

2019 YEAR IN REVIEW

SINGAPORE CHAMBER OF
MARITIME ARBITRATION
新加坡海事仲裁院



CHAIRMAN'S MESSAGE



The year 2019 marked the 10th anniversary of SCMA as the centre for non-administered maritime arbitration in Asia. SCMA has come a long way since it first began promoting its framework to the industry. Today, SCMA is a respectable chamber that offers acclaimed arbitrators in its midst. However, in an age of disruption when rapid changes have become the new norm, there is no room for us to rest on our laurels.

SCMA Journey

Since its inception in 2009, SCMA has been growing and gaining recognition among the maritime community both locally and regionally. In 2012, BIMCO recognised Singapore as the only Asian seat of arbitration. Together with the release of the SCMA BIMCO Arbitration Clause (2013), these milestones helped raise SCMA's profile and increased industry acceptance. Recognising the need for an efficient and cost-effective solution, SCMA developed the Singapore Bunker Claims (SBC) Procedure to provide an alternative resolution for disputes in the bunker sector. In 2014, SCMA developed the Expedited Arbitral Determination of Collision Claims Terms (SEADOCC Terms) with inputs from protection and indemnity insurance clubs and marine insurers in Singapore. In order to maintain its relevance in an ever evolving industry, SCMA updates its rules and procedures regularly. The next update is expected to come into effect in 2020.

While we celebrate our past achievements, we continue to endeavour extending the reach of SCMA's framework adoption across the maritime industry. The road ahead is a challenging one, as the industry continues to evolve and navigate shifting regulatory and geopolitical landscapes.

The recent increase in maritime activities in Asia has led to a heightened interest in the development of maritime arbitration services in the region. Over the last 5 years, the industry has witnessed the inauguration of regional arbitration centres from the Emirates Maritime Arbitration Centre in 2016, the Asia-Pacific Maritime Arbitration Centre in Busan in 2018, and most recently, the reconstitution of the Hong Kong Maritime Arbitration Group in 2019 as an independent arbitral institution.

With more opportunities on the rise, SCMA must remain steadfast and committed to its mission and be cognizant of new developments for strategic advancement.

As SCMA grows in strength over the years, we continue to foster stronger relationship with our members and partners. SCMA has jointly hosted tea talks with local and foreign partners to share information and experiences on maritime arbitration in different jurisdictions. These interactive talks have provided a distinct and exclusive platform for SCMA members and friends from the maritime community to network and exchange ideas on emerging trends.

We have also broadened our partnerships with the Singapore Academy of Law (SAL), International Chamber of Commerce (ICC) and Baltic Exchange Asia. SCMA has been working closely with the ICC through mutually promoting events and extending our reach to shipbrokers. SCMA also partnered SAL and Baltic to launch the first public mock arbitration workshop, showcasing SCMA arbitration to new maritime arbitrators and members from the maritime community. The workshop was well received by industry players, with many commenting that the event was informative and provided them with a deeper understanding of SCMA arbitration.

SCMA has also benefitted from strategic local and international partnerships. Going forward, we shall continue to work closely with our partners to reach out to maritime legal practitioners and the maritime community.

Conclusion

SCMA's accomplishments in the past decade are by no means coincidental. These milestones would not have been possible without the collective effort of SCMA members and partners. I would like to thank the Board, Committee members and staff, past and present, for their dedication and commitment. I am confident that the team will continue to achieve new milestones in the next 10 years and grow the SCMA from strength to strength.



