

5th International

ARBITRATION CONFERENCE

PERTH, TUESDAY 21 NOVEMBER 2017

“International Arbitration in a changing global economy”

The conference organisers gratefully acknowledge the Supreme Court of Western Australia’s support of the 5th International Arbitration Conference

6.5CPD points



ARBITRATION CONFERENCE

PROGRAMME

Tuesday 21 November 2017

9.00am Welcoming of Delegates

Ian Nosworthy, Consultant, Cowell Clarke Solicitors

Caroline Kenny QC, Barrister and International Arbitrator, President, CIArb Australia

9.10am Keynote Address

The Hon Wayne Martin AC, Chief Justice of the Supreme Court of Western Australia

9.30am Arbitration in the Gas, Energy, Resources and Projects Sectors

Chair: **Khory McCormick**, Consultant, Barley Cohen Law, Vice President, ACICA, Australia

Panellists: **Abhinav Bhushan**, Director, South Asia, ICC Arbitration & ADR

Dr Jeff Makholm, Senior Vice President, NERA Economic Consulting, USA

Greg Steinepreis, Partner, Square Patton Boggs, Australia

Simon Bellas, Partner, Jones Day, Australia

11.00am Around the Globe in 60 Minutes: Hot Topics in International Arbitration

Chair: **James Healy**, Barrister, Francis Burt Chambers, Vice President, CIArb, Australia

Panellists: **Kevin Nash**, Deputy Registrar & Centre Director, SIAC, Singapore

Jo Delaney, Partner, Baker McKenzie, Australia

Bjorn Gehle, Former Partner, Reed Smith LLP, Dubai, now independent arbitrator, Dubai

12noon Morning Tea

12.20pm Out of Africa: The Hot Spot in International Arbitration

Chair: **Caroline Kenny QC**, President, CIArb Australia

Panellists: **Vlad Movshovick**, Partner, WebberWentzel, South Africa

Sarah McKenzie, Partner, WebberWentzel, South Africa

Dafe Akpedeye SAN, Managing Partner, Compos Mentis Chambers, Nigeria

1.20pm Lunch

2.20pm Maritime Arbitration - Issues and Recent Trends

Chair: **The Hon John Gilmour**, Judge, Federal Court of Australia

Panellists: **Peter Mannion**, General Manager - Fleet Operations, RioTinto - Marine, Australia

Peter McQueen, Independent Arbitrator, Australia and UK

Dr Pat Saraceni, Director of Litigation and Dispute Resolution, Clifford Chance, Australia

Hazel Brewer, Partner, Holman Fenwick Willan, Australia

3.50pm Third Party Funding in Arbitrations - Australia and Beyond

Chair: **The Hon Robert French AC**, former Chief Justice of the High Court of Australia

Panellists: **Professor Gabriel Moens**, Professor of Law, Curtin University and Emeritus Professor of Law, The University of Queensland

Andrew Battison, Partner, Allen & Overy, Singapore

Nathan Landis, Investment Manager, IMF Bentham, Australia

5.00pm Closing Addresses

Alex Baykitch AM, Partner, King & Wood Mallesons, President, ACICA, Australia

Ian Nosworthy

5.30pm Cocktail Party Welcome speech by The Hon Mark McGowan MLA, Premier, Western Australia

ARBITRATION CONFERENCE

REGISTRATION FORM

Tuesday 21 November 2017, Duxton Hotel, Perth

Personal details – Please attach a business card or write in block letters.

Title First name Surname

Firm/Organisation/Company

Address:

Tel Fax

Email

Name as you wish it to appear on your name tag (if different from above)

Special dietary requirements:

I do not consent to my name and position being included on the delegates list.

Registration fees

		Early-bird fee (paid on or before 21 October 2017)	Regular fee (paid after 21 October 2017)
ACICA/BLS/CIArb member	Conference Registration (including Cocktail Party)	AU\$799	AU\$999
Non-members	Conference Registration (including Cocktail Party)	AU\$999	AU\$1199
	Total Payable:		

Payment details:

My Cheque/Bank draft is enclosed, made payable to the Business Law Section

Transfer to BLS bank account

Please debit AU\$ _____ from my credit card

Visa Card

Master Card

Card Number:

Expiry Date:

Name:

Signature:

Please return completed form to Ms Barbara Wallner

Business Law Section – Law Council of Australia

GPO Box 1989, Canberra, ACT 2601, Australia

Ph 02 6246 3737 Fax +612 6248 0639

Email: barbara.wallner@lawcouncil.asn.au

ARBITRATION CONFERENCE

INFORMATION

Date: 21 November 2017

Venue: Duxton Hotel, No 1, St Georges Terrace, Perth, WA 6000

Language

All working sessions and conference material will be in English.

