



East Asia
Branch

CI Arb

COURSE INFORMATION

ACCELERATED ROUTE TO MEMBERSHIP – ARBITRATION

What is the aim of the module?

To provide a fast-track route to Membership through the arbitration pathway. The Accelerated Route to Membership has been designed for busy, legally qualified professionals who have some unassessed knowledge of arbitration. The aim of the programme is to assess the range of skills needed in order to perform competently in an arbitration.

The Programme provides an opportunity to explore the law and practice of commercial arbitration. It is therefore valuable for anyone who is conversant with the law and who wishes to see its application to the arbitral process generally, whether as a party, advocate, witness, judge or potential arbitrator.

What are the learning outcomes?

On successful completion of this course, candidates should be able to:

- Describe and explain the principles and specific legal requirements in a commercial arbitration, including: the range and limitations of matters that may legally be arbitrated; the significance, rights and responsibilities of the different performers in an arbitration; the peculiar contractual nature of an arbitral appointment; the range and limitations of an arbitrator's powers and jurisdiction; the methods of initiating and processing an arbitration; the relevance of the Court regarding all stages in an arbitration; and the requirements of an enforceable award.
- Appreciate, apply and balance the principles and legal requirements set out in the syllabus below in the context of an arbitration.
- Show a confident ability to refer to, use and express legal procedural principles, rules and arguments relevant to the conduct of an arbitration.

What is covered within the syllabus?

- Fundamental principles of the arbitration process
- The relevant arbitration code(s)
- The arbitration agreement
- Initiation of an arbitration
- Nomination & appointment of an arbitrator
- An arbitrator's jurisdiction & powers
- Deciding and Setting the Procedure
- Interlocutory procedures, pleadings & applications
- Oral hearings & procedures
- Costs & interest claims
- Award types and requirements

- Role of the Court

How is the course delivered?

The course is delivered over a period of two days, with a combination of assessment workshops on day one and an examination on day two. The course dates advertised are the dates when candidates will be required to attend the face to face workshops and examination.

How will I be assessed?

Assessment of this programme is split into three components:

- **Assessment 1** - An interactive 1-day assessment series of workshops, where situations will be presented to candidates in groups for their consideration as to what legal principles apply in such circumstances. Candidates are assessed in terms of their knowledge and ability to write answers to specific trial questions. Assessment of this element is on a pass or fail basis. Candidates must pass all the workshop sessions.
- **Assessment 2** - A written pre-course assignment to be submitted before the course (20%).
- **Assessment 3** - A 3-hour written closed book examination (80%).

Candidates are permitted to use any materials they wish throughout the workshops. The examination is closed book – no materials are permitted in the examination room except for an unmarked copy of the Uncitral Model Law 2006 and a copy of the Workbook. Highlighting and underlining is permitted.

The pass mark for this module is 55% which must be achieved in both the examination and the overall module. Results are dispatched to candidates normally eight to twelve weeks from the date of the conclusion of the examination.

What are the entry requirements?

In order to register onto the Accelerated Route to Membership, candidates must:

- have successfully completed and passed Module 1 Law of Obligations and Civil Evidence, or hold a recognised equivalent qualification such as a Law qualification.
- have some knowledge of arbitration (unassessed).
- evaluate the programme themselves as to their personal suitability to undertake it, appreciating that the assessment unit is intensive and that they will be assessed throughout the programme against standard benchmarks.

What is the course fee and what does it include?

The course fee is PhP20,000 (US\$460). The fee includes registration on the course, the first attempt at the assessments, study materials, lunch and refreshments throughout the day. Candidates are advised to refer to the Registration Form for other details. Discounted rates are available to PIArb Members and CIArb Associates.

What happens when I register for the course?

Upon successful registration, candidates will receive confirmation they are booked on the course. Joining instructions and course materials will be sent to candidates approximately 2 weeks before the course start date.

The designated workbook for the course is 'Module 2 Law of Arbitration, Donald Valentine, 2006.' It is recommended that candidates read The relevant arbitration code(s), Act(s) and other legislative provisions, major case decisions (where applicable). Candidates are recommended to refer to the recognised standard basic commentaries and/or text book(s) in their respective jurisdiction where these are available.

- England & Wales: The Arbitration Act 1996 – *Harris, Planterose, Tecks*
- Ireland: Arbitration, Commentary and Sources – *Stewart*
- Malaysia: The Arbitration Act 2005 – *Rajoo, Davidson*
- Scotland: The Law of Arbitration in Scotland - *Hunter*
- (UNCITRAL): International Commercial Arbitration and Conciliation in UNCITRAL Model law Jurisdictions (2006) -*Binder*

What is CIArb’s policy on cancellation of courses?

The course requires a minimum number of participants. In case said number is not met, CIArb East Asia Branch 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.

What is my next step when I complete the course?

On successful completion of this course, candidates:

- will be awarded an Advanced Certificate
- will be eligible to apply for Member grade of CIArb, and take advantage of a range of educational and professional benefits.
- may progress onto Module 3 of the arbitration pathway.

How do I register?

Please complete and follow the instructions in the attached Registration Form.

FOR INQUIRES:

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