



新加坡海事仲裁院



# 2021 YEAR IN REVIEW

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# CHAIRMAN'S MESSAGE



**JUSTICE CHAO HICK TIN**  
CHAIRMAN, SCMA

## **A Year of Progress**

The past two years have been challenging for all of us as we continue to adapt to living alongside COVID-19. We are coming to redefine what “normal” really means amidst the ever-changing circumstances.

Despite continuing challenges, I am pleased to advise that in 2021, the Singapore Chamber of Maritime Arbitration (SCMA) made considerable progress as we focused on a 3A approach (awareness, adoption, adding value), expanded our offerings, launched the SCMA Rules 4th Edition, and built a sustainable foundation for SCMA. I am also pleased to report that SCMA saw growth in the following areas:

- Over 10 percent increase in our corporate, individual and student membership.
- Greater diversity and variety with 19 new entrants into our panel of arbitrators.
- More than tripling of average quantum of claim amount.

As a young organization, we are well into the process of building a solid foundation to construct a sustainable and strong arbitration institution to serve the needs of the maritime and trade communities, especially in Asia.

## **Adopting the 3A approach – Awareness, Adoption & Adding Value**

Since our inception, we have been focusing on raising awareness of maritime arbitration and SCMA within the industries we serve. In 2020, we expanded from a 1A approach to a 3A approach. Our focus is now on awareness, adoption & adding value to our members, users, and community.

## **Increasing Awareness of SCMA**

In 2021, we intensified our efforts to raise awareness of SCMA, while keeping in line with prevailing safe distancing measures.

Our promotional efforts included:

- Hosting 8 virtual events that attracted over 1,000 virtual attendees in total.
- Participating in over 20 events hosted by various industry partners.
- Outreach to shipping companies, insurance companies and law firms.
- Engaging with various news media and being profiled in them ( i.e., The Straits Times, Seatrade, Tradewinds, The Maritime Advocate )
- Continuing our push on social media and adding over 1,200 followers on LinkedIn and over 100 followers on WeChat, our two primary social media channels.

Within SCMA, 2021 saw a revamp of the Promotion Committee with creation of focus groups for India, China and Indonesia as well as Arbitration Users. This allowed us to leverage expertise in specific markets and raise awareness. Finally, we are very thankful for the huge support from our founding members, Maritime and Port Authority of Singapore and Singapore Maritime Foundation, who have actively supported our efforts to raise awareness.

### **Encouraging Greater Adoption**

Through our various outreach initiatives, we hope to help more parties in the maritime and trade industry make informed decisions about adopting SCMA clauses. Accessibility to the latest clauses is also important and we have made it convenient to find them through the SCMA Clauses QR code.



Under the self-administered model of arbitration, there is no requirement for parties to report SCMA arbitrations to us, making it challenging for us to track such data. In response to this, we have made it easy for parties to notify the SCMA Secretariat of SCMA arbitrations (Rule 6.2 in the 4th edition of SCMA Arbitration Rules). Our partnership with BIMCO, Baltic Exchange and Institute of Chartered Shipbrokers have also resulted in practical ways for users and parties to adopt SCMA clauses in their contracts.

### **Adding Value to Our Members**

At SCMA, our members are at the heart of our organization. During these uncertain times, we have been concerned for our members' health and have distributed SCMA masks to them, a small gesture to show that we care.

We have established SCMA as a trusted resource of knowledge that members can turn to. Numerous webinars on topics of interest have been held over the past two years and they can be accessed on the SCMA Youtube channel. We have continued with our monthly Knowledge Sharing e-mail blast which provides a platform for members to share opinions and ideas, and have enhanced its contents by adding a new section profiling SCMA's corporate members and panel arbitrators.

2021 also saw the successful launch of the Maritime Arbitration Enforcement Series covering the enforcement requirements in 15 jurisdictions. This set of useful guides were welcomed by the legal and maritime industry and we intend to publish the entire series as a consolidated volume which will be a valuable tool for all members and users. To further add to the knowledge bank of maritime arbitration awards and highlight the fine work of our arbitrators, we have been publishing redacted awards more regularly in the Lloyd's Maritime Law Newsletter (LMLN).

### **Expanding SCMA's Offerings**

Agility and variety in offerings keep SCMA vibrant and current. SCMA expanded its offerings in several ways in 2021.

Understanding our members' aspirations of professional growth and development, we launched the inaugural Maritime Arbitrator Accreditation Program (MAAP) which was conducted in conjunction with the Singapore Institute of Arbitrators' (SIArb) Online Fellowship Assessment Course (FAC). We were heartened to see very enthusiastic responses.

