



The Singapore Maritime Arbitrators Association (“**SMAA**”) is hosting a lecture by Mr Andrew Moran QC on Friday, 14 November 2014.

Venue: Capital Towers, 168 Robinson Road, Level 9, FTSE Room,
Singapore 068912

This not to be missed event will be followed by a dinner and networking session.

About the Lecture:

**A STRUCTURED APPROACH TO RESOLUTION OF
CONFLICTS OF EVIDENCE IN ARBITRATION**

SO AS TO ENABLE

**DRAFTING OF A “SAFE” AWARD NOT TO BE SET ASIDE
ON GROUNDS OF LACK OR INSUFFICIENCY OF REASONS
(FOR ACCEPTANCE OR REJECTION OF EVIDENCE)**

The lecture is intended to provide arbitrators (and arbitration practitioners) with a practical approach to the linked issues identified in the title. It will explore the “jury” function of fact-finding carried out by arbitrators based on the assessment of conflicting evidence placed before them. The aim is to elucidate in a structured way, processes of analysis and reasoning mostly carried out successfully and intuitively by arbitrators, by reason of their training and practice. Its additional aim by such elucidation however, is to aid in reinforcing and securing that intuitive approach and outcome, with authoritative illustration of where it derives from; and how it has developed.

The lecture will identify (shortly) the dangers for the safety of the award of allegations against arbitrators that they have failed to give any, or any sufficient reasons for their findings of fact on the evidence.

Finally, it will seek to demonstrate how economical articulation of the elucidated approach in the award, may be used to make it “judge proof” if not bomb proof!

As a most important aside in this region, it will be apparent that the derived approach to resolving conflicts of evidence stems from English common law and cultural conditions. In the time for questions and discussion, it is sincerely hoped and urged that those attending with wider experience of different legal and cultural influencing factors, will enlighten the presenter and others in the audience (who are committed and striving to be fair and effective arbitrators in the region), as to what else they must take into account in resolving conflicts of evidence here.

Supporting Organisations:



Programme:

5.00pm to 5.30pm	Registration
5.30pm to 5.35pm	Opening Address by Chairman
	<i>Dato' Jude P Benny, PBM - Senior Partner Joseph Tan Jude Benny LLP Shipping & Admiralty, Commercial Dispute Resolution.</i>
5.35pm to 6.20pm	A Structured Approach to Resolution of Conflicts of Evidence in Arbitration, so as to enable: Drafting a "Safe" Award not to be Set Aside on Grounds of Lack of Reasons (for acceptance or rejection of evidence).
	<u>Speaker:</u> <i>Mr Andrew G. Moran QC Senior Queen's Counsel, Arbitrator and Deputy High Court Judge Head of Stone Chambers Singapore</i>
6.20pm to 6.30pm	Questions and Answers Session
6.30pm to 7.30pm	Dinner & Networking

About the Speaker:



Andrew Moran QC heads up Stone Chambers Singapore. He is a senior Queen's Counsel, Arbitrator and Deputy High Court Judge, with extremely wide experience acquired during more than 38 years in practice (over 20 in silk), in civil, maritime and commercial litigation and arbitration. His Royal and Merchant Navy background and training coupled with wide experience of all types of commercial dispute, together with his training and experience as an advocate in numerous fields, has enabled him to act across a range of proceedings in all divisions of the High Court of England and Wales and in

international arbitration.

Andrew's range of experience is unique. He has appeared in courts ranging from the Admiralty Court to the most serious of cases in the Criminal Courts. By way of illustration, he has: conducted cases concerning maritime disasters both in the Admiralty Court and the Crown Court; conducted complex sale of goods litigation before the English Court of Appeal; appeared in one of the leading cases on bias in the House of Lords; acted in charterparty and bills of lading disputes, ship sale and purchase disputes, collision, unsafe port and salvage disputes; and yet also, in his early days at the Bar and in silk, he has prosecuted and defended murderers and fraudsters in the heaviest of criminal cases and acted in a wide variety of regulatory prosecutions. He has also acted in numerous professional negligence disputes. Thus he has a considerable range of advocacy skills and experience which can be deployed as almost any case or type of witness or tribunal might require and this forensic experience is now brought to bear in the commercial and maritime litigation and arbitration on which he now concentrates.

Being a former Royal and Merchant Navy Deck Officer he speaks and understands the language of mariners and those involved in the industry. He understands ships and shipping issues with ease (having navigated and berthed ships, personally loaded and discharged dangerous cargo, lashed containers to a deck and cloused bills of lading!), He has substantial experience in financial and commodity market regulation, mainly in the City of London but also in other jurisdictions. He is a long-standing part time High Court Judge and arbitrator, both in the UK (LMAA supporting member) and in Singapore (SCMA panel member), entrusted with and appointed in the heaviest of commercial cases. His considerable recent experience in dealing with arbitrations and

Supporting Organisations:



litigation (as advocate, arbitrator and High Court Judge) in cases involving activities as divergent as gold mining and telecoms in the emerging Eurasian Republics and reinsurance of pollution liabilities in North American rivers, is testament to the breadth of his skill and experience.

