



3<sup>rd</sup> International

# ARBITRATION CONFERENCE

24 November 2015

*"Opportunities and challenges for dispute resolution in the next century"*

6.5 CPD points

Supporting organisations:



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**SYDNEY ARBITRATION WEEK 2015**

## **PROGRAMME: TUESDAY 24 NOVEMBER 2015**

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<b>9.00 am</b>	<b>Welcome remarks</b> Albert Monichino QC, Victorian Bar, Melbourne
<b>9.10 am</b>	<b>Opening address</b> The Hon Justice James Allsop AO, Chief Justice of the Federal Court of Australia
<b>9.40 am</b>	<b>Session 1 – Emerging trends in international arbitration</b> <ul style="list-style-type: none"><li>• New techniques in management of time and costs</li><li>• Challenges to arbitrators</li><li>• The life of arbitral secretaries</li><li>• Regulating ethics of party representations</li><li>• How to deal with multi-party arbitrations</li></ul> <p>Chair: Jim Delkousis, DLA Piper, Melbourne Panellists: Dr Christopher Boog, Schellenberg Wittmer, Singapore and Zurich Andrea Carlevaris, ICC Court of Arbitration, Paris Professor Doug Jones AO, Clayton Utz, Sydney Dr Sam Luttrell, Clifford Chance, Perth</p>
<b>11.00 am</b>	<b>Morning Tea</b>
<b>11.30 am</b>	<b>Session 2 – Arbitration in the Asia Pacific – strength in diversity?</b> <p>The emergence of regional international arbitration jurisprudence and common judicial approach</p> <ul style="list-style-type: none"><li>• Overcoming the common law, civil law divide</li><li>• The likely future complexion of commercial disputes in the Asia-Pacific</li></ul> <p>Chair: Caroline Kenny QC, Victorian Bar, Melbourne Panellists: Liz Cheung, Kim &amp; Chang, Korea Dr Chen Fuyong, Beijing Arbitration Commission, Beijing Datuk Professor Sundra Rajoo, Kuala Lumpur Regional Centre for Arbitration (KLRCA)</p>
<b>12.45 pm</b>	<b>Lunch</b>
<b>1.30 pm</b>	<b>Session 3 – Opportunities and challenges presented by Australia’s new free trade agreements.</b> <ul style="list-style-type: none"><li>• Update on China - Australia, Korea-Australia and Trans Pacific Partnership Free Trade Agreements</li><li>• ISDS debate: where are we at?</li><li>• What is the future of investor-state arbitration in the Asia-Pacific</li></ul> <p>Chair: Albert Monichino QC, Victorian Bar, Melbourne Keynote address: Lord Peter Goldsmith PC, QC, Debevoise &amp; Plimpton LLP, London Commentator: Max Bonnell, King &amp; Wood Mallesons, Sydney</p>

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2.30 pm

### **Session 4 – Australia and New Zealand as seats for arbitration – opportunities and challenges**

- Putting the tyranny of distance into context
- Substantial shift in judicial attitude
- Types of international disputes ripe for arbitration in Australasia

Chair: David Fairlie, ACICA

Panellists: Hilary Heilbron QC, Brickcourt Chambers, London  
David Krieder, Independent International Arbitrator, Auckland  
Khory McCormick, Minter Ellison, Brisbane

3.30 pm

### **Afternoon Tea**

4.00 pm

### **Session 5 – The courts fight back?: the Hague Convention on court agreements and the establishment of regional international commercial courts**

- Progress with accession to the Hague Convention
- An update on the Singapore International Commercial Court
- Moves to establish other regional commercial courts
- Absent enforcement considerations, does arbitration have any significant advantages over curial determination of international commercial disputes?

