



The conference organisers gratefully acknowledge the Federal Court of Australia support of the 4th International Arbitration Conference.

4th International

ARBITRATION CONFERENCE

22 November 2016

"New Horizons in International Arbitration"

6.25 CPD points

Supporting organisations:



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SYDNEY ARBITRATION WEEK 2016

PROGRAMME: TUESDAY 22 NOVEMBER 2016

9.00 am	Welcome To Delegates The Hon. James Allsop AO , Chief Justice of the Federal Court of Australia
9.10 am	Opening address The Hon. Tom Bathurst AC , Chief Justice of the Supreme Court of New South Wales
9.30 am	Recent Issues in International Arbitration <ul style="list-style-type: none">• Developments in third party funding;• Are enforcement courts mandated to follow decisions of courts at the seat?- recent developments in the Astro v Lippo dispute;• Rebalancing the relationship between the Courts and Arbitration - a response to the Baili lecture 2016 delivered by the Lord Chief Justice of England & Wales, the Right Honourable the Lord Thomas of Cwmgiedd. <p>Chair: David Bateson, International Arbitrator at 39 Essex Chambers, Singapore Panellists: Beth Cubitt, Partner, Clyde & Co Australia, Alastair Henderson, Partner, Herbert Smith Freehills, Singapore, Susan Dunn, Chair of Investment Committee, Harbour Litigation Funding, Hong Kong</p>
10.30 am	International Arbitration in the Asia Pacific Region Keynote address: Gary Born , Partner, Wilmerhale, United Kingdom and President of the SIAC Court of Arbitration, Singapore <ul style="list-style-type: none">• Pro-arbitration attitude of courts in the region;• Is a regional jurisprudence developing?• Is there an Asia Pacific brand of arbitration?• Recent case law developments. <p>Chair: Caroline Kenny QC, Barrister and International Arbitrator, Vice-President of CI Arb, Australia Commentary: Dr Fuyong Chen, Deputy Secretary-General Beijing Arbitration Commission, Datuk Prof. Sundra Rajoo, Global President of Chartered Institute of Arbitrators, Director of KLRCA, Malaysia</p>
11.45 am	Morning Tea
12.15 pm	Privilege Disputes in International Arbitration <ul style="list-style-type: none">• Common law/civil law –diversity on privilege• Which privilege rules apply?• Time for an international standard?• Appointment of a separate arbitrator or expert to determine privilege disputes in practice?• Perspectives about document production techniques/disputes - when are they worth pursuing? <p>Chair: The Hon. Wayne Martin AC, Chief Justice of Western Australia Speakers: Albert Monichino QC, Barrister and International Arbitrator, Australia, President of CI Arb, Australia, Dr Fan Yang, City University, Hong Kong, Andrew Paton, Partner, De Berti Jacchia, Italy</p>

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1.15 pm	Lunch
2.15 pm	<p>A Hypothetical in Ethical Considerations in International Arbitration</p> <ul style="list-style-type: none">• How to make it an even playing field?• Does it matter?• What are the tools for dealing with unfair 'unethical' practices? <p>Chair: The Hon. Peter Vickery, Justice of the Supreme Court of Victoria, Australia Speakers: Monique Carroll, Special Counsel, King & Wood Mallesons, Australia, Elliott Geisinger, Partner Schellenberg Wittmer, President of the Swiss Arbitration Association, James Kwan, Partner, Hogan Lovells, Hong Kong</p>
3.15 pm	Afternoon Tea
3.45 pm	<p>Procedural and Time Issues in International Arbitration</p> <ul style="list-style-type: none">• Use of oral opening or closing submissions;• Use of witness statements;• Controlling cross-examination;• Use of bifurcated proceedings/preliminary hearings to narrow issues in dispute or determine evidential questions;• Presentation of expert evidence;• Chess clock procedure;• Post hearing additional evidence/written submissions. <p>Chair: Amanda Davidson OAM, Partner, Holman Fenwick Willan, Australia Speakers: Leng Sun Chan SC, Partner, Baker & McKenzie, Singapore, Leah Ratcliffe, Associate General Counsel, BHP Billiton, Australia, Andrea Martignoni, Partner, Allens Linklaters, Australia</p>
4.50 pm	<p>Closing addresses</p> <p>Alex Baykitch, Partner, King & Wood Mallesons, President of ACICA (introducing Dr Fuyong Chen, Deputy Secretary-General of the BAC/BIAC – exclusive Diamond Sponsor for ICCA Sydney, 2018)</p>
5.20 pm	<p>Ian Nosworthy, Consultant, Cowell Clarke, Law Council of Australia, Business Law Section.</p>

