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Legal Education

Illegality and Public Policy Considerations in the Challenge of Arbitral Awards

31 January 2012, 5.45pm – 7.30pm, Stamford Raffles Room, 3rd Level, Maxwell Chambers

This Seminar is held in conjunction with the Book Launch of *Singapore Law on Arbitral Awards* authored by Mr Chan Leng Sun SC. Guest-of-Honour for the Book Launch is the Honourable Attorney-General Mr Sundaresh Menon SC.

Introduction

Courts everywhere have to find a balance between respecting the finality of an arbitral award and upholding the public policy of the land. This balance is all the more delicate when illegality is alleged. Case law has not yielded a consistent approach. English judges, in particular, are not unanimous in their treatment of challenges to arbitral awards on an alleged underlying illegality. The Singapore Court of Appeal considered the judicial debate in *AJT v AJU* [2011] 4 SLR 739 and took a stand on this issue. The first presentation by Mr Chan Leng Sun SC discusses the context and conclusions of this case. The second presentation by Mr Michael Hwang SC will touch on breach of confidentiality of arbitration awards in disclosing illegality.

SPEAKERS



Mr Michael Hwang SC

Mr Michael Hwang SC was educated at undergraduate and postgraduate levels at Oxford University where he was a college scholar and prizewinner. He was called to the Singapore Bar in 1968, when he joined Allen & Gledhill, now Singapore's largest law practice. He became a partner in 1972 and retired from the firm at the end of 2002 after serving as Head of its Litigation and Arbitration Department for 10 years. He served as a Judicial Commissioner of the Supreme Court from 1991 – 1992, and was one of the first twelve Senior Counsel of the Supreme Court of Singapore in 1997. Michael now practices as a Barrister, primarily servicing lawyers as Independent Counsel and Arbitrator. In 2010 Michael was appointed as the Chief Justice of the Dubai International Financial Centre Courts, having served as Deputy Chief Justice since 2005.



Mr Chan Leng Sun SC

Mr Chan Leng Sun SC co-heads the Dispute Resolution practice in Baker & McKenzie.Wong & Leow. He is qualified in Malaysia, Singapore and England. Leng Sun was appointed Senior Counsel in January 2011. Apart from being counsel, Leng Sun is an arbitrator and adjudicator on the panel of leading dispute resolution bodies in Singapore, Malaysia and China, such as SIAC, SCMA, KLRCA, CIETAC and CMAC. He also sits in ICC, LMAA as well as ad hoc arbitrations. He serves on statutory tribunals such as the Income Tax Review Board and the Maintenance of Parents Tribunal. Leng Sun is Chairman of the Singapore Law Society ADR Committee and Vice-President of the Singapore Institute of Arbitrators (SI Arb). Leng Sun has also previously served as Adjunct Faculty for International Commercial Arbitration at the SMU School of Law and at the NUS Law Faculty. He has served with the United Nations Compensation Commission in Geneva and was also a CIAC-SIAC Observer to the UNCITRAL Working Group on Arbitration.

Programme

- 5.45pm **Tea and Registration**
- 6.15pm **Speech by Author of *Singapore Law on Arbitral Awards*, Mr Chan Leng Sun SC**
- 6.20pm **Speech by Guest-of-Honour, Attorney-General Mr Sundaresh Menon SC**
- 6.25pm **Book Launch**
- 6.30pm **Presentation by Mr Chan Leng Sun SC**
- 6.55pm **Presentation by Mr Michael Hwang SC**
- 7.20pm **Q & A**
- 7.30pm **End of Session**

REGISTRATION FORM

(Closing date: 24 January 2012)

- Registration for the event may be made:
 - online by logging on to www.sal.org.sg
 - by fax to: (65) 6334 4940
 - by mail to: LES Department, Singapore Academy of Law, 1 Supreme Court Lane, Level 6 Singapore 178879
- Registrations received on or before the closing date are confirmed after RECEIPT OF FULL PAYMENT.
- A sum of **S\$21.40 (inclusive of 7% GST)** will be levied for administrative charges for any cancellation received in writing on or before the closing date.
- For enquiries, please call Tel: (65) 6332 4149/6499 or email les@sal.org.sg
- SAL's usual terms and conditions apply. See <http://www.sal.org.sg/RegistrationTermsNConditions.aspx> for more details

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Fees (inclusive of 7% GST, tea break and materials, if any)

- SAL Members S\$ 96.30
- SI Arb Members S\$ 96.30
- Non-Members S\$ 149.80
- Full-time Students *S\$ 42.80

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Delegate 2:

Name: Mr / Ms / Mrs / Dr _____

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