



AEQUITAS

Arbitration & Dispute Resolution

Dr Poomintr Sooksripaisarnkit

PO Box 5, Mowbray, TAS 7248, Australia

E-mail: pom_arbitration@protonmail.com

Website: www.poomintr.com

Tel: +61 447798999 / +852 9724 1034

Qualifications

Diploma in International Maritime Arbitration, Chartered Institute of Arbitrators

PhD, University of Leicester

LLM in International Commercial Law, University of Leicester

LLB, Thammasat University, Thailand

Positions

July 2016-Present

Lecturer in Maritime Law, Australian Maritime College,
University of Tasmania

June 2010-July 2016

Assistant Professor, School of Law, City University of Hong
Kong

January 2008 – June 2010

Head of Legal & Insurance Section, Univan Ship Management
Limited, Hong Kong

Memberships

- Chartered Institute of Arbitrators, Fellow
- London Maritime Arbitrators Association, Supporting Member
- Singapore Chambers of Maritime Arbitration, Panel of Arbitrators
- Thai Arbitration Center, Panel of Arbitrators
- eBRAM International Online Dispute Resolution Centre, Panel of Arbitrators and Panel of Neutrals under eBRAM Apec Rules
- Centre for Effective Dispute Resolution, Accredited Mediator
- Hong Kong Mediation Accreditation Association Limited, Accredited Mediator

Expertise

- Shipping Law
- Insurance Law
- Law relating to international sales of goods
- International arbitration

List of Publications

Refereed journal articles

Lok Kan So and Poomintr Sooksripaisarnkit, 'Seaworthiness and autonomous ships: legal implications in the 21st century' (2021) 35 *Australian and New Zealand Maritime Law Journal* 21

Poomintr Sooksripaisarnkit and Sai Ramani Garimella, 'Choice of Court Agreements: Selected Common Law Jurisdictions and Indian Laws Compared – Time for the Convention of 30 June 2005 on Choice of Court Agreements' (2020-2021) 30 *Journal of Transnational Law & Policy* 1

Ifeoma Obi and Poomintr Sooksripaisarnkit, 'The *Sam Hawk*: Another *Halcyon Isle* in Australia?' (2019) 33(2) *Australian and New Zealand Maritime Law Journal* 1

Poomintr Sooksripaisarnkit, 'Marine insurance – collateral lies: when lies are not fraud' (2017) 2(1) *Maritime Business Review* 52

Sai Ramani Garimella and Poomintr Sooksripaisarnkit, 'Jurisdiction under the Hague Convention on choice of court agreements: a critique' (2017) 57 *Indian Journal of International Law* 309

Poomintr Sooksripaisarnkit, 'Recent admiralty decisions in Hong Kong – are the courts ready to deviate from their English predecessors?' (2016) 30(1) *Australian and New Zealand Maritime Law Journal* 134

Poomintr Sooksripaisarnkit, 'Question of recognition of foreign maritime lien has troubled the court again' (2016) 22 *Journal of International Maritime Law* 19

Poomintr Sooksripaisarnkit, 'Ship arrest in Hong Kong despite an arbitration award?' (2015) 21 *Journal of International Maritime Law* 94

Poomintr Sooksripaisarnkit, 'A common law position for a choice of law in internet defamation – a case for Hong Kong' (2014) 9(3) *Journal of International Commercial Law and Technology* 129

Daryl YH Lee and Poomintr Sooksripaisarnkit, 'Straight Bill of Lading: Past, Present, and Future' (2012) 18 *Journal of International Maritime Law* 39

Books

Poomintr Sooksripaisarnkit and Dharmita Prasad (eds), *Blurry boundaries of public and private international law: towards convergence or divergent still?* (Springer Nature Pte Ltd 2022)

Poomintr Sooksripaisarnkit and Sai Ramani Garimella (eds), *Contracts for the International Sale of Goods: A Multidisciplinary Perspective* (Thomson Reuters Hong Kong Limited 2019)

Poomintr Sooksripaisarnkit and Sai Ramani Garimella (eds), *China's One Belt One Road Initiative and Private International Law* (Routledge 2018)

Book chapters

Poomintr Sooksripaisarnkit, 'Blockchain-based bills of lading and the UNCITRAL Model Law on Electronic Transferable Records – Questions of Compatibility' in Thomas John, Rishi Gulati, and Ben Köhler (eds), *The Elgar Companion to UNCITRAL* (Edward Elgar Publishing 2023) 525