How to register

Please complete the registration form on page 3 of the brochure and return to the BLS Director, Business Law Section, Law Council of Australia, GPO Box 1989, Canberra, ACT 2601 or email: Barbara.wallner@lawcouncil.asn.au

Fees

Registration received on or before 21 October 2017

ACICA/BLS/CIArb member	\$799 (AUD)
Non member	\$999 (AUD)

Registration received after 21 October 2017

ACICA/BLS/CIArb member	\$999 (AUD)
Non member	\$1199 (AUD)

Full payment must be received in order to process your registration.

Fees include:

- attendance at all conference sessions
- conference materials, including any available speaker papers submitted by 1 November 2017
- lunch, morning and afternoon tea
- cocktail party at the Duxton Hotel following the conference

Please note that registrations are not transferable.

Promotional literature

No individual or organisation may display or distribute publicity material or other printed matter during the conference unless by prior arrangement with the conference organisers.

List of participants

In order for your name to appear in the list of participants, which will be distributed at the conference, your registration form must be received by the BLS Section Administrator by Friday 10 November 2017.

Conference dress code

Business attire.

Payment of registration fees

Cheques made payable to Business Law Section

Card payments by Mastercard or Visa only

Bank transfer to the Business Law Section, Law Council of Australia, Account number 994 292, Westpac Bank (sort code: 032 727), Alinga Street, Canberra, ACT, Australia

Please ensure that a copy of the bank transfer is emailed to: Barbara.wallner@lawcouncil.asn.au

Cancellation of registration

If cancellation is received in writing to the BLS Director at the Law Council of Australia by 20 October 2017, the registration fee will be refunded less a 25% administration charge. No refunds can be made after this date.

Travel arrangement and Visas

Participants are responsible for making their own travel arrangements. It is recommended that you check your visa requirements with your local Embassy or Consulate.

We are unable to send out letters supporting visa applications to Embassies prior to receipt of your registration and full payment of registration fees.

Please apply for your visa in good time.

Hotel Accommodation

Accommodation is available at the Duxton Hotel Perth, with preferential rates for delegates who quote the code "5984450" or "Law Council of Australia".

Please contact the hotel Reservations Department directly on 1800 681 118 or via email at reservations@perth.duxton.com.au to reserve rooms.

Rooms are subject to availability, with preferential rates being valid between November 20 to 23, 2017 inclusive. For dates outside this range, the hotel is happy to quote the Best Available Rate of the day.

Disabled access

The Duxton Hotel is wheelchair accessible.

Please notify us if you require special assistance

ACICA, BLS and CIArb may at anytime, with or without giving notice, in their absolute discretion and without giving any reason, cancel or postpone the conference, change its venue or any of the other published particulars, or withdraw any invitation to attend. In any case, neither the organisers nor any of their officers, employees, agents, members or representatives shall be liable for any loss, liability, damage or expense suffered or incurred by any person, nor will they return any money paid to them in connection with the conference unless they are satisfied not only that the money in question remains under their control but also that the person who paid it has been unfairly prejudiced (as to which, decision shall be in their sole and unfettered discretion and, when announced final and conclusive).

ARBITRATION CONFERENCE



The **Australian Centre for International Commercial Arbitration (ACICA)** is Australia's international dispute resolution institution. Established in 1985 as an independent, not-for-profit organisation, ACICA's objective is to promote and facilitate the efficient resolution of commercial disputes throughout Australia and internationally by arbitration and mediation, and to advance Australia's profile as one of the region's premier seats for resolving cross-border disputes.

ACICA provides a range of administrative services to parties in dispute and is the sole default appointing authority competent to perform the arbitrator appointment functions under the International Arbitration Act 1974 (Cth).

ACICA is a founding member of the Asia Pacific Regional Arbitration Group (APRAG) and a signatory to cooperation agreements with over 30 global arbitral bodies including the Permanent Court of Arbitration at The Hague. ACICA is also represented on the International Federation of Commercial Arbitration Institutions (IFCAI).

www.acica.org.au



The **Business Law Section** was established within the Law Council of Australia in 1980. It provides a forum through which lawyers and others interested in the laws, practices and procedures affecting business, finance and other commercial activities throughout Australia can enhance their professional skills. It also enables them to develop contacts and work with governments and other international institutions for the reform of laws affecting the interests of Australian business.

www.lawcouncil.asn.au/BLS

www.lawcouncil.asn.au/lawcouncil/index.php/privacy-policy



CI Arb Australia

Since 1915, and with over 14,000 members worldwide in over 130 countries operating in over 250 commercial sectors, the Chartered Institute of Arbitrators exists for the global promotion, facilitation and development of all forms of private dispute resolution. In addition to providing education, training and accreditation for arbitrators, mediators and adjudicators, CI Arb acts as an international centre for practitioners, policymakers, academics and the business community. CI Arb Australia is one of 40 branches offering institute members a prestigious and globally-recognised qualification, and as well as access to a global professional community and regular networking opportunities.

www.ciarb.net.au

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ARBITRATION CONFERENCE

SPEAKER PROFILES



The Hon Mark McGowan MLA

Premier; Minister for Public Sector Management; State Development; Jobs and Trade; Federal-State Relations

In the 2017 State Election, WA Labor won 41 Legislative Assembly seats and Mark became the 30th Premier of Western Australia www.parliament.wa.gov.au/Parliament/Memblist.nsf/WALLMembersFlat/McGowan,+Mark?opendocument.

