

[Webinar] Navigating Arbitration: Fundamental Concepts Explained



No. of Public CPD
Points:

Session 1:
2.5

Session 2:
2.5

Session 3:
2.5

Session 4:
3.0

Practice Area:
**Alternative Dispute
Resolution**

Training Level:
General

Session 1: Exploring the Foundations of Arbitration	5 September 2024, Thurs
Session 2: Navigating the Core Principles and Procedures of Arbitration	12 September 2024, Thurs
Session 3: Mastering Evidence and Enforcement, and Document Production	19 September 2024, Thurs
Session 4: Advanced Topics and Practical Insights	26 September 2024, Thurs

 *This programme is conducted as a live webinar.
Each session is from 2.30pm – 5.30pm.*

SkillsFuture is only applicable for those who **attend and complete all 4 modules of the course.**

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About the Programme

Presented by the Alternative Dispute Resolution Committee of The Law Society of Singapore, this virtual course on “**Navigating Arbitration: Fundamental Concepts Explained**” conducted over four weeks, is designed to equip attendees with essential skills and knowledge needed for drafting arbitration agreements confidently and also hone their skills to participate effectively in arbitration proceedings. Learn from experienced practitioners from both local and international law firms and chambers as they share insights into arbitration law, procedures, and practices.

Session 1: Exploring the Foundations of Arbitration

1. An examination of the key features that define arbitration.
2. An overview of the legislative framework in Singapore, as well as the laws that govern arbitration practices within the region.
3. The components of agreeing to arbitrate, including the arbitration agreement itself, the selection of the arbitration seat, and the crafting of effective arbitration clauses.

Session 2: Navigating the Core Principles and Procedures of Arbitration

1. The fundamental principles that guide the arbitration process.
2. The commencement of arbitration, from the initiation of the process to the appointment of the tribunal.
3. An examination of the significance of Procedural Order 1 and key decision points.
4. Structure and process of evidentiary hearings in arbitration.

Session 3: Mastering Evidence and Enforcement, and Document Production

1. Best practices for presenting evidence and the challenges that may arise during document production.
2. How the Singapore courts assist in arbitration proceedings.
3. The mechanisms for enforcement and the setting aside of arbitral awards.

Session 4: Advanced Topics and Practical Insights

1. Introduction to the specialised field of investment arbitration.
2. An exploration of Arbitration 102 which will cover common applications made to the arbitration tribunal, such as requests for bifurcation/partial awards, requests for interim relief and confidentiality clubs.
3. Fireside chat with experienced practitioners who will share practical tips for managing arbitration cases effectively. This interactive segment will provide attendees with valuable advice and real-world strategies to enhance their arbitration practice.

This course is ideal for young practitioners and those looking to grow their expertise in arbitration. While attending all four sessions is highly encouraged to gain comprehensive knowledge, experienced arbitration lawyers are also welcome to attend individual sessions that match their interests.

Programme Outline

Session 1 – 5 September 2024

Time	Programme
2.00pm – 2.30pm	Registration
2.30pm – 2.40pm	Introduction and Course Overview
2.40pm – 3.30pm	Key Features of Arbitration Kevin Lee – Barrister, Twenty Essex
3.30pm – 3.45pm	Tea Break (Refreshments will be provided)
3.45pm – 4.30pm	Overview on the Legislative Framework in Singapore and Laws Applicable to Arbitration Kelvin Poon, SC – Joint Deputy Managing Partner, Rajah & Tann Singapore LLP
4.30pm – 4.40pm	Break
4.40pm – 5.30pm	Agreeing to Arbitrate: The Arbitration Agreement, Seat, and Arbitration Clauses Foo Yuet Min – Director, Drew & Napier LLC
5.30pm	End



Kevin Lee – Barrister, Twenty Essex

Kevin specializes in arbitration, litigation, and public international law. He acts as counsel in State-to-State, investor-State and commercial disputes. As counsel, Kevin has acted in arbitration matters under ICSID, PCA, SIAC, HKIAC, ICC, UNCITRAL, ECT and *ad hoc* arbitration frameworks. His arbitration matters have involved disputes arising out of a broad range of sectors including oil and gas, energy, telecommunications, mining, commodities, banking and finance, manufacture and licensing, private equity, distribution, logistics, cryptocurrency, infrastructure and engineering. In addition to his counsel work, Kevin has also been regularly appointed as legal advisor on arbitration and international dispute settlement matters by ASEAN for the Southeast Asian States, SAARC for the South Asian States, and the Energy Community Secretariat (on its roster of arbitration experts) for the Energy Community States of the European Union.



