



新加坡海事仲裁院

The background of the entire page is a nighttime photograph of Singapore. The skyline is filled with illuminated skyscrapers, including the Marina Bay Sands hotel. The water of the bay is dark, with some lights reflecting on its surface. In the foreground, the distinctive white, curved roof of the Marina Bay Sands is visible, illuminated from within. The overall scene is a vibrant cityscape at dusk or night.

2022 Year in Review

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CHAIRMAN'S MESSAGE



**MR CHAO HICK TIN SC
CHAIRMAN, SCMA**

A Year of Progress

The year 2022 marked the beginning of yet another new norm, one of living with the COVID-19 virus in an endemic state. As the world reopens now for business it is faced with rising geopolitical tensions, the Russian invasion of Ukraine, looming global recession as to compound the already rising inflation, and a possible resurgence of COVID-19. On top of these are challenges from regulations for decarbonisation, one of which is the annual rating of CII (Carbon Intensity Indicator), which could potentially give rise to disputes between shipowners and their charterers. These disruptions and challenges impact the global economy and international trade, of which around 90 percent is seaborne. Since maritime is an important pillar of global commerce, maritime arbitration is expected to rise in prominence as a method of resolving disputes in an increasingly volatile environment.

Affordable legal costs, reliable standards, an impartial justice system and accessible support services are factors that work in favour of Singapore as an international arbitration hub. Having acceded to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (otherwise known as the New York Convention), awards of Singapore-seated arbitrations are easily enforceable in many other signatory jurisdictions. As an arbitration institution in Singapore, the Singapore Chamber of Maritime Arbitration (SCMA) continues to play a vital role by providing a framework for maritime arbitration that is responsive to the needs of this industry.

In the past year, SCMA has seen encouraging growth in the following areas:

- About 9 percent increase in our corporate and individual membership.
- Greater diversity in our panel of arbitrators, spanning 17 places of residence.
- About 307 percent growth in claim amount.

Our mission is to build a sustainable and strong arbitration institution to serve the needs of the maritime and trade communities globally, particularly in Asia. For the Year in Review 2021, I had shared with everyone the 3A approach – awareness, adoption, adding value – that SCMA would adopt to bring it to greater heights. For the Year in Review 2022, this three-pronged approach continues to be relevant as our guide. We have been strengthening our processes and extending our outreach efforts with the 3A approach as our compass as we navigate the post-pandemic world.

Raising Awareness of SCMA

With the easing of COVID-19 restrictions all over the world, including Singapore, from April 2022, the SCMA Secretariat team has renewed its efforts in in-person marketing to raise awareness of SCMA arbitration. We have rolled out more educational seminars, partnering with local and international players including 36 Stone, Essex Court Chambers, Helmsman LLC, JTJB LLP, Kennedys Legal Solutions, London Shipping Law Centre, and Quadrant Chambers. In particular, we rolled out a seminar series branded under the “SCMA Perspectives Seminar Series” banner. SCMA also participated actively in events hosted by industry partners, and made outreach to shipping companies, insurance companies, and law firms. Throughout the year, we organised a mix of events ranging from virtual webinars to hybrid events to reach a wider audience, not only within Singapore but also overseas.

Since the re-opening of international travel, SCMA has recommenced making in-person visits to key target markets in the region, starting with Vietnam at the end of 2022. We continued to leverage the expert knowledge and views of our SCMA Promotion Committee in planning our in-person outreach efforts to key regional markets such as India, China and Indonesia. In this regard, we are grateful for the enormous support from our founding members, Maritime and Port Authority of Singapore (MPA) and Singapore Maritime Foundation.

Our efforts to raise the profile of SCMA arbitration were sustained throughout 2022 and will continue through 2023. Through various outreach initiatives, we hope to help more parties in the maritime and trade industry make well-informed decisions about alternative dispute resolution mechanisms and the suitability of SCMA's arbitration rules and services. We offer an arbitration framework which is streamlined and yet robust to help parties achieve efficient dispute resolution and stay buoyant during turbulent times.

Encouraging Greater Adoption

One way to encourage the adoption of SCMA clauses is to make them easily accessible for users. By digitising the clauses, we have made them available online through a QR code. With the SCMA Clauses QR code, users can now access the latest clauses online simply by scanning the QR code - no more fumbling over hard copies or remembering complicated website URLs. The updated digital version is always available online, so users do not have to worry about whether they have the latest version.

Against a backdrop of a fast-changing and evolving landscape in which we operate, we are constantly reviewing and keeping current the SCMA arbitration rules. The 4th Edition Rules launched on 1 January 2022 seek to reflect current shipping arbitration practices, reduce costs, and streamline arbitral proceedings; to keep up with the larger global environment of increasing focus on digitalisation and sustainability.

One highlight of the 4th Edition Rules is the increase of the aggregate claim threshold for the Expedited Procedure from USD 150,000 to USD 300,000. All claims falling below this threshold would be automatically subject to Expedited Procedure. With this enhancement, more disputes can be resolved in a speedier and even more cost-effective manner.

