others. Much of her work also involves SIAC and ICC arbitrations.

Yuet Min has particular experience and interest in dealing with multilingual proceedings, and has conducted a bilingual international arbitration under the UNCITRAL Arbitration Rules. Yuet Min speaks English, Mandarin, Malay and the Hokkien dialect.

Before joining Drew & Napier in 2008, Yuet Min was a Justices' Law Clerk at the Supreme Court of Singapore. Yuet Min is recommended by the Legal 500 Asia-Pacific and Who's Who Legal: Arbitration – Future Leaders. In 2016, she was also identified by Asian Legal Business as one of 40 bright legal minds in the region under the age of 40.



Tan Ai Leen – Assistant General Counsel, Asia/Pacific (ex. China) of Labour and Employment and Litigation, TE Connectivity

Tan Ai Leen is currently the Assistant General Counsel, Asia/Pacific (ex. China) of Labour and Employment and Litigation at TE Connectivity. She was formerly the Registrar of the Singapore International Arbitration Centre (“SIAC”) where she headed the legal team of SIAC, which has charge of the administration of all cases filed with SIAC. Ms Tan has worked as an international arbitration lawyer in various international law firms where she handled both contentious and non-contentious construction law matters and investment treaty arbitration disputes. She was also a senior litigation/corporate counsel in an American multinational corporation advising on regional disputes and employment matters. Ms Tan graduated from the National University of Singapore in 1997.



Avinash Pradhan – Partner, Rajah & Tann Singapore LLP

Avinash Pradhan is a partner of Rajah & Tann Singapore LLP.

Recognised by Who’s Who Legal for his ‘superb advocacy skills and ability to explain complex concepts easily’, and by Best Lawyers International for his expertise in international arbitration, Avinash has wide-ranging experience in international arbitration, both institutional and ad hoc, and he regularly appears as counsel in the Singapore courts.

Avinash’s extensive experience stretches across diverse fields, and includes banking, corporate finance, hospitality, M&A, joint venture and shareholder disputes. Avinash also has broad experience of projects disputes in the construction, infrastructure & energy sectors. He is an accredited specialist for building and construction law, under the Singapore Academy of Law’s Specialist Accreditation Scheme.

Much of Avinash’s practice has involved factually and legally complex matters, and he is experienced in the management of large-scale litigation and arbitration. Avinash is also familiar with the techniques for dealing with cross-border disputes and disputes involving a conflict between international arbitration proceedings and court litigation. For Avinash, disputes are to be approached strategically and commercially, and he places emphasis on a client-centric focus to the process.

Avinash also practices in Malaysia as a partner of Christopher & Lee Ong, a firm within the Rajah & Tann Asia network.

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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 - i. 20 calendar days before commencement date: 25% of registration fee.
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 - iii. 7 calendar days or less before commencement date: 100% of registration fee.
- 2.2. Participants who cancel their registration without prior payment shall also be liable to the cancellation fee set out in 2.1. In the event that the payment for cancellation fee is not received despite multiple chasers, a tax invoice will be issued and mailed to your law practice/organisation.
- 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.

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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.

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