Kelvin Poon, SC – Deputy Managing Partner, Rajah & Tann Singapore LLP

Kelvin Poon, SC is the one of the Deputy Managing Partners of Rajah & Tann Singapore LLP. He also heads the firm's International Arbitration practice group. He was appointed Senior Counsel in January 2023.

Described as “a standout arbitration practitioner” and a “deep thinker with a solution-oriented approach to strategizing”, Kelvin has represented clients in a broad range of construction, commercial and insolvency disputes before the Singapore courts and in numerous arbitrations.

Kelvin is a Fellow of the Chartered Institute of Arbitrators and is a panel arbitrator of the Singapore International Arbitration Centre. He is also a member of the ICC Commission for Arbitration and ADR, leading one of the tracks in the Task Force for ADR and Arbitration.



Foo Yuet Min – Director, Drew & Napier LLC

Yuet Min is a director in the dispute resolution department of Drew & Napier LLC. She has an active litigation and arbitration practice dealing mainly with civil disputes relating to a wide range of commercial contracts. She regularly appears before the Singapore Courts as lead counsel, while many of her arbitration matters involve SIAC and ICC arbitrations as well as arbitration-related Court proceedings.

She has been appointed arbitrator in several SIAC, ICC, and *ad hoc* international arbitrations, and has also conducted SIAC and ICC arbitrations under the expedited procedure.

Yuet Min is recognised as one of Singapore’s most outstanding young arbitration lawyers. Among others, she is listed in the Asian Legal Business Asia Super 50 Disputes Lawyers 2022, has been listed as a Future Leader by Who’s Who Legal for 6 consecutive years, is recognised in the Legal 500 Arbitration Powerlist: Southeast Asia, and was named Young Lawyer of the Year 2021 in the Asian Legal Business SE Asia Law Awards.

Yuet Min graduated from the National University of Singapore with First Class Honours in 2008. Prior to joining the firm, she was a Justices’ Law Clerk at the Supreme Court of Singapore. She was also appointed to the Supreme Court’s Young Amicus Curiae Scheme in 2010 and 2011.

Session 2 – 12 September 2024

Time	Programme
2.00pm – 2.30pm	Registration
2.30pm – 3.15pm	Fundamental Principles of Arbitration Paul Sandosham – Partner, Clifford Chance
3.15pm – 3.30pm	Tea Break (Refreshments will be provided)
3.30pm – 4.15pm	Commencement of Arbitration and Appointment of the Tribunal Joanna Seetoh – Partner, Harry Elias Partnership LLP
4.15pm – 4.30pm	Break
4.30pm – 5.00pm	Procedural Order 1 Divyesh Menon – Counsel, Rajah & Tann Singapore LLP
5.00pm – 5.30pm	Evidentiary Hearing Paul Tan – Partner, Gibson, Dunn & Crutcher LLP
5.30pm	End



Paul Sandosham – Partner, Clifford Chance

Paul Sandosham heads Clifford Chance Asia's* Energy, Infrastructure, Resources and Disputes practice for South East Asia and is recognised as a leading construction and dispute resolution lawyer. He has close to 30 years' experience in complex international arbitration and cross-border litigation in the infrastructure, construction, power, energy, oil & gas, natural resources, insurance and commodities sectors. He is admitted in Singapore and in England & Wales.

Paul's international arbitration portfolio includes disputes arising out of large-scale infrastructure and energy projects for energy majors, conglomerates, owners, sponsors and EPC contractors across numerous jurisdictions in Asia Pacific, the Middle East and Europe. He acts as counsel in arbitration proceedings under various arbitral rules, including DIAC, ICC, LCIA, AIAC, SIAC, ADCCAC, LMAA and UNCITRAL rules.

Paul is a qualified Chartered Arbitrator, and a Fellow of the Chartered Institute of Arbitrators and Singapore Institute of Arbitrators. He is the immediate past Chair of the Board of Directors of CIArb Singapore. Paul is regularly appointed to sit as sole or presiding arbitrator in disputes arising out of projects across the world. He is on the panel of Arbitrators of SIAC, AIAC, HKIAC, DIAC, BANI, BCDR and PIAC.

Paul is a member of the SAL Law Reform Committee. He is the General Editor of the Practical Guide to the SIAC Rules.