In streamlining arbitral proceedings, we now permit a tribunal of two arbitrators, if they are in agreement, to make awards. Oral hearings are no longer mandatory and there is a default time limit (of three months) for the close of proceedings, thus enhancing flexibility and efficiency in SCMA arbitrations.

In line with our movement towards digitalisation and sustainability, we have adopted electronic methods including electronic service of documents, electronic signing of awards, and virtual case management meetings and hearings.

Since January 2022, the 4th Edition Rules have been promulgated in English. As Asia is a region of linguistic diversity, the Chinese and Vietnamese versions are now available in printed copies and digitally on the SCMA website (www.scma.org.sg/rules). Work is underway to produce the Bahasa Indonesian version, slated to be made available in print and online in first quarter of 2023.

With all the efforts invested into encouraging the adoption of SCMA clauses and rules, the need to track their usage becomes important. As SCMA adopts a non-administered arbitration model, it was previously challenging for us to track cases. However, we have made it mandatory, under the 4th Edition Rules, for parties to notify the SCMA Secretariat of SCMA arbitrations. This would not only alleviate the challenge of case tracking, but also enable us to analyse the data tracked to help us enhance our offerings.

Adding Value to Our Members

At SCMA, we strive to deliver more value to our members. To better understand the current needs of stakeholders in the maritime industry, we embarked on a survey in August 2022. Survey participants included stakeholders in the shipping industry and questions revolved around preferences to alternative dispute resolution methods, preferred arbitration models, preferred arbitration rules, awareness of SCMA and usage of SCMA Rules. Responses collated were analysed to help us better serve our members and the shipping community at large.

Throughout the years, the SCMA has established itself as a reliable source of knowledge for its members. To keep our members up to date on relevant industry trends in the maritime and arbitration industries, we continually seek to educate and inform them. We continued with the Knowledge Sharing series which included articles relating to arbitration and legal matters and interviews featuring experts on maritime, trade and arbitration-related matters. Besides being a channel to communicate relevant information, it is a valuable platform for featuring SCMA's corporate members and panel arbitrators.

To elevate the skills of current and aspiring maritime arbitrators, the second edition of the Maritime Arbitrator Accreditation Programme (MAAP) was held in conjunction with the Singapore Institute of Arbitrators (SIArb). Consisting of two modules and a written assessment, and conducted by two of SCMA's experienced and esteemed arbitrators, Mr. Andrew Moran KC and Mr. Prem Gurbani, the programme was well-received. It was attended by candidates not only from Singapore but also from jurisdictions such as Australia, India, Vietnam and the United States.

To help our members understand their legal rights, we conducted the first Maritime Legal Clinic, sponsored by Rajah & Tann Asia. Focusing on the issue of Force Majeure, the clinic was held exclusively for members of SCMA and Singapore Shipping Association. Participants benefited from the opportunity to discuss issues with experienced maritime lawyers.

Besides key standard forms, the SCMA also recognised that cookie-cutter solutions may not work best for particular disputes. Hence, we have customised rules for bunker claims and incidences of collision.

In consultation with industry players, the SCMA Expedited Arbitral Determination of Collision Claims (SEADOCC) was formulated for expeditious resolution of disputes arising from ship collisions. Within five (5) months of appointment, it is expected that the arbitrator would have made an assessment of liability. To avoid a protracted disclosure process, evidence is limited to a summary of facts and specific documentary evidence. By submitting to SEADOCC procedure, parties would have agreed that the determination of liability is binding. We have reinforced our promotion of SEADOCC with a focused Sub-Committee, led by Mr. Paul Apostolis from Campbell Johnston Clark, that has a curated panel of SEADOCC arbitrators and nautical assessors.

Singapore Bunker Claims Procedure (SBC Terms) is designed to address all disputes arising out of or in connection with the sale and/or supply of bunkers. This includes claims in delay and for unpaid supply. The SCMA understands that bunker claims are often of modest value so reducing cost in dispute resolution is imperative. As such, under the SBC Terms, time for service of pleadings and submissions are shortened. The award, based only on documents unless a hearing is required, is expected to be rendered within 14 days of the last filing. Should the quantum of the bunker claim be as low as US\$100,000, parties may even resort to a faster summary procedure to resolve the matter without compromising on due process. The SBC Terms were revised and incorporated in SS 600:2022 - "Code of practice for bunkering by bunker tankers using tank gauging" by the Singapore Standards Council and Singapore Chemical Industry Council.

