

Dr Poomintr Sooksripaisarnkit

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Objective

For Panel of Arbitrators Application – Singapore Chamber of Maritime Arbitration

Personal Profile

A dynamic law teacher with over ten years of experiences delivering effective lectures on maritime law, private international law (conflict of laws), and general commercial law to students at both undergraduate and postgraduate levels in a blended learning environment, an active researcher who is working on his first co-authoring monograph and who successfully co-edited two book volumes, with a track record of articles in refereed journals, chapters in books, and research reports, a professionally trained arbitrator and mediator with experience in moot coaching.

Education

2021 Diploma in International Maritime Arbitration
The Chartered Institute of Arbitrators

2007 PhD

Faculty of Law, University of Leicester, United Kingdom

Thesis title: *Reform of 'Non-Disclosure' in Marine Insurance Law: Exotic Approach or Original Understanding?*

Thesis supervisor: Dr Sarah Dromgoole

2002 LLM (International Commercial Law)

Faculty of Law, University of Leicester, United Kingdom

Dissertation title: *The general principles of general average and how they affect the rights and liabilities of the parties to a marine insurance contract*

1999 LLB

Faculty of Law, Thammasat University, Bangkok, Thailand

Professional Appointments

6 July 2016 – Present **Lecturer in Maritime Law (B6), Australian Maritime College, University of Tasmania**

Delivering units on 'maritime law' to both undergraduate and postgraduate students in Maritime and Logistics Management as well as lecturing a more general commercial law unit on 'Commercial and Transport Law' to first-year undergraduate students, all of which in the context of blended-learning environment, hence with familiarity in on-line learning system and

platform, such as Echo360, supervising an HDR student on the topic of foreign maritime liens and supporting the student through to her landing of the first publication in Volume 33 of the *Australian and New Zealand Maritime Law Journal*, completed a probationary training ELT501 Foundations of University Learning and Teaching and completed a voluntary training ELT522 Peer Review of Teaching in Higher Education

2 July 2010 – 10 June 2016 Assistant Professor, School of Law, City University of Hong Kong

Taught units on marine insurance law, admiralty procedure law, and private international law to postgraduate students in Maritime and Transportation Law, taught undergraduate electives on insurance law and private international law, acted as the Associate Director of the Hong Kong Centre for Maritime and Transportation Law and had an experience as the Deputy Admission Tutor for the LLM in Arbitration and Dispute Resolution Programme, experienced in supervising 9 research projects, including independent research papers and dissertations, of LLB, JD, and LLM students with one of which was revised and published in the Volume 30 of the *Australian and New Zealand Maritime Law Journal* while the other one of which was revised and submitted for the essay prize competition organised by the Hong Kong Insurance Law Association Limited in 2015 and was awarded the winning prize, assisted at coaching and subsequently became a coach and involved in training teams to compete in the International Maritime Law Arbitration Moot organised by Murdoch University for 5 years

14 January 2008 – 19 June 2010 Head of Legal & Insurance Section, Univan Ship Management Limited, Hong Kong

In charge of Legal & Insurance Section, procured in-house assistance to Univan Ship Management Limited in drafting and preparing joint venture agreements, documentations for sale and purchase of marine vessels, time and voyage charter parties, vessels' technical management agreements, as well as liaised with hull & machinery underwriters, and protection and indemnity (P & I) clubs in handling cargo and crew claims

External Appointments

1 November 2021-31 October 2024: **Research Associate**, Research Centre for Private International Law in Emerging Countries, University of Johannesburg

Academic Year 2021-Academic Year 2025: **External Examiner**, Bachelor of Commerce (Hons) in Law and Business, Department of Law and Business, Hong Kong Shue Yan University

1 February 2021-1 April 2021: **External Assessor** for LOG305 International Trade Law, Singapore University of Social Sciences

Grants

US\$5,000 – “The Legal Impact of AI in International Maritime Law”

Sub-project D “The Legal Impact of AI in International Maritime Law” under the master project “Development and Application of Marine Exploration and Ecological Survey Technologies under Climate Change” sponsored by Taiwan Ministry of Science and Technology 110-2634-F-019-002 (with Professor Juei-Cheng Jao, College of Ocean Law and Policy, National Taiwan Ocean University)

(1 August 2022 – 31 July 2024)