Last year also saw a renewed push on SEADOCC (SCMA Expedited Arbitral Determination Of Collision Claims) with a focused Sub-Committee for SEADOCC headed by Mr. Paul Apostolis from Campbell Johnston Clark, a curated panel of SEADOCC arbitrators and another panel of collision experts to help the arbitrators. An outreach to the relevant users and community is already underway.

We also enhanced our collaboration with the Baltic Exchange Asia and were pleased to set up an escrow referral arrangement that provides exclusive discounted rates for SCMA Members and any parties that they may refer, through an easy to fill e-form. We hope all members will benefit from this service.

SCMA now also provides an additional service for parties that wish to challenge the appointment of an arbitrator. This adds to a number of services that we already provide, such as Chairman's appointment of arbitrators, fund holding and award authentication.

## Emphasis on Sustainability

SCMA has been focusing on creating sustainable processes and structures. 2021 has been a watershed year in this regard. Following the public consultation on the SCMA Rules Revision spanning 16 June 2020 to 30 September 2020, the SCMA Procedure Committee, SCMA Board and SCMA Secretariat have carefully reviewed the feedback and made amendments to the existing Rules to better serve the needs of our users. The SCMA Rules 4th Edition (“the new Rules”) was soft-launched in December 2021.

The new Rules will go a long way in demystifying SCMA’s arbitration process, making it more user-friendly and underlining our self-administered model. The Rules create a more sustainable foundation for SCMA with incorporation of virtual hearings, electronic signature of awards and an enhanced expedited procedure to ensure quicker and cost-effective resolution of disputes. We have brought the new Rules in line with current practices and made them gender neutral. I am confident that these new Rules will more effectively serve SCMA and its users. I wish to express my sincere thanks to all who were involved in bringing about the new Rules.

Over and above the new Rules, we have created a more sustainable structure within SCMA. The Secretariat is more efficiently organized, and the various committees and their mandates have been streamlined and clarified. This will ensure just and greater participation from the entire community & industry in SCMA’s growth and outreach. We have already switched to environmentally friendly e-certificates for our members. Further, we have successfully managed to equip the Secretariat with tools to sustainably work from home during this COVID pandemic. Work efficiency in terms of dealing with queries, assistance and other matters has not diminished.

## Investing in the Future

SCMA continues to work towards achieving its vision to become the leading arbitration centre in Asia for maritime and trade related matters.

We are grateful to have received much positive feedback on our webinars and will continue to organize them so as to enhance the knowledge of members of the arbitration, legal, maritime, and international trade communities.

We understand that face-to-face interactions are still important to forge authentic relationships and enhance relational connection. Thus, we will continue to keep an eye on the COVID-19 situation and safe distancing guidelines, with the aim of organizing physical events. We also hope to travel to our focus markets, India, China and Indonesia, and conduct outreach activities.

Keeping users in mind, we want to create a vibrant eco-system for maritime arbitration. To do so, we will expand collaboration efforts with industry partners such as expert witnesses, litigation funders, forensic experts and industry bodies.

In closing, I would like to thank all SCMA members and users for their support. I would also like to thank the SCMA Board of Directors and members of the SCMA Procedure Committee, SCMA Promotion Committee, SCMA Appointments Committee, and SCMA Local Users Council for their selfless and invaluable contributions. Furthermore, my sincere gratitude goes to the SCMA Secretariat team for their dedication. I look forward, in this year, to greater future virtual and in-person interactions with members and users.

