



## **Chartered Institute of Arbitrators (East Asia Branch)** **特許仲裁學會(東亞分會)**

### **Introduction to International Arbitration & Shipping Contracts Management (SCM)**

Chartered Institute of Arbitrators (East Asia Branch) is accepting applications from suitably qualified professionals for a three day Masterclass titled “SHIPPING CONTRACTS MANAGEMENT & INTRODUCTION TO INTERNATIONAL ARBITRATION”. Applicants should hold recognised professional or industry qualifications appropriate to their profession.

As explained further at the end of this flyer, for eligible persons there is a generous subsidy scheme from HK Government for the cost of participating in the course.

Subjects covered include the following:

#### **Introduction to International Arbitration (1 day): 21<sup>st</sup> September 2019** (Conducted by Chartered Institute of Arbitrators (East Asia Branch))

- 1) Essential Features of International Arbitration
- 2) Laws and Rules of Arbitration
- 3) Composition of Arbitral Tribunal
- 4) Powers and Jurisdiction of Arbitral Tribunal
- 5) Statements of Claims and Defence – Pleadings
- 6) Organising the Proceedings
- 7) Hearings
- 8) Costs and Interest
- 9) Making of Award – Decision Making Process
- 10) Recognition and Enforcement of an Award

The Introduction course will include an online assessment process if participants wish to qualify for Associate membership status of the Chartered Institute of Arbitrators. Details of the online assessment procedure are set out below.

## Optional online assessment procedure for the Introduction to International Arbitration course

When taking the online assessment, in brief, this is what you can expect:

- An assessment comprising 60 multiple choice questions
- The questions are derived from the content of the course workbook
- You will be given log-in and password details to access the assessment
- You will find instructions as to how to work through the assessment when you log in
- There will be a short, practice test for you to experiment with before you start the assessment proper
- Once you log onto the assessment, your access to it will be open for 28 days
- You will have up to three attempts to take and pass the assessment
- Your result will be displayed immediately on completion of the assessment
- The pass mark is 55%
- On passing the assessment, you will be invited to print your own certificate

You will then have the opportunity to apply for ACI Arb Membership and to consider proceeding along one of the training and qualification pathways

*The Chartered Institute of Arbitrators, East Asia Branch is pleased to advise that, immediately before the above one day course, a two days' Masterclass Shipping Contracts Management (SCM), will be conducted by SkillsPlus Ltd.*



## **Shipping Contracts Management (2 days' Masterclass, 19-20 Sept.)**

- 1) **Introduction to Contract Law:** Basics; Types of Contracts; Language & Homemade Clauses; Sale of Goods Act 1979; Unfair terms act 1977
- 2) **Shipmanagement Contract:** Rights, Obligations and limits of liability.
- 3) **Charter parties:** Key Obligations & Differences; Disputes (Arrived Ship, NOR, Laytime, Underperformance, Delayed Delivery, Bills of Lading, Bunker Quality, Bunker Supply Contract issues and other)
- 4) **Norwegian Sale Form:** Evolution 1987-2012; Key Clauses (Inspection, Drydocking, Condition on delivery, Buyers & Sellers default); a review of previous relevant authorities
- 5) **Contract of Affreightment (Dry Bulk):** Evaluation; Negotiation; Execution; risk mitigation strategies (counter-party risk; physical hedging and derivative positions)
- 6) **Bareboat Charter Contract:** Operating leases; Key Financial Elements; Balance Sheet issues; Construction of Barecon; Dual Flag; Disputes

## **TRAINERS**

### **Course Trainers: (Introduction to International Arbitration)**

#### **Christopher To**

The course trainer for “Introduction to International Arbitration” is Christopher To.

Dr. Christopher To is an independent mediator and arbitrator who is on the panels of various leading global alternative dispute resolution bodies. He is an accredited mediator, chartered arbitrator, chartered engineer, chartered information technology professional, barrister-at-law and a law professor.

He was the Past-Chairperson of the Chartered Institute of Arbitrators (East Asia Branch) and is currently a Committee member of the East Asia Branch tasked with handling faculty member approvals in the region. He is also a member of the Education and Training Committee of the Institute in the United Kingdom and is actively contributing his services and time towards the training of future dispute resolution practitioners.