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

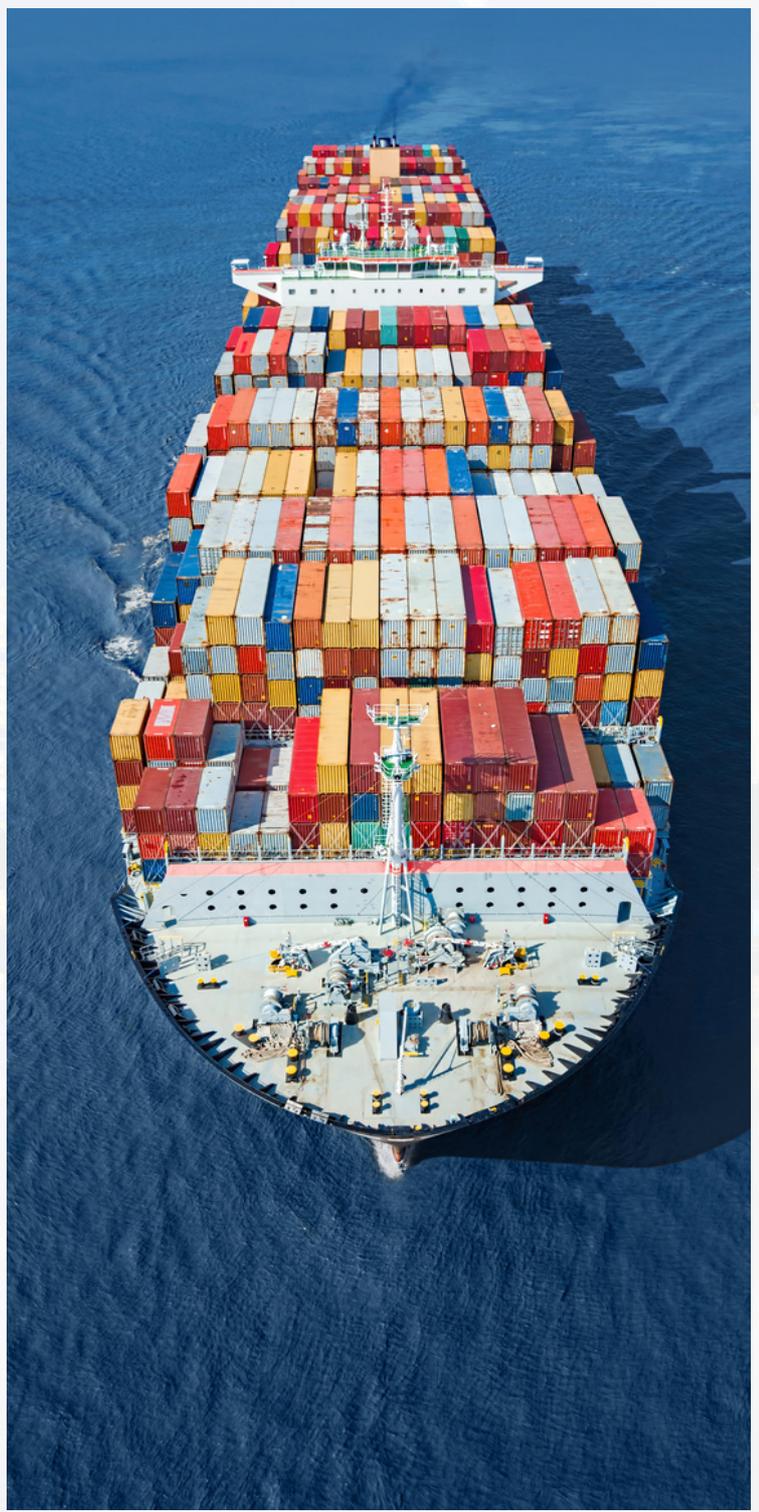
Embracing the Future

Progressing towards our vision of becoming the leading arbitration hub in Asia for maritime and trade-related disputes, we shall press on in our promotion of SCMA Arbitration and in encouraging the adoption of SCMA clauses. Our outreach efforts will intensify both locally and in key countries in the region through education, information sharing and in-person meetings.

At this juncture, we are excited to announce that our flagship biennial SCMA Conference will return in-person on 26 April 2023 as an event of the Singapore Maritime Week (SMW) 2023 which is organised by MPA. The SCMA Conference will serve as a platform for legal practitioners, arbitrators, and senior executives from across the maritime and legal sectors to congregate and share their experiences and insights with one another. Planning for this conference commenced in 2022 and will intensify in 2023. Besides the plenary sessions, there will be opportunities to network with the community during the cocktail reception. We hope to gain the support of members and the community, and look forward to seeing you at the SCMA Conference in April 2023.

In this dynamic industry, companies need to adapt to the ever-changing market conditions, while catching up with technological advances. SCMA will continue our pursuit to deliver efficient arbitration services while remaining a credible source of information for international maritime and trade-related issues. We sincerely thank you for all your support.

In closing, I would 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 tirelessly and voluntarily working toward the single purpose of furthering the cause of maritime arbitration and the SCMA. I am grateful to the SCMA Secretariat team for their contributions. I look forward to interacting with each of you at future SCMA events.