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Joanna Seetoh – Partner, Harry Elias Partnership LLP

Joanna has 16 years of experience in commercial arbitration, litigation, and advisory work primarily in the construction and infrastructure sector. She is accredited as a Fellow of the Singapore Institute of Arbitrators, and is amongst the inaugural batch of practitioners recognized as an Accredited Specialist in Building and Construction Law by the Singapore Academy of Law.

Joanna has extensive experience representing major contractors in large-scale infrastructure, engineering and construction disputes across a wide range of jurisdictions and sectors, often with a multi-jurisdictional or cross-border angle. Having practiced in both Singapore and Hong Kong, Joanna frequently advises and represents clients as lead counsel in a variety of international disputes, including rail and metro, power plant, solar plant, mining, integrated resorts, and commercial and residential building projects across Singapore, Hong Kong, Malaysia, India, Indonesia, the Philippines, Australia and South Africa.

She frequently acts as lead counsel in arbitrations seated both locally in Singapore and internationally, conducted under the rules of the major

arbitration institutions, including ICC, SIAC, HKIAC, as well as in ad hoc proceedings.

Joanna was ranked in 2022 and 2023 as a Future Star in Construction by Benchmark Litigation Asia Pacific, in 2023 by Asialaw as a Notable Practitioner in Construction, and in 2024 as one of the Singapore Business Review's Most Influential Lawyers under 40.



Divyesh Menon – Counsel, Rajah & Tann Singapore LLP

Divyesh Menon is Counsel in Rajah & Tann's International Arbitration and Construction Projects practice, specialising in complex cross-border commercial and investment disputes in ASEAN and the Asia Pacific. Prior to his current role, he practiced with a US-headquartered international firm and clerked for a senior arbitrator. He is recognised for his "great thoroughness" and "excellent drafting", and was part of the team recognised by the Financial Times in 2019 as the Most Innovative Dispute Resolution Team in the Asia Pacific. Divyesh is a Fellow of the Chartered Institute of Arbitrators (FCIArb) and Member of the Singapore Institute of Arbitrators (MSI Arb).



Paul Tan – Partner, Gibson Dunn & Crutcher LLP

Paul Tan is a partner in the Singapore office of Gibson, Dunn & Crutcher. He leads the arbitration practice for the firm in Asia.

Paul is ranked by all major legal publications, including Legal 500 as a "leading lawyer" in his areas of practice, which encompasses international arbitration, litigation and arbitration-related proceedings across a range of industries and concerns. In addition to his counsel work, he sits as an arbitrator in Singapore International Arbitration Centre (SIAC) and International Chamber of Commerce (ICC) cases.

He recently published two books: *The Law and Theory of International Commercial Arbitration in Singapore* (2022), and *A Commentary on the Singapore International Arbitration Act* (2023). He is also the co-author of the next edition of Mustill and Boyd's treatise on international commercial and investor-state arbitrations.

He is also the co-chair of the ADR Committee of the Law Society of Singapore.

Session 3 – 19 September 2024

Time	Programme
2.00pm – 2.30pm	Registration
2.30pm – 3.15pm	Evidence and Document Production Jennifer Lim – Partner, Sidley Austin LLP
3.15pm – 3.30pm	Tea Break (Refreshments will be provided)
3.30pm – 4.20pm	The Assistance of the National Court Ching Meng Hang – Partner, Rajah & Tann Singapore LLP
4.20pm – 4.30pm	Break
4.30pm – 5.30pm	Enforcement and Setting Aside Chew Kei-Jin – Managing Director, Ascendant Legal LLC
5.30pm	End



Jennifer Lim – Independent Advocate, Duxton Hill Chambers

Z.J. Jennifer Lim is an independent advocate at Duxton Hill Chambers (Singapore Group Practice). She focuses her practice on international dispute resolution and arbitration, representing clients in investor-state and commercial arbitrations conducted under the major institutional and ad hoc rules and seated around the world. Jennifer also sits as arbitrator under SIAC and ICC rules, and has broad experience advising on general transnational litigation matters, including arbitration-related court proceedings and complex cross-border disputes. Jennifer is also increasingly involved in advising companies on Environmental, Social and Governance (ESG) issues in the face of growing regulatory and litigation risks, and speaks and writes on ESG topics. Since 2023, Jennifer has been recognised as a *Who’s Who Legal (WWL)* “Thought Leader – Global Elite: Arbitration Future Leader”, the publication’s highest accolade for outstanding lawyers aged 45 or under, and has been selected as a WWL “International Arbitration Future Leader” since 2019 and “Southeast Asia Arbitration National Leader” since 2023, where she was described as “one of the best arbitration lawyers of her generation” and “[a] top arbitrator and a role model in the field who is confident by not showy” (2023).”

