

ANNUAL REVIEW OF ARBITRATION CASES PROMINENT CASES FROM 2013-2014

This interactive seminar pools together several well regarded speakers who will review prominent cases on arbitration from 2013 – 2014 and address contemporary issues and emerging trends in arbitration. Expect a lively discourse on the challenge and enforcement of arbitration awards. Explore whether it is permissible to transfer an arbitration agreement. Discover the consequences of a party's failure to pay its advance share of costs. Engage with the speakers and draw from their vast knowledge and experience. This event is chaired by none other than Datuk Professor Sundra Rajoo, Director of the Kuala Lumpur Regional Centre for Arbitration, followed by a networking cocktail reception. Join us for this exciting event!

**MARK YOUR
CALENDAR**

**31ST TUESDAY
MAR 2015**

TIME

4:15PM-6PM

REGISTRATION STARTS AT 3:30PM

VENUE

SEMINAR 1,
KUALA LUMPUR REGIONAL CENTRE FOR ARBITRATION
BANGUNAN SULAIMAN, JALAN SULTAN HISHAMUDDIN,
KUALA LUMPUR, MALAYSIA.

PROGRAMME

- 3:30 PM** Registration
- 4:15 PM** Opening Remarks
by Datuk Professor Sundra Rajoo, Director of KLRCA
- 4:30 PM** **Setting Aside of Awards under Section 37 of the Arbitration Act 2005** By Lam Ko Luen, Partner, Messrs. Shook Lin & Bok
- 4:45 PM** **Reference on Questions of Law under Section 42 of the Arbitration Act 2005** By Sudharsanan Thillainathan, Partner, Messrs. Shook Lin & Bok
- 5:00 PM** **Grounds for Refusing Recognition or Enforcement of Awards under Section 39 and the Application of "Dallah's Case"** By Chang Wei Mun, Partner, Construction & Energy, Messrs. Raja Darryl & Loh
- 5:15 PM** **Whether an Assignment of a Contract Can Successfully Transfer Arbitration Agreements within it**
By Rajendra Navaratnam, Partner, Messrs. Azman Davidson & Co
- 5:30 PM** **Consequences of a Party's Failure to Pay its Advance Share of Costs** By Mohanadass Kanagasabai, Founding Partner, Messrs. Mohanadass Partnership
- 5:40 PM** Q&A
- 6:00 PM** Cocktail Reception
Venue: Pavilion Rooftop

HOW TO REGISTER AND BY WHEN?

FOR REGISTRATION, PLEASE RESERVE YOUR SEATS WITH MS. SERENA AT **+603 7726 5311** OR E-MAIL **INFO@MIARB.COM** BY **29 MARCH 2015**. FOR MORE INFORMATION, PLEASE VISIT **WWW.MIARB.COM**

Full Name: _____

Company / Organisation: _____

Designation: _____

Address: _____

Tel: _____ Fax: _____ Email: _____

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DATUK PROFESSOR SUNDRA RAJOO DIRECTOR OF KUALA LUMPUR REGIONAL CENTRE FOR ARBITRATION, MALAYSIA

Datuk Professor Sundra Rajoo is the current Director of the Kuala Lumpur Regional Centre for Arbitration (KLRC). Further to his appointment as President of the Chartered Institute of Arbitrators (CI Arb) for the year 2016, which is the world-wide leader in training, accreditation and practice of alternative dispute resolution; He is also the Past President of the Asia Pacific

Regional Arbitration Grouping (APRAG), which is a federation of nearly 40 arbitral institutions in the Asia Pacific region. Datuk Professor Sundra is a Past Chairman of the Chartered Institute of Arbitrators Malaysia Branch (2000-2002), Founding President of the Society of Construction Law, Malaysia, and past Deputy-President of the Malaysian Institute of Arbitrators. He was a Council Member of the Malaysian Institute of Architects for the years 1990-1992 and 1993-2001.

Datuk Professor Sundra is a Chartered Arbitrator and an Advocate & Solicitor of the High Court of Malaya (non-practising). He is also a Professional Architect and Registered Town Planner. He is an approved Tutor and Examiner for Entry Course for Associate and Assessor and Examiner for Accelerated Member and Fellow grade programmes with the Chartered Institute of Arbitrators United Kingdom and has taught in the Institute's Diploma in International Commercial Arbitration course and International Entry Level Course in Jakarta. In recent years, he has taken the lead as Course Director in Entry Level Courses and the Fast Track Programme to Fellowship organised by the Chartered Institute of Arbitrators in Malaysia. He has had numerous appointments as chairman, co-arbitrator of three-man panels and sole arbitrator in international and domestic arbitrations. He serves on the panel of numerous international arbitral institutions and organisations.