# 2021 STATISTICS

## Reported Case References



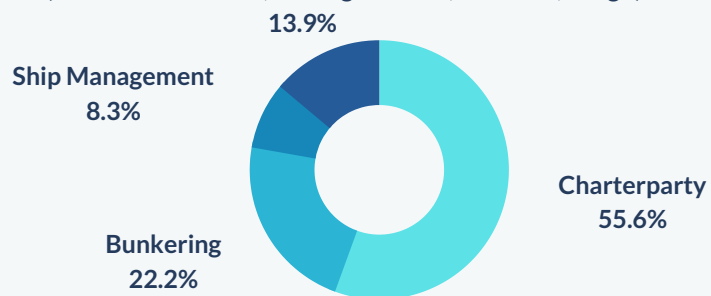
37\*



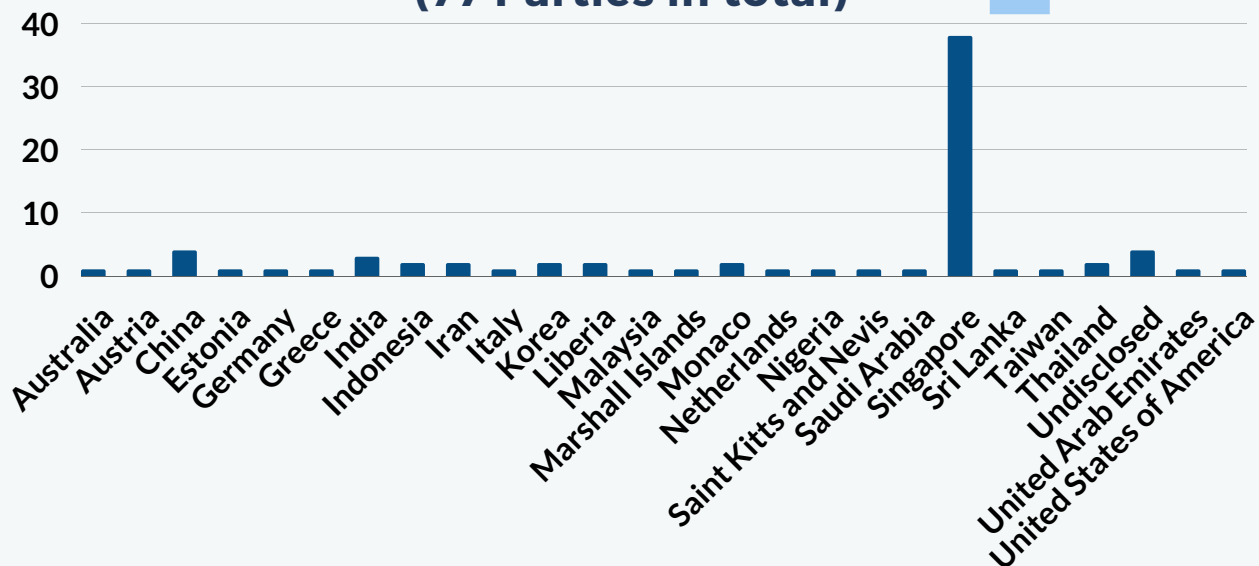
## Nature of References



Others (Container Services, Slot Agreement, Collision, Cargo)



## Nationality of Disputants (77 Parties in total)



## Total Claim Amount



## Average Claim Amount



## Members & Panel Arbitrators



\*(includes 4 non-SCMA cases but requiring SCMA services)

# HIGHLIGHTS

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## SCMA 2021 MARITIME ARBITRATION ENFORCEMENT SERIES

In 2021, SCMA launched its Maritime Arbitration Enforcement Series which focuses on the enforceability of SCMA awards in various jurisdictions.

We would like to thank the authors who contributed articles to this series and hope that readers will gain valuable insights on arbitration and maritime law.



## ARTICLES & CONTRIBUTORS

### 01 China

Enforcement of SCMA Awards in Mainland China

Clyde & Co and Clyde & Co Westlink JLV

- **Chong Ik Wei**, Partner / Managing Director, Asia, Clyde & Co
- **Flora Tang**, Legal Director, Clyde & Co
- **Jiang Si Cong**, Associate, Clyde & Co Westlink JLV

### 04 India

Indian Perspectives on Arbitration & Maritime Law

The Chambers of George Rebello

- **Ashwin Shanker**, Advocate & Arbitrator
- **Balaji Harish Iyer**, Advocate
- **Rishi Murarka**, Advocate
- **Ram Jay Narayan**, Advocate

### 07 Philippines

At Long Last, Justice Through Cost Recovery: Maritime Arbitration in the Philippines

Vera Law

- **Valeriano del Rosario**, Managing Partner
- **Maria Theresa Gonzales**, Partner

### 02 Indonesia

Maritime Dispute Resolution and Arbitration Enforcement: An Indonesian Law Perspective

Soemadipradja & Taher Advocates (in association with Allen & Gledhill)

- **Oene J. Marseille**, Foreign Counsel
- **Erie Hotman Tobing**, Partner
- **Aris Budi Prasetyo**, International Counsel
- **Leonardo Pardamean**, Associate

### 05 Japan

An Insight into Japanese Maritime and Arbitration Law

Okabe & Yamaguchi

- **Yamaguchi Shuji**, Managing Partner

### 08 Thailand

Maritime Arbitration: Thai Laws and Foreign Awards

DLA Piper (Thailand) Limited

- **Peter Shelford**, Senior Consultant
- **Yodwarat Tedkham**, Legal Director
- **Karn Sittikriengkrai**, Legal Assistant

### 03 Australia

Arbitration and Maritime Law in Australia

Norton White

- **Danella Wilmshurst**, Partner
- **Janine Liang**, Senior Associate
- **Olga Kubyk**, Solicitor