2022 STATISTICS

**MEMBERSHIP
(INDIVIDUAL &
CORPORATE)**

↑ 9%

CLAIM AMOUNT

↑ 307%

**PANEL
ARBITRATORS**

> 130

From 17
places of
residence

Australia, Brunei
China, Denmark
Hong Kong
India, Indonesia
Japan
South Korea
Malaysia, Monaco
Norway
Singapore
Thailand
UAE, UK, USA

**NATIONALITY
OF DISPUTANTS**

Denmark Belize
Hungary Bermuda
Panama British Malaysia
South Virgin
Korea Islands Marshall
China New United Islands
Zealand Arab Singapore
Vietnam Emirates Hong India
Germany Russian Kong
Norway Federation Taiwan
Netherlands
Italy Indonesia
Australia

HIGHLIGHTS

LAUNCH OF THE SCMA 4th EDITION RULES (1 JAN 2022)

The SCMA 4th Edition Rules were first promulgated in English on 1 January 2022. The rules have been translated into Chinese and Vietnamese, The soft copies of the Chinese and Vietnamese translations are now available on the [SCMA website](http://www.scma.org.sg/rules#4th) (www.scma.org.sg/rules#4th).



MPA MARITIME SECTOR INCENTIVE CEREMONY (26 & 27 JAN 2022)

SCMA was invited to share with recipients of the Maritime Sector Incentive its role in Maritime Singapore as an arbitration institution.

Ms Corina Song, Vice-Chairperson of the SCMA Board of Directors, presented on 26 January 2022 while Mr Lawrence Teh, then Chairman of SCMA's Promotion Committee, presented on 27 January 2022. The presentations introduced how SCMA can support the maritime arbitration needs of the community. The event was attended by representatives from over 30 maritime companies.



HIGHLIGHTS

SCMA 4th EDITION RULES WEBINAR (27 JAN 2022)

This webinar was held on 27 January 2022 with an introduction about the changes to the SCMA Arbitration Rules followed by a discussion on the usability and applicability of the Rules. It was attended by 140 participants virtually.

The speakers included:

- Mr Andrew Moran KC of The Arbitration Chambers
- Mr Karnan Thirupathy of Kennedys Legal Solutions
- Mr Lawrence Teh of Dentons Rodyk
- Mr Punit Oza, then Executive Director of SCMA
- Mr Nicholas Fell of BW Group
- Ms Tan Wan Jing of Gard Singapore



MARITIME LEGAL CLINIC (7 MAR 2022)

SCMA partnered Rajah & Tann Asia on offering a maritime legal clinic focused on the issue of Force Majeure on 7 March 2022. Maritime legal clinics provide participants the opportunity to discuss concerns on the chosen theme with maritime lawyers.

This clinic was held exclusively for members of SCMA and the Singapore Shipping Association on 7 March 2022. The sessions were well received.

we now know all too well that we must expect the unexpected. A properly drafted force majeure clause is essential to ensure that any external risk to the parties' businesses is properly taken care of.

Video on Force Majeure

Aleksandar Georgiev
Partner - Shipping & International Trade

<https://www.youtube.com/watch?v=KqQ4Z66dXyM>

Exclusive invitation to attend a complimentary session

We would like to extend an exclusive invitation to members of SCMA and the Singapore Shipping Association to register for a complimentary 15-minute session (over zoom) with lawyers from Rajah & Tann Asia.

Date: Monday, 7 March 2022, 4:00pm – 6:00pm.

Available Timeslots:

- 4:00pm - 4:15pm
- 4:15pm - 4:30pm
- 4:30pm - 4:45pm

HIGHLIGHTS

SINGAPORE MARITIME WEEK (6 APR 2022)

SCMA held the webinar "Key Legal Challenges from Digitalisation & Decarbonisation" on 6 April 2022 as part of the MPA's Singapore Maritime Week (SMW) 2022.

The webinar was in the form of a panel discussion. The panel deliberated on some of the changes in law, legislation needed, new challenges and claims, in particular accommodating EEXI, CII and EU ETS regulations in supply chain contracts & charterparties.

The panel was moderated by Mr Paul Aston, Consultant, Holman Fenwick William LLP. The speakers included:

- Mr Punit Oza, CEO Designate, Wiz Bulk
- Dr Sanjay C Kuttan, Chief Technology Officer, Global Centre for Maritime Decarbonisation
- Ms Andrea Skeach, Deputy Director (FD&D), North of England P&I Association Limited
- Dr Andrzej Jasionowski, Director, Forensic Naval Architect, SophusQuorum

SCMA A PART OF: SINGAPORE MARITIME WEEK

KEY LEGAL CHALLENGES FROM DIGITALIZATION & DECARBONIZATION

Welcome! The webinar will start at 3:00pm (Singapore time)

OUR SPEAKERS:

- Dr Sanjay C Kuttan**
Chief Technology Officer
Global Centre for Maritime Decarbonisation
- Ms. Andrea Skeach**
Deputy Director (FD&D),
North of England P&I Association Limited
- Mr. Punit Oza**
CEO Designate
Wiz Bulk
- Dr Andrzej Jasionowski**
Director,
Forensic Naval Architect
SophusQuorum

MODERATOR:

- Mr. Paul Aston**
Consultant
Holman Fenwick William LLP

THE MARITIME ARBITRATION ENFORCEMENT SERIES (6 JUN 2022)

The Maritime Arbitration Enforcement Series is a compilation of articles by distinguished legal practitioners and is commissioned by SCMA. The articles provide valuable insights into the enforcement of awards rendered in maritime arbitration in 15 jurisdictions in which the New York Arbitration Convention on the Recognition and Enforcement of Foreign Arbitral Awards has been ratified. The series is made available as a complete collection in both hard and soft copy.