Annual Dinner of CIArb Australia, Studio, Sydney Tower, Level 4 Reception, Sydney Westfield Centre, Corner of Castlereagh and Market Streets, Sydney

7pm Drinks & Canapes, 7.30pm - 11.30pm Dinner

After dinner speaker: **Gary Born**, President, SIAC Court of Arbitration, Singapore

Dress code: Lounge suit

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REGISTRATION FORM

TUESDAY 22 NOVEMBER 2016, FEDERAL COURT OF AUSTRALIA, SYDNEY

Personal details – Please attach a business card or write in block letters.

Title First name Surname

Firm/Organisation/Company

Address:

Tel Fax

Email

Name as you wish it to appear on your name tag (if different from above)

Special dietary requirements:

I do do not consent to my name and position being included on the delegates list.

Registration fees

ACICA/BLS/CI Arb member Conference Registration (including CI Arb Australia Dinner)

Non-members Conference Registration (including CI Arb Dinner)

CI Arb Australia Dinner only

Total Payable:

Early-bird fee

(paid on or before 21 October 2016)

AU\$930

AU\$1030

AU\$180 (student AU\$160)

Regular fee

(paid after 21 October 2016)

AU\$1030

AU\$1130

AU\$180 (student AU\$160)

Payment details:

My Cheque/ Bank draft is enclosed, made payable to the Business Law Section

Transfer to BLS bank account

Please debit AU\$ _____ from my credit card

Visa Card

Master Card

Card Number:

Expiry Date:

Name:

Signature:

Please return completed form to Carol O'Sullivan

Business Law Section – Law Council of Australia
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INFORMATION

Date: 22 November 2016

Venue: Federal Court of Australia, Queens Square, Sydney
NSW 2000 Australia

Language

All working sessions and conference material will be in English

How to register

Please complete the attached registration form and return it to Carol O'Sullivan, Business Law Section, Law Council of Australia, C/o 3/31 Hi Tech Drive, Kunda Park, QLD 4556 Australia
or via email: carol.osullivan@lawcouncil.asn.au

Fees

Registration received on or before 21 October 2016

ACICA/BLS/CI Arb member	\$930 (AUD)
Non member	\$1030 (AUD)

Registration received after 21 October 2016

ACICA/BLS/CI Arb member	\$1030 (AUD)
Non member	\$1130 (AUD)

Full payment must be received in order to process your registration.

Fees include

- attendance at all workshop sessions
- conference materials, including any available speaker papers submitted to BLS by 1 November 2016.
- Lunch, morning and afternoon tea
- Attendance at the CI Arb Australia Awards Dinner

Please note that registrations are not transferable.

Promotional literature

Please note that no individual or organisation may display or distribute publicity material or other printed matter during the conference unless by prior arrangement with ACICA, the BLS and CI Arb Australia.

List of participants

In order for your name to appear in the list of participants, which will be distributed at the conference, your registration form must be received by Carol O'Sullivan by 11 November 2016.

Conference dress code

Business attire.