### 06 Korea

Arbitration and Maritime Law in Korea - A Comprehensive Overview

Kim & Chang

- **Byung-Suk Chung**, Senior Partner
- **Daehee Lee**, Foreign Attorney

### 09 Sri Lanka

Enforcement of Arbitral Awards and Maritime Law - A Sri Lankan Perspective

D. L. & F. De Saram

- **Savantha De Saram**, Senior Partner
- **Jivan Goonetilleke**, Partner
- **Gayani Rambukwella**, Associate



# HIGHLIGHTS

## 10 Myanmar

Arbitration of Maritime Disputes  
– a Myanmar Perspective

Allen & Gledhill (Myanmar)

- [Minn Naing Oo](#), Partner
- [Kang Yanyi](#), Senior Associate
- [Nang San Aung](#), Associate

## 11 Vietnam

Enforceability of an SCMA  
Award: A View from Vietnam

Dzungst & Associates LLC

- [Dang Vu Minh Ha](#), Partner
- [Tran Trung Hieu](#), Associate

## 12 Bangladesh

Overview of Bangladeshi Arbitration and  
Maritime Law

Rahman's Chambers

- [Mohammed Forrukh Rahman](#), Head of Chambers, Head of Shipping & International Division
- [Tanzina Sharmee](#), Senior Associate, Deputy Head of Shipping Department
- [Khandaker Mashfique Ahmed](#), Associate & Coordinator, Shipping & Investment Department

## 13 Hong Kong

Enforceability of SCMA Awards  
in Hong Kong

Hill Dickinson Hong Kong

- [Damien Laracy](#), Partner, Head of Hong Kong Office
- [Felix Chung](#), Associate

## 14 New Zealand

A Guide to New Zealand Arbitration

Hesketh Henry

- [Simon Cartwright](#), Partner
- [Richard Belcher](#), Associate
- [Lydia Sharpe](#), Solicitor

## 15 Malaysia

Malaysian Arbitration & Maritime Law

Christopher & Lee Ong, Member of Rajah & Tann Asia Network

- [Jainil Bhandari](#), Partner, Shipping & International Trade
- [Sivaram Prasad](#), Senior Associate
- [Derrick Leong](#), Senior Associate

# HIGHLIGHTS

## LAUNCH OF SCMA RULES 4TH EDITION

On 1 December 2021, the SCMA announced the launch of the 4th edition of SCMA Arbitration Rules which will apply to all arbitrations commencing on and after 1 January 2022 (click [here](#) for details).

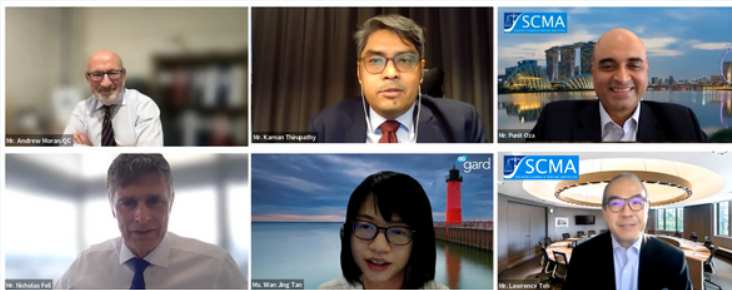


SCMA held a public consultation in 2020 and invited feedback on possible amendments to the SCMA Rules which were last amended in October 2015. Acting on industry-wide responses and views, the 4th Edition of the Rules ensures that they remain relevant and attractive, and reinforces the cost efficiency in choosing SCMA to resolve maritime and trade disputes.

**View the SCMA Rules 4th edition:**

<https://scma.org.sg/rules#4th>.

**Watch our webinar on the SCMA Rules 4th edition:**



<https://www.youtube.com/watch?v=YPxpHLXh7Y4>

## CLOSER COLLABORATION WITH THE BALTIC EXCHANGE ASIA



As part of the maritime ecosystem in Singapore, both SCMA and the Baltic Exchange Asia share similar goals in promoting and furthering their causes in the maritime and shipping industry. On 4 February 2021, SCMA and the Baltic Exchange Asia signed an agreement to deepen collaboration (click [here](#) for details). This agreement provides exciting opportunities for both organisations to work together to promote each other's offerings and events to their respective members.

As part of the collaboration, SCMA members will benefit from exclusive preferential rates for using the Baltic Exchange's escrow service across any transaction or legal dispute matter. For more details, please visit <https://bit.ly/2VrPtnE>.

## LAUNCH OF THE MARITIME ARBITRATOR ACCREDITATION PROGRAM



On 29 October 2021, 28 candidates attended the SCMA's inaugural Maritime Arbitrator Accreditation Program (MAAP) which was conducted in conjunction with the Singapore Institute of Arbitrators' (SIArb) Online Fellowship Assessment Course (FAC).