HIGHLIGHTS

SCMA'S MOCK ARBITRATION AT THE INTERNATIONAL BAR ASSOCIATION (IBA) MARITIME AND TRANSPORT LAW COMMITTEE MID-YEAR CONFERENCE (8 JUN 2022)

SCMA's mock arbitration aimed to showcase cross-border arbitration in resolving an international maritime and trade dispute, conducted under SCMA's latest 4th Edition Rules. A recording of the mock arbitration session, held on 8 June 2022, can be found on [IBA's website](http://www.ibanet.org/session-details/se_108062) (www.ibanet.org/session-details/se_108062).

Tribunal:

- Kingshuk Banerjee of Khaitan & Co
- Ik Wei Chong of Clyde & Co
- Sara Masters KC of Twenty Essex

Witnesses:

- Shamik DUTT, Technical Leader of Vale International S.A.
- Wai Pong Lee, Regional Advisor of LWP.Sg Consultants

Counsel for parties:

- Stephen Du of 7KBW London
- Vincent Y. of Rajah & Tann Asia
- Ashwin Shanker of Chambers of George Rebello
- Ian Teo of Helmsman LLC



SCMA SURVEY 2022 (AUG 2022)

To better understand the present needs of stakeholders in the maritime industry, obtain information necessary to chart a clear direction for SCMA, and enhance its presence and services, SCMA embarked on a survey in August 2022.

More than 100 responses were collected. The survey participants included stakeholders in the shipping industry and the questions revolved around the following issues:

- Preferred alternative dispute resolution method
- Preferred arbitration model
- Preferred arbitral rules
- Awareness of SCMA and improvements
- Use of SCMA Rules

Responses collated were analysed and submitted in a report to the Board. SCMA endeavours to better serve the shipping community with the insights gleaned from the survey.



HIGHLIGHTS

SCMA'S MOCK ARBITRATION AT CMAC'S 4th INTERNATIONAL MARITIME LAW CONFERENCE ON FREE TRADE PORTS (30 AUG 2022)

SCMA collaborated with China Maritime Arbitration Commission (CMAC) to organise a mock arbitration at the latter's 4th International Maritime Law Conference on Free Trade Ports (Zones) in Zhoushan on 30 August 2022.

Mr Nicholas Lum, Partner of Clyde and Co and a member of the SCMA Promotion Committee acted as Counsel for Claimant in the mock arbitration. The mock arbitration revolved around a dispute arising between parties in respect of the demurrage payable; and whether the force majeure clause in the charter party can apply to the demurrage provisions.

The other role players included:

- Mr Niu Lei (Partner, Global Law Office Shanghai) as Sole Arbitrator
- Ms Evangeline Quek (Office managing partner, Stephenson Harwood Shanghai) as Counsel for Respondent
- Mr Frank Chen (Partner, AnJie Law Firm Shanghai) as Witness for Respondent
- Ms Wang Chen (Case manager, CMAC Zhejiang Pilot Free Trade Zone Arbitration Center) as Witness for Claimant
- Mr Huang Chenliang (Deputy Secretary General, CMAC Zhejiang Pilot Free Trade Zone Arbitration Center) as Moderator



SINGAPORE CONVENTION WEEK (31 AUG 2022)

SCMA held the webinar “Mediation of Shipping and International Trade Disputes - Singapore's Role in Maritime Dispute Resolution” on 31 August 2022. This was an event under the umbrella of the Ministry of Law's Singapore Convention Week 2022. The panel deliberated on which option, arbitration, mediation, or arb-med-arb, works best for the shipping and trade sector in the face of a likely increase of claims and disputes due to uncertain geo-political environment and disruption to the global supply chain.

Chaired by Mr Lee Wai Pong of UK P&I Club, the panellists included:

- Mr Bazul Ashhab of Oon & Bazul
- Dato' Jude Benny of Joseph Tan Jude Benny LLP
- Mr David Roberts of Standard Club Asia
- Ms Sze Kee Gho of The Shipowner' Club
- Mr Nick Fell of BW Group
- Ms Delphine Ho of The Arbitration Chambers



HIGHLIGHTS

REVISION OF SINGAPORE BUNKER CLAIMS PROCEDURE IN SS 600:2022 FOR INCORPORATION (5 SEP 2022)

The Singapore Bunker Claims Procedure ("SBC Terms") was revised and incorporated in SS 600:2022 – "Code of practice for bunkering by bunker tankers using tank gauging".