Poomintr Sooksripaisarnkit and Krisda Saengcharoensap, 'Thailand' in Kazuaki Nishioka, *Treatment of Foreign Law in Asia* (Hart Publishing 2023) 239

Poomintr Sooksripaisarnkit and Dharmita Prasad, 'Private International Law and Public International Law – Increasing convergence or divergence as usual?' in Poomintr Sooksripaisarnkit and Dharmita Prasad (eds), *Blurry boundaries of public and private International Law – Towards convergence or divergent still?* (Springer Nature Pte Ltd 2022) 283

Poomintr Sooksripaisarnkit, 'Forum non conveniens in Australia – How much weight should be given to comity?' in Poomintr Sooksripaisarnkit and Dharmita Prasad (eds), *Blurry boundaries of public and private international law – towards convergence or divergent still?* (Springer Nature Pte Ltd 2022) 51

Poomintr Sooksripaisarnkit and Dharmita Prasad, 'Public International Law and Private International Law: setting scene of intersectionality' in Poomintr Sooksripaisarnkit and Dharmita Prasad (eds), *Blurry boundaries of public and private international law – towards convergence or divergent still?* (Springer Nature Pte Ltd 2022) 1

Lok Kan So, Poomintr Sooksripaisarnkit, and Sai Ramani Garimella, 'COVID-19 in the context of the CISG: Re-considering the concept of hardship and force majeure' in Zlatan Meškić, Ivana Kunda, Dušan V. Popović and Enis Omerović (eds) *Balkan Yearbook of European and International Law 2020* (Springer 2021) 105

Poomintr Sooksripaisarnkit and Ifeoma Obi, 'Complex contractual relationships – is there a need for special private international law rules on contractual chains and networks?' in Thomas John, Rishi Gulati, and Ben Köhler (eds), *The Elgar Companion to the Hague Conference on Private International Law* (Edward Elgar Publishing 2020) 439

Poomintr Sooksripaisarnkit, 'CISG's place in the context of the anticipated International Civil Law Act in Australia' in Poomintr Sooksripaisarnkit and Sai Ramani Garimella (eds), *Contracts for the International Sale of Goods: A Multidisciplinary Perspective* (Thomson Reuters Hong Kong Limited 2019) 115

Poomintr Sooksripaisarnkit and Sai Ramani Garimella, 'CISG: Then and Now – What is next?' in Poomintr Sooksripaisarnkit and Sai Ramani Garimella (eds), *Contracts for the International Sale of Goods: A Multidisciplinary Perspective* (Thomson Reuters Hong Kong Limited 2019) 1

Sai Ramani Garimella and Poomintr Sooksripaisarnkit, 'Emergency arbitrator awards: addressing enforceability concerns through national law and the New York Convention' in

Katia Fach Gómez and Ana Mercedes López Rodríguez (eds), *60 Years of the New York Convention: Key Issues and Future Challenges* (Wolters Kluwer 2019) 67

Poomintr Sooksripaisarnkit and Sai Ramani Garimella, 'Conclusion: Tackling private international law issues for the success of the OBOR' in Poomintr Sooksripaisarnkit and Sai Ramani Garimella (eds), *China's One Belt One Road Initiative and Private International Law* (Routledge 2018) 253

Poomintr Sooksripaisarnkit, 'Harmonisation of choice of law rules in commercial contracts in the One Belt One Road countries: will the Hague Principles on choice of law in international commercial contracts serve as a good model?' in Poomintr Sooksripaisarnkit and Sai Ramani Garimella (eds), *China's One Belt One Road Initiative and Private International Law* (Routledge 2018) 19

Poomintr Sooksripaisarnkit and Sai Ramani Garimella, 'The role of private international law in the context of the One Belt One Road initiative' in Poomintr Sooksripaisarnkit and Sai Ramani Garimella (eds), *China's One Belt One Road Initiative and Private International Law* (Routledge 2018) 1

Poomintr Sooksripaisarnkit, 'The Hague Convention on Choice of Court Agreements – should the European Union's footsteps be followed?' in Sai Ramani Garimella and Stellina Jolly (eds), *Private International Law – South Asian States' Practice* (Springer Nature Pte Ltd 2017) 39