STATISTICS



41

Reported Case Reference



\$120,000,000

Total Claims Amount



\$3,600,000

Average Claims Amount



191

SCMA Individual Members



46

SCMA Corporate Members

Nature of References

29

Charterparty

3

Ship Sale & Purchase / Building

2

Commercial Sales & Cargo

3

Bunker Dispute / Claims

2

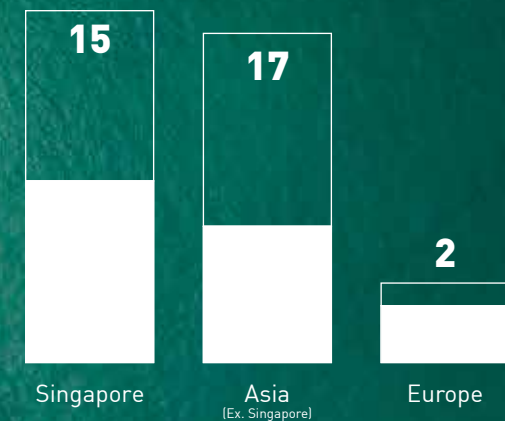
Others

2

Unspecify



Nationalities of Parties



HIGHLIGHTS OF THE YEAR

Jakarta - Indonesia

Mining Law Intensive Course

January 2019

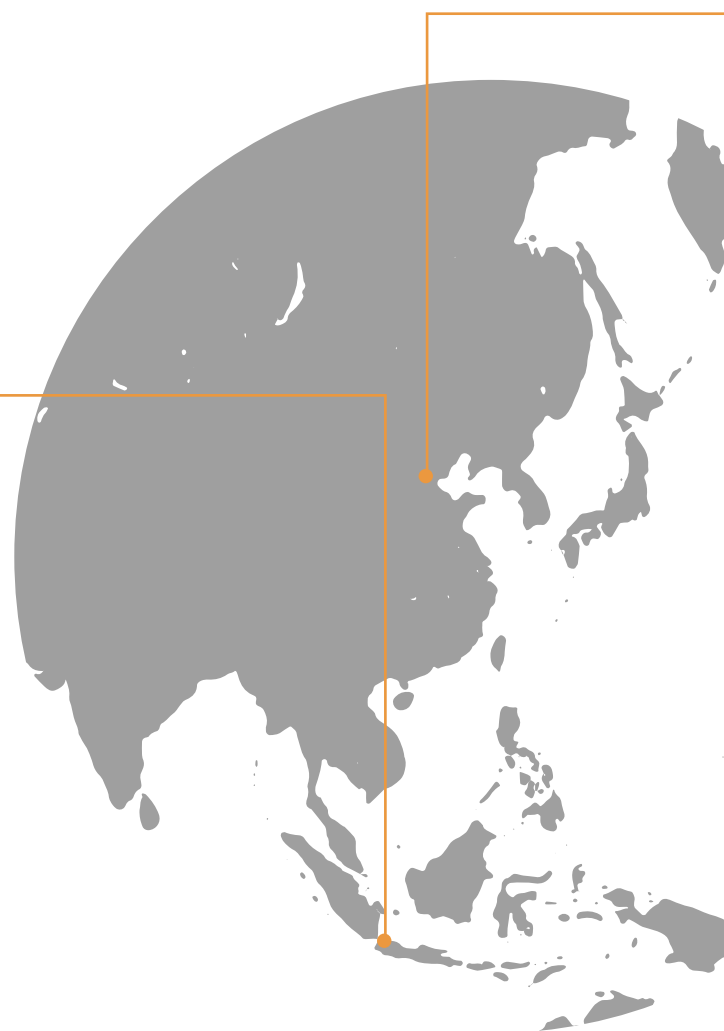
For the first time, SCMA was invited by ADCO Attorneys at Law to take part in this training conference. SCMA Executive Director, Mr Dennis Chan delivered a training course on arbitration for the mining industry. It was a valuable opportunity for SCMA to connect with the coal traders and legal counsel from mining companies.

China - Beijing

Singapore International Commercial Dispute Resolution Conference

January 2019

In January, SCMA was invited by the Ministry of Law to participate and speak at the China-Singapore International Commercial Dispute Resolution Conference. SCMA Executive Director, Mr Dennis Chan, shared in a panel discussion on the Developments and Prospects in International Commercial Arbitration. The discussion generated positive responses from the audience. The platform allowed SCMA to field questions from the audience, and to explain the concept of ad-hoc arbitration.



