



**Victor Smith**  
**BSc DipArb DiplArb LLM FCI Arb**  
**Chartered Arbitrator**

January 2024

Nationality: British  
DoB: 4 December 1957  
Residence: Bangkok, Thailand

Victor is recognized as one of the leading arbitrators in Thailand. His professional and academic qualifications include:

- Chartered Arbitrator (2003)
- Fellow of the Chartered Institute of Arbitrators (2001)
- LLM Degree in International Commercial Law (Distinction) – Northumbria University (2007)
- Diploma in International Commercial Arbitration – The Chartered Institute of Arbitrators (2004)
- Post Graduate Diploma in Arbitration – University College of Estate Management (2001)
- BSc Degree in Quantity Surveying – Kingston University (1982)

He has worked in the construction industry in Europe, the Middle East, Africa, South America, and Asia. He regularly sits as an arbitrator in both international and domestic arbitrations.

He has considerable experience in construction disputes but has also dealt with international trade disputes, shipping disputes, aviation disputes, joint venture disputes, loan agreement disputes and a variety of general commercial disputes. He has accepted 100 appointments to act as an arbitrator or represent parties in arbitration proceedings. He has sat as an arbitrator where the amounts in dispute have been up to USD 250 million.

He has been appointed as an arbitrator by the Thai courts and been directly appointed as an arbitrator by the ICC, SIAC, AIAC (formerly KLRCA), TAI and CI Arb. He has conducted arbitrations as chairman of the tribunal, sole arbitrator, and co-arbitrator. He has conducted arbitrations under the HKIAC, ICC, OAT-BOT, SIAC, TAI, THAC, VIAC and UNCITRAL arbitration rules. He has conducted arbitrations under English, Indian, Malaysian, Nepalese, Singaporean, Thai, and Vietnamese law. Victor is on the panel of arbitrators with numerous arbitral institutions including AAA/ICDR, AIAC, APRAG, BAIAC, CI Arb, CIETAC, eBRAM, HKIAC, KCAB, MIAC, OAT-BOT, PIAC, SCIA, SIAC, TAI, THAC and VIAC.

### **Arbitration and Dispute Resolution Experience:**

Examples of cases where he has conducted arbitrations as an arbitrator or as a party representative / consultant include:

As an arbitrator (64 appointments):

- Sole Arbitrator, SIAC arbitration, Singaporean law. International trade dispute between a Hong Kong party and an Indian party.
- Sole Arbitrator, SIAC arbitration, Singaporean law. Shipping dispute between a German party and an Indonesian party.
- Co-Arbitrator, ICC arbitration, Thai law. Construction dispute between Thai parties.
- Sole Arbitrator, TAI arbitration, Thai law. Property dispute between Thai parties.
- Co-Arbitrator, TAI arbitration, Thai law. Property dispute between Thai parties.
- Co-Arbitrator, ad-hoc arbitration, Thai law. Aviation dispute between Thai parties.
- Co-Arbitrator, ad-hoc UNCITRAL arbitration, Malaysian law. Shipping dispute between a Malaysian party and a Thai party.
- Co-Arbitrator, TAI arbitration, Thai law. Property dispute between Thai parties.
- Co-Arbitrator, ICC arbitration, English law. Construction dispute between a Thai party and Thai / Chinese parties.
- Co-Arbitrator, VIAC arbitration, Vietnamese law. Construction dispute between Vietnamese parties.
- Co-Arbitrator, TAI arbitration, Thai law. Shareholder / license dispute between a Thai party and an Austrian party.
- Co-Arbitrator, TAI arbitration, Thai law. Construction dispute between Thai parties.
- Co-Arbitrator, ad-hoc UNCITRAL arbitration, Nepalese law. International trade dispute between a Nepalese party and a Thai party.

- Co-Arbitrator, TAI arbitration, Thai law. Construction dispute between a Thai and a Taiwanese / Thai party.
- Co-Arbitrator, SIAC arbitration, Thai law. Joint venture dispute between a Japanese party and Thai parties.
- Co-Arbitrator, ICC arbitration, Thai law. Construction dispute between Thai parties.
- Sole Arbitrator, ICC arbitration, Thai law. Lease dispute between a Dutch party and an Indian party.
- Sole Arbitrator, ICC arbitration, Thai law. Construction dispute between Thai parties.
- Co-Arbitrator, TAI arbitration, Thai law. Aviation services dispute between Thai parties.
- Co-Arbitrator, ICC arbitration, Thai law. Construction dispute between a Thai party and a Thai / Korean party.
- Co-Arbitrator, TAI arbitration, Thai law. Construction dispute between a Thai party and a Thai / Taiwanese party.
- Co-Arbitrator, SIAC arbitration, English law. Construction dispute between a Chinese party and a Cambodian party.
- Co-Arbitrator, ad-Hoc UNCITRAL arbitration, Thai law, Construction dispute between Thai parties.
- Co-Arbitrator, VIAC arbitration, Vietnamese law, loan dispute between Vietnamese parties.
- Sole Arbitrator, ICC arbitration, Thai law, commercial dispute between a Spanish party and a Thai party.
- Sole Arbitrator, ICC arbitration (Expedited Procedure), Thai law, distribution agreement dispute between a Singaporean party and a Thai party.
- Sole Arbitrator, TAI arbitration, Thai law, construction dispute between Thai parties.
- Sole Arbitrator, TAI arbitration, English law, loan agreement disputes between Thai and foreign parties.
- Co-Arbitrator, TAI arbitration, Thai law, construction dispute between Thai parties.
- Sole Arbitrator, ICC arbitration (Expedited Procedure), Thai law, international trade dispute between a Turkish party and a Thai party.
- Sole Arbitrator, ICC arbitration, Thai law, international trade dispute between a Puerto Rican party and a Thai party.
- Co-Arbitrator, TAI arbitration, Thai law, loan agreement dispute between an Austrian/Thai party and a Thai party.
- Co-Arbitrator, TAI arbitration, Thai law, engineering dispute between Thai parties.
- Sole Arbitrator, THAC arbitration, English law, loan agreement dispute between an Indian party and a Thai party.
- Chairman, OAT-BOT arbitration, Thai law, hotel management dispute between Thai parties.
- Co-Arbitrator, HKIAC arbitration, Thai law, construction dispute between Thai parties.
- Sole Arbitrator, TAI arbitration, Thai law, construction dispute between Thai parties.
- Chairman, ad-hoc arbitration, Thai law, shareholder dispute between Thai and Singaporean parties.
- Co-Arbitrator, SIAC arbitration, English law, construction dispute between Thai and Singaporean parties.

