



Public CPD Points: 1.5



Supporting Partner:



EARLY BIRD DISCOUNT: Register and Pay by 22 July 2016

Arbitration and Mediation – Two Mutually Exclusive Worlds?

Intellioffices, Level 3, 146 Robinson Road, Singapore 068909

Thursday, 11 August 2016, 5pm – 7.15pm

About this Seminar:

Historically, save in certain countries (notably Germany, parts of Switzerland and China), arbitration and mediation have been considered to be mutually exclusive, particularly when the discussion is about an arbitrator turning mediator and vice-versa.

But given the success of mediation in Singapore as a mean of Alternative Dispute Resolution (“ADR”) and the close relationship between the Singapore International Mediation Centre (“SIMC”) and Singapore International Arbitration Centre (“SIAC”), it is time to reassess the arbitration community’s attitude towards actively guiding (and perhaps encouraging) arbitration parties to consider referring the dispute to mediation notwithstanding that arbitration procedures have commenced.

Practitioners should recall Sections 16 and 17 of the International Arbitration Act (“IAA”) which expressly contemplate a Tribunal converting itself into a mediator (with the consent of the parties) and thereafter reverting to its position as arbitrator if the mediation proves unsuccessful.

In order to stimulate discussion between the arbitration community and the mediation community, Singapore Institute of Arbitrators (“SI Arb”) [in conjunction with SIMC] is presenting a seminar on how there might be cross-pollination between the two forms of ADR. To this end, two outstanding speakers who have significant experience of both arbitration and mediation will be discussing this topic:

- Professor Lawrence Boo
- George Lim SC

In addition, commentary will be provided by two guest speakers:

- Mr Hee Teng Fong, who will share his experience of how Arb-Med-Arb is practised in China.
- Dr Andreas Respondek, a German lawyer based in Singapore, who will enlighten us on how Courts and Arbitrators in Germany encourage (and even participate in) mediation as a means to resolving existing court or arbitration disputes.

Seminar Programme:

5.00 – 5.30pm	Registrations and Standing Buffet Reception
5.30 – 5.45pm	Opening Remarks by Chairperson <i>Mr. Michael Hwang SC – Michael Hwang Chambers LLC</i>
5.45 – 7.00pm	Arbitration and Mediation – Two Mutually Exclusive Worlds? Speakers: <i>Professor Lawrence Boo – Head of Arbitration Chambers, Singapore</i> <i>Mr. George Lim SC – Partner, Wee Tay & Lim LLP</i> Guest Speakers: <i>Mr. Hee Teng Fong – Consultant, Civil & Commercial Litigation, Harry Elias Partnership LLP</i> <i>Dr. Andreas Respondek – Attorneys at Law, Respondek & Fan Pte Ltd</i>
7.00 – 7.15pm	Q&A Session

About the Chairperson:



Michael Hwang S.C. currently serves as non-resident Chief Justice of the Dubai International Financial Centre Courts. He has two law degrees from Oxford University, where he was a College Scholar. His primary practice is in international dispute resolution as arbitrator and mediator.

He is based in Singapore but has door tenancies in London and Sydney. He has served in various capacities, including Judicial Commissioner of the Supreme Court of Singapore; Singapore’s Ambassador to Switzerland; President of the Law Society of Singapore; Adjunct Professor, National University of Singapore; Commissioner of the United Nations Compensation Commission (“UNCC”); Vice-Chairman of the ICC International Court of Arbitration; Vice-President of the International Council for Commercial Arbitration (“ICCA”); and Court Member of the London Court of International Arbitration (“LCIA”).



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About the Speakers:



Prof Lawrence Boo is the author of “Halsbury’s Laws of Singapore Volume 1(2) - Arbitration” (Lexis-Nexis 2011 Re-issue), the chapter on Singapore in the book “International Handbook on Commercial Arbitration” (Kluwer 1996, 2002 and 2011 Supplements) and the regular contributor to the “Annual Review of Singapore” chapter on “Arbitration” since 2001.

His papers have also been published in various international journals including the Journal of International Arbitration, Asian International Arbitration Journal, Asia Business Law Review, Chinese Yearbook of Private International and Comparative Law (Peking University Press), Dispute Resolution Journal (London) and the Asian Business Lawyer (Korea University).

He is on the editorial board of the Oxford International Arbitration Series, (Oxford University Press) and a General Editor of the Asian International Arbitration Journal. The “UNCITRAL Digest on the Model Law on International Commercial Arbitration 2012” is his latest published work which he completed (with Prof Frederic Bachand and Dr Stefan Kroll) in July 2012. Consistently ranked as one of Asia’s most “in demand” “leading individuals” in international arbitration from 2008 to 2013, Prof Boo has sat as arbitrator in more than 200 cases in many jurisdictions and written numerous awards. He has recently been designated by Singapore to serve on the ICSID Panel of Arbitrators.



Mr. George Lim is a Senior Counsel, and Co-Chairman of the Singapore International Mediation Centre. George was President of the Law Society of Singapore from 1998-99, and is currently with Wee, Tay & Lim LLP. George did his mediation training in 1996 at CEDR, and later at Harvard. In 1997, he helped to set up the Singapore Mediation Centre (SMC).