SS 600:2022, with the SBC Terms 2022, was launched by the Singapore Standards Council and Singapore Chemical Industry Council on 5 September 2022. SCMA shared with the industry the key changes to the SBC Terms.

SBC Terms 2022 will undergo further amendments to be discussed in 2023 at the Working Group for SS 468 which includes SCMA as a member.



MARITIME ARBITRATOR ACCREDITATION PROGRAMME (14 OCT 2022)

The second run of the Maritime Arbitrator Accreditation Programme (MAAP) was held in conjunction with the Singapore Institute of Arbitrators (SIArb) on 14 October 2022. It consisted of two modules and a written assessment, and was conducted by Mr. Andrew Moran KC and Mr. Prem Gurbani, who are both experienced SCMA arbitrators.

The programme attracted candidates from not only Singapore but also various jurisdictions around the world such as Australia, India, Vietnam and the United States.



HIGHLIGHTS

VIETNAM MARKETING TRIP AND SEMINAR (17 - 21 OCT 2022)

SCMA, represented by Ms Bernice Yeoh, Executive Director, made a marketing trip to Vietnam in October 2022. The purpose of the trip was to share SCMA's 4th Edition Rules with maritime players in Hanoi, Haiphong and Ho Chi Minh City.

In collaboration with international law firm, HFW, and Vietnam's boutique law firm in maritime and dispute resolution, Dzungsr & Associates LLC, SCMA organised a joint seminar on 20 October 2022 for shipping companies, law firms and ship broking firms at the Saigon Prince Hotel, Ho Chi Minh City.



ENGAGEMENT OF THE DELEGATION FROM THE KINGDOM OF BAHRAIN (28 OCT 2022)

SCMA shared SCMA's 4th Edition Rules and Singapore's efforts to develop the nation as a leading international maritime centre with the delegation from the Kingdom of Bahrain who visited Singapore on 28 October 2022.

SCMA was represented by Chairman, Mr Chao Hick Tin, then Vice-Chairman, Mr Jaya Prakash, then Board Member, Mr Chong Ik Wei and Executive Director, Ms Bernice Yeoh.

The delegation from the Kingdom of Bahrain consisted of:

- His Excellency Shaikh Khaled Bin Ali Alkhalifa, Chief Justice of Bahrain
- Prof. Jan Paulsson, Judge of Court of Cassation of Bahrain and independent arbitrator
- Dr Aseel Zimmo, Advisor to the Chief Justice and Minister of Justice of Bahrain
- Waleed AlBassam, Chief of Research, Prime Minister's Office of Bahrain



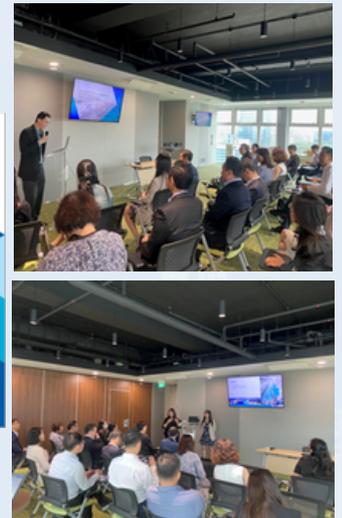
HIGHLIGHTS

MPA'S SHARING & NETWORKING EVENT FOR CHINESE COMPANIES (9 NOV 2022)

SCMA worked with the Maritime and Port Authority of Singapore (MPA) and the Singapore Maritime Foundation (SMF) to engage with Chinese shipping companies on 9 November 2022.

Prior to networking, SCMA, represented by Mr Nicholas Lum, Partner of Clyde & Co, and member of the SCMA Promotion Committee, made a presentation in Mandarin on the advantages of using SCMA arbitration rules.

The event saw attendees from Singapore-based Chinese companies including Baosheng Marine Pte. Ltd., BG Shipping (Singapore) Pte Ltd, CU Lines Pte. Ltd., Jade Alliance Shipping Pte. Ltd., Jierui Shipping Pte. Ltd., Lighthouse Navigation Singapore Pte Ltd, Lynux Shipping Bulk Pte. Ltd., Reachy Shipping (SGP) Pte. Ltd., RGL Shipping Singapore Pte. Ltd., Safe Arrival Shipping Pte. Ltd., Supreme Maritime Services Pte. Ltd., Transfar Shipping Pte. Ltd.



SCMA NETWORKING RECEPTION (15 NOV 2022)

SCMA held its networking reception on 15 Nov 2022 at Maxwell Chambers. The reception served as a platform for SCMA to reconnect with the industry players from the legal and maritime community.

We were privileged to have the Honourable Justice S. Mohan as our Guest Speaker. Justice S. Mohan, shared with us his thoughts on how the maritime and alternative dispute resolution landscape has evolved and the role that SCMA can play.