#### **Richard Leung**

The course trainer for “Introduction to International Arbitration” is Richard Leung.

Richard Leung MA, LLB, Chartered Arbitrator, FCI Arb, FCCA, FCIS, HKIAC Accredited Mediator (General) is a practising barrister at Des Voeux Chambers specialized in company law, commercial law, construction litigation and arbitration. He has over 20 years of working experience first in the accounting field occupying senior positions with various entities like KPMG and Hutchison Telecommunications Ltd and then since 1996 onwards in the legal profession as a barrister. Currently he also sits as a member in various statutory tribunals in Hong Kong including the Board of Review, the Obscene Articles Tribunal, Registration of Persons Tribunal, the Guardianship Board, the Appeal Board for the Hotel and Guesthouse Accommodation and so on.

**Jagmeet Makkar** MSc FICS FRINA FIMarE(I) FHKIArb MCIArb

The course trainer for “Introduction to International Arbitration” is Jagmeet Makkar.

Jagmeet has a unique combination of academic prowess, teaching and vast experience in commercial and technical areas of shipping. He is a Shipping & Energy consultant, educator and a maritime arbitrator. His more than 3 decades of hands-on experience in Ship-Management, Conversions, New-Buildings, Ship Sale & Purchase, Chartering & Marketing to acquire cargo contracts has enriched his contributions in various industry forums, such as the Shipping Consultative Committee HKSAR, HK Technical Committees of Lloyd's Register and Class NK. Besides actively promoting the industry through articles in various journals, such as the Bimco Review, Marine Engineers' Review, Shipping Network, HE-Alert of Nautical Institute, Sailor Today, Seaview etc., he is also a regular speaker and panellist at various forums, such as dry bulk summits, Mareforum, Marine Money, Coaltrans, Intercem, etc.

Jagmeet is a supporting member of the London Maritime Arbitrators Association, a member of the Hong Kong Maritime Arbitrators Group, a fellow of the Hong Kong Institute of Arbitrators, and a member of the Chartered Institute of Arbitrators. In his recent post-graduation (MSc Energy, Trade and Finance) from Cass Business School (City, University of London), Jagmeet was awarded First Position with Distinction, and was offered a lifetime membership to the prestigious Beta Gamma Sigma Society. This is an example of his dedication to the enhancement of education and skills

**Stephen Chu** BSc(Eng)(Hons) MBA LLB(Hons) MAArbDR FCIArb FCII ANZIIIF(Fellow)CIP

The course trainer for “Introduction to International Arbitration” is Stephen Chu.

Stephen is a Chartered Arbitrator as well as a Chartered Insurer. He is a practicing Barrister-at-law in Hong Kong, an arbitrator under Hong Kong International Arbitration Centre’s list of arbitrators and an accredited HKMAAL General Mediator. He is also a panel member under the Hong Kong Mediation Centre, the Hong Kong Bar Association's mediator list and Hong Kong Bar Association’s arbitrator list. He is also a part time lecturer in PEAK of Vocational Training Council in Hong Kong lecturing on insurance related post graduate diploma courses. He also teaches legal, construction, insurance and reinsurance related topics under Hong Kong Legal Training Institute and Vista Academy Co Limited.

Stephen has over 25 years of insurance and reinsurance experience. He has held senior positions in various international insurance and reinsurance companies, including QBE Hongkong & Shanghai Insurance Company Limited and General Reinsurance AG in Hong Kong. With a technical background and practice experience as a civil engineer as well as extensive experience working in insurance/reinsurance industry, he currently handles a number of construction, insurance/reinsurance and personal injury related disputes via mediation, arbitration and litigation, among other practice areas in company, matrimonial, commercial & contract, land & property.

## **Lawrence Lee**

The course trainer for “Introduction to International Arbitration” is Lawrence Lee.

Ir. Dr. LEE is a chartered civil and geotechnical engineer and has over 22 years of experience in large scale of infrastructure in Hong Kong at urban areas on tunnelling and geotechnical works as client, consultant and contractor firms. Dr. LEE is a fellow member of Institution of Materials, Minerals and Mining in UK, and a member of Institute of Civil Engineers and Hong Kong Institute of Engineers. He is also a member of Chartered Institute of Arbitrators and resolve construction disputes specialise in negotiation, mediation and arbitration in construction industry since 2007.