Jennifer is qualified in New York, England & Wales, Singapore, and Hong Kong (non-practising), and she is bilingual in English and Mandarin Chinese.



Ching Meng Hang – Partner, Rajah & Tann Singapore LLP

Meng Hang is a partner in Rajah & Tann’s International Arbitration, Construction & Projects practice group.

He is active in international arbitration involving high-value commercial and construction disputes in the region, as well as related litigation. He has advised on and acted in several Singapore-seated arbitration proceedings with parties and subject matter spanning several jurisdictions in the region, and involving different institutional rules.

He is a Fellow of the Chartered Institute of Arbitrators, and a member of the ADR Committee at the Law Society of Singapore. In this regard he been involved as a Resource Committee member in the preparation of the IPBA Guidelines on Privilege and Attorney Secrecy, an arbitration-related soft law that seeks to harmonise practice across different legal traditions.

He has been accredited as an Accredited Specialist in Building and Construction Law.



Chew Kei-Jin – Managing Director, Ascendant Legal LLC

Chew Kei-Jin has broad experience in litigation, arbitration and dispute resolution. Kei-Jin’s principal areas of practice are commercial law, company law, insolvency, landlord and tenant law, employment law, contract-related issues and general litigation. In the area of contract related general litigation and arbitration, Kei-Jin’s experience includes multi-jurisdictional claims relating to matters such as infrastructure projects to the exploration of energy resources, shareholder disputes in joint ventures, structured finance and the supply of commodities to the supply of telecommunications equipment. He has extensive experience in arbitration related litigation such as the enforcement and setting aside of arbitration awards and also sits as an arbitrator.

Session 4 – 26 September 2024

Time	Programme
2.00pm – 2.30pm	Registration
2.30pm – 3.15pm	Introduction to Investment Arbitration Charis Tan – Partner, Peter & Kim
3.15pm – 4.00pm	Arbitration 102 <ul style="list-style-type: none"> • Common applications to the Tribunal <ul style="list-style-type: none"> ➢ Requests for bifurcation / partial awards ➢ Requests for interim relief ➢ Confidentiality clubs • Arb-Med-Arb <p>Lin Yuankai – Partner, RPC Premier Law LLC</p>
4.00pm – 4.15pm	Tea Break (Refreshments will be provided)
4.15pm – 5.30pm	Fireside Chat: Practical Tips for Managing an Arbitration <u>Moderator</u> Nicholas Poon – Managing Director, Breakpoint LLC <u>Panellists</u> Alessa Pang – Partner, WongPartnership LLP Avinash Pradhan – Deputy Head (International Arbitration), Co-Head (South Asia Desk) and Partner, Rajah & Tann Singapore LLP Ethan Wang – Associate, White & Case LLP
5.30pm	End



Charis Tan – Partner, Peter & Kim

Charis specialises in international commercial and investor-State arbitration and public international law.

She is admitted in three jurisdictions (Singapore, England & Wales and New York) and her experience includes investment and commercial arbitrations under the rules of major arbitration institutions, including ICSID, ICC, SIAC, HKIAC, KCAB and SCC, as well as *ad hoc* proceedings under UNCITRAL Rules. Charis is regularly engaged as Counsel and also sits as an Arbitrator.

Charis has acted for States in a variety of cases, including in high profile cases before the International Court of Justice (ICJ) and investor-State proceedings.

Among others, *GAR* reported that she represented Egypt in a trio of ICSID cases, defended Slovenia in another ICSID arbitration and represented Colombia and Peru before the International Court of Justice. In 2023, she completed duties as a WTO Panellist in compliance proceedings in DS577 (*United States – Anti-Dumping and Countervailing Duties on Ripe Olives from Spain*). She is also currently representing Vietnam in two investor-State cases.

Charis has been named by *Who's Who Legal*, *GAR*, *Chambers* and *Legal 500*. An initiative she spearheaded for the training of Government officials was awarded the *Asia Pacific FT Innovative Lawyers Award*. Charis is also author and co-editor of *Investment Protection in Southeast Asia* (Brill, 2017).