He is certified by the International Mediation Institute (IMI) and has successfully mediated many complex cross-border disputes. George also serves on the panel of arbitrators of the Singapore International Arbitration Centre (SIAC). He is the Dispute Resolution Counsellor of the National Electricity Market of Singapore, and sits on the Panel of Conciliators of the International Centre for Settlement of Investment Disputes (ICSID). In 2015, George was identified by The International Who’s Who of Commercial Mediation as being among 294 of the world’s leading commercial mediators.



Mr. Hee Theng Fong is a senior lawyer with more than 30 years’ of experience in commercial litigation and international arbitration. Mr Hee has handled more than one hundred cases in civil litigation and arbitration as lead counsel, presiding arbitrator, co-arbitrator and sole arbitrator. Many of the cases have been reported and referred to in the Singapore Law Report, text books and various legal journals.

His arbitration appointments include being a Fellow of the Chartered Institute of Arbitrators (UK) and the Singapore Institute of Arbitrators (SI Arb). He is also on the panel of arbitrators of the Singapore International Arbitration Centre (SIAC), CIETAC, Beijing Arbitration Commission (BAC), Shanghai International Arbitration Centre (SHIAC), CIETAC Hong Kong Arbitration Centre), the Asia-Pacific Regional Group (APRAG), and the Kuala Lumpur Regional Centre for Arbitration (KLRCA).

Mr Hee is effectively bilingual and has written many awards in both English and Chinese international arbitration cases in SIAC, CIETAC, HKIAC and the International Chamber of Commerce (ICC). He has also contributed an article on a comparative study between SIAC rules and CIETAC rules in The Singapore Law Gazette (Oct 2010 Issue).



Dr. Andreas Respondek started his legal career in the US with two (winning) precedents from the Louisiana Supreme Court in his own name in 1983. He is a German “Rechtsanwalt”, an American Attorney at Law as well as a Chartered Arbitrator (FCIArb). After heading the Legal Department of an MNC in Europe, he moved to Asia in 1994 to establish the Asia Pacific Legal Department of a leading international Healthcare Company.

Thereafter he led multinational companies in Asia as Managing Director (Thailand; Greater China) and Regional Managing Director Asia Pacific. He established RESPONDEK & FAN in 1998 in Singapore and its counterpart in Bangkok in 2000. Andreas is the editor / co-author of the ASIA ARBITRATION GUIDE and numerous other arbitration related articles. He sits on the panel of arbitration institutions in Austria, China, Hong Kong, Malaysia, Singapore, Thailand and Vietnam and has acted in numerous institutional and ad hoc arbitrations as Chairman, Sole Arbitrator, Emergency Arbitrator, Co-Arbitrator as well as Counsel.



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REGISTRATION CLOSING DATE: 4 August 2016	FEES (includes refreshments & materials, if any)	
Membership	Early Bird Rate <i>(Valid only until 22 July 2016)</i>	Regular Rate
SI Arb Members	S\$ 80.00	S\$ 90.00
Members of: Marine Offshore Oil & Gas Association (MOOGAS); Regional Arbitral Institute Forum (RAIF); Singapore International Arbitration Centre (SIAC); Singapore Institute of Architects (SIA); Society of Construction Law Singapore (SCL (S))	S\$ 110.00	S\$ 120.00
Others	S\$ 130.00	S\$ 150.00

REGISTRATION FORM (Please use 1 form per participant)

I am a: *(please select as appropriate)*

SI Arb Member MOOGAS Member RAIF Member SIAC Member SIA Member SCL (S) Member Others

Name (*Prof / Dr / Mr / Mrs / Ms): _____

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Tel: _____ Fax: _____ *E-mail: _____

Check if SILE CPD points are required AAS no: _____

Mode of Payment (Please tick one): [] Cheque [] Cash [] Credit Card

❖ Please return the registration form below, together with your cheque or cash, if applicable, made payable to “Singapore Institute of Arbitrators” and mail to c/o Intellitrain Pte Ltd, Level 3, 146 Robinson Road Singapore 068909” or Fax to (65) 3151 5797 (no 6 prefix required)

❖ **Credit Card** : Please visit http://www.siarb.org.sg/event_registration_payment.html
Select Payment Category accordingly and enter payment details.

For further enquiries, please contact: Singapore Institute of Arbitrators

Tel: (65) 6551 2785

Fax: (65) 3151 5797 (no 6 prefix required)

E-mail: secretariat@siarb.org.sg

Practice Area: **Alternative Dispute Resolution**

Training Level : **Update**

Public CPD Points : **1.5**

(Based on 100% attendance)

SILE Attendance Policy

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REGISTRATION, REFUND & CANCELLATION POLICY

1. Places are limited and can only be allocated in order of priority upon receipt of registration and any payment due.
2. SI Arb reserves the right to update or amend the details of the programme and/or the names of speakers without prior notice.
3. No refunds will be made for cancellations or no-shows by those registered. If you are unable to attend the event, an equivalent substitute may attend in your place at no extra charge provided that at least 3 days prior written notice is given to SI Arb.
4. We reserve the right to refuse to register or admit any participant, and to cancel or postpone the event.
5. 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.