Dr. LEE is the Chairperson of Young Member Group of CIArb (EAB) in 2013 and Committee Member of Chartered Institute of Arbitrators (East Asia Branch) since 2014. He was the Honorary Treasurer in 2015 – 2017. He was appointed as Director of Joint Mediation Helpline Office on behalf of CIArb (EAB) since 2017.

Recently, Dr. LEE participates on resolving engineering problems using an intelligent model. In the recent doctorate research, with the use of Artificial Intelligent (AI) and Genetic Algorithm, optimise the important blast parameters on tunnel blasting works. He is also proactive to develop and promote innovation with new technology on the use of AI for different industries.

## **Course Trainers: (Shipping Contracts Management)**

**Jagmeet Makkar** MSc FICS FRINA FIMarE(I) FHKIArb MCIArb

The course trainer for “Shipping Contracts Management” is Jagmeet Makkar.

[Jagmeet Makkar Profile](#)

## **Certificate & Course Fee Refund Scheme (Hong Kong):**

After successful completion of the written and online assessment, participant will be awarded certificates.

The two days' Masterclass (MC040) and the three days' combined program (MC049) have been included in the list of pre-approved courses/examinations (maritime-related) of the Professional Training and Examination Refund Scheme (ProTERS) under the Government's Maritime and Aviation Training Fund (MATF). **This allows eligible participants who successfully complete either the 2 day Masterclass or the combined 3 day course and assessment to personally apply for a refund of 80% of the relevant course fee. (application from a company will not be accepted).** Eligible applicants for the refund must be HKID holders in lawful full time employment of a company in the maritime sector in Hong Kong (not 'self-employed'). Job nature can include seafarer, ship management / operation, chartering, broking, surveying, marine insurance, maritime law, maritime education. For full details of eligibility criteria and for the avoidance of doubt, potential applicants should visit the website of **MATF** for the ProTERS **Application Form** and its **Notes to Participants**.

(email: [matf@thb.gov.hk](mailto:matf@thb.gov.hk), telephone hotline: 35097261)

## **Venue & dates**

The course will be held at **HKMA**, 14/F Fairmont House, 8 Cotton Tree Drive, Central, Hong Kong from 19<sup>th</sup> September to 21<sup>st</sup> September 2019 from **9.30am to 5.30pm** followed by (1) SCM Coursework consisting of 3 questions which shall be submitted by email to [info@skillsplus.sg](mailto:info@skillsplus.sg) within 15 days of completion of the session. Individual feedback will be provided (2) an online assessment for the Introduction to International Arbitration.

## ***Fee & Payment details:***

The cost of the full 3 day course will be HK\$16,000 including course materials and assessment.

Please send your application by completing the attached application form along with two cheques made payable as follows:

HK\$11,000 payable to "SKILLSPLUS LIMITED"

HK\$5,000 payable to "Chartered Institute of Arbitrators (East Asia Branch)" (**this fee includes the online assessment**)

Both the Cheques with applicable form to be sent by post to:

SKILLSPLUS LIMITED, 1703, BUILDING W-50, #50 WONG CHUK HANG ROAD, ABERDEEN, HONG KONG

Or Pay by online transfer to: SKILLSPLUS LIMITED, HANGSENG BANK A/C No. 239 762149 883

Cheques will be returned for unsuccessful applications.

# Shipping Contracts Management & Introduction to International Arbitration

19 - 21 September 2019

## Application Form

[\(Online Registration Link\)](#)

**Note:** Applicants who wish to cancel their applications must submit their requests to [info@skillsplus.sg](mailto:info@skillsplus.sg). A cancellation charge of 30% of the course fee, i.e. HK\$4,800, will be charged if the application is withdrawn latest 7 days prior to commencement of course. No refund will be made if the application is cancelled thereafter. However, substitution of the candidates is accepted up to 5 days prior to commencement of the course, which must be notified by email.

Name: \_\_\_\_\_

Email Address: \_\_\_\_\_

Day Time Telephone Number: \_\_\_\_\_

Address for sending Certificate: \_\_\_\_\_

\_\_\_\_\_

Organisation: \_\_\_\_\_

Occupation: \_\_\_\_\_

Details of Education:

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Professional or Industry Qualifications:

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\_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_