HIGHLIGHTS OF THE YEAR

China - ZhouShan

The 2nd International Maritime Law Conference on Free Trade Zone/Port

September 2019

The conference at Zhou Shan – the China (Zhejiang) Pilot Free Trade Zone, was a significant platform to discuss the key legal issues and challenges faced by the global maritime community. SCMA Legal Manager, Mr Lee Shi Yan, introduced SCMA arbitration and the Singapore Bunker Claims Procedure to an audience of industry professionals, business leaders, legal practitioners and scholars.

Japan- Tokyo

Singapore International Legal & Dispute Resolution Conference

March 2019

SCMA received a second invitation by the Ministry of Law to participate in the Japan-Singapore International Legal & Dispute Resolution Conference. The conference was well-attended by government officials, members of the legal community, business executives and academics from Japan and Singapore. SCMA Executive Director Mr Dennis Chan represented SCMA in a panel discussion on Meeting the Dispute Resolution Needs of Japanese and Singapore Business, which was met with enthusiastic participation from the audience.



SCMA-SAL - A MOCK ARBITRATION

September 2019

In partnership with the Singapore Academy of Law (SAL), SCMA held its first mock arbitration demonstration at SGX Centre 1 in September 2019. As the arbitration process is private, it was a rare opportunity for participants to experience an SCMA Arb-Med-Arb clause in the arbitral proceeding role played by SAL's Senior Accredited Specialists in Maritime and Shipping Law and industry experts.

More than 100 participants comprising legal practitioners, experts and maritime professionals attended the event. The overwhelming response from the practitioners and maritime industry players was encouraging. SCMA received positive feedback from attendees who felt the event was educational and informative.



SCMA 10TH ANNIVERSARY CONFERENCE

October 2019



SCMA celebrated its 10th anniversary with a conference titled “The Race to Relevance” at the Conrad Centennial Singapore on 4 October 2019. The conference was a resounding success, breaking SCMA’s previous conference attendance records by attracting 167 delegates comprising senior legal practitioners and maritime business leaders from Singapore and the region.

The highlight of the conference was the keynote address by The Honourable the Chief Justice Sundaresh Menon. Many participants commented that his paper was the most insightful one at the conference.

As a Distinguished Speaker for the conference, Senior Minister of State for Law and Health, Mr Edwin Tong SC, shed light on Singapore’s approach to providing a limited right of appeal against international arbitration awards on questions of law. His panel discussion generated keen participation from the audience, who had many questions for the minister.



OUTREACH PROGRAMMES



International Maritime Law Arbitration Moot Competition (IMLAM)

June 2019

SCMA first participated as the General Sponsor and Prize Sponsor for the 19th IMLAM in 2018. Organised by the Murdoch University School of Law, the IMLAM series is a renowned competition and an integral part of law education. SCMA is a strong supporter of the event and is proud to be the returning General Sponsor and Prize Sponsor for the 20th IMLAM. Mr Steffen Pedersen from Thomas Copper LLC and an SCMA Panel Arbitrator, presented the Best Claimant Memorandum award and Best Respondent Memorandum award to the winning teams.



SCMA Tea Talk with 20 Essex and WongPartnership LLP

June 2019



SCMA Tea Talk with Zhong Lun Law Firm and Clyde & Co Clasis Singapore

August 2019



SCMA Members' Night

November 2019



SCMA Evening Talk with Essex Court and Justice Anselmo Reyes

December 2019

OUTREACH PROGRAMMES



News and knowledge

News

Article: Exclusive interview with the SCMA as it turns 10
02 October 2019

The Singapore Chamber of Maritime Arbitration (SCMA) celebrates 10 years of its establishment as an independent institution of arbitration in 2019. Senior Judge Chao Hick Tin, Chairman of the SCMA shares exclusive insights on the development and direction of the SCMA with Jason Wee, Claims Director at The Standard Club Asia Ltd. (Standard Asia) in Singapore.

Q: Our heartfelt congratulations, Judge, to the SCMA on its 10th anniversary. How did the journey begin?