Further to being a Fellow of the Royal Institution of Chartered Surveyors (RICS) and a Fellow of the Chartered Association of Building Engineers (CABE); He is also a visiting professor at the National University of Malaysia (UKM) and the University of Technology Malaysia (UTM). He is a member of the Monetary Penalty Review Committee of the Central Bank of Malaysia set up under Financial Services Act 2013 and a member of the University of Malaya's Research Advisory Committee (UMRAC) for the years 2014 – 2016. Datuk Professor Sundra has authored and co-authored several books on arbitration and construction law, including, "Law, Practice and Procedure of Arbitration" (2003); "The Malaysian Standard Form of Building Contract (The PAM 1998 Form)" (1999); the Arbitration title for Halsbury's Laws of Malaysia (2002); "Arbitration Act 2005 – UNCITRAL Model Law as Applied in Malaysia" (2007); "The PAM 2006 Form" (2010); "Construction Law in Malaysia" (2012); and "The Malaysia Arbitration Act 2005 (Amended 2011): An Annotation" (2013).



SPEAKER'S PROFILE



LAM KO LUEN

**PARTNER, MESSRS. SHOOK LIN & BOK
PRESIDENT, MIARB**

Mr. Lam Ko Luen is the President of the Malaysian Institute of Arbitrators. He is listed in the panel of arbitrators of the Kuala Lumpur Regional Centre for Arbitration. He is an advocate and solicitor by profession and is a Partner of Messrs. Shook Lin & Bok, Kuala Lumpur [est. 1918].

Ko Luen's areas of practice comprise of, amongst others, construction and arbitration as well as general litigation. He represents clients in court and arbitration proceeding, both domestic and international and also sits as an arbitrator. He is described in Chambers & Partners Asia 2011 as an up-and-coming lawyer who handles construction disputes, and gained recognition in the field for his "excellent service and clear vision of what is truly best for the client."

Apart from his involvement in the Malaysian Institute of Arbitrators, Ko Luen also sits on the Bar Council Committee on Arbitration and Sub-Committee on Construction Law. He is also a member of the Malaysian ICC Committee on Arbitration and a member of the Construction Industry Development Board (CIDB) Working Committee for the Standard Conditions of Contract for Design & Build.

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SPEAKER'S PROFILE



SUDHARSANAN THILLAINATHAN
PARTNER, MESSRS. SHOOK LIN & BOK
VICE PRESIDENT, MIARB

Sudhar graduated with a Bachelor of Commerce (Accounting) and Bachelor of Laws from Monash University and obtained his Masters of Law from the London School of Economics and Political Science. He was admitted as an Advocate and Solicitor of the High Court in Malaya in 1997 and commenced legal practice with Shook Lin & Bok that same year. He has been a Partner of Shook Lin & Bok since 2004.

Sudhar is the Organising Chairperson of the 2015 Regional Arbitral Institutes Forum Conference to be held on 9.5.2015 (in conjunction with KL International Arbitration Week). He is also Chairperson of the KLIAW/2015 RAIF Conference Networking Dinner to be held on 8.5.2015.

Sudhar is Vice President of the Malaysian Institute of Arbitrators.



RAJENDRA NAVARATNAM
PARTNER, MESSRS. AZMAN DAVIDSON & CO

Rajendra Navaratnam obtained his first degree in Electrical Engineering in 1974 and started his career as an Engineer in the Power industry. He has worked in a wide variety of capacities in the then National Electricity Board of Malaysia, ranging from construction and maintenance of high voltage transmission lines and substations, test and instrument functions, culminating in managing international procurement contracts, for about 10 years before he retrained in law and started his legal career with Azman Davidson & Co in 1988. He became a Partner of Azman Davidson & Co in 1993, where he practises at present.



CHANG WEI MUN
PARTNER, CONSTRUCTION & ENERGY,
MESSRS. RAJA DARRYL & LOH
IMMEDIATE PAST PRESIDENT, MIARB

Wei Mun practices law as a partner of Messrs Raja, Darryl & Loh where he heads the construction and energy practice group. He is listed as a recommended lawyer for construction work in Asia Pacific Legal 500, Chambers Asia and Asialaw Profiles. He is an accredited adjudicator and an experienced arbitrator. He is a fellow of the Malaysian Institute of Arbitrators, Chartered Institute of Arbitrators, and the Singapore Institute of Arbitrators and sits on the panel of arbitrators for the Kuala Lumpur Regional Centre for Arbitration, Singapore International Arbitration Centre, Hong Kong International Arbitration Centre, and Korean Commercial Arbitration Board. He has been involved in many international arbitrations using various arbitration rules both as arbitrator and counsel involving local as well as foreign laws.



MOHANADASS KANAGASABAI
FOUNDING PARTNER, MESSRS.
MOHANADASS PARTNERSHIP
PAST PRESIDENT, MIARB

Mohanadass Kanagasabai has two decades of international and domestic dispute resolution experience having appeared as counsel in numerous disputes both in Court and in arbitration. He is rated by the Asia Pacific Legal 500 as a leading individual for dispute resolution in Malaysia. He has also been described as an "arbitration specialist" with a "giant reputation". Mohan is a former President of the Malaysian Institute of Arbitrators and former co-chair of the Dispute Resolution and Arbitration Committee of the Inter Pacific Bar Association. He was a partner with a large law practice in Kuala Lumpur before setting up the boutique dispute resolution practice, Mohanadass Partnership, of which he is the Managing Partner.

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