Lin Yuankai – Partner, RPC Premier Law LLC

Yuankai is a Partner in RPC Premier Law, a joint law venture between international law firm Reynolds Porter Chamberlain and the Singapore law practice of Premier Law.

Specialising in complex and high-stakes cross-border litigation and arbitration, he has acted for clients in sectors such as TMT, Entertainment & Sport, Healthcare and Aviation across Asia, Europe, United States and the Middle East. In recent years, his practice has expanded to include emerging technologies such as blockchain and cryptocurrency.

Yuankai has advised on, and acted as counsel, in international arbitrations administered by the AIAC, SIAC, ICC, LCIA, UNCITRAL, HKIAC and SCC rules. He also has experience advising parties to state-related commercial and investment treaty arbitrations.

Yuankai is recommended by major legal directories and was named by *Asian Legal Business* as one of Singapore's Rising Stars in 2022. Clients describe him as "a consummate lawyer" and have stated that "there is simply no question who we want on our team."



Nicholas Poon – Director, Breakpoint LLC

Nicholas is a director at Breakpoint LLC, a firm which specialises in dispute resolution. He was previously at Drew & Napier and has also spent time in the Supreme Court as a Justices' Law Clerk and Assistant Registrar.



Alessa Pang – Partner, WongPartnership LLP

Alessa Pang is a Partner in the Commercial & Corporate Disputes, and International Arbitration Practices at WongPartnership LLP.

Alessa's main area of practice is in international arbitration and litigation. She handles a wide range of cross-border commercial disputes before international arbitral tribunals, as well as before the Singapore courts. She has acted for clients in ad hoc and institutional arbitration proceedings under SIAC, ICC, LCIA, HKIAC, UNCITRAL and ICSID Rules. In addition to her international arbitration practice, Alessa also has extensive experience in arbitration-related court proceedings. She has acted for clients in setting aside proceedings, applications for anti-suit injunctions and other court applications arising out of ongoing arbitration proceedings. In addition to counsel work, Alessa also sits as an arbitrator.

Alessa was the appointed Regional Representative for the South Asia Chapter of the ICC Young Arbitrators Forum (YAF) for the 2019 to 2021 mandate, and is currently a Group Advisor for the 10th Cycle of the Young ICCA Mentoring Programme. Alessa is also a tutor for trial advocacy in the National University of Singapore.



Avinash Pradhan – Deputy Head (International Arbitration), Co-Head (South Asia Desk) and Partner, Rajah & Tann Singapore LLP

Receiving plaudits from Who's Who Legal for his '*superb advocacy skills and ability to explain complex concepts easily*', Avinash has wide-ranging experience in international arbitration, both institutional and ad hoc. He was recognised in the *ALB Asia Rising Stars Singapore List 2022*. He has also been recognised by *Best Lawyers International* and *Asialaw Profiles* for his abilities, while *Legal 500* records that Avinash '*thinks around corners to chase down every avenue of attack*'.

Avinash's experience encompasses a broad spectrum of commercial disputes, including banking, corporate finance, hospitality, M&A, joint venture and shareholder disputes. Avinash also has extensive experience of 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. 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.



Ethan Wang – Associate, White & Case

Ethan Wang is an Associate in White & Case’s Arbitration team based in Singapore.

Ethan’s practice is focused on complex cross-border disputes. He has a broad practice advising clients in a range of industry sectors, including commodities, cryptocurrencies, financial institutions, hospitality, mining, oil and gas, technology and transportation. He has particular experience in post-M&A disputes and has acted as an advocate in international arbitrations. In the course of his practice, he has represented clients in high-stakes arbitrations before the major arbitral forums, including the HKIAC, ICC, LCIA and SIAC. He has also represented clients in the English Commercial Court and the English Court of Appeal.

Before relocating to Singapore, Ethan spent six years in White & Case’s London office. During his time in London, he was recognised by Legal 500 as a “key lawyer” with “excellent drafting and research”. Ethan is qualified to practice in England & Wales and Singapore.

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No. of Public CPD Points:

- Session 1: 2.5
- Session 2: 2.5
- Session 3: 2.5
- Session 4: 3.0

Practice Area: Alternative Dispute Resolution

Training Level: General

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- 5.3 You agree that any personal information you submit as part of your registration for the programme is accurate and that you have all necessary permissions to submit such personal information.