From conception, in shaping the form and direction of the SCMA, proponents of the SCMA, namely, the Singapore Maritime Foundation (SMF) had consistently engaged with the maritime community in Singapore and regionally.

Pursuant to the community's demand for the establishment of a regional maritime arbitration centre, the SCMA in fact, came into being 10 years ago in 2009. However, at the time it was a part of and operated under the management and rules of the Singapore International Arbitration Centre (SIAC) and offered an administered model of arbitration for maritime disputes, which differs from its current model.

Over the next five years, it became apparent that the maritime community preferred instead a 'tight' touch model of arbitration. With the support of the community and the SMF, in 2009, the SCMA was re-constituted as an independent institution with its own set of rules and offering a non-administered model of maritime arbitration, which remains to current form.

Q: What are the hallmarks of the SCMA model and how does it differ from other established arbitration models such as the Singapore International Arbitration Centre (SIAC) or the London Maritime Arbitration Association (LMAA)?

First, is our unique model of arbitration. The SCMA Arbitration Rules (Rules) were created by and for the marine and international trade communities. The SCMA model of arbitration is a non-administered one. In short, it allows for arbitration to be commenced, conducted, and completed without the need for administration by an arbitration institution. In this regard, the SCMA differs from other models such as Singapore International Arbitration Centre (SIAC) or the International Chamber of Commerce (ICC) which are administered models of arbitration in which proceedings are institutionally driven.

The SCMA model is minimalist in institutional intervention, preserves party-autonomy and strives for cost-efficiency. To that end, our Rules are kept simple and current with feedback from the industry. We found that this is the type of arbitration overwhelmingly preferred by the maritime and international trade community.

- Growth of Arbitration in Singapore
- Singapore – an international legal hub: insights from the Singapore International Commercial Court (SICC)
- Standard Bulletin: Defence Social Edition

The Asia-Pacific Arbitration Review 2020

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Publications

SCMA started its collaboration with Lloyd's List to publish redacted awards in Lloyd's Maritime Law Newsletter in 2018. We have also reached out to other publications to feature SCMA.

- The Standard Club Bulletin featured an exclusive interview with SCMA Chairman tracing SCMA's journey from inception, to its 10th Anniversary.
- The Global Arbitration Review has also published an article on SCMA arbitration, which was then featured in the Global Arbitration Review Special Report.

Exhibitions

SEA Asia 2019

April 2019

SCMA was part of the Singapore Maritime contingent at SEA Asia 2019. This is our first participation in this biennial event as an exhibitor. It was an enriching experience and generated greater awareness and visibility for SCMA.

Singapore Iron Ore Week

May 2019

Through our collaboration with SGX Baltic Exchange Asia, SCMA had the opportunity to participate in the Singapore Iron Ore week as an exhibitor to reach new users and market segments.



WHAT TO EXPECT IN 2020

Moving into the 11th year, SCMA will continue to build on its past achievements and pursue new developments.

The key highlight in 2020 is the imminent launch of the 4th edition of SCMA Arbitration Rules. The updates seek to refresh the SCMA Rules to ensure they remain relevant and attractive, and to reinforce the cost efficiency of using SCMA Rules to resolve maritime dispute resolution.

SCMA will launch the inauguration of SCMA-Slarb Maritime Arbitrator Accreditation Programme (MAAP) in 2020. The two-day programme aims to promote and improve the standards, skills and expertise of arbitrators.

SCMA will be hosting the 2020 Distinguished Speakers Series. The bi-annual event gathers opinion leaders to engage the audience in insightful discussions. It will be an enriching learning experience for legal practitioners and members of the maritime community.

An aerial photograph of a large shipping yard filled with numerous rows of colorful intermodal containers. The containers are stacked in neat, parallel lines, creating a grid-like pattern. The colors include red, blue, yellow, green, and white. The perspective is from directly above, looking down on the yard. The lighting is bright, casting shadows that emphasize the three-dimensional nature of the stacks.

**WE HAVE
RELOCATED!**

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