Professional Qualification

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

- ✓ Cited in P. Sean Morris, 'To what extent do intellectual property rights drive the nature of private international law in the era of globalisation?' (2019) 28 *Transnational Law & Contemporary Problems* 455

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

- ✓ Cited in Anton P. Trichardt, 'Arrest as Security and Security Arrest' in Paul Myburgh (ed), *The arrest conventions: international enforcement of maritime claims* (Hart Publishing 2019) 59
- ✓ Cited in Kalu Kingsley Anele, 'A comparative analysis of the arrest of ship procedures in Nigeria and Korea: The need for a paradigm change' (2020) 19 *Journal of Korean Law* 191

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

- ✓ Cited in Anton P. Trichardt, 'Arrest as Security and Security Arrest' in Paul Myburgh (ed), *The arrest conventions: international enforcement of maritime claims* (Hart Publishing 2019) 59

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

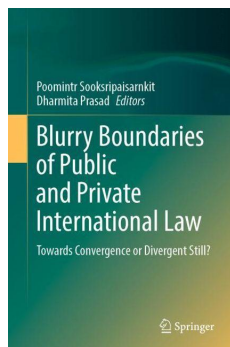
- ✓ Cited in Symeon C. Symonides, *Cross-Border Infringement of Personality Rights via the Internet* (Brill 2021)

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

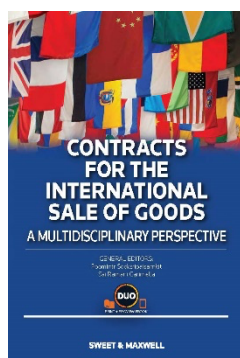
- ✓ Cited in Sir Bernard Eder and others (eds), *Scrutton on charterparties and bills of lading* (23rd edn, Sweet & Maxwell 2015) and subsequent editions
- ✓ Recommended for further reading in Anthony Rogers and others, *Cases and Materials on the carriage of goods by sea* (5th edn, Routledge 2020)
- ✓ Cited in Lijun Zhao, 'An analysis of transport documents and electronic transport records under the Rotterdam Rules' in Stefano Zunarelli and Massimiliano Musi (eds), *Current issues in Maritime and Transportation Law* (Bonomo Editore 2016) 1
- ✓ Cited in Naomi Chetrit and others, 'Not just for illicit trade in contraband anymore: Using blockchain to solve a millennial-long problem with bills of lading' (2018) 20(2) *Virginia Journal of Law and Technology* 59

Books

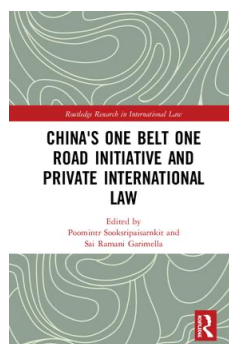
Poomintr Sooksripaisarnkit and Dharmita Prasad (eds), *Blurry boundaries of public and private international law: towards convergence or divergent still?* (Springer Nature Pte Ltd 2022)



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* (forthcoming Edward Elgar Publishing 2023)

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

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* 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

- ✓ Cited in Jaakko Salminen and Mikko Rajavuovi, 'Private International Law, Global Value Chains and the externalities of transnational production: towards alignment?' (2021) 12(2) *Transnational Legal Theory* 230

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)

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

- ✓ Cited in Gary Born, *International Commercial Arbitration* (3rd edn, Wolters Kluwer 2020)

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

- ✓ Quoted and cited in Alyssa V.M. Wall, 'Designing a new normal: dispute resolution developments along the Belt and Road' (2019) 52 *New York University Journal of International Law & Politics* 279
- ✓ Cited in Yuko Nishitani, 'The HCCH's development in the Asia-Pacific Region' in Thomas John, Rishi Gulati, and Ben Köhler (eds), *The Elgar Companion to the Hague Conference on Private International Law* (Edward Elgar 2020) 61
- ✓ Cited in Jan L Neels, 'India: Indian Perspectives on the Hague Principles' in Daniel Girsberger, Thomas Kadner Graziano, and Jan L Neels (eds), *Choice of Law in International Commercial Contracts: Global Perspectives on the Hague Principles* (Oxford University Press 2021) 475

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

- ✓ Listed among the bibliography on the website of the Hague Conference on Private International Law

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

Conferences (Invited Talks)

- 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
- 15 October 2015** Victoria University of Wellington School of Law, New Zealand
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