HIGHLIGHTS

SCMA-LSLC PANEL DISCUSSION ON SANCTIONS & SHIPPING (24 NOV 2022)

SCMA and the London Shipping Law Centre (LSLC) jointly hosted a hybrid seminar, "Sanctions and Shipping - An Evolving Landscape", in collaboration with David Grief International Consultancy and Chambers Lab on 24 November 2022. The issues addressed by the panel concerned the impact of economic sanctions on Russia and on international trade, the bulk of which is conducted by shipping.

The event attracted an audience of more than 300 participants, attending in-person and virtually, from all around the world.

Ms Maureen Poh of Helmsman LLC moderated the panel. The speakers included:

- Mr Roderick Cordara KC of Essex Court
- Mr Ian Teo of Helmsman LLC
- Mr Francis Hornyold-Strickland of 36 Stone
- Mr Karnan Thirupathy of Kennedys Legal Solutions.



SANCTIONS AND SHIPPING: AN EVOLVING LANDSCAPE
Hybrid seminar in-person & virtual
24 NOVEMBER 2022
5.00PM - 6.30PM
In-person seminar (200 seats) at SCMA
MAXWELL CHAMBERS (ROOM 213)
41 MARVELL ROAD #01-01
Singapore 069119

JOINTLY ORGANISED BY:
SCMA
LSLC - The Forum for Shipping, Commercial Law & Charter Brokers

NO REGISTRATION FEE
REGISTER HERE

There are only 50 seats in the physical venue. Registration is on a first come, first served basis.

This joint London-Singapore seminar organised by LSLC and SCMA would be a discussion on sanctions and shipping with international speakers: Roderick Cordara KC from Essex Court Chambers, Ian Teo from Helmsman LLC, Francis Hornyold-Strickland from 36 Stone and Karnan Thirupathy from Kennedys Legal Solutions and moderated by Ms Maureen Poh of Helmsman LLC.

Split into three parts, the speakers will address several current issues in maritime law including:

- (1) The evolving sanctions regime against the Russian Federation, including issues pertinent to shipping and insurance law, as of November 2022.
- (2) Current issues and concerns regarding charter party force majeure and exception clauses, in relation to the shipping and energy markets of ports in Ukraine and
- (3) The case of *M/S Shipping Biri v. ATI LAM 2022 EWHC Civ 1406* concerns a contract of affreightment that included a clause on 20/20/20. This clause gave one party the right to charter against the Russian Federation. The issue on appeal before the UK Court of Appeal was whether freight payments should be discharged in a non-commercial currency (US\$) pursuant to an order or another term to use reasonable endeavours to procure a force majeure event. Alternatively, whether an obligation to use reasonable endeavours extends to the procedure on the agreed currency.

In collaboration with:
DAVID GRIEF
Chambers Lab
HELMSMAN

SCMA PERSPECTIVES SEMINAR SERIES 2022

SCMA launched the SCMA Perspectives Seminar Series in 2H 2022 with the intent of driving discussion on key arbitration and legal issues of importance and relevance to the arbitration and legal community. In 2022, SCMA partnered various industry players on various topical issues of interest.

I) CLAIM & DISPUTE HANDLING IN INTERNATIONAL SHIPPING AND TRADING (3 OCTOBER)

SCMA Perspectives - Claim & Dispute Handling in International Shipping and Trading
34 Robinson Road #10-01, 11th Office
Singapore 068973
3 October 2022 (Monday)
5.00pm to 6.30pm
Singapore Time

About this seminar
The Singapore Chamber of Maritime Arbitration is pleased to present "SCMA Perspectives - Claim & Dispute Handling in International Shipping and Trading". The seminar will cover topics such as the jurisdiction for shipping claims, the handling of claim and the handling of disputes via SCMA arbitration.

Programme outline

Time	Topic
5.00pm - 5.15pm	On-line seminar registration
5.15pm - 5.30pm	Welcome Address
5.30pm - 5.45pm	SCMA Shipping Market Outlook
5.45pm - 6.00pm	Industry Perspective: Technical Policy
6.00pm - 6.15pm	SCMA's Panel of Arbitrators: Maritime Dispute Resolution
6.15pm - 6.30pm	Q&A
6.30pm - 6.45pm	Networking Reception

Click here to register

II) CROSS-EXAMINATION IN INTERNATIONAL ARBITRATION (14 NOVEMBER)

SCMA Perspectives Series: Cross-Examination in International Arbitration
14 NOVEMBER 2022
2.30PM - 5.00PM

VENUE
ALLEN & CLEHILL LLP
ONE RAFFLES BOULEVARD
LEVEL 31
SINGAPORE 050509

REGISTRATION
2.30PM - 5.00PM

MR. GREG LAUGHTON QC
Mr. Greg Laughton QC is a leading international arbitration expert and has been a member of the Singapore Arbitration Centre's (SAC) Panel of Arbitrators since 2015. He is also a member of the Singapore Arbitration Centre's (SAC) Panel of Arbitrators since 2015. He is also a member of the Singapore Arbitration Centre's (SAC) Panel of Arbitrators since 2015.

