

## DIPLOMA COURSE JOINTLY HOSTED BY AUSTRALIAN AND MALAYSIAN BRANCHES

From 1-14 June 2008, the Malaysian and Australian Branches of the Chartered Institute will co-present the Diploma Course in International Commercial Arbitration in Kuala Lumpur, Malaysia. For the past two years the course has been run by the Australian Branch in Sydney at the University of New South Wales and at the offices of major Sydney law firms. This year will be the first time that the course has been run outside of Australia with the intention of attracting more participants from South-East Asia who will be spared from making the long air flight to Australia.

The Course Director is Malcolm Holmes, President of the Australian Branch, and he is supported by the Australian Centre for International Commercial Arbitration (ACICA), the Australian Commercial Disputes Centre (ACDC), the Law Society of New South Wales and Continuing Legal Education Centre, Faculty of Law, University of New South Wales (UNSW).

More than twenty presenters and tutors – experts in their own fields - have been lined up for the course and will be travelling to Malaysia from Singapore, Indonesia, Hong Kong, Australia, UK and USA.

This intensive residential course in International Commercial Arbitration is offered over two weeks. Participants will be taught the practice of international commercial arbitration, including all major forms of international arbitration and related dispute settling mechanisms such as WIPO, WTO and Investment Treaty Arbitration. Participants will gain the ability to appear in or act as an arbitrator in such arbitrations in different contexts.

This course is accredited for Post Graduate Law studies at the University of New South Wales and can also be done in conjunction with the Master of Legal Studies course designed for non lawyers to obtain the desired legal background.

In the first week, a series of lectures cover the fundamentals of international commercial arbitration. They follow and analyse legal concepts and issues arising during the course of an arbitration.

In the second week, the lectures will examine Trade Law disputes and arbitration under Bilateral Investment Treaties and Free Trade Agreements and other specialist areas such as maritime arbitration. Meanwhile in the afternoon sessions, participants take part in practical group workshops, under the guidance of experienced arbitrators. Students will be given practical training in the conduct of an international arbitration and will discuss a range of problems which may arise in the course of conducting an international arbitration.

The cost of the course is A\$7,500 which includes tuition fees, course materials, accommodation and all meals in a five star Kuala Lumpur hotel. Places are limited.

Further information and registration details can be obtained from:

Ms Emma Matthews  
Chartered Institute of Arbitrators (Australia) Limited  
Level 6, 50 Park Street, Sydney, NSW, 2000, Australia  
Phone: +61 2 9267 1513 • Fax: +61 2 9267 3125  
Email: [info@arbitrators.org.au](mailto:info@arbitrators.org.au)  
Website: [www.arbitrators.org.au](http://www.arbitrators.org.au)

Ms Flora Kang  
Chartered Institute of Arbitrators, Malaysia Branch  
G-3-8, Plaza Damas, 60, Jalan Sri Hartamas 1,  
Taman Sri Hartamas, 50480 Kuala Lumpur, Malaysia  
Tel: +60 3 6203 5457 Fax: +60 3 6203 5471  
Email: [ciarb.mal@gmail.com](mailto:ciarb.mal@gmail.com)  
Website: [www.ciarbmal.org.my](http://www.ciarbmal.org.my)

# Registration Form / Tax Invoice

ACN 118 131 016

I would like to attend

Title Mr/Mrs/Miss/Ms:

First Name: \_\_\_\_\_

Last Name: \_\_\_\_\_

Firm/Organisation: \_\_\_\_\_

Occupation: \_\_\_\_\_

Address: \_\_\_\_\_

Postcode: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

**Please return this registration form with your payment to:**

**Chartered Institute of Arbitrators (Australia) Limited  
Level 6/50 Park Street  
Sydney 2000 Australia**

**Programme Variation:** CI Arb and the Director of CLE retains the right to vary the programme. This includes cancelling or re-scheduling a programme and changing speakers or content.

**Cancellation Policy:** Cancellations will be accepted up to four weeks prior to the commencement of the course. Withdrawal after this time and up to seven days before the commencement of the course will result in a cancellation charge of \$500. Cancellations after this time will not be eligible for a refund.