The MAAP provided an overview of maritime arbitration and included issues that are specific to maritime arbitration, navigating the SCMA Rules and specific maritime arbitration procedures.

## 19 NEW ARBITRATORS ADMITTED TO THE SCMA PANEL



In 2021, there were 19 new admissions to the SCMA Panel of Arbitrators.

List of empanelled arbitrators in 2021:

Country of Residence: Singapore

- Vivian Ang\*
- V Bala\*
- Shanna Ghose\*
- Winston Kwek\*
- Capt Venkat Padmanabhan
- P. Jeya Putra
- John Seow\*
- Timothy Tan\*
- Karnan Thirupathy\*
- Barkin Yazicioglu
- Bernard Yee\*

Country of Residence: Malaysia

- James P David

Country of Residence: China

- Lei Niu

Country of Residence: Hong Kong

- Jagmeet Makkar
- Elizabeth Sloane
- Zhao Rong Ooi

Country of Residence: United Kingdom

- Christopher Smith QC
- Prof Nathan Tamblyn
- Nicholas Vineall QC

*\*recognised as Accredited Specialists/ Senior Accredited Specialists in Maritime and Shipping Law by the Singapore Academy of Law (SAL)*

# HIGHLIGHTS

## SCMA RULES 4TH EDITION: KEY CHANGES



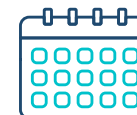
### Keeps up with the way that business is increasingly conducted by electronic and digital means

- Allows for service of documents by electronic mailing.
- Allows for the signing of arbitration awards electronically.
- Hearings and case management conferences, if held, may be conducted virtually.



### Ability to deliver an award with two arbitrators

- It is now enshrined in the Rules that two arbitrators may proceed with the conduct of an arbitration and the third arbitrator may be appointed just before the oral evidential hearing, if one is indeed held.
- In the case of documents-only arbitrations, two arbitrators may see an arbitration and an award to their conclusion without the appointment of a third arbitrator.
- Practical and saves cost.



### 3 months deemed closure of proceedings

- Arbitration proceedings will be deemed to be closed after the lapse of three months from the date of any final written submissions of final hearing.
- This provides greater certainty on the length of the arbitral process.



### Oral hearings are no longer mandatory

- The discretion to hold a hearing lies with the Tribunal, save that a hearing shall be held if any party requests for one.



### An Expedited Procedure with a threshold of US\$300,000 in the new Rules replaces the Small Claims Procedure that had a threshold of US\$150,000 in the previous edition of the Rules

- The Expedited Procedure is meant to be a quick and cost-effective method to resolve a dispute using a sole arbitrator, with the issuance of an award within 21 days, if no oral hearing is required.

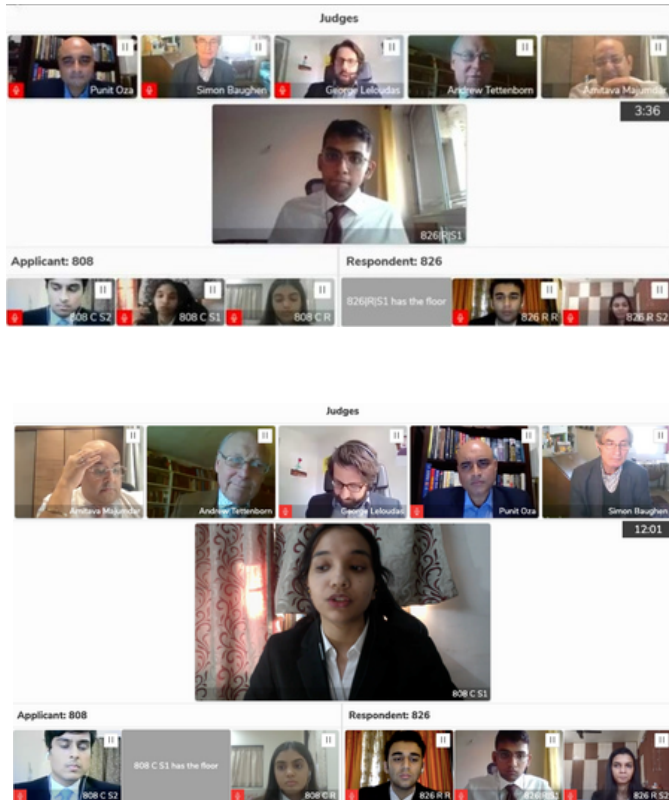


### Ensures greater certainty and transparency in the appointment of arbitrators

- The newly introduced SCMA Standard Terms of Appointment now applies to all SCMA arbitrations by default, unless otherwise agreed.