As a party representative / consultant (36 appointments):

- ICC arbitration, Thai law. Construction dispute between Thai parties.
- TAI arbitration, Thai law. Construction dispute between Thai parties.
- TAI arbitration, Thai law. Property dispute between Thai parties.
- ICC arbitration, Thai law. Construction dispute between Thai parties.
- ICA arbitration, English law. Commodity dispute between a Thai party and a Pakistani party.
- SIAC arbitration, Singaporean law. International trade dispute between Thai parties.
- TAI arbitration, Thai law. Construction dispute between Thai parties.
- TAI arbitration, Thai law. Sale and purchase agreement disputes between Thai / foreign parties and Thai parties.
- UNCITRAL arbitration, Thai law, loan agreement dispute between English parties.

He has also acted as an expert witness on construction matters in arbitration proceedings in Singapore and is on the AIAC Panel of adjudicators. He is an accredited mediator with THAC and is on the AAA Panel of Mediators. He has been appointed to act as a mediator on two occasions.

#### **Former positions and qualifications:**

- Chair of the Thailand Branch of the Chartered Institute of Arbitrators (2019 to 2021)
- Head of ICC Thailand Arbitrator Nominations Committee (2018 to 2021)
- Chair of ICC Thailand Commission on Arbitration & ADR (2004 to 2012 and 2017 to 2019)
- Member of the ICC Paris Commission on Arbitration and ADR (2006 to 2019)

- Chairman of the Thailand Branch of the Royal Institution of Chartered Surveyors (1997 and 1998)
- Guest lecturer at Sasin School of Management, Chulalongkorn University teaching Arbitration for the MBA course (2021)
- Lecturer at Thammasat University in Bangkok teaching Arbitration and ADR for the LLM Master of Laws course in Business Law (2010 to 2014)
- Thailand Country Representative for the Dispute Resolution Board Foundation (2005)
- Fellow of the Malaysian Institute of Arbitrators (2008 to 2019)
- Fellow of the Singapore Institute of Arbitrators (2005 to 2019)
- Fellow of the Hong Kong Institute of Arbitrators (2001 to 2019)
- Fellow of the Australian Centre for International Commercial Arbitration (2010 to 2015)
- Fellow of the Association of Arbitrators (Southern Africa) (2011 to 2014)
- Member of the London Court of International Arbitration (2003 to 2013)
- Member of the Society of Construction Law (England) (2017 to 2019)
- Chartered Quantity Surveyor, Fellow of the Royal Institution of Chartered Surveyors (1996 to 2019)
- Chartered Construction Manager, Fellow of the Chartered Institute of Building (1999 to 2019)

### **Career Summary:**

- 2020 to present: Thailand – Independent arbitrator and dispute resolution specialist for international and domestic commercial disputes.
- 2000 to 2019: Thailand – Chairman of Charndell Associates, arbitrator, and dispute resolution specialist for international and domestic commercial disputes.
- 1992 to 2000: Thailand – Senior Quantity Surveyor / Contract Administrator for Philipp Holzmann (Thai) Ltd responsible for administration of major construction projects including preparation of contractual claims for a wide variety of projects including hospitals, hotels, high rise commercial buildings and condominiums.
- 1991: Thailand - Senior Quantity Surveyor / Contracts Administrator for Siam Syntech responsible for administration of high-rise commercial projects.
- 1991: Thailand - Construction and Claims Consultant for James R Knowles preparing claims for Thai and Japanese contractors.
- 1991: France – Quantity Surveying Consultant for Bovis on the Euro Disney Project located on the outskirts of Paris, France.
- 1990: Nigeria – Contracts Engineer for Impresit Bakolori responsible for the administration of infrastructure and engineering projects in northern Nigeria including dams, irrigation networks, water distribution systems and road projects.
- 1985 to 1989: Saudi Arabia – Contracts Engineer for FEAL IBS responsible for all quantity surveying duties on a 250-bed turnkey hospital project in Riyadh.
- 1983 to 1985: Saudi Arabia – Senior Quantity Surveyor for Pegel Arabia responsible for administration of 1,200 villa turnkey housing project for the Saudi Arabian National Guard in Jeddah.
- 1981 to 1983: Saudi Arabia – Site Quantity Surveyor for DITCO responsible for quantity surveying duties on a multi-story headquarters building for the Department of Petroleum and Mineral Resources in Jeddah.
- 1979 to 1980: England – Trainee Quantity Surveyor during year out from university with E C Harris & Partners assisting in the preparation of Bills of Quantities and final accounts for local authority housing projects in Essex.
- 1975 to 1977: England – Trainee Quantity Surveyor with W C Inman & Partners assisting in preparation of Bills of Quantities for hospitals, clinics, and housing projects in Essex.