Mark studied arts and law at the University of Queensland and began his career in public service in the Royal Australian Navy, going on to serve as a Lieutenant at HMAS STIRLING. Mark is still a member of the Navy Reserves and was awarded the Governor General's Commendation for Bravery for actions he took in 1995 rescuing an unconscious driver from a burning car.

In the years since his election to the Western Australian Parliament, Mark has held many senior portfolios in both Government and Opposition.

He was Parliamentary Secretary to former Premier Geoff Gallop and has served as a Minister in the portfolios of Education and Training; Environment; Racing and Gaming; Tourism and South West.

In recent years, Mark has served as Manager of Opposition Business, as well as Shadow Minister for State Development; and Planning and Housing.

He was elected Leader of the Opposition on 23 January 2012 and chose to retain responsibility for the portfolios of Regional Development, Economic Reform and Public Sector Management.



Dafe Akpedeye SAN

Dafe Akpedeye, OFR, FCI Arb is the Managing Partner of Compos Mentis Chambers, a leading indigenous law firm in Nigeria. He has over 33 years of legal practice experience spanning Litigation, Corporate Law, Arbitration, and Mediation to ground breaking expertise in Oil, Gas and Energy Law.

Dafe is a Senior Advocate of Nigeria (SAN), which is the equivalent of a Queen's Counsel in the United Kingdom (UK). He is also a UK-qualified Chartered Arbitrator and a CEDR Certified Mediator. In 2014, he was awarded the prestigious National Honour of the Officer of the Order of the Federal Republic of Nigeria (OFR). From 2007 to 2009, he served as the Attorney General and Commissioner of Justice, Delta State, Nigeria and during his tenure, the first edition of the Annotated Laws of Delta State was drafted and published, being the first of its kind in the West African region.

Dafe Akpedeye obtained his Masters of Law degree from Harvard University, USA and founded Compos Mentis Chambers in 1985. The firm currently has offices in four major commercial cities - Lagos, Abuja, Port Harcourt and Warri; and was recognised as the 'Best Law Firm in South-South Nigeria' in 2016.

Dafe's arbitral expertise/experience cuts across international and domestic arbitration in the areas of construction, contracting and



The Hon Wayne Martin AC

Chief Justice of the Supreme Court, Western Australia

The Hon Wayne Martin was admitted to legal practice in Western Australia in 1977. In 1984 he became Senior Litigation Partner with Keall Brinsden in Perth and then in 1988 joined the

Independent Bar. In 1993 he was appointed Queen's Counsel. Between October 1996 and October 2002 he was a Member of the Law Reform Commission, and from 1997 to 2001 served as its Chairman. From 2001 - 2003, he took on the role of counsel assisting the HIH Royal Commission in Sydney. In 2006, he became the 13th Chief Justice of the Supreme Court of Western Australia.

In 2012, the Chief Justice was recognised nationally when he was appointed a Companion in the General Division of the Order of Australia "for eminent service to the judiciary and to the law, particularly as Chief Justice of the Supreme Court of Western Australia, to legal reform and education, and to the community". The Chief Justice holds many positions as Chairman or Patron, and is also the Lieutenant Governor of Western Australia. Chief Justice Martin was appointed inaugural Chair of the Judicial Council on Cultural Diversity in 2013.

oil and gas for international oil companies, federal government agencies, banks and multi-national engineering organisations. As an accredited tutor of UK Chartered Institute of Arbitrators and a Senior ADR Lecturer at Delta State University, Nigeria, he keenly propagates the teaching and expansion of the arbitration and mediation body of knowledge.

Dafe Akpedeye is a Council member of the UK Chartered Institute of Arbitrators (Nigeria Branch); and an active member of the International Bar Association; Commonwealth Bar Association; Association of Senior Advocates of Nigeria; Nigerian Bar Association (NBA); NBA National Executive Committee; Nigerian Council of Legal Education and the Academic Staff Union of Nigerian Universities.

He is an avid golfer, table and lawn tennis player and enjoys swimming.

SPEAKER PROFILES



Andrew Battisson

Andrew Battisson is a partner in Allen & Overy's international arbitration group based in Singapore. He specialises in both international commercial arbitration and investment treaty arbitration.