Poomintr Sooksripaisarnkit, 'The Global Insurance Industry' in Charles H. Norchi and Gwenaële Proutière-Maulion (eds), *Piracy in Comparative Perspective: Problems, Strategies, Law* (A. Pedone & Hart 2012) 275

Reports

Poomintr Sooksripaisarnkit, 'Severability' in Adeline Chong (eds), *Asian Principles for the Recognition and Enforcement of Foreign Judgments* (Asian Business Law Institute 2020) 185

Poomintr Sooksripaisarnkit, 'Enforcement of non-monetary judgments' in Adeline Chong (ed), *Asian Principles for the Recognition and Enforcement of Foreign Judgments* (Asian Business Law Institute 2020) 85

Poomintr Sooksripaisarnkit, 'Enforcement of monetary judgments' in Adeline Chong (ed), *Asian Principles for the Recognition and Enforcement of Foreign Judgments* (Asian Business Law Institute 2020) 77

Poomintr Sooksripaisarnkit, 'Kingdom of Thailand' in Adeline Chong (ed), *Recognition and Enforcement of Foreign Judgments in Asia* (Asian Business Law Institute 2017) 202

Chapters in professional text

Poomintr Sooksripaisarnkit, 'Jurisdiction and Applicable Law' in Robert Merkin and Kyriaki Noussia (eds), *Maritime Law and Practice in Hong Kong* (2nd edn, Thomson Reuters Hong Kong Limited 2019) 545

Poomintr Sooksripaisarnkit and Simon Cheng, 'Bills of Lading' in Robert Merkin and Kyriaki Noussia (eds), *Maritime Law and Practice in Hong Kong* (2nd edn, Thomson Reuters Hong Kong Limited 2019) 62

Poomintr Sooksripaisarnkit, 'Jurisdiction and Applicable Law' in Mary Thomson (ed), *Maritime Law and Practice in Hong Kong* (Thomson Reuters Hong Kong Limited 2015) 483

Poomintr Sooksripaisarnkit, 'Marine insurance law' in Mary Thomson (ed), *Maritime Law and Practice in Hong Kong* (Thomson Reuters Hong Kong Limited 2015) 26

Poomintr Sooksripaisarnkit, 'Bills of Lading' in Mary Thomson (ed), *Maritime Law and Practice in Hong Kong* (Thomson Reuters Hong Kong Limited 2015) 53

Non-refereed articles

Poomintr Sooksripaisarnkit and Sai Ramani Garimella, 'Incorporation of an arbitration clause in a charter party into a bill of lading: familiar complex problems with no new solution?' (2021) *Transnational Dispute Management* <http://www.transnational-dispute-management.com/article.asp?key=2797>

Poomintr Sooksripaisarnkit, 'War risk insurance: "infringement of any customs or trading regulations" exception under the Institute War and Strikes Clauses Hull – 1/10/83 – *The B Atlantic*' (2017) 5(1) *Maritime Business Insight* 4

Poomintr Sooksripaisarnkit and Felix Chin Kiu Cheung, 'The Consumer Insurance (Disclosure and Representations) Act 2012: Not a model for Hong Kong!' (2016) 18 *The Asian Business Lawyer* 131

Poomintr Sooksripaisarnkit, 'At the juncture between disclosure and warranty in marine insurance law: a recent case from Hong Kong' (2014) 13 *The Asian Business Lawyer* 195

Poomintr Sooksripaisarnkit and Daryl YH Lee, 'Identifying choice of law in maritime torts — yet still a challenge for courts in Hong Kong' (2014) 26(2) *University of San Francisco Maritime Law Journal* 185

Poomintr Sooksripaisarnkit, 'Enhancing of carriers' liabilities in the Rotterdam Rules – too expensive costs for navigational safety?' (2014) 8(2) *TransNav (the International Journal on Marine Navigation and Safety at Sea Transportation)* 309

Notes in professional magazine

Poomintr Sooksripaisarnkit, 'A common law's ability to solve insurance issues — a pessimistic voice' (2012) *The Hong Kong Lawyer* 36

Poomintr Sooksripaisarnkit, 'Insurance contract law — should there be a reform in Hong Kong?' (2011) *The Hong Kong Lawyer* 26