Chair: Ian Nosworthy, Cowell Clarke, Adelaide

Panellists: Professor Richard Garnett, University of Melbourne  
Malcolm Holmes QC, Wentworth Chambers, Sydney  
David Kalderimis, Chapman Tripp, Wellington  
Lord Peter Goldsmith PC, QC, Debevoise & Plimpton LLP, London

5.00 pm

### **Closing address**

The Hon Justice Tom Bathurst AC, Chief Justice of the Supreme Court of New South Wales

5.10 pm

### **Concluding remarks**

Professor Doug Jones AO

7.00 pm for 7.30 pm

### **CIArb Centenary Dinner**

Harbourside Room, Museum of Contemporary Art, Sydney

**Keynote speaker:** The Hon Justice Robert French AC, Chief Justice of the High Court of Australia

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## REGISTRATION FORM

**TUESDAY 24 NOVEMBER 2015, SOFITEL SYDNEY WENTWORTH, SYDNEY, NSW**

**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 Centenary Dinner)
Non-members	Conference Registration (including CI Arb Centenary Dinner)
	CI Arb Centenary Dinner only
	Tribal Warrior Cruise on Sydney Harbour – 23 November (not included in the Conference registration fee)

### Early-bird fee

(paid on or before 30th September 2015)

AU\$1100
AU\$1250
AU\$160 (student AU\$140)
AU\$75 (student AU\$50)

### Regular fee

(paid after 30th September 2015)

AU\$1250
AU\$1400
AU\$160 (student AU\$140)
AU\$75 (student AU\$50)

### Total Payable:

### 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  
C/o 3/31 Hi Tech Drive, Kunda Park QLD 4556 Australia  
Ph +617 5450 1127 Fax +612 6248 0639  
Email: carol.osullivan@lawcouncil.asn.au

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## INFORMATION

**Date:** 24 November 2015

**Venue:** Sofitel Sydney Wentworth, 61-101 Phillip Street,  
Sydney NSW 2000 Australia  
Ph +612 9228 9188  
Fax +612 9228 9145  
e-mail: H3665@sofitel.com

### 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 before 30th September 2015

ACICA/BLS/CI Arb member \$1100 (AUD)  
Non member \$1250 (AUD)

#### Registration received after 30th September 2015

ACICA/BLS/CI Arb member \$1250 (AUD)  
Non member \$1400 (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 3rd November 2014.
- Lunch, morning and afternoon tea
- Attendance at to the CI Arb Centenary 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 3rd November 2015.

### 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 23 October 2015, 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 LAW 241115 when booking.

### Reservations

Please phone the hotel's reservation department on +612 9228 9188 or email: H3665@sofitel.com To receive a discount of 10% on the 'Best Available Flexible Rate' please quote the code LAW 241115. 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 to this or in the event of a non-arrival.

### Disabled access

The Sofitel Sydney Wentworth 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](http://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).

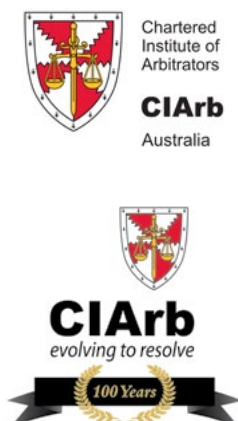
**[www.acica.org.au](http://www.acica.org.au)**



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](http://www.lawcouncil.asn.au/BLS)**

[www.lawcouncil.asn.au/lawcouncil/index.php/privacy-policy](http://www.lawcouncil.asn.au/lawcouncil/index.php/privacy-policy)



### **CI Arb Australia**

Since 1915 and with over 13,000 members worldwide in over 120 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 businessmen. 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](http://www.ciarb.net.au)**

Information about the Law Council's handling of your personal information, including your rights to access and correct your personal information and make a complaint about the Law Council's compliance with the Australian Privacy Principles, is contained in the Law Council Privacy Policy, available at [www.lawcouncil.asn.au/lawcouncil/index.php/privacy-policy](http://www.lawcouncil.asn.au/lawcouncil/index.php/privacy-policy) or by contacting the Law Council.