Andrew has advised a range of clients in arbitrations under all the major institutional rules, as well as under the UNCITRAL and ICSID rules. He has particular experience of disputes in the energy, finance, infrastructure and telecommunications sectors. He also sits as arbitrator.

He is ranked as "Up-and-coming" by Chambers Asia Pacific 2017 and a "Future Leader" (under 45) by Who's Who Legal 2017 in which he is described as a "smart lawyer who is very well liked by clients". He is a Chevening-Oxford Australia scholar and holds a Bachelor of Laws and Bachelor of Commerce from the ANU and a B.C.L from Oxford University.



Alex Baykitch AM

Alex has over 26 years' experience in the area of cross border litigation and international arbitration. Described by Chambers Global as "fast rising and energetic [lawyer]... who has developed into one of Australia's strongest arbitration counsel", Alex has particular experience of dispute in major construction, engineering and infrastructure.

Alex is consistently listed as a leading individual in legal directories, for his expertise in cross border litigation and international arbitration, and sits as sole and party appointed arbitrator as well as chairman of arbitral tribunals conducted under the ICC, LCIA, KLRCA, and UNCITRAL Rules. Alex is a Member of the Australian Government's Delegation to UNCITRAL's Working Group on Arbitration. He is also an Australian Delegate to the ICC Arbitration Commission and served on the Commission's Task Force on the New York Convention. Until recently, Alex was the Vice-President of the Australian Centre for International Commercial Arbitration (ACICA) and is a fellow of ACICA.

He is also a Member of the Arbitration panels of the ICC International Court of Arbitration, Singapore International Arbitration Centre, China Maritime Arbitration Commission, the Korean Commercial Arbitration Board and ACICA.

He has presented at numerous conferences and written on various topics in relation to international arbitration (including investment treaty) and is a co-author for the Australian chapter of World Arbitration Reporter. Alex is also the author of the leading textbook "Arbitration Law of Australia: Practice and Procedure" published by Juris Publishing in 2012.

On 26 January 2016, Alex was appointed a Member of the Order of Australia for his significant service to the law in the field of international commercial arbitration, and to professional legal organisations.



Simon Bellas

Simon Bellas is a construction claims and disputes authority whose practice is focused on large-scale energy and resources projects and related infrastructure with particular experience in offshore contracts. Simon acts for both owners and a range of major contractors across industry sectors, including oil and gas, mining, and

infrastructure construction projects and disputes. He has managed some of the largest international arbitrations and litigation in the Asia-Pacific region. Simon is a guest lecturer in Masters courses in International Arbitration and Oil and Gas Law at the University of Western Australia and in Construction at the University of Melbourne. He is recognised in Doyle's Guide, The AFR Best Lawyers and the Legal 500 for both Construction and Arbitration.

In addition to formal disputes, Simon is often engaged as project counsel before disputes arise with the aim of avoiding or minimising claims and disputes. In this role, he also has been involved in mediations and expert determinations and has successfully prosecuted and defended many adjudication claims. With more than 12 years experience in LNG, he is a leading industry professional and has an in-depth working knowledge of many of the technical engineering and commercial issues that underpin projects and the claims that commonly arise from them.

Prior to joining Jones Day, Simon advised an oil and gas major regarding significant payment claims and disputes on significant natural gas projects in Western Australia. He also has been retained by EPC contractors on LNG, mining and related infrastructure projects in the region. He has significant experience with extension of time, variation, and delay and disruption claims as well as advising on contract termination issues. Simon's practice is distinctively international having worked on several large-scale international arbitrations and having been based in Singapore (working for a global offshore contractor) and in Kazakhstan.

Simon is the Partner-in-Charge of the Perth Office of Jones Day.



Abhinav Bhushan

Abhinav Bhushan, Director, South Asia, ICC Arbitration & ADR - abhinav.bhushan@iccasia.org

As Director, Abhinav focuses on helping companies, investors, and attorneys in the Region understand how they can efficiently resolve international commercial disputes by raising their awareness on the ICC's Dispute Resolution Services and its commitment to international arbitration, the procedure, and thought leadership.

He is also an avid promoter of arbitration-related training opportunities for law students and young attorneys. Additionally, Mr Bhushan is the co-chair of ICC Young Arbitrators Forum (YAF), Asia Chapter.

Prior to serving as Regional Director, he was the first Indian Deputy Counsel of the Court, where he gained first-hand experience working on arbitrations arising out of common law jurisdictions, in particular working with parties from the United Kingdom, India, Singapore and other regions of Asia. Mr. Bhushan is a regular contributor to the Kluwer Arbitration Blog on developments in Indian arbitration law.