Payment of registration fees

Cheques made payable to Business Law Section

Card payments: by MasterCard and Visa

Bank transfer to the Business Law Section, Law Council of Australia. Account number: 994 292 Westpac Bank (sort code 032 727) Alinga Street, Canberra, ACT Australia

Please ensure a copy of the bank transfer is emailed to carol.osullivan@lawcouncil.asn.au

Cancellation of registration

If cancellation is received in writing to Carol O'Sullivan at the Law Council of Australia by 21 October 2016, then fees will be refunded less a 25% administration charge. We regret no refunds can be made after this date.

Travel arrangement and Visas

Participants are responsible for making their own travel arrangements. It is recommended that you check your visa requirements with your local Embassy or Consulate.

We are unable to send out letters supporting visa applications to Embassies prior to receipt of your registration and full payment of registration fees.

Please apply for your visa in good time.

Hotel Accommodation

Accommodation is available at Sofitel Sydney Wentworth. Please quote the code LCA211116.

The following special rates will be available until 2 November 2016, after this date the best available rates will apply at the time of enquiry:

\$289.00	Classic
\$329.00	Superior
\$369.99	Luxury
\$419.00	Luxury Club
\$419.00	Junior Suite
\$509.00	Prestige Suite

Reservations: Please phone the hotel's reservation department on +61 2 9228 9188 or email: H365@sofitel.com. The hotel requires a credit card number to secure your reservation.

Cancellations: Please provide the hotel with 24 hours prior notice otherwise a cancellation charge equal to one night's accommodation will be incurred or in the event of non-arrival.

Disabled access

The Federal Court of Australia is wheelchair accessible. Please notify us if you require special assistance.

The organisation may at anytime, with or without giving notice, in their absolute discretion and without giving any reason, cancel or postpone the conference, change its venue or any of the other published particulars, or withdraw any invitation to attend. In any case, neither the organisers nor any of their officers, employees, agents, members or representatives shall be liable for any loss, liability, damage or expense suffered or incurred by any person, nor will they return any money paid to them in connection with the conference unless they are satisfied not only that the money in question remains under their control but also that the person who paid it has been unfairly prejudiced (as to which, decision shall be in their sole and unfettered discretion and, when announced final and conclusive).

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The **Australian Centre for International Commercial Arbitration (ACICA)** is Australia's leading arbitral institution. Established in 1985 as a not-for-profit public company, its membership includes world leading practitioners and academics expert in the field of international and domestic commercial arbitration and all forms of dispute resolution.

A major partner of Australia's premier hearing facility, the Australian International Disputes Centre (www.disputescentre.com.au), ACICA is a signatory to co-operation agreements with over 50 global arbitral bodies including the Permanent Court of Arbitration at The Hague and is represented on the global arbitral body, International Federation of Commercial Arbitration Institutions.

On 2 March 2011, the Australian Government confirmed ACICA as the sole default appointing authority competent to perform the arbitrator appointment functions under the amended International Arbitration Act 1974 (Cth).

www.acica.org.au



The **Business Law Section** was established within the Law Council of Australia in 1980. It provides a forum through which lawyers and other interested in the laws, practices and procedures affecting business, finance and other commercial activities throughout Australia can enhance their professions skills. It also enables them to develop contacts and work with governments and other international institutions for the reform of laws affecting the interests of Australia Business.

www.lawcouncil.asn.au/BLS

www.lawcouncil.asn.au/lawcouncil/index.php/privacy-policy



CI Arb Australia

Since 1915 and with over 14,000 members worldwide in over 130 countries operating in over 250 commercial sectors, the Chartered Institute of Arbitrators exists for the global promotion, facilitation and development of all forms of private dispute resolution. In addition to providing education, training and accreditation for arbitrators, mediators and adjudicators, CI Arb acts as an international centre for practitioners, policymakers, academics and the business community. CI Arb Australia is one of 40 branches offering institute members a prestigious, globally-recognised qualification and access to a global professional community and regular networking opportunities.

www.ciarb.net.au

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