# HIGHLIGHTS

## 8TH NATIONAL LAW UNIVERSITY ODISHA BOSE & MITRA & CO. INTERNATIONAL MARITIME ARBITRATION MOOT 2021



### IMAM 2021

SCMA was the Global Partner of the 8th National Law University Odisha Bose & Mitra & Co. International Maritime Arbitration Moot (IMAM) 2021. The 3rd edition of the SCMA Rules was applied to the Case Study.

The competition comprised the following rounds:

- Memorial Exchange for Preliminary Rounds (7 April 2021)
- Preliminary Rounds (8 - 9 April 2021)
- Quarterfinals (10 April 2021)
- Semifinals, Finals & Valedictory Ceremony (11 April 2021)

Mr. Srikanth Navale, Arbitrator, Counsel, Simha Law and Member, SCMA Promotion Committee, was SCMA's designated judge in the written submission round. Each submission was checked by three different judges.

Mr. Punit Oza, Executive Director, SCMA was part of the Arbitrators' Panel for the finale rounds of the competition.

### Prize Winners

SCMA recognises the hard work and efforts of all participating teams, and extend our warmest congratulations to the following:

- The Winning Team (Best Team Award): Government Law College, Mumbai
- The Runners-up Team (2nd Best Team Award): ILS Law College, Pune
- Best Oralist: Mr. Raj Rishi (School of Law, Christ University)
- Best Memorial: Rajiv Gandhi (National University of Law, Punjab)

“

*Singapore Chamber of Maritime Arbitration (SCMA) has always focused on undertaking initiatives in order to cater to the unique needs of the maritime industry. We were privileged to have been associated with SCMA as a Global Partner for the 8th edition of NLUO-International Maritime Arbitration Moot Court Competition (IMAM), 2021.*

*It was really an enriching experience for us as the organizers to receive positive feedback from the participant on the use of the 3rd edition of the Singapore Chamber of Maritime Arbitration Rules which gave the participants a different perspective on Maritime Research.*

”

**- The Moot Society  
National Law University Odisha**

# EVENTS

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# SAL-SCMA MOCK ARBITRATION

18 March



In partnership with the Singapore Academy of Law (SAL), SCMA held a hybrid mock arbitration. The mock scenario was based on a fictional misdelivery of cargo and bills of lading dispute to showcase SCMA arbitration in a realistic and complex online arbitration hearing.

75 participants comprising legal practitioners and maritime professionals registered for the event. It was an opportunity for them to experience hybrid arbitral proceedings, with roles of arbitrators and counsel being essayed by SAL's Senior Accredited Specialists and Accredited Specialists in Maritime and Shipping Law, and to see how a tribunal arrives at a decision at the end of a hearing. The event included presentations by Maxwell Chambers (venue and virtual conference sponsor), the Baltic Exchange (event partner) and the Baltic Expert Witness Association (BEWA).

All profits from the event went to the Singapore Shipping Tripartite Alliance Resilience (SG-STAR) Fund (click [here](#) for information on the Fund).



## Role Players

### Arbitrators

- Mr Haridass Ajaib, *Consultant, Haridass Ho & Partners; Senior Accredited Specialist in Maritime and Shipping Law, SAL*
- Mr Loh Wai Yue, *Joint Managing Director, Incisive Law LLC; Senior Accredited Specialist in Maritime and Shipping Law, SAL*
- Mr Karnan Thirupathy, *Partner, Kennedys Legal Solutions; Senior Accredited Specialist in Maritime and Shipping Law, SAL*

### Counsel

- Mr Mohammad Haireez, *Director and Head of Litigation, Incisive Law LLC; Accredited Specialist in Maritime and Shipping Law, SAL*
- Mr Prakaash Silvam, *Partner, Oon & Bazul LLP*

# WEBINARS

## ARBITRATION'S ROLE IN DISPUTE RESOLUTION & THE NEW NORMAL: ENHANCING SCMA'S RELEVANCE (21 APRIL)

(Part of Singapore Maritime Week)

### Discussion points:

- Key challenges brought about by COVID-19 and some of the innovative solutions developed to adapt to these challenges
- Changing nature of disputes during COVID-19
- Practical aspects of virtual hearings
- The future of arbitration



### Speakers

#### Opening remarks by:

- Ms. Quah Ley Hoon, *Chief Executive, MPA; Director, SCMA*

#### Panelists:

- Mr. Chong Ik Wei, *Partner / Managing Director, Asia, Clyde & Co; Director, SCMA*
- Mr. Prem Gurbani, *Arbitrator, Mediator and Counsel; Panel Arbitrator of SCMA; Senior Accredited Specialist in Maritime and Shipping Law*
- Mr. Alvin Looi, *Director (FD&D) Singapore, The North of England P&I Association Limited; Member of SCMA Users Council*
- Mr. Julius Posselt, *Senior Claims Manager, Operations, Oldendorff*