Before joining the ICC, Mr. Bhushan completed his LLM at the Columbia Law School and earned a certificate in foreign and comparative law. He was also a member of the Columbia International Arbitration Association and a research assistant.

He earned his first law degree from the Government Law College, Mumbai, India. Upon graduation, he worked as an associate with Mulla & Mulla & Craigie Blunt & Caroe, in Mumbai, India.

SPEAKER PROFILES



Hazel Brewer

Based in HFW's Perth office, Hazel specialises in shipping, offshore, international trade contracting, and disputes. Hazel advises on all aspects of domestic and international dispute resolution, including mediation, litigation and arbitration and has over 25 years of experience in arbitrating disputes, including commodity trade arbitrations, ICC, LMAA, SIAC and ad hoc arbitrations.



Jo Delaney

Jo Delaney is a partner in Baker McKenzie's Dispute Resolution team in Sydney. Jo has nearly 20 years of experience as counsel in complex cross-border disputes based in Sydney and London, most of which were resolved through international arbitration.

Jo re-joined Baker McKenzie in 2013, having spent her first two years as a graduate lawyer in the Sydney office. In the intervening time, Jo developed her international arbitration experience at a preeminent arbitration practice London.

Practice Focus: Jo has experience in commercial, construction and investment arbitrations under the ICC, LCIA, SIAC, AAA, UNCITRAL and ICSID arbitration rules. That experience covers a diverse range of industries including energy, resources and infrastructure, general construction, and telecommunications and information technology.



The Hon Robert French AC

Robert French was appointed Chief Justice of the High Court of Australia on 1 September 2008 and retired from that office on 29 January 2017.

He is a graduate of the University of Western Australia in science and law. He was admitted in 1972 and practised as a barrister and solicitor in Western Australia until 1983 when he went to the Independent Bar.

He was appointed a Judge of the Federal Court of Australia in November 1986, an office he held until his appointment as Chief Justice on 1 September 2008. From 1994 to 1998 he was the President of the National Native Title Tribunal. In 2010, he was made a Companion in the Order of Australia and a Fellow of the Academy of Social Sciences in Australia.

He is a Founding Fellow of the Australian Academy of Law, a member of the American Law Institute, and an Honorary Life Member of the Australasian Law Teachers Association, the Australasian Institute of Judicial Administration and the Australian Bar Association.

Since August 2016 he has been an Adjunct Professor at the Law School at the University of Western Australia and a Distinguished Honorary Professor at the Australian National University since October 2016.



Björn Gehle

Björn is a leading expert in international arbitration, specialising in construction, infrastructure and commercial disputes. He has represented clients in well over 40 arbitration proceedings across the globe and under most institutional arbitration rules, including those of the ICC, HKIAC, ICDR, LCIA, DIAC, SIAC, ACICA, KLRCA as well as in ad-hoc arbitrations.

Björn has a wealth of experience in advising and representing clients in a broad range of commercial disputes, including disputes involving commodity transactions, international trade, licensing agreements or shareholder disputes.

He has also represented and advised governments and private sector clients in many jurisdictions throughout the Middle East, Asia, Europe, Africa and Australia in high value disputes involving major construction and infrastructure projects such as airports, port facilities, railways, tunnels as well as health care and energy infrastructure.

Björn is highly recognised as a leading figure in international arbitration. He is a panel member of and regularly appointed as arbitrator in arbitrations under the International Chamber of Commerce (ICC) Hong Kong International Arbitration Centre (HKIAC), the Kuala Lumpur Regional Centre of Arbitration (KLRCA), the Dubai International Arbitration Centre (DIAC), the London Court of International Arbitration (LCIA) and the Thai Arbitration Centre (THAC).

He is recognised as a leading lawyer in The International Who's Who Legal and the Euromoney's Guide to the World's Leadings Expert.



The Hon John Gilmour

Judge, Federal Court of Australia, Perth

Other Commissions/Appointments: Supreme Court of the Australian Capital Territory - Additional Judge. Supreme Court of Norfolk Island - Judge

John Gilmour was appointed to the Federal Court of Australia in December 2006.

Justice Gilmour grew up in Scotland and graduated in Law from the University of Dundee in 1972. For a period of years he practised law in Edinburgh and emigrated to Western Australia in 1975 where he was admitted to practise as a barrister and solicitor in 1976.

Justice Gilmour commenced practice at the Western Australian Bar in 1989 and was appointed Queen's Counsel in 1994 and shortly thereafter in Victoria where he also practised extensively.



James Healy

James is a Vice President and Fellow of the Chartered Institute of Arbitrators (Australian Branch), and is a barrister and arbitrator specialising in energy and resources and construction disputes based in Perth. He has recently been involved in a number of disputes concerning the installation and delivery of

equipment for offshore gas processing facilities and cross border insolvencies.