Andrew is recommended as a leading silk in Chambers & Partners UK Bar and the Legal 500.

His peers laud his “hard-working, dedicated and considered approach,” while clients appreciate not just the value of his considerable expertise, but also the sensitivity with which he approaches cases. Chambers & Partners UK Bar 2013

Since moving to Singapore in 2013, Andrew has already been appointed as arbitrator (in addition to his instructions as Counsel) in numerous arbitrations seated in Singapore and London by parties from all over the region including Singapore, Korea, Hong Kong, Australia, Malaysia, The Philippines and Indonesia. These include arbitrations proceeding under LMAA Terms, SCMA Rules, SIAC Rules, UNCITRAL Rules and in one case a so called “Hybrid” mix. The disputes subject to the references concern the following: ship sale and purchase, offshore construction, charterparty and bill of lading disputes (including claims for consequential loss in disrupted industrial processes) ship collision, “wreckhire” and salvage. Andrew is a member of the SIAC Panel of Arbitrators.

About the Chairman



Dato' Benny is the Senior Partner of Joseph Tan Jude Benny LLP. He founded the firm in 1988, and has since been the architect of the firm's growth.

As a reputable litigation lawyer, Dato' Benny is constantly awarded personal accolades in legal circles. The Asia Pacific Legal 500 1999/2000 Edition described Dato' Benny as “one of the best respected shipping lawyers in Singapore”. He was ranked one of the foremost shipping lawyers in the country by The Euro-Money Legal Group Guide and short-listed by Chambers Global Directory 2000 as one of the “Leaders in their Fields” of Shipping Law. In 2003, he was named in the Legal Who's Who of Singapore, and Chambers Global Guide 2005 describes him as “...impressive and quick off the mark” and “old hand in the game, [who] knows every rule in the book and may have written a few himself”.

In 2012, Best Lawyers named Jude Benny as the Maritime Lawyer of the Year, 2012, for Singapore.

The firm's success is largely attributed to Dato's leadership. Over the years, he has developed the firm's shipping and admiralty practice into one of the largest in Singapore, and the first to have a global network covering Greece, Indonesia, Thailand and Taipei. As reported by Tradenews, a publication by the Trade Development Board of Singapore, “ A major reason for Joseph Tan Jude Benny's success is the fact that Dato' Benny is regarded within legal circles as one of the world's top maritime lawyers. His firm is well known in London, New York, Hong Kong and other maritime hubs” (Vol 5 Issue 3/2001).

Apart from being an appointed arbitrator in various arbitration institutions, Dato' Benny has been instrumental in the development of arbitration in Singapore. As a Director of the Singapore Maritime Foundation, Dato' Benny led a Working Group that established the Singapore Chamber of Maritime Arbitration in 2004. In 2009, Dato' Benny led the Research Team that drafted the Singapore Sale Form, for the Sale of Vessels.

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Hosted by the SMAA on Friday 14 November 2014 – 5pm to 7.30pm Capital Towers, 168 Robinson Road, Level 9 FTSE Room, Singapore 068912

REGISTRATION FORM

Closing date 10 November 2014

Membership (Please Tick as is Appropriate)	Rate
SMAA Members	Free
Others	S\$50.00

SMAA Member Others

Name (*Prof / Dr / Capt / Mr / Mrs / Ms): _____

Company: _____

Address: _____

Primary Profession: _____

Tel: _____ Fax: _____

Email: _____

Please arrange payment by cheque.

Cheque Payments should be made to **"Singapore Maritime Arbitrators Association"**

The completed registration form and cheque should be posted to the following address:

Singapore Maritime Arbitrators Association
c/o Joseph Tan Jude Benny LLP
6 Shenton Way
OUE Downtown 2
#23-08
Singapore 068809

Attention: Ms Dhorqus Lim

Scanned copies of the registration form may be emailed to the following email address to register your interest in attending:

dhorquslim@jtjb.com

N.B.

- 1) Closing date for registration is 10 November 2014.
- 2) Registrations received on or before the closing date are confirmed upon receipt of full payment.
- 3) The SMAA reserves the right to cancel or postpone the seminar in which case refunds will be given, but otherwise no refunds will be made for cancellations or no-shows by those who registered.
- 4) Should you be unable to attend the lecture, a substitute may attend in your place at no extra charge with at least 3 days notice being given to the SMAA.

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