#### Moderator:

- Mr. Punit Oza, *Executive Director, SCMA*

## LEGAL & COMMERCIAL PERSPECTIVES (17 JUNE)

by SCMA and ICS Singapore Branch

### Cases discussed:

- Noble Chartering v Priminds Shipping Hong Kong Co Ltd ("Tai Prize") [2021] EWCA Civ 87
- China Coal Solution (Singapore) Pte Ltd v Avra Commodities Pte Ltd [2020] SCCA 81
- Regal Seas Maritime SA v. Oldendorff Carriers GmbH (New Hydra) [2021] EWHC 566 (Comm)



### Speakers

#### Opening remarks by:

- Ms. Tan Beng Tee, *Executive Director, Singapore Maritime Foundation*

#### Panelist that shared the legal perspective on case 1:

- Mr. Steffen Pedersen, *Partner, Penningtons Manches Cooper Singapore LLP; Panel Arbitrator, SCMA; Member, SCMA Procedure Committee*

#### Panelist that shared the commercial perspective on case 1:

- Ms. Lakshmi Priya, *Chartering Manager, Norvic Shipping International Ltd.; Fellow, ICS*

#### Panelist that shared the legal perspective on case 2:

- Mr. Joseph Tan, *Managing Director FCI Arb, JLex LLC; Panel Arbitrator, SCMA*

#### Panelist that shared the commercial perspective on case 2:

- Ms. Elaine Yu, *Freight Trader (Chartering), ENGIE; Member, SCMA; Fellow, SI Arb; Member, LMAA; Fellow, ICS*

#### Panelist that shared the legal perspective on case 3:

- Mr. Paul Aston, *Consultant, Holman Fenwick Willan LLP; FCI Arb; Panel Arbitrator, SCMA*

#### Panelist that shared the commercial perspective on case 3:

- Ms. Anupama Chauhan, *Chief Operating Officer, Netbulk Pte. Ltd.; Fellow, ICS*

#### Moderator:

- Capt. Subhangshu Dutt, *Chairman, ICS Singapore Branch; Director, Om Maritime Pte Ltd*

#### Closing remarks by:

- Mr. Punit Oza, *Executive Director, SCMA; Vice-Chairman, ICS Singapore Branch; Director, Klaveness Asia Pte Ltd*

# WEBINARS

## RECENT DEVELOPMENTS IN MARITIME LAW & ARBITRATION – VIEWS FROM ENGLAND & SINGAPORE (1 JULY)

### Recent and important developments in maritime law and arbitration discussed:

- Conflict of interest in expert engagement
- Arbitrators' duty of disclosure
- Adoption of electronic bills of lading
- Challenges to maritime arbitration in the digital age



Part 1



Part 2

### Speakers

#### Panelists:

- Ms. Vasanti Selvaratnam QC, Joint Head of Chambers; Barrister and Arbitrator, 36 Stone; SCMA Panel Arbitrator
- Mr. Nick Vineall QC, Joint Head of Chambers; Barrister and Arbitrator, 4 Pump Court
- Mr. Kenny Yap, Partner, Allen & Gledhill LLP; Member, SCMA Procedure Committee; SCMA Panel Arbitrator
- Professor Leslie Chew SC, Dean, School of Law, Singapore University of Social Sciences; SCMA Panel Arbitrator

#### Moderator:

- Dr. Colin Ong QC, Counsel, Eldan Law LLP (Singapore); Queen's Counsel, 36 Stone (London); Senior Partner, Dr. Colin Ong Legal Services (Brunei); Member, SCMA Promotion Committee; SCMA Panel Arbitrator

## HYBRID DISPUTE RESOLUTION MECHANISMS AS THE WAVE OF THE FUTURE: PERSPECTIVES FROM SINGAPORE AS A MARITIME HUB (9 SEPTEMBER) by SCMA, in strategic partnership with Oon & Bazul and the Singapore International Mediation Centre (Part of Singapore Convention Week 2021)

### Discussion points:

- How hybrid dispute resolution clauses work
- Benefits of the SCMA-SIMC arb-med-arb protocol
- The importance and emphasis on a cost-effective and less adversarial dispute resolution mechanism
- Flexibility of mediation – evaluative or facilitative
- The use of mediation in the jurisdictions of India and China
- Enforcement of mediated settlement agreements



### Speakers

#### Opening remarks by:

- Mr. Edwin Tong SC, Minister for Culture, Community and Youth and Second Minister for Law