**Privacy note:** The information you have provided on this form will only be used by UNSW and The Chartered Institute of Arbitrators (Australia) Limited to distribute information about courses and activities to you.

**Office Use Only:**

Rec'd

Inv No.

Auth No.

## Certificate in International Commercial Arbitration

Monday 2nd June to Friday 13th July 2008

Week one 9am – 5pm • Week two 9am – 5pm

Places are limited

**AUD\$7,500**

Cost GST inclusive

**Total \$**

This includes all course materials, tuition, accommodation and all meals.

### Payment Options

I enclose a cheque payable to:

**“Chartered Institute of Arbitrators (Australia) Limited”**

or Payment by credit card  Mastercard  Visa

Card number: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

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Signature: \_\_\_\_\_

Tel: (02) 9267 1513

Fax: (02) 9267 3125

Email: info@arbitrators.org.au

## FURTHER INFORMATION

Ms Emma Matthews  
Chartered Institute of Arbitrators (Australia) Limited

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Sydney, NSW, 2000, Australia  
Tel: + 61 2 9267 1513; Fax: +61 2 9267 3125  
Email: info@arbitrators.org.au  
URL: www.arbitrators.org.au

AND

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Chartered Institute of Arbitrators, Malaysia Branch  
G-3-8, Plaza Damas, 60, Jalan Sri Hartamas 1,  
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## SPONSORING ORGANISATIONS

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THE UNIVERSITY OF  
NEW SOUTH WALES

FACULTY OF LAW

CONTINUING LEGAL EDUCATION

THE AUSTRALIAN  
AND MALAYSIAN  
BRANCHES OF THE  
CHARTERED INSTITUTE  
OF ARBITRATORS



Chartered  
Institute of  
Arbitrators

**CI Arb**

# Diploma\* in International Commercial Arbitration

SUPPORTED BY



ACDC

LAW SOCIETY OF NEW SOUTH WALES  
CLE CENTRE FACULTY OF LAW, UNSW

Sunday 1 June – Saturday 14 June 2008  
From 9.00am to 5.00pm

\* please see the statement of outcomes in this brochure

This intensive residential course in International Commercial Arbitration is offered over two weeks at post graduate level. Participants will be taught the practice of international commercial arbitration, including all major forms of arbitration and related dispute settling mechanisms such as WIPO and WTO. Participants will gain the ability to appear in or act as an arbitrator in such arbitrations in different contexts.

The course assumes graduate knowledge of law either from a law faculty or some other discipline, such as economics. This course is accredited for Post Graduate Law studies and can also be done in conjunction with the Master of Legal Studies course designed for non lawyers to obtain the desired legal background.

In the first week, a series of lectures cover the fundamentals of international commercial arbitration. They follow and analyse legal concepts and issues arising during the course of an arbitration.

In the second week, the lectures will examine Trade Law disputes and arbitration under Bilateral Investment Treaties and Free Trade Agreements and other specialist areas such as maritime arbitration. Meanwhile in the afternoon sessions, participants take part in practical group workshops, under the guidance of experienced arbitrators. Students will be given practical training in the conduct of an international arbitration and will discuss a range of problems which may arise in the course of conducting hypothetical international arbitrations.

## SPEAKERS AND PANELLISTS

Throughout the two weeks lectures and expert commentary will be given by a range of people including:

