

Course Information

[In-Person] Accelerated Route to Fellowship - International Arbitration
Featuring Fireside Chat with Francis Xavier SC
30 November to 2 December 2023, Singapore



13.5 Public CPD Points
Practice Area: Alternative Dispute Resolution
Training Level: Advanced

What is the aim of the programme?

To provide a fast-track route to Fellowship through the International Arbitration Pathway. Upon successful completion of this course, you will be eligible to apply to become a Ciarb Fellow which is an internationally recognised and respected qualification. The Accelerated Route to Fellowship has been designed for busy professionals who have substantial unassessed knowledge and experience of International Arbitration. The aim of the programme is to assess whether the candidate has the knowledge required to apply the principles and procedure of the UNCITRAL Model Law and Arbitration Rules and is capable of writing a reasoned and enforceable International Arbitration Award. This is an intensive in-person course with opportunities for role play, peer learning and feedback from experienced arbitrators. The programme will include networking lunches and a fireside chat with a prominent arbitrator at the conclusion of Day 1.

Candidates must evaluate their personal suitability to undertake the programme, appreciating that the assessments are intensive and that they will be assessed against standard benchmarks.

This programme focuses on the process, practice and procedures in International Arbitration which is an essential requirement for qualification as a Fellow and for those who aim to practice as an International Arbitrator.

What are the learning outcomes?

On successful completion of this course candidates will be able to:

- Identify and explain in depth all the key elements of the International Arbitration process;
- Evaluate issues and apply the principles of the UNCITRAL Model Law appropriately;
- Demonstrate practical skill in carrying out the tasks required in preparing for and progressing an International Arbitration;
- Demonstrate skill in controlling an International Arbitration, communicating effectively with the parties, applying the UNCITRAL Arbitration Rules and adopting appropriate procedures;
- Be eligible to apply for Fellowship of Ciarb.

What is covered within the syllabus?

- Arbitration agreements;
- The legal framework: the importance of the seat, the New York Convention, procedural laws, and procedural rules;
- Types of Arbitration: ad-hoc, institutional, documents only, time limited;
- Commencement of the Arbitration, terms of reference;
- Obligations of the Tribunal, responsibilities, and obligations of the parties;
- An Arbitrator's jurisdiction and powers;
- Challenges to jurisdiction, conflicts of interest;
- Managing the Arbitration process: communications, preliminary meeting, interlocutory matters, dealing with factual and opinion evidence and disclosure of documents;

- Security for costs;
- Presenting the claim and the defence: alternative methods;
- Preparation for and procedure at a typical hearing, contrasting common law and civil law jurisdictions;
- Essentials of an enforceable Award;
- Costs and interest; alternative approaches in different jurisdictions.

How is the programme delivered?

This is an assessment programme as opposed to a teaching module. Learning will be based on private study prior to the oral assessment workshop, reinforced by tutor input and peer discussion during the workshop. The programme is delivered over a period of three days, with in-person assessment workshops on the first two days (30 November and 1 December). On day three (2 December 2023), candidates may commence their award writing assessment.

How will I be assessed?

Assessment of this programme is split into three parts, all of which must be passed:

- Assessment 1 - An interactive 2 full-day assessment in a series of workshops, where situations will be presented to candidates in groups for their consideration and role playing. Candidate's knowledge, judgment and communication skills are assessed by oral exercises.
- Assessment 2 - Written exercises before and during the 2-day workshops:
 - one written exercise on arbitration law to be submitted before the assessment workshops (10%)
 - one written exercise on arbitration law to be submitted during the workshops (20%)
 - two written exercises to be submitted on during the workshops (10% each)
 - one written exercise to be completed overnight (30%)
 - one final written exercise (20%)
- Assessment 3 - Final examination for this course is a 48-hour open book examination which can be done within a 5-day window. (70%)

Details of the assessment are as follows:

- Assessment 1 - Oral Exercises: This assessment is on a pass or fail basis. Candidates must pass all the workshop sessions. Candidates who fail the workshop will be required to re-sit this assessment.
- Assessment 2 - Written Exercises: Candidates must achieve a minimum overall mark of 55% to pass this assessment.
- Assessment 3 - Final examination: This is a 48-hour open book examination. Additional information is provided on the day of the assessment in form of the Arbitrator's notebook. Candidates are required to write an award. Candidates must achieve a minimum overall mark of 65% to pass the course.

Candidates are permitted to use any materials they wish throughout the workshops.

Results are dispatched to candidates normally eight to twelve weeks from the date of the submission of the examination.

What are the entry requirements?