#### Panelists:

- Mr. Bazul Ashhab, Managing Partner; Head of Dispute Resolution, Oon & Bazul LLP (*Panel chair*)
- Mr. Jayesh Ashar, Managing Partner, K Ashar & Co.
- Mr. Chuan Wee Meng, Chief Executive Officer, Singapore International Mediation Centre (SIMC)
- Mr. Nicholas Fell, Member, SCMA Local Users Council; EVP, Corporate Services & General Counsel, BW Group
- Mr. Punit Oza, Executive Director, SCMA
- Mr. Prakaash Silvam, Partner, Oon & Bazul LLP
- Ms. Bo Yang, Partner, Jingtian & Gongcheng

Credit: Article by Oon & Bazul LLP. For more details, read the full article: <https://bit.ly/31vLmKg>.



# WEBINARS

## PANDEMIC DISRUPTIONS TO INTERNATIONAL TRADE AND SHIPPING: WHAT ARE YOUR RIGHTS AND LIABILITIES (28 SEPTEMBER)

by SCMA and the Thailand Arbitration Center (THAC)

### Topics covered:



- Pandemic disruptions to international trade and shipping: what are your rights and liabilities?
- Electronic Bills of Lading: A fresh impetus with updated legislation & new technologies
- What does it mean when your contract excludes recovery of “consequential loss”?
- Impact of the pandemic on freight-forwarding contracts

### Speakers

#### Welcome Speeches:

- Dr Pasit Asawawattanaporn, *Managing Director, THAC*
- Justice Chao Hick Tin, *Chairman, SCMA*

#### Panelists:

- Mr. Naiyachon Tathong, *Managing Partner, JTJB International Lawyers Co., Ltd.*
- Professor Charles Debattista, *Head of 36 Stone*
- Ms. Sarah Boys, *Vice President & Senior Counsel, Olam International Limited*
- Dato Jude P Benny, *PBM, Arbitrator & Mediator, JPB Arbitration Chambers*

#### Moderator:

- Professor Dr. Colin Ong QC, *Chairman, THAC International Advisory Board; Queen's Counsel and Chartered Arbitrator at 36 Stone and Eldan Law LLP (Singapore)*

## BUNKER QUALITY CLAIMS WEBINAR (10 NOVEMBER)

by Clyde & Co and SCMA

### Discussion points:

- Equatorial Marine Fuel Management Services – ‘Prevention is better than cure’
- Oldendorff Carriers – ‘Huge problem’ when bunker surveyors are not doing their job
- Lloyd's Register – ‘Tender loving care’ and understanding required to use VLSFOs effectively
- Clyde & Co – Evidence collection ‘key’ to achieving a solid position in bunker quality claims
- SCMA – An effective method in dealing with a ‘non-responsive’ party

### Speakers

#### Panelists:

- Mr. Paul Collier, *Senior Associate at Clyde & Co*
- Mr. Choong Sheen Mao, *Director at Equatorial Marine Fuel Management Services*
- Mr. Jens Maul Jørgensen, *Director of Bunkers and Risk Management, Oldendorff Carriers GmbH & Co. Kg.*
- Mr. Douglas Raitt, *Global Fuel Oil Bunker Analysis Service Manager at Lloyd's Register*
- Mr. Punit Oza, *Executive Director, SCMA*

#### Moderator:

- Mr. Gabian Chew, *Senior Editor at Manifold Times*

Credit: Article by Manifold Times. For more details, read the full article: <https://bit.ly/31eQp1O>.

# WEBINARS

## ACHIEVING NET ZERO EMISSIONS IN THE MARITIME SECTOR (25 NOVEMBER)

by Aarna Law, Simha Law, Oxera and SCMA

### The following questions were addressed:

- What are the leading technologies and fuels that will enable decarbonization in the maritime sector, what are their strengths, and what are the barriers to their widespread deployment?
- What are the challenges to implementation in the real world keeping in mind the transitional costs involved?
- What is the role of governments, regulatory authorities, and other international organizations and agencies in achieving 'net zero'?
- What are the best ways to incentivize innovation and investment in relevant technologies and fuels to support decarbonization in the maritime sector?
- What are the priorities for regulation and enforcement?



### Speakers

#### Panelists:

- Mr. Koh Eng Kiong, *Director of Research and Projects, Global Centre for Maritime Decarbonisation*
- Ms. Su Yin Anand, *Head of Shipping, South32; Member, Local Users Council, SCMA*
- Mr. Tobi Menzies, *Director of Business Development, CORE POWER (UK) Ltd*
- Mr. Shreyas Jayasimha, *Founding Partner, Aarna Law*
- Ms. Michele Granatstein, *Partner, Oxera*

#### Moderator:

- Ms. Kamala Naganand, *Partner, Simha Law*





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