2.30pm - 2.35pm Registration
2.35pm - 4.00pm Talk by Mr. Greg Laughton QC
4.00pm - 4.30pm Questions & Answers
4.30pm - 5.00pm Refreshments & Networking

III) CROSS-BORDER INSOLVENCY AND MARITIME LAW (1 DECEMBER)

SCMA Perspectives Series: Cross-Border Insolvency and Maritime Law
1 December (Thursday)
5.00PM - 6.00PM

VENUE
Maritime and Port Authority of Singapore
400 Alexandra Road, #10-01
Singapore 119955

Time
5.00PM - 6.00PM

Mr. Jeremy Richmond KC
Mr. Jeremy Richmond KC is a leading international arbitration expert and has been a member of the Singapore Arbitration Centre's (SAC) Panel of Arbitrators since 2015. He is also a member of the Singapore Arbitration Centre's (SAC) Panel of Arbitrators since 2015.

5.00pm - 5.15pm Registration
5.15pm - 5.30pm Cross-Border Insolvency and Maritime Law
5.30pm - 5.45pm Q&A
5.45pm - 6.00pm Refreshments & Networking

HIGHLIGHTS

SCMA PERSPECTIVES SEMINAR SERIES 2022

I) CLAIM & DISPUTE HANDLING IN INTERNATIONAL SHIPPING AND TRADING (3 OCT 2022)

The speakers addressed several pertinent issues including shipping market outlook, handling hull claims and dispute resolution mechanism.

Speakers:

- Mr Wang Jian Jun, Maritime Strategies International
- Mr Brian Png, The Swedish Club
- Mr John Sze, Joseph Tan Jude Benny
- Mr Nicholas Lum, Clyde & Co
- Ms Bernice Yeoh, SCMA

Discussion Points:

- Macroeconomic factors affecting the shipping markets and the prices of commodities and energy
- Claims handling process based on the Nordic Plan
- SCMA as a specialised maritime arbitration body that adopts a non-administered arbitration model
- Latest arbitration developments and trends from a Mainland China perspective.



SCMA PERSPECTIVES SEMINAR SERIES 2022

II) CROSS-EXAMINATION IN INTERNATIONAL ARBITRATION (14 NOV 2022)

Mr. Greg Laughton SC is a leading silk with chambers in Sydney and London. His presentation covered how cross-examination should be conducted. The seminar was well attended by 60 participants.

Discussion Points:

- How effective cross-examination should be conducted
- The challenges advocates, arbitrators, and expert witnesses would each encounter when testing evidence



HIGHLIGHTS

SCMA PERSPECTIVES SEMINAR SERIES 2022

III) CROSS-BORDER INSOLVENCY AND MARITIME LAW (1 DEC 2022)

Mr Jeremy Richmond KC of Quadrant Chambers specialises in commercial and modern chancery law and is ranked as a leading barrister for Commercial Litigation and Insolvency in The Legal 500. He spoke on cross-border insolvency and maritime law.

Discussion Points:

- Cross-border regimes, regulations, and cases arising from the “Corporate Insolvency and Governance Act 2020”.
- The seminal decision in Pan Ocean Co Ltd, Re [2014] EWHC 2124 (Ch)



SCMA KNOWLEDGE SHARING SERIES

First launched in 2021, the Knowledge Sharing series aims to keep our members up to date on relevant industry trends in the maritime and arbitration industries. SCMA continued with the series in 2022. Each issue of the Knowledge Sharing series comprises of two segments. The first section is called “Selected Conversations with Members & Arbitrators”, which entails a feature of our panel arbitrators and corporate members. The second section consists of articles relating to arbitration and legal matters.

We hope that this monthly column will serve as a valuable resource to our members and friends from the industry.



UPCOMING IN 2023

SCMA CONFERENCE 2023 (26 APR 2023)

Our biennial SCMA Conference is back in-person on 26 April 2023 as an event of the Singapore Maritime Week (SMW) 2023 organised by the Maritime and Port Authority of Singapore.

This flagship conference will serve as a platform for legal practitioners, arbitrators and senior executives from across the maritime and legal sectors to congregate and engage in discourse and share their experiences and insights with one another.

There will be a line-up of esteemed speakers and panellists from the industry, discussing pertinent issues that are impacting maritime dispute resolution in the region. The keynote address will be delivered by the conference's Guest of Honour, Mr Edwin Tong, Minister for Culture, Community and Youth and Second Minister for Law. Besides the plenary sessions, there will be opportunities to network with the community during the cocktail reception.

We look forward to connecting with friends in the industry. Event registration and details will be made available nearer to the event date.

THE SCMA CONFERENCE 2023 A SINGAPORE MARITIME WEEK 2023 EVENT RETURNS ON 26/04/2023!





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