Caroline Kenny QC

Caroline Kenny has more than 25 years' experience as a barrister and has practised in Australia, New York and London. Prior to being called to the Bar Caroline worked for Sullivan & Cromwell in New York and was a Senior Associate at Herbert Geer (now Thomson Geer). She is also admitted to practice in England and Wales, New

York and Dubai. Caroline read with Mr Neil Young QC in Victoria and with Mr Philip Coppel QC in London.

At the Victorian Bar Caroline practises predominantly in commercial and administrative law in the Supreme Court and the Federal Court, with occasional appearances in the High Court. She is an experienced trial advocate, having been retained in complex applications, trials and appeals for governments, government agencies and private sector clients throughout her career at the Bar. She has experience in all kinds of applications, including interlocutory injunctions, Mareva injunctions, Anton Pillar orders, receivership and administration applications. She frequently appears in appeals, applications for

SPEAKER PROFILES

leave to appeal and applications during appeals. Her experience as an appellate advocate extends to special leave applications and appeals in the High Court.

Caroline is an experienced mediator and arbitrator. She is the President of the Australian branch of the Chartered Institute of Arbitrators, a Fellow of the Chartered Institute of Arbitrators and the Australian Centre For Commercial Arbitration. Caroline is on panels of arbitrators of the Singapore International Arbitration Centre (SIAC), the Kuala Lumpur Regional Centre for Arbitration (KLRCA), the Hong Kong International Arbitration Centre (HKIAC), the Beijing International Arbitration Centre (BIAC) and the Pacific International Arbitration Centre (PIAC). She has experience both as sole and presiding arbitrator in complex international commercial arbitrations. She is on the Approved Faculty of the London branch of CI Arb and is the Course Director for the Diploma Course in International Arbitration, the Award Writing Course and the Accelerated Route to Fellowship Course. She has taught the Diploma course in Singapore, Australia, Hong Kong and Oxford.



Nathan Landis

Nathan is an Investment Manager based in the Perth office of IMF Bentham, with responsibility for due diligence and managing funded cases.

Nathan joined IMF Bentham from the Western Australia Bar where his practice focussed on dispute resolution in the resources sector. Prior

to joining the Bar, Nathan was a counsel at Clifford Chance where he worked on a number of large commercial disputes, international arbitration matters and cross-border litigation matters. He has also worked in the Middle East and with a top-tier law firm in Australia.

During his career, Nathan has appeared in a range of courts and tribunals within Australia and the Middle East. He is a Member of the Chartered Institute of Arbitrators. In 2015, Nathan was recognised by Doyle's Guide as a recommended Barrister for Dispute Resolution in Western Australia.

Nathan has served in the Australian Defence Force for over 20 years and currently serves as a legal officer in the Army Reserve. In his military career, he has appeared in military discipline proceedings and provided advice on a range of operational, administrative and military discipline matters.



Dr Jeff D. Makhholm

Dr. Makhholm concentrates on the issues surrounding the privatization, regulation and operation of resource and infrastructure industries—including those that operate networks (such as oil and gas pipelines, electricity transmission and gas distribution systems, telecommunications and water utility systems)

and those operating at specific sites, such as oil refineries, electricity generation plants, oil and gas storage facilities, gas treatment plants, mines, sewage treatment plants and airports. Disputes for such industries include the broad categories of valuation, pricing, market definition (including assessments of market power and mergers) and the components of reasonable regulatory and business practices.

On such issues, among others, Dr. Makhholm has prepared expert testimony, reports and statements, and has appeared as an expert witness on more than 250 occasions in LCIA, AAA, International Chamber of Commerce and ICSID cases, high courts in a number of countries (including U.S. District courts), regulatory commissions and Parliamentary panels.

In the Who's Who Legal Guide to Arbitration, the "superb" Dr. Makhholm was singled out for his work as an expert witness. Who's Who Guide to Consulting Experts (Quantum of Damages) reported that Dr. Makhholm "is extremely knowledgeable and well thought of as an expert witness."

Peter Mannion

Peter (BSc LLB/LLM – University of Cape Town) an admitted attorney in South Africa, moved to Australia in 1996 and was admitted to practise in Australia 2000. Peter has worked, as a commercial and legal P&I correspondent and maritime lawyer both in South Africa and Australia, for 28 years.

Whilst in South Africa, Peter worked for Safmarine Limited, as Corporate Counsel and with the Cape Town law firm Fairbridge, Arderne & Lawton in their shipping department. In Australia, Peter worked with Middleton's Lawyers Transport & International Trade Group, until joining Rio Tinto Shipping Pty Ltd as its maritime Corporate Counsel in 2004. He is currently General Manager - Fleet Operations, Rio Tinto Marine and a director of Rightship Pty Ltd and Maritime Industry Australia Limited.



