



Singapore Institute of Arbitrators

Proudly Presents

“Who are parties to an arbitration agreement?”

Date	: 8 December 2009 (Tuesday)
Time	: 6.30pm to 8.30pm
Venue	: Maxwell Chambers 32 Maxwell Road Crawford Room (Level 3) Singapore 069115
Charges	: SI Arb and SCL members – S\$100 Full-time students – S\$80 Others – S\$120
Total CPD Points	: 2 Points

Programme:

6.00pm – 6.30pm	Registrations & Refreshments
6.30pm – 6.45pm	Opening Address by Chairperson Dr. Andreas Respondek, Chartered Arbitrator, Respondek & Fan Pte Ltd
6.45pm – 8.00pm	“Who are parties to an arbitration agreement?” Prof. Lawrence Boo, Head of chambers, The Arbitration Chambers
8.00pm – 8.30pm	Questions & Discussions

The Seminar:

The simple question as to who is a party to the arbitration belies the vexing issues that may at times crop up during attempts to answer it. The consensual nature of arbitration requires courts and arbitral tribunals to be careful not to extend its reach over persons who are strangers to the agreement. Similarly a stranger to the agreement cannot claim any right to arbitrate under the agreement. There are however some available exceptions to the strict application of the non-signatory principle. This seminar will examine some of these exceptions which have been raised in courts of various jurisdictions, and consider its applicability to Singapore. The speaker will also consider whether these exceptions should be considered differently at the different stages of arbitral process. He will also share his experiences from the view of an arbitrator considering such issues in the context of international arbitration. Ancillary to the non-signatory rule is also the issue of consolidation of arbitrations in related contracts. He will discuss possible areas for reform or best practices that should be adopted which could assist the arbitral process and the eventual enforcement of the award.

About the Speaker:

Prof. Lawrence Boo has recently stepped down as Deputy Chairman of the SIAC. His experience in arbitration is evident from the more than 170 cases and numerous awards in which he sat as arbitrator. These included cases administered by the ICC, CIETAC, SIAC, LCIA, HKIAC, KLRCA and *ad hoc* arbitrations. He has also mediated over 60 disputes. He is admitted to the Panel of International Arbitrators and Mediators of the American Arbitration Association (AAA) New York, the China International Economic and Trade Arbitration Commission (CIETAC), China Maritime Arbitration Commission (CMAC), Beijing Arbitration Commission (BAC), Korean Commercial Arbitration Board (KCAB), the Kuala Lumpur Regional Centre for Arbitration (KLRCA) and the Hong Kong International Arbitration Centre (HKIAC). Apart from his practice as arbitrator, Prof. Boo also authored “Halsbury’s Laws of Singapore Volume 2 – Arbitration” (Lexis-Nexis 1998 and 2003 Re-issue) and the chapter on Singapore in the book “International Handbook

on Commercial Arbitration" (Kluwer 1996 and 2002 Supplement) and numerous articles. He has also published numerous articles on arbitration and ADR. He was Singapore's delegate to the UNCITRAL working group meetings on arbitration (2004 – 2009) and contributed actively on the changes to the 'writing requirement' and 'interim measures' which were adopted by UNCITRAL in December 2006 as well as the proposed changes currently being considered to the UNCITRAL Rules of Arbitration 1976.

His current appointments include being:

- Head of chambers, The Arbitration Chambers
- Visiting Professor of Wuhan University School of Law, China
- Adjunct Professor of Law, Bond University, Australia
- Adjunct Professor of Law, National University of Singapore
- Law Reform Consultant to the Attorney-General's Chambers
- District Judge, Singapore

Who's Who Legal Singapore 2008 – described him as "a very well-known name", "internationally renowned figure" consistently recommended to our researchers".

Chambers' Asia 2008 and 2009 – ranked Prof. Boo as one of Asia's most "in demand" "leading individuals" in arbitration and one "who always inspires confidence in arbitration".

About the Chairman:

Dr. Andreas Respondek has over 20 years of experience in international law practice and as Managing Director of various companies in Thailand, China and the Asia Pacific region and advises multinational corporations on international corporate legal and arbitration issues. Andreas started his career in banking (Frankfurt), then became In-house Counsel (Luxembourg) and thereafter led affiliates of multinational companies as Managing Director and Regional Managing Director Asia Pacific (Bangkok, Hong Kong, Beijing, Singapore). As the founder of Respondek & Fan / Singapore & Bangkok, he holds a Bachelor of Laws, a Master of Laws and a Ph.D. in law. He is admitted to the Bar in the USA (since 1983; Louisiana Supreme Court 434 So.2d 413; 442 So.2d 435) and Germany (since 1986) and holds a license for a foreign law firm in Singapore (1995). Dr. Respondek is the only German attorney in Singapore who is a Chartered Arbitrator and listed on the regional panel as Arbitrator with the Singapore International Arbitration Center (SIAC). He is the editor and also author of the "Asia Arbitration Guide". At the same time he is a lecturer at the German Institute of Science and Technology at NUS (Subsidiary of the TU Munich), Singapore. Dr. Respondek is fluent in German, English, French, Spanish and Chinese. He is on the Board of directors of various multinational companies in Singapore and Thailand.

REGISTRATION: "WHO ARE PARTIES TO AN ARBITRATION AGREEMENT?", TUESDAY 8 DECEMBER 2009, 6.30PM, MAXWELL CHAMBERS, CRAWFORD ROOM, LEVEL 3, SINGAPORE 069115

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Notes:

1. Closing date is 4 December 2009. Placement is on a first-come-first-served basis.
2. The Organiser reserves the right to cancel, curtail or change the content of programmes and the names of speakers without prior notice.
3. The Organiser reserves the right to cancel or postpone the seminar in which case refunds will be given, but otherwise, no refunds will be made for cancellations or no-shows by those who registered. If you are unable to attend the seminar, a substitute may attend in your place at no extra charge with at least 3 days prior notice being given to the Institute, failing which there shall be no refund.