In order to register for the Accelerated Route to Fellowship, candidates must submit evidence to show:

- They have a minimum of 5 years of practical experience of international arbitration either as a representative or an international arbitrator;
- They have substantial knowledge of the framework of international arbitration;
- They can recognise and evaluate evidence;
- They can significantly evaluate and apply the principles and requirements of an international arbitration;
- They can noticeably demonstrate practical skill in the carrying out of tasks required in preparing for and progressing an international arbitration.

Candidates who have not completed Module 2 must also register and complete the [Module 2 Law of Obligations Exemption Test](#) prior to the commencement of the Accelerated Route to Fellowship. This has a separate fee.

What is the course fee and what does it include?

The course fee per candidate for Accelerated Route to Fellowship programme is **\$3,200** for Ciarb Members, **\$3,400** for Members of Reciprocating organisations (AIMA, APIEx, SCL, SIAC), and **\$3,700** for non-members. The fee and a copy of your Module 2 Law of Obligations Certification (course/exemption test) must be submitted with the registration form for the registration to be processed.

The fee includes registration on the course, study materials, tutorials, coursework assessment fee, and award writing exam (GBP408) for the Accelerated Route to Fellowship programme.

What happens when I register for the course?

Upon successful registration on the course, candidates will receive confirmation that they are booked on the course. Joining instructions and course materials will be sent to candidates prior to the course start date by email on the condition that full payment has been received.

Candidates will be provided with an electronic copy of a Workbook to assist them with their studies together with a suggested reading list. It is recommended that candidates are familiar with the UNCITRAL Model Law and Arbitration Rules and the substantive law in their respective jurisdiction together with the relevant Act(s) and Scheme(s) and important case decisions (where applicable). Candidates should also refer to the recognised standard textbooks to supplement their study in their respective jurisdiction where these are available.

What is Ciarb's policy on cancellation of courses?

Ciarb reserves the right to cancel or change the date, venue or content of programmes and the names of speakers, lecturers and tutors. Candidates will be provided with adequate notice of any change. If the Institute has to cancel a course, candidates will be provided with a full refund or the opportunity to transfer their registration to the next course. Should a candidate wish to cancel his or her registration of a course, notification must be received in writing to secretariat@ciarb.org.sg at least two weeks before the date the course is due to commence. If a candidate fails to give such notice, the Ciarb may apply a cancellation charge of 50% of the course fee or such other amount as it may in its sole discretion determine.

What is the Attendance Policy?

Participants who wish to obtain CPD Points must comply strictly with the Attendance Policy set out in the CPD Guidelines. For this activity, participants are reminded to sign in on arrival and sign out at the conclusion of each day of the event in the manner required by the organiser. Participants must not be absent from each day of the event for more than 15 minutes. Participants who attend Day 1 and comply strictly with the Attendance Policy on that day may obtain 7.5 Public CPD Points. Participants who attend Day 2 and comply strictly with the Attendance Policy on that day may obtain 6 Public CPD Points. Participants who do not comply with the Attendance Policy on any particular day of the event will not be able to obtain CPD Points for that day. Please refer to <http://www.sileCPDcentre.sg> for more information.

This course offers 13.5 Public CPD Points

Practice Area: Alternative Dispute

Resolution Training Level: Advanced

What is my next step when I complete the course?

On successful completion of this programme, candidates:

- ✓ may be eligible to claim CPD points.
- ✓ will be eligible to apply for Member grade of Ciarb and take advantage of a range of educational and professional benefits.
- ✓ be eligible for a Peer Interview for Fellowship.

To register for the course or for more information, please visit our [website](#) and/or contact Ciarb Secretariat at secretariat@ciarb.org.sg.

Course Director



Amanda Lees is a partner in the Singapore office of King & Wood Mallesons. She has been based in Singapore for 11 years and has more than 22 years' experience in cross border dispute resolution in the region. Amanda acts as counsel in large complex disputes across a range of industries, including energy and resources, commodities, construction, finance, insurance, telecommunications, technology, manufacturing and consumer goods. She has appeared in ad hoc arbitrations and arbitrations under the leading institutional rules (ICC, LCIA, SIAC, HKIAC, DIFC-LCIA). In addition, Amanda advises client on investor state dispute settlement and represented the Republic of Indonesia in its successful defence of a US\$580M claim under the India-Indonesia BIT,

which was arbitrated under the UNCITRAL Rules and administered by the PCA. Amanda has had 22 appointments as arbitrator by SIAC, ICC and LCIA, including as emergency arbitrator, expedited arbitrator and presiding arbitrator. Her appointments have involved parties from 17 different jurisdictions represented by a wide range of counsel. Amanda is listed on multiple institutional panels (SIAC, HKIAC, ICDR (AAA), JCAA and AIAC). Amanda is a Fellow and Director of the Chartered Institute of Arbitrators in Singapore and has taught international arbitration courses to hundreds of lawyers and other professionals throughout Asia. She is a regular speaker at international conferences, has published widely on international arbitration and is ranked as a leading individual for international arbitration by Legal 500 and 'most in-demand arbitrator' in Chambers Global.