Khory McCormick

A formidable strategist, negotiator and litigator across multiple legal disciplines, Khory provides wide-ranging issues management and conflict advice to corporate and government decision makers at the highest levels. Khory is a Professor of Strategic Law at Griffith University.

Khory is a board member of the five billion North Australia Infrastructure Facility (NAIF).

Khory currently represents Australia in UNCITRAL Working Group II: Arbitration and Conciliation, working on the possibility of a model law and or convention on the recognition and enforcement of conciliated settlements. He is also an ICC Australia Board Member and active across a broad range of national Chambers of Commerce in the Australian market. He is the Vice President of the Australian Centre for International Commercial Arbitration.

He has been an institutional representative for entry into cooperation agreements in the ADR and arbitration spaces with both ICADR (India) and BANI (Indonesia), as well as spoken throughout the region in Korea, Taiwan, China, India, Indonesia and elsewhere. He is regularly a speaker on panels including judicial officer such as at RAIF.

He is believed to be the only Australian practitioner listed both in Chambers Asia Arbitration (Australia) and in the International Who's Who ranking for International Commercial Mediators.



Sarah McKenzie

Sarah McKenzie is a partner at Webber Wentzel, one of the leading commercial law firms in South Africa and is an attorney of the High Court of South Africa. She specialises in all aspects of dispute resolution within the areas of international commercial and investment law, administrative, constitutional, international trade and domestic commercial law.

She has substantial experience in advising and litigating in extremely complex disputes in public law, conducting judicial reviews, international commercial arbitrations and litigation. Sarah has acted for listed entities, state-owned enterprises, statutory bodies and non-governmental organisations in a variety of fields, including transport, tourism, mining, finance, auditing, construction and infrastructure projects. She has represented clients in various arbitral fora, including AFSA, ICC, ICSID and the CAA.

She previously clerked for the Chief Justice of the Republic of South Africa at the Constitutional Court of the Republic of South Africa, South Africa's apex Court.

Sarah has a BA degree and an LLB degree, awarded with distinction, from the University of the Witwatersrand, Johannesburg.

SPEAKER PROFILES



Peter McQueen

BA, LLB, FCI Arb. Independent Arbitrator, Australia and UK.

Solicitor admitted in England and Wales and in Australia, having practised for over 35 years in maritime, transport, international trade, commodities, marine insurance and international commercial arbitration.

Member of Arbitration Mediation and Dispute Board Chambers, London.

Arbitrator in ad hoc and institutional arbitrations, including those conducted under the auspices of ACICA, ICC, HKIAC, LMAA, SCMA and SIAC; arbitration panel member of arbitration institutions in Australia, China, Hong Kong and Singapore; member of ICC and LCIA.

Inaugural Chair of AMTAC and Director and Fellow of ACICA.

Lecturer in international commercial arbitration and maritime law at Aix Marseille University and in maritime law at University of Queensland where he is an Adjunct Professor and Tutor on the Approved Faculty List of CI Arb.



Professor Gabriël A Moens

JD (Leuven), LL.M (Northwestern), Ph.D (Sydney), GCEd (Queensland), MBA (Murdoch), MAppL (College of Law), FCI Arb, C Arb, FAIM, FCL

Professor Moens is Professor of Law at Curtin Law School. He is also Emeritus Professor of Law at The University of Queensland. Prior to his current

positions he served as Pro Vice Chancellor (Law, Business and Information Technology) and as a long-serving Dean and Professor of Law at Murdoch University. He also served as Garrick Professor of Law at The University of Queensland. He is the Editor-in-Chief of *International Trade and Business Law Review*. He is a Fellow (FCI Arb) and Chartered Arbitrator (C Arb) of the Chartered Institute of Arbitrators, London and Fellow and Deputy Secretary General of the Australian Centre for International Commercial Arbitration (ACICA). He is also the Editor-in-Chief of the *ACICA Review* and is the co-author of a *Commentary* on the ACICA Arbitration Rules. Professor Moens is a *Membre Titulaire*, International Academy of Comparative Law, Paris, a Fellow of the Australian Institute of Management (AIM WA), a Fellow of the Australian Academy of Law, and a Fellow of the College of Law.



Vlad Movshovich

Vlad Movshovich (BA LLB (Wits) BCL MLitt (Oxon)) is a Partner and practice leader in the Dispute Resolution Group at Webber Wentzel, Johannesburg, specialising in complex, high value and high stakes international and domestic commercial and treaty arbitration, as well as high profile constitutional, regulatory and commercial

litigation. Vlad is an Attorney of the High Court of South Africa and Solicitor of the Senior Courts of England and Wales. Vlad has represented clients in many ad hoc and institutional arbitration proceedings (including ICSID, ICC, AFSA, AASA, LCIA and the Chinese Arbitration Association). He also regularly represents litigants in the High Court, Supreme Court of Appeal and the Constitutional Court, the highest courts in South Africa.