Conference (Invited Talks)

- 5 August 2023** **The *Moçambique* rule revisit: Limiting its reach or abolishing it altogether?**
- The 9th Journal of Private International Law Conference
- Singapore Management University
- 14 October 2022.** **Fair presentation – Influencing AI?**
- The 7th International Law Conference on Ocean Law & Policy
- The National Taiwan Ocean University
- (on-line)
- 27 May 2022** **From Certainty to Uncertainty – CISG in Hong Kong**
- Cross-border Legal Issues Dialogue
- Centre for Comparative and Transnational Law, Private International Law Group, The Chinese University of Hong Kong
- (on-line)
- 17 July 2019** **Economic integration through private international law – recent lessons from the Hague Convention on Choice of Court Agreements and Hague Judgments Project**
- China-Australia Private International Law Forum: International Civil and Commercial Dispute Resolution and Judicial Cooperation in Asia Pacific
- Sheraton Shanghai Hongkou Hotel
- 9 December 2018** **Private international law problems in respect of contractual chains and networks**
- International Symposium: Current issues in private international law, Doshisa University

18 August 2018 **Identifying the ‘natural forum’ and the ‘closest connection law’ in the world of smart contracts**

UNSW Workshop: Private International Law and Intellectual Property: An International Guideline for Jurisdiction, Choice of Law, and Recognition and Enforcement of Judgment / Arbitral Award

Staff Common Room, University of New South Wales Law School

27 July 2018 **(Invited Panellist) Cross-border obstacles in ASEAN and solutions**

The ASEAN Law Conference: The Power of One – Unlocking opportunities in ASEAN through Law

Raffles City Convention Centre, Singapore

30 April - 1 May 2018 **Indian Ocean Rim countries and their economic integration through China’s One Belt One Road Initiative: private international law barriers**

Maritime Order in the Indian Ocean Conference and Workshop

Centre on the Legal Profession, Deakin Law School, Deakin Downtown, Melbourne

4-6 April 2018 **The Compatibility of the Emergency Arbitrator under the New York Convention and the Domestic Law**

International Conference: 60 Years of the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards: Key Issues and Future Challenges

Loyola University Andalucia, Seville, Spain

25-29 September 2017 **There is no wrong in *The Halcyon Isle* – a confirmation from Australia**

International Congress of Maritime Arbitrators (ICMA XX) Conference

Scandic Copenhagen Hotel, Denmark

26 February 2016 **Recent admiralty decisions in Hong Kong: critical review and analysis**

Maritime Law in the Asia-Pacific Region

Victoria University of Wellington School of Law, New Zealand

- 15 October 2015** **Was The “Ocean Victory” [2015] EWCA Civ. 16 a disappointing judgment?**
- The 8th International Conference on Maritime Law
- Grand Hyatt Dalian, The People’s Republic of China
- 15 May 2015** **Revisiting common law solutions to foreign maritime liens**
- The 19th session of the International Congress of Maritime Arbitrators
- Kowloon Shangri-la Hotel, Hong Kong
- 8 November 2014** **Fraudulent Claims and Fraudulent Devices – Same Rules Fit All?**
- International Conference on the Hong Kong Maritime Law Forum
- The Hong Kong Centre for Maritime and Transportation Law, City University of Hong Kong
- 20 October 2014** **Common law approaches to foreign maritime liens – what should ship-owners beware? – With some observations on the Draft International Convention of Foreign Judicial Sales of Ships and Their Recognition**
- International Conference on the Law of Logistics
- Inha University, South Korea
- 25-26 October 2013** **Marine Insurance Law in Hong Kong: English governing law clause, direct actions, and warranties**
- The 6th East Asia Maritime Law Forum
- Korea University, South Korea
- 19 November 2012** **Proving ‘fraud’ in the context of marine insurance law – perspective of Hong Kong and other jurisdictions inherited the British legal tradition**
- BIT’s First Annual World Congress of Ocean – 2012
- World EXPO Centre, Dalian, The People’s Republic of China

19 June 2012

**Identifying choice of law in the context of maritime torts –
yet still a challenge for courts in Hong Kong**

International Conference of the Association of Transport, Trade,
and Service Studies (2012 ATTSS) The Centre for Transport,
Trade, and Finance Studies, City University of Hong Kong