Faculty Members



Ben Olbourne provides advisory and advocacy services across a broad range of international commercial disputes in England and other jurisdictions in relation to both court and arbitration proceedings. He has acted as sole or junior counsel before courts at all levels in England and in arbitrations under all the principal sets of arbitral rules. He has particular experience working in Asia and for Asian clients, having lived and worked in the region for many years. Ben's recent work has been principally in the general commercial, international trade and commodities, construction (infrastructure and vessels), insurance/reinsurance, energy, natural resources, and shipping/carriage of goods sectors. That work includes substantive hearings as well as applications for interim and post-judgment relief. Much of that work is of a multi or cross-jurisdictional nature involving questions of private international law and/or disputes governed by foreign laws. He has also provided expert opinions on English law for use in foreign proceedings on a range of

substantive and procedural legal issues. Ben accepts appointments as an arbitrator and has been appointed as sole arbitrator, wing and chair, in more than 40 references in matters under ICC, LCIA, LMAA, SIAC, and AIAC rules, among others, and in ad hoc proceedings. Many of these cases have involved state-owned enterprises or public sector undertakings. Governing laws have included English, Russian, Cypriot, Chinese/Hong Kong, Australian, Malaysian, Singaporean, Vietnamese and Indian. Seats have included Singapore, London, Hong Kong, Hyderabad, Delhi, Paris, Moscow, Hong Kong, and Perth. He is recommended as an arbitrator in the leading regional directories. Ben is admitted in New South Wales (Australia) in 1999 and was an associate (Legal Assistant) to Chief Justice Gleeson of the High Court of Australia from 1999-2000. He was a Junior Counsel to the Crown (C Panel) from 2008-2013.



Edmund J Kronenburg began his legal career at Drew & Napier in 1997 and took on the mantle of Managing Partner of Braddell Brothers in 2009. With over 25 years' experience in dispute resolution, litigation, and arbitration, Edmund regularly appears as lead counsel in cases before the Singapore High Court and Court of Appeal, as well as in international arbitrations. His diverse practice includes commercial and corporate disputes, energy and natural resources, media and telecommunications, breach of confidence, defamation, employment, medical and healthcare disputes as well as pre-emptive relief and injunctions including Worldwide Freezing / Mareva Injunctions. Besides his commercial disputes practice, Edmund also represents the Singapore Medical Council in medical disciplinary hearings, and private clients in medical negligence lawsuits before the Singapore courts. Some of his medical cases have become landmark decisions of the Singapore Court of Appeal and the Court of Three Judges. Edmund is an honorary legal

adviser to the Academy of Medicine, Singapore, the Vice-President (Legal) of the Medico-Legal Society of Singapore, and a member of the Singapore Medical Association's Centre for Medical Ethics and Professionalism (CMEP) teaching faculty.

Speaker for Fireside Chat



Francis Xavier SC is Rajah & Tann Singapore LLP's Regional Head of Disputes Group; he practises international and treaty arbitration and cross-border commercial litigation. A veteran in the field, Francis has 33 years of legal practice and is actively involved in cross-border commercial disputes in the areas of corporate, banking, property, financial and investment related claims. With his substantial experience in dispute resolution, Francis has a track record of being involved in novel and unprecedented cases. Francis is a Chartered Arbitrator and has acted for a number of parties in treaty disputes (including several Asian governments). He has appeared as counsel and has acted as arbitrator (both party appointed and presiding) in a large number of arbitrations (both ad hoc and administered including by ICSID, ICC, SIAC, AIAC, ICA, HKIAC, BANI and the Permanent Court of Arbitration). He is presently assisting several governments in setting up their international arbitration framework. He is the immediate past global President of the Chartered Institute of Arbitrators and also the immediate Past President of the Inter-Pacific Bar Association. Spotlited as one of Asia's Top 15 Litigators by Asian Legal Business (2021), Francis is also recognised as a leading disputes lawyer by renowned legal publications. Francis was also the winner of a Business Excellence Award (2019) issued by Corporate Insider, the Gateway to the World of Business. He is the Chairman of the Listings Appeals Committee, Singapore Stock Exchange and the Chairman of the Inquiry Panel of the Law Society of Singapore. He is the General Editor of two major publications - "Civil Litigation in Singapore" (Sweet & Maxwell, 2017) and "Arbitration in Singapore: A Practical Guide" (2nd Edition, Sweet & Maxwell, 2018).