Vlad was also senior sessional lecturer at the University of the Witwatersrand, Johannesburg, and has acted as external examiner in several courses, including the Master's programme in international arbitration at the University of Cape Town.

Vlad is a member of the ICCA working group on harmonisation, and promotion, of arbitration law and practice on the African continent.



Kevin Nash

As Deputy Registrar & Centre Director of the Singapore International Arbitration Centre (SIAC), Kevin assists with the administration of all cases filed with SIAC and the supervision of SIAC's multinational Secretariat.

Since joining SIAC in 2012, Kevin has assisted with and overseen the administration of more than 1,000 international cases under all versions of the SIAC Rules and the UNCITRAL Arbitration Rules, among others, and has significant experience in SIAC cases conducted under the Expedited Procedure and applications for the appointment of an Emergency Arbitrator. He also worked closely on the revisions to the SIAC Rules 2013, the SIAC Rules 2016 and the SIAC Investment Arbitration Rules 2017.

Kevin holds a B.A. from Mount Allison University and a J.D. from Osgoode Hall Law School. Kevin worked at one of Canada's prominent 'Seven Sister' law firms and then went on to study an LL.M. in International Commercial Arbitration at Stockholm University. He is qualified as a Barrister and Solicitor with the Law Society of Upper Canada.

Kevin speaks English and French.



Ian Nosworthy

BA, LLB, LFIAMA, FCI Arb, AIPM

Ian Nosworthy is a Consultant to Cowell Clarke Solicitors, Adelaide and Sydney. He has had a central role in the organisation of each of the five Australian International Arbitration Conferences.

As an arbitrator, he specialises in major construction and engineering disputes. He has acted in disputes across Australia, including the REMM Myer Centre dispute. Ian has also acted for, or against, every major insurer in Australia. His wide experience includes a diverse range of disputes and major government representations, including Legal Services Missions to Malaysia and China with Sir Laurence Street and Attorneys General Williams and Ruddock.

Ian is admitted to practice in South Australia, the Northern Territory, New South Wales and Victoria. He is a Grade 1 arbitrator, a Chartered Arbitrator and a past President and Life Fellow of IAMA. His involvement with the Business Law Section of the Law Council of Australia has seen him in many positions including Deputy Chairman. For many years Ian has been a Board member of ACICA and a national councillor of CI Arb. He has published many papers and spoken locally, nationally and internationally on many occasions.

While Ian's focus as an arbitrator and mediator has been largely domestic, he is also experienced in international arbitration and mediation, and in the latter capacity successfully mediated a major international infrastructure dispute where the parties had rejected the involvement of four of Australia's most senior retired judicial mediators.

SPEAKER PROFILES



Dr Pat Saraceni

Director L&DR, Perth

Pat is a Director of Clifford Chance's litigation and dispute resolution team, and has over 30 years experience specialising in complex commercial and contractual disputes with a specific interest in shipping. She regularly

appears in the superior courts and is experienced in litigation, arbitration and mediations and other forms of ADR in a range of sectors including energy, oil and gas, mining, insurance, shipping and corporate.

Pat was awarded a Doctorate of Juridical Science (SJD) in Shipping and Maritime law and a Master of Laws from the University of Western Australia. Before joining Clifford Chance, Pat was a Partner in one of Australia's leading boutique Maritime firms. She has lectured in Shipping Law at the University of Notre Dame.

She is the Vice President of the Maritime Law Association of Australia and New Zealand (MLAANZ), and chairs its Western Australia branch.



Greg Steinepreis

Greg is a partner of Squire Patton Boggs (AU). He is also a practising international and domestic arbitrator, being a fellow of the Australian Centre for International Commercial Arbitration (ACICA), a member and Grade 1 arbitrator of Resolution Institute and a panel member of the Australian Disputes Centre, as well as an accredited mediator.

Greg was admitted to legal practice in 1978. His legal practice is in the construction, resources and energy industries. He has advised government, governmental authorities and private clients in those industries on both the commercial and disputes side for over 25 years.

He has been recognised by his peers (as published in *Best Lawyers in Australia*) for ADR, Construction/Infrastructure and International Arbitration and was additionally recognised as the 2018 Construction/Infrastructure Law "Lawyer of the Year" for Perth, and International Arbitration "Lawyer of the Year" for Perth. He has also been recognised by *Chambers Asia Pacific* and *Legal 500 Asia Pacific* as well as other similar organisations.

Greg is Deputy Chair (Perth) of the Construction and Infrastructure Committee of the Law Council of Australia, chair of the Law Society of Western Australia's Construction and Infrastructure Committee and a member of the Chamber of Commerce and Industry of Western Australia's Construction and Infrastructure Forum.