- 1 Hon Justice Allsop, Federal Court of Australia
- 2 Alex Baykitch, Blake Dawson Waldron, UNCITRAL delegate
- 3 Dr Andrew Bell SC, Author, Forum Shopping and Venue in Transnational Litigation
- 4 Max Bonnell, Mallesons Stephen Jaques, Hong Kong and Sydney
- 5 The Hon Neil Brown QC, Melbourne, WIPO Domain Name Arbitrator
- 6 Thaw Sing Chong, Chairman, Chartered Institute of Arbitrators, Malaysia
- 7 Dr Clyde Croft QC, APRAG Delegate to UNCITRAL, Melbourne
- 8 Hew Dundas, Chartered Arbitrator, Scotland, Past President Chartered Institute of Arbitrators
- 9 Bjorn Gehle, Clayton Utz, Sydney
- 10 Gavan Griffith AO, QC Aust delegate & vice chairman of UNCITRAL 1984-1997; Solicitor-General of Aust 1984-1997
- 11 Professor Malcolm Holmes QC, Chartered Arbitrator, President Chartered Institute of Arbitrators (Australia) Limited
- 12 Jonathon Kay Hoyle, Mallesons Stephen Jaques
- 13 Michael Hwang SC, Chartered Arbitrator, London and Singapore
- 14 Judith Levine, White & Case, New York and Legal Counsel at the Permanent Court of Arbitration in The Hague
- 15 Alan Limbury, WIPO Domain Name Arbitrator
- 16 Peter McQueen, Australian Maritime and Transport Arbitration Commission
- 17 Lucy Martinez, Freshfields, New York
- 18 Karen Mills, Chartered Arbitrator, Indonesia
- 19 Albert Monichino, Barrister, Melbourne
- 20 Daniel Moulis, International Trade Lawyer, Canberra
- 21 The Hon Trevor Morling QC, former member Federal Court of Australia
- 22 Pathma Nagarajan, Mallesons Stephen Jaques, Perth and Malaysia
- 23 Prof Michael Pryles AM, Chartered Arbitrator, London and Sydney, President, ACICA
- 24 Vinayak P. Pradhan, Skrine, Malaysia
- 25 Rashda Rana, London, Hong Kong and Sydney
- 26 Sundra Rajoo, Chartered Arbitrator, Malaysia
- 27 Edmund Sim, International Trade Lawyer, Hunton & Williams, Singapore
- 28 Damian Sturzaker, Gadens, Sydney
- 29 Jun Wang, Lawyer, admitted China & Australia

# Diploma in International Commercial Arbitration\*

## WEEK ONE

Monday 2 June – Friday 6 June 2008

**Park Royal, Kuala Lumpur, Malaysia**

Topics include:

- What is international commercial arbitration?
- What Laws, Legal norms and legal systems apply in International Commercial Arbitration
- The History and Development of the framework of the New York Convention, the UNCITRAL Model Law and the laws governing International Arbitration in Australia and Asia
- The Arbitration Agreement: formation validity activation and scope, how to draft an appropriate arbitration agreement
- Anti-suit Injunctions and Stays
- The appointment of the Arbitrator
- The Arbitrator's independence and impartiality
- Confidentiality in the arbitration
- Interim Measures
- The Hearing
- The Award; Interest and Costs, and Award writing skills
- Recognition and enforcement of arbitral awards
- An examination of the ICC Arbitral Processes
- An examination of the CIETAC Arbitral Process

Statement of Outcomes

- 1) following attendance and successful completion of the two week intensive course students will be awarded a Certificate in International Commercial Arbitration by the Faculty of Law, UNSW.
- 2) Credit points towards a Masters of Law or Master of Legal Studies degree are awarded following attendance and successful completion of written exams\* or essays\* (UOC awarded may vary between Universities with reciprocal arrangements). Please contact Jenny Jarrett at Faculty of Law UNSW (+61) (02) 9385 3821
- 3) On completion students become eligible to be examined by the Australian Branch of the Chartered Institute of Arbitrators\* and an Award Writing examination \* conducted by the Malaysian Branch of the Chartered Institute of Arbitrators and a Diploma is then awarded to successful students. Students should contact CI Arb through their website and make individual arrangements. \* Please note additional fees and charges apply to the Diploma exams.
- 4) 10 MCLE points for 2008

## WEEK TWO

Monday 9 June – Friday 13 June 2008

**Park Royal, Kuala Lumpur, Malaysia**

Topics Include:

- An introduction to trade disputes and an examination of the WTO and WTO dispute settling procedures
- The ICSID Arbitral Processes
- Investor State Treaty Arbitration
- Dispute resolution processes under Bilateral Investment Treaties and Free Trade Agreements
- The special problems of Sovereign State Involvement in International Commercial Arbitration
- An examination of the WIPO Arbitration procedures
- An industry case study – maritime arbitration
- A case study of an international arbitral institution – Court of Arbitration for Sport

For more information visit our website:  
[www.cle.unsw.edu.au](http